

# CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

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## ***PLANNING COMMISSION MEETING MINUTES***

DATE: JULY 11, 2011

TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

### **MEMBERS OF PLANNING COMMISSION**

Mark J. Newman, Chair

John Cuddeback

Jerome Doyle, Vice Chair

Ronald Flowers

Richard Buell, Secretary

Robert Gensheimer

Mark Purkey, Board of Trustee Representative

Julia A. Morford, Recording Secretary

**PRESENT:** Mark J. Newman, Jerome Doyle, Richard Buell, John Cuddeback, Ronald Flowers, Robert Gensheimer and Mark Purkey

**ABSENT:** None

**OTHERS PRESENT:** None

**I. MEETING CALLED TO ORDER** at 7:00 p.m. by Planning Commission Chair **MARK NEWMAN** with Roll Call and the Pledge to the American Flag.

**II. ADOPTION OF AGENDA: FLOWERS MOVED**, seconded by Cuddeback to adopt the Agenda as submitted. **MOTION CARRIED.**

**III. APPROVAL OF PREVIOUS MINUTES: DOYLE MOVED**, seconded by Purkey to approve the Minutes of June 13, 2011 as amended. **MOTION CARRIED.**

#### **IV. UNFINISHED BUSINESS:**

1. **Trever J. and Michelle Cook, 5418 McKinley Road, Flushing, MI 48433**  
Special Use Permit to excavate a pond at 5418 McKinley Road, Flushing, MI 48433, Parcel No. 08-23-100-076 per *Special Use Permit Article XVIII, Section 20-1804(BB)*.

#### **BACKGROUND:**

After much discussion and review of the issue, it was determined sufficient information was not available to make a decision. **CHAIR NEWMAN** left it up to Mr. Cook to have the Planning Commission make a decision at the time or to go out and get the engineered drawings which Mr. Cook needed. Mr. Cook contacted the Clerk the day after the Planning Commission

Meeting in June (2011) and stated he (Mr. Cook) would be filling the pond in and would not be in attendance at the July 2011 Planning Commission.

**FLOWERS** wanted to know who would be doing the “policing” and not come back and bit the Planning Commission if it was turned down; someone had to police to make sure the pond was filled in. **NEWMAN** stated it was only an application and the only type of policing would be if the Planning Commission approved the issue, then we (the township) have to make sure Mr. Cook was in compliance. If the matter was voted down, Mr. Cook would have to be in compliance with all of the ordinances; the pond as it sets today, is not in compliance with the ordinances because Mr. Cook has not received a permit for the pond. The Township Attorney and the Police Chief are in charge of the policing.

If they wanted to start over, they would have to start over but have a site plan drawing.

**PURKEY MOVED**, seconded by Buell to approve a special use permit application for a pond by Mr. Cook on his property located at 5418 McKinley Road, Flushing, MI.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYAS: 0

NAYS: Newman, Doyle, Buell, Cuddeback, Flowers, Gensheimer, and Purkey

Motion Failed

**V. NEW BUSINESS:**

**1. AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF FLUSHING ZONING ORDINANCE REGARDING THE CULTIVATION, DISPENSATION, AND USE OF MEDICAL MARIJUANA**

The issue has been discussed and not sure why the matter was put on the Agenda. There was another marijuana issue that had been placed on the Board of Trustees Agenda regarding dispensaries. The proposed ordinance violates the Medical Marijuana Act and the HIPPA law.

It was felt by the Planning Commission that if you can't defend the issue, why have it on the books. No decision was made. It was determined that the Planning Commission cannot tell anyone “no” as long as they are in the correct district.

It was suggested that if the Supervisor would like to have the Planning Commission continue with the Medical Marijuana Act, he along with the Township Attorney should come and explain the reason so everyone has all the facts.

**VI. PUBLIC COMMENTS:**

**7:37 P.M. – OPENED TO THE PUBLIC FOR NON-AGENDA ITEMS**

None

**7:38 P.M. – CLOSED TO THE PUBLIC FOR NON-AGENDA ITEMS**

**VII. BOARD COMMENTS:**

1. **BUELL:** will not be in attendance at the August 8, 2011 Planning Commission Meeting.
2. **DOYLE:** is the Planning Commission in line to start working on the Master Plan.
3. **NEWMAN:** felt the Planning Commission could work on the Master Plan themselves. It was recommended to start working on the Master Plan in September.
4. **FLOWERS:** a document was given to the Planning Commission by Doug Piggott of Rowe Engineering; start at the top and continue on until it is finished.
5. **CUDDEBACK:** would like to have a new Master Plan book.

**VIII. MEETING SCHEDULE: NEXT REGULAR SCHEDULED MEETING WILL BE HELD ON MONDAY, SEPTEMBER 12, 2011 AT 7:00 P.M.**

**REGULAR SCHEDULED MEETING DATES:**

MONDAY, SEPTEMBER 12, 2011 AT 7:00 P.M.  
MONDAY, OCTOBER 3, 2011 AT 7:00 P.M.  
MONDAY, NOVEMBER 14, 2011 AT 7:00 P.M.  
MONDAY, DECEMBER 12, 2011 AT 7:00 P.M.

**IX. ADJOURNMENT:** Due to lack of business matters, **NEWMAN** adjourned the meeting at 7:42 p.m.

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MARK J. NEWMAN, Chair

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JULIA A. MORFORD, Recording Secretary

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RICHARD BUELL, Secretary

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Date of Approval

Planning minutes 07 11 2011