

**LAKE TOWNSHIP PLANNING COMMISSION**  
**Regular Meeting**  
**Wednesday, February 23, 2011**

The **regular meeting** of the Lake Township Planning Commission was called to order at 7:00 PM by Chairman Dave Szumlinski.

**Pledge of Allegiance** was recited.

**Roll call**

by Lisa Konke, Recording Secretary. Present were Dave Szumlinski, Dale Hartsell, Jeff Krohn, Gordie Krueger and Deb McBride along with approximately 10 guests.

**Guest Speaker**

Dick Koehler and Ron Roberts of the Huron County Sheriffs Department addressed the Board regarding medical marijuana. They presented to the members, Article I – Title, Preamble, Enacting Clause and Short Title. Koehler noted that Caseville Township has adopted this document. In his opinion, this is a very loose ordinance but at least it's a place to start. Law enforcement officers are finding that alot of the individuals that they have arrested in the past for drug related activity, are now in possession of a medical marijuana card. He added that he is totally in support of marijuana use for pain therapy when it is needed for cancer patients and people who are genuinely suffering.

Pat Smith questioned if this was a general or zoning ordinance.

Koehler answered that it is a zoning ordinance.

Szumlinski asked if a permit was needed and added that Lake Township was concerned with dispensaries.

Koehler added that the dispensaries are also called compassion centers or co-ops, which allows card holders to have more plants in one location, as each cardholder is allowed only a certain number of plants per location. These dispensaries require no licensing, no permits, no inspections, and pricing of the product is not regulated. He suggested seeking legal counsel regarding permits.

Pat Smith asked how the document handed out addresses privacy.

Ron Roberts answered that in his opinion this will be in and out of the court system for a long time due to the loopholes in the legislation. He added that until case logs are established it's very difficult to amend. Also, law enforcement cannot request to see a medical marijuana card. Though, if an individual initiates or informs an officer of the fact then he can speak to them about it.

Lou Colletta asked if an individual is driving under the influence of medical marijuana, is he absolved of charges.

Koehler answered that this would require blood tests.

Krueger asked what in their opinion should Lake Township do about this issue.

Koehler answered that the document he presented to the Board was a good place to start. Kelly Hanson, Sheriff, has assigned a deputy for only drug enforcement. If the department gets a report of marijuana being sold, they cannot call the State of Michigan to see if the individual is a card holder. There isn't any system in place as of now to allow this. By raiding the location without cause could result in lawsuits if the card holder is at the location.

Szumlinski asked if Lake Township would be able to require a special use permit.

Koehler suggested seeking legal counsel.

Roberts commented that it would be great if a special use permit had to be required.

Koehler suggested finding a township that has an ordinance already in place and asking them how it's working for them.

Szumlinski thanked the officers for their presentation.  
(7:40pm)

### **Approval of Minutes**

Motion by Hartsell, **to approve the minutes of the January 26, 2011 regular meeting minutes**, seconded by McBride All ayes. Motion carried.

Motion by Hartsell, **to approve the amended minutes of the October 27, 2010 regular meeting**, seconded by Krueger. All ayes. Motion carried.

### **Agenda**

Motion by Hartsell, **to approve the agenda with no additions**, seconded by McBride. All ayes. Motion carried.

### **Correspondence**

None

### **Old Business:**

#### **Wind Draft**

Discussion amongst the Board regarding the changes discussed at the last meeting of January 26, 2011. The members were in agreement that the distance from a non participating house should be 1500 feet not 1320 feet. Also, Board members were in agreement about the noise level of 45db, as is in the Huron County wind ordinance. Lastly, L90 is 90% of the time, and thinks 5 mph (minutes per hour) should be changed to 90% of the hour which is the equivalent of 54 mph.

Szumlinski noted that the Board has now reviewed and made amendments to the wind draft and asked the members if there any comments. He stated that the next step is to send the draft to the attorney for legality and then schedule a public hearing.

Krohn asked about the overlay.

Szumlinski answered that the developers would handle this and he believes that in the preliminary draft of the overlay the turbines would have been located in the southeast corner of Lake Township.

Board members were in agreement that amendments were satisfactory.

Motion by Szumlinski, **to forward the Wind Draft to Walt Salens, Lake Townships Attorney for review**, seconded by Krueger.

Roll call: Szumlinski, aye. McBride, aye. Hartsell, aye. Krohn, aye. Krueger, aye. Motion carried.

### **2011-2012 Planning Commission Meeting Schedule**

Motion by Szumlinski, to **approve the 2011-2012 Planning Commission meeting schedule with the addition of the November 16 meeting**, seconded by Krohn. All ayes. Motion carried.

### **New Business**

#### **Public Comments**

Bill Williams commented on Szumlinski's pronunciation of Dr. Swinbanks name and asked the Board how many turbines they think will fit in Lake Township.

Szumlinski answered that it's unclear but maybe 8 to 9 turbines.

Lou Colletta commented that public input should have been allowed on each issue, the property protection section and that he believes there is a problem with the complaint resolution portion.

No more public comments.

Motion by Hartsell **to adjourn**, seconded by McBride. All ayes. Motion carried.

**Meeting adjourned at 8:20 pm.**

Next regular Planning Commission meeting, March 23, 2011, 7:00 pm.

Respectfully submitted,

Lisa Konke, Recording Secretary