

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
FEBRUARY 8, 2011, 5:00 P.M., COUNCIL CHAMBERS
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Chairman Jerry Grantner led the Pledge of Allegiance.

Chairman Jerry Grantner called the Meeting to order at 5:00 p.m.

MEMBERS PRESENT: Grantner, Walls, Bertram, Cummings and Smith.

MEMBERS ABSENT: White and Centilli.

OTHERS PRESENT: A. Frost, DPW Representative and L. Young, Clerk's Office.

Moved by Bertram, seconded by Walls to approve the minutes of the Planning Commission Meeting on December 14, 2010, at 5:00 pm. Motion carried 5-0.

SPECIAL USE:

1. BCPC #11-03

BY: The Barn
James Liguori / Bennie Ashley
3412 E. Bristol
Burton, MI 48529

RE: 3491 E. Bristol Parcel #59-28-576-031 (A)

FOR: To operate a Medical Marijuana Dispensary
in a C-3 zone.

James Liguori, 5138 Brobeck, Flint Twp. and Bennie Ashley, 4124 S. Belsay Rd. stated that they were available to answer any questions that the Commission may have.

AUDIENCE PARTICIPATION:

Robert Reid, 3495 S. Center Rd., stated that Genesys PHO is objecting to the dispensary because of the potential for increased crime.

Amber Frost recommended that the Planning Commission move forward as the dispensary meets all the requirements of the newly passed ordinance.

BOARD DISCUSSION:

Attorney Richard Austin stated that there were several objections to the opening of a dispensary because of the Federal law. He said that the City's newly adopted ordinance complies with State law and that other communities that have been ignoring State law have been successfully sued. He recommended that the Planning Commission follow the ordinance and the State law.

Mr. Bertram asked Attorney Austin who was being sued and if it was successful.

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Attorney Austin replied that many jurisdictions in Oakland County have been sued successfully for not complying with State law.

Mr. Walls stated that the State law ties their hands.

BOARD RECOMMENDATION AND/OR ACTION:

Cummings moved and Bertram seconded to approve BCPC #11-03. Motion carried 5-0.

ADMINISTRATIVE SITE PLAN REVIEWS:

1. #10-29
BY: Mike Klingler
4836 N. Latson
Howell, MI 48855

RE: 4355 Saginaw

FOR: Change of use.
2. #11-01
BY: Vern Calhoun
2965 Porlus

RE: 6022 Davison

FOR: Change of use.
3. #11-02
BY: Mobile Medical Response, Inc.
G-3430 S. Dort
Burton, MI 48529

RE: G-3430 S. Dort Hwy

FOR: Change of use.

The next regularly scheduled meeting will be held on **Tuesday, March 8, 2011, at 5:00 P.M.**

Meeting adjourned at 5:13 p.m.

ljy