

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

810-659-0800

FAX: 810-659-4212

PLANNING COMMISSION

DATE: MARCH 29, 2004

TIME: 7:00 P.M.

WEB ADDRESS <http://www.gfn.org/flushing/index.html>

MEMBERS OF PLANNING COMMISSION

Jerome Doyle, Chair

Robert Gensheimer, Vice Chair

Eric Swanson, Secretary

Ronald Flowers, Board of Trustee Representative

Aaron Bowron

Richard Buell

David Gibbs

Jerald W. Fitch, Building Inspector

Julia A. Morford, Recording Secretary

PRESENT: Doyle, Gensheimer, Swanson, Bowron, Flowers, Gibbs, Fitch and Morford

ABSENT: Buell

OTHERS PRESENT: John Robinson, Audrey Robinson, Ronald Lyden, Ryan Cuz, Kal Nemer, and Carl Carlson of Flint Surveying and Engineering (FSE) of Swartz Creek, Michigan

I. MEETING CALLED TO ORDER at 7:02 p.m. by Planning Commission Chair Jerry Doyle.

II. ADOPTION OF AGENDA: FLOWERS MOVED, seconded by Gibbs to approve the Agenda with the omission of Approval of Previous Minutes. **MOTION CARRIED.**

III. UNFINISHED BUSINESS:
None

IV. NEW BUSINESS:

1. **John Robinson, 4430 Seymour Road, Flushing, Michigan – Special Land Use Permit for Placing a Temporary Dwelling While Constructing a Dwelling – Section 20.1803(B)**

JOHN ROBINSON (ROBINSON) was in attendance to request a special land use permit for placing a temporary dwelling (travel trailer) on his property while constructing a home for a time period of up to one (1) year and would be living in the travel trailer for the designated time period. The property, 4430 Seymour Road, Flushing, Michigan was purchased in December 2003; **ROBINSON** has been working on the property for the last couple of months.

ROBINSON and his wife, **AUDREY ROBINSON (A. ROBINSON)**, with their son currently live at 7322 W. Bristol Road, Swartz Creek, Michigan. Another son is in college.

ROBINSON, who would be constructing the home himself, felt he should be on the property all the time to keep an eye on the building material. **ROBINSON** and his family would live in a 31 or 32 foot travel trailer with a slide out; there would be ample living space during the summer months but as the weather should get colder, he (Robinson) hopes to have the home completed.

HOME AND PROPERTY SPECIFICATIONS:

- simple built home
 - a. 24 foot x 35-36 foot structure
 - b. 10 foot x 10 foot mud room
 - c. the great room would be separated by a single 10 foot wall
 - d. on the first floor downstairs, one wall expands into two (2) rooms
 - e. the upstairs would be a loft
- **ROBINSONS** close on the property tomorrow (March 30, 2004) – currently on land contract
- plans to break ground approximately May 1, 2004 to June 1, 2004
- plans to be in the home by Thanksgiving 2004
- everything has been checked out – Consumers Energy, septic system, etc
- the travel trailer would be located on the south side of the existing structure – 10 feet to 15 feet from the diagram in the picture (close to the trees)
- the large construction items would be completed by professional sub contractors
- majority of the work would be completed by **ROBINSON** and his sons

TRAVEL TRAILER SPECIFICATIONS:

- two (2) bunk beds
- primarily three (3) individuals in the trailer most of the time

SEPTIC AND WATER SYSTEM:

- current septic tank in the ground was never permitted and would be abandoned
- another system would be constructed along side of current septic tank and would extend out to the drain
- shallow well located on the property
- **FLOWERS** stated a waterline ran on the other side of Seymour Road - would like for water and a temporary sewer system to be hooked up to the travel trailer as soon as the trailer has been located on site

MISCELLANEOUS DISCUSSION:

- the family currently live in a rental home on two and one-half (2½) acres. The new construction for the owner will require four (4) to six (6) hours of work each day
- **ROBINSON** would have to pay rent during the time of constructing the proposed home and would not actually be at the rental home during the building process – financial burden
- **ROBINSON** felt he needed to spend every minute doing what he can – the financial burden would be great

- two (2) neighbors who can see the proposed property, have no objections to the travel trailer
- the township would not have to fight with **ROBINSON** to move the travel trailer
- **ROBINSONS** not sure what ordinance states regarding storage of a travel trailer, but when the home has been completed would have to make the decision whether to keep the travel trailer, store appropriately on the property, store someplace else or sell – most likely would sell

DOYLE stated that placing mobile homes on property is great but then becomes a nuisance after a period of time with the people that already live in the area; most of the time it is impossible to have the mobile home or travel trailer removed off the property. While it is approved that the process could be done, it is normally not something the Planning Commission would want to do as it would be invading on the surrounding property owners' rights.

DOYLE stated that if the current request was a situation that was of a dire emergency, it would make some kind of interest to proceed to grant the special land use permit.

GENSHEIMER stated that if the Planning Commission did not approve the special land use permit, and **ROBINSON** constructed the home on his own without a builder or contractor, how would **ROBINSON** secure the lumber and materials at night. **DOYLE** stated **ROBINSON** would have to find a way to secure the lumber as the cost to insure the lumber would be so expensive. **DOYLE** stated that 99% to 100% of lumber is not insured; the lumber would be delivered as it would be needed. Roof shingles are very seldom stolen.

GENSHEIMER wanted to know the construction stage the home would have to be in, in order for **ROBINSON** to obtain an "Occupancy Permit". **DOYLE** stated the home had to be completed to the point where the plumbing facilities were all in order and livable with heating and plumbing. A temporary occupancy permit could be obtained.

ROBINSON would like to be in the proposed home by fall. He (Robinson) would like to ask for the time which he thinks he needs rather than have to come back before the Planning Commission. **DOYLE** stated that when a person builds his own home, it usually takes twice as long to be completed.

GIBBS stated that if **ROBINSON** started the construction of the proposed home by April 1, seven (7) months later would be October, which bad weather usually has started. Between now and October there would be thirty (30) days lost; the home would have to be completed in five (5) months. **ROBINSON** stated that with the simple structure of the proposed home, there would be no reason why the home could not be closed in with adequate facilities by fall. **ROBINSON** stated the travel trailer could not tolerate freezing temperatures; at some point the family would have to vacate and find an apartment.

CONCERNS BY THE PLANNING COMMISSION:

- **FLOWERS** – 6 month period and then the trailer goes
- **DOYLE** – if granted with plans and ready to go -
 1. per **ROBINSON** there is a septic permit
 - a. 1,500 gallon primary tank
 - b. 40/50 feet from the structure
 - c. 600 lineal foot to a secondary septic field
 - d. 3rd plateau – below but not in the flood plain
 - e. flood plain is 40 feet from the river
- A \$4,000 water fee had to be paid in order to get the building permit - **ROBINSON** has to close on the property first
- Consumer Energy – underground cable (no temporary utility line)
 1. primary – existing accessory structure
 - a. 200 amp from the structure to the home
 - b. no existing power to the accessory structure
 2. subs underground to the proposed home so there would not be a temporary utility pole
 3. gas and electric would be installed at the same time
- water currently is available on the other side of the berm
- Realistically June 1 before **ROBINSONS** try to live at 4430 Seymour Road in the travel trailer
- a lot of gravel has to be placed on the existing dirt/grass drive
- The wheels would stay on the travel trailer; no bales of straw around the trailer

DOYLE stated that **ROBINSON** came to the Planning Commission ahead of time to apply for the special land use permit. **ROBINSON** has a land contract on the proposed property (4430 Seymour Road) but in order for **ROBINSON** to obtain a mortgage, the current owner had to become a party to the mortgage since he still owned the property. **ROBINSON** actually is not free to do what he wants yet; the proposed owner (Robinson) does not have a deed yet. **DOYLE** stated that if there should be an approval on the request, it would have to hinge upon the fact that **ROBINSON** could get ownership of the property. **ROBINSON** did not wait until May or June to come to the Planning Commission to request a special land use permit due to the time involved.

DOYLE stated that a temporary travel trailer is only allowed parked for an extra thirty (30) days. If the Planning Commission granted **ROBINSON** the special use permit, and it wasn't off when **ROBINSON** moved, **ROBINSON** would only have thirty (30) days in order to have the trailer removed. After the specified time period, the Township would take action.

FLOWERS MOVED, seconded by Gibbs to allow John Robinson, 4430 Seymour Road, Flushing, Michigan a Special Land Use Permit for Placing a Temporary Dwelling to begin May 1, 2004 to October 30, 2004; after that period of time, he must vacate the travel trailer whether the home has been completed or not and should be off the premises within thirty (30) days, according to the Ordinance. (Section 20.1803 (B)).

DISCUSSION:

- Travel trailer has to be removed from the property – Special Use Permit
 1. Planning Commission has the ability to make the Special Use Permit to work
 2. Ordinance allows the Planning Commission to tell anyone that brings a travel trailer or mobile home or anything in that nature onto a piece of property, there is only a 30 day permit and that is all; the permit could be extended to 90 days depending upon the type if travel trailer or mobile home that it is

BOWRON stated the wording of the Ordinance gives the impression the temporary structure could be placed on property up to one (1) year.

FLOWERS MOVED, seconded by Gibbs to allow John Robinson, 4430 Seymour Road, Flushing, Michigan a Special Land Use Permit for Placing a Temporary Dwelling to begin May 1, 2004 to October 30, 2004; after that period of time, he must vacate the travel trailer whether the home is done or not and should be off the premises within thirty (30) days, according to the Ordinance. (Section 20.1803 (B)).

AMENDMENT TO THE ORIGINAL MOTION:

FLOWERS MOVED, seconded by Gibbs that the travel trailer must be removed thirty (30) days after the Special Land Use Permit has expired. (Expires: November 30, 2004)

ROLL CALL VOTE:

AYES: Gensheimer, Bowron, Gibbs, Flowers, Swanson, and Doyle

NAYS: None MOTION CARRIED.

ABSENT: Buell

(Note: The Roll Call was for the Main Motion and the Amendment to the Main Motion).

2. Ronald Lyden, 6292 Turner Road, Flushing, Michigan – Informal Discussion Regarding Private Drive Ordinance

RONALD LYDEN (LYDEN) of 6292 Turner Road, Flushing Michigan was present for an informational meeting concerning a private drive. He (Lyden) has fifteen (15) acres of property and would like to divide the property into two (2) sections: front parcel - 4 acre strip; back parcel - 11 acres. The property is located just past the railroad tracks on Turner Road; parcel no. 200-047.

There is a shared easement extending East to a cul-de-sac; parcels involved include Ryan Cuz, 10100 Ruby Drive (parcel No. 200-038); Gary Miller (parcel no. 200-054 and 200-053), who has a pond west of his house on parcel no. 200-054; and Robert Perkins (parcel no. 400-021).

LYDEN'S home was constructed in June 1995 and he had the occupancy permit issued by January 1, 1996. **RYAN CUZ (CUZ)** stated there was a thirty (30) foot easement which had been placed when **LYDEN** constructed his house. **CUZ** stated the drive was 139 feet wide and 30 feet was taken off the total for an easement.

CUZ stated that **LYDEN** wanted to draw a line (shown on the section map) from parcel no.

200-038 (Ryan Cuz) to 200-047 (Ronald Lyden) and have his (Lyden's) new home located on parcel no. 200-047; **LYDEN'S** current home located at the front of the easement on Ruby Drive would then be sold.

DOYLE stated there was a violation of the Ordinance in this particular situation. The width of the easement is a violation for having the amount of homes in the area; this is not just a drive way, it is a private drive. **LYDEN** stated that when the drive was put in, the ordinance was different. The original approval had been for five (5) buildings because there was only 30 feet of easement that could be obtained; the Planning Commission would not give approval for more homes. The new ordinance state there has to be between 55 and 66 feet of easement.

LYDEN would like to purchase easement rights from Michael Farthing, 6316 Turner Road (emu farmer), to the North. **LYDEN'S** property is 139 foot wide with a 30 foot easement. A house is constructed on the property with the setbacks being 25 feet from the building to the easement line. The setback cannot be infringed upon unless there is a variance; **LYDEN** stated that was the reason he has to purchase property from Mr. Farthing since there was no other way to go.

LYDEN currently has a pole barn on Lot 2 (parcel 200-047). He would like to sell his current home and make Lot 2 (back portion) a buildable lot. The easement of the road could be changed to 55 feet.

LYDEN would like to keep the property (Lot 1-front property) 130 feet x 1,300 feet and use the easement for the other parcels of land, which would not be an acceptable thing because the ordinance has changed. **DOYLE** stated that if **LYDEN** allowed for a 30 foot easement, he is already undersized for an easement. **LYDEN** has discussed with Mr. Farthing concerning purchasing 25 feet of his (Farthing) property. **DOYLE** stated the ordinance states there shall be 66 feet for an easement. **LYDEN** stated that he could purchase more property.

LYDEN stated the next door neighbor (Mr. Farthing - the emu farmer) has a piece of property that measures 10.1 acres which he (Mr. Farthing) has an emu farm and does not want, by giving **LYDEN** the easement right to a particular point, lose his (Mr. Farthing) farming privileges for the emu farm. **DOYLE** stated the farm should consist of ten (10) acres and there should only be a specific number of livestock on the ten (10) acres; the emu farm is an existing farm. The matter would be addressed by **LYDEN** when he comes before the Planning Commission to petition the matter. **SWANSON** wanted to know if the area could be legally split to have more than a four-to-one lot ratio. **DOYLE** stated that what is there, is there; there are no new lots being created. **SWANSON** stated the State of Michigan required 100 foot lots with no more than 400 foot – a 4 to 1 ratio with the frontage of the lot.

DOYLE stated there currently is an easement that is 30 foot wide x 1,300 foot deep. **DOYLE** stated there is an exceptionally long easement and a private drive that is much longer than the ordinance allows unless the drive was blacktopped. The situation: changing something that was previously approved but once it has been changed, it has to be completed according to the new ordinance; if something has been put together it has to be legitimate in whatever is put together to make it work. There are three (3) houses currently using the easement with five (5) pieces of property. **FLOWERS** stated the ordinance requires 33 feet with only two (2) residences.

DOYLE stated there could be two (2) homes on a driveway but when there are more than two (2) homes, it would be a private drive and it has different sizes that have to be dwelt with.

DOYLE read Article III:

Section 20-304 Common Driveways which states:

- (a) A single 33 foot right-of-way may serve as ingress and egress for not more than two residences lacking sufficient frontage on a public road as required by this ordinance by administrative action of the Zoning Administrator. The right-of-way shall be excluded when calculating lot width or area. All setbacks shall be measured from the edge to the right-of-way.

Section 20-305 Private Roads which states:

(a) A private road is a road that provides direct access to a parcel and which is not dedicated to and accepted by an authorized governmental road agency. A common driveway as used in this ordinance does not constitute a private road.

(b) Application, review, and approval of a proposed, private road shall follow the same procedures, as conditional use permits with regards to notice and timing.

© Application for approval of a private road shall include a site plan sealed by a professional engineer showing:

- (1) Existing and proposed lot lines.
- (2) The location of existing and proposed structures.
- (3) The width and location of the private road easement.
- (4) A cross section of the proposed road, showing
- (5) Utility plans including the location and size/capacity of storm water drainage systems, sewer or septic systems, water lines or private wells, and private utilities such as telephone, electrical or cable service.
- (6) Proposed locations of driveways off the private road
- (7) Any existing or proposed structures, trees or other obstructions within the proposed right-of-way.
- (8) All division of land shall be in compliance with the Subdivision Control Act

(d) The proposed private road shall meet the following standards:

- (1) The minimum right-of-way width shall be sixty-six (66) feet, provided that an applicant can request a reduction in right-of-way width in order to protect natural features provided that in no case may the right-of-way be less than 50 feet or as a result of space saving features such as curb and gutter.

- (2) The minimum grade for roadways shall be 0.5%. The maximum grade shall be 6%. The maximum grade within 100' of an intersection shall be 3%.
 - (3) No fence, wall, sign, screen or any planting shall be erected or maintained in such a way as to obstruct vision between a height of three (3) and ten (10) feet within the triangular area formed by the intersection of a road right-of-way line and a private road right-of-way line and a line connecting two (2) points which are located on those intersecting right-of-way lines, thirty (30) feet from the point of intersection.
 - (4) The maximum number of residences permitted on a cul-de-sac is 20, but in no instances may a cul-de-sac be over 1,000 feet in length.
 - (5) Any driveways off of a private road shall be at least 40' from the intersection of the private road right-of-way and a public road right-of-way.
 - (6) Intersections of private roads with public roads shall be at an angle as close to 90 degrees as possible, but in no case shall it be less than 80 degrees or more than 100 degrees.
 - (7) The width of the roadway shall be a minimum of 18' with 3' shoulders provided for bicycle and pedestrian traffic for roads servicing lots over 100' in width. Roads serving lots 100' wide or less shall provide a 24' wide roadway with 3' wide shoulders.
 - (8) The minimum radius for circular cul-de-sacs roadway is 40'. An interior island is permitted in the center of the cul-de-sac, provided that the roadway within the cul-de-sac is not less than 25' wide.
 - (9) Private roads shall meet the recording and maintenance requirements outlined for common drives in Section 20-304 (b). (NOTE: There is a Maintenance Agreement with the Easement).
 - (10) Private roads shall be paved with bituminous asphalt or concrete if any of the following occur:
 - (a) the road serves more than 10 residential dwelling units
 - (b) the lots are an average of 100' or less in width
 - © the road provides access to multiple family developments
 - (11) Sight distances on horizontal and vertical curves shall be a minimum of 200' measured at a point 10' from the edge of the traveled road-way at a height of 42" to an object height of 42".
 - (12) Parcels fronting on private roads shall meet the required front yard setback and lot width for their district.
 - (13) The private road shall be constructed with a minimum 10" of 22-A aggregate. (**NOTE:** the private road has 6 to 10 inches of limestone).
- (e) Any road that provides connection to any other two (2) public roads, provides access to industrial or commercial property shall be constructed to county road standards, and inspected and approved by the Genesee County Road Commission.

DOYLE stated the width of the drive was the biggest concern because it is already there for the existing property and was previously approved; now the decision is to add to the existing

property and the best rational would be for **LYDEN** to purchase enough property to get 66 feet or a minimum of 50' in order to get the roadway and all of the drains, ditches, right-of-way for the utilities. The utility right-of-way would be after the twenty (20) foot edge of the drive and would go ten (10) feet into the property (long easement); about one-half (½) way down the drive the electricity would cross and would continue down the private drive on the South side of the private drive (would start on the North side of **LYDEN**'s property and continue to the East then across the 130 feet over to the South side of the property and back into the other parcels). The utility lines would be overhead. There would be propane gas. **DOYLE** stated the easement could be placed on private property but when that has been done, there would be a situation where there would be a setback, and the setback would be at minimum now from the road to the house, which is 25'.

GENSHEIMER wanted to know if **LYDEN** was going to purchase twenty-five (25) feet from Mr. Farthing who might want to keep the property but give the right-of-easeway, since there would be a farm with ten (10) acres. There currently are approximately six (6) emus on the farm.

DOYLE suggested the property owners purchase the property themselves and treat it like an association. If with an association, the current owners might want to make it a site condominium with the Maintenance Agreement (which they have) and add some by-laws to the Agreement and everyone's property would be protected and not subject to one persons easement.

Several concerns with the drive:

1. if **LYDEN** had to sell the property and someone else moved in and all of a sudden the surrounding people did not like the "new property owners"
2. over the years the parcels would be large enough to split – there would then be ten (10) parcels and more driving on the road etc.
3. all kind of problems with easements
4. a need for a two-way road – difficult for fire trucks, emergency, etc. – for protection of the people
5. if going to be an easement, make sure permission is granted to the ones that would be able to use the easement; the easement would be 100% right-of-way – couldn't tell the people they couldn't use the drive
6. if there was a new, updated easement for the 50 feet and then three (3) years down the road, somebody decided to split their property, the new person purchasing he property would have to conform with the easement as it would have been registered with the Deed.
7. the current property owners would probably not want to purchase the land, but they would go along with enhancing the easement rights. Mr. Farthing (the Emu Farmer) would still own his ten (10) acres but he would have given up a forever easement. **LYDEN** stated that he thought Mr. Farthing already had a 10 foot easement along the same stretch granted to utilities.

DOYLE stated there were only so many parcels and if the ordinance should change and there should be a division, the ten (10) parcels, as stated in the ordinance, would not be acceptable to the ordinance. **CUZ** stated that with the original purchase of the property, they had wanted

eight (8) sections in the back portion – four (4) parcels going down; the request had been denied and had to live with the existing ordinance which stated there could only be five (5) parcels off the private drive. **DOYLE** stated there would be no “grandfather” on a piece of property that would be divided; another change would be made by dividing the piece again. **SWANSON** stated that once property is split, it is no longer “grandfathered”. **DOYLE** stated that what **LYDEN** had at the present time was grandfathered; the current easement that serves the people was previously approved. If nothing has been done on the property and there have been no changes, the Planning Commission couldn’t state that **LYDEN** could no longer follow the ordinance. An individual’s property could be improved but other parcels could not be added to the original; in **LYDEN’S** case, the parcel that is an “L” shape would become two (2) parcels.

DOYLE stated that if **LYDEN** bought some property to the North or obtained an easement on the road, the Planning Commission would be stating that **LYDEN** would not be changing that much. All that would be done is making a jog in the road.

THINGS TO CONSIDER:

- Get the easement rights – at least 50 feet
- Get an engineered drawing so that it fits the ordinance

It was mentioned that **LYDEN** move his house to the back property (Parcel No. 200-047). There would be a clear right-of-way which would conform to the ordinance. The initial intention was to sell the front four (4) acres and to keep the back eleven (11) acres.

DOYLE read Article III, Section 20-305 which states:

- C. Application for approval of a private road shall include a site plan sealed by a professional engineer showing:
1. Existing and proposed lot lines
 2. The location of existing and proposed structures
 3. The width and location of the private road easement.
 4. A cross section of the proposed road, showing the types of material the road base and surface will consist.
 5. Utility plans including the location and size/capacity of storm water drainage systems, sewer or septic systems, water lines or private wells, and private utilities such as telephone, electrical or cable service.
 6. Proposed locations of driveways off the private road.
 7. Any existing or proposed structures, trees or other obstructions within the proposed right-of-way.
 8. All division of land shall be in compliance with the Subdivision Control Act.

3. Rolling Meadows #3 – Construction Drawing Review for Rolling Meadows #3 Phase I (Site Condominium)

CARL CARLSON (CARLSON) and **KAL NEMER (NEMER)** were present to obtain the Final Approval; a Final Preliminary Approval had been obtained January 14, 2003. The motion at that meeting stating:

“SWANSON MOVED, seconded by Gibbs to accept the Final Preliminary Approval subject to all the items that have been discussed. MOTION CARRIED.

CARLSON produced the Preliminary Plan for Rolling Meadows #3.

MISCELLANEOUS FACTS:

- 14 units in the development
- Final approval from the Genesee County Drain Commission
- Final approval from the Genesee County Road Commission
- construction plans have been sent in and are still being reviewed – final approvals are needed
- request for an amber light at the intersection – not a requirement
- **FITCH** received a letter of approval from Genesee County Drain Commission except for the allowable discharge for Phase III is 5.61
- **FITCH** received a letter from Genesee County Water and Waste

DOYLE reviewed the letter of March 24, 2004 from Rowe Inc:

Storm Sewer/Grading:

1. The orifice calculations on sheet 15 are unclear, with one set of orifice calculations showing a 9.3” restrictor and the other calculations showing 216 – 1” diameter holes.
ANS: The problem has been corrected on the construction plans. They will be using the 9.3” restrictor.
2. The applicant is proposing to outlet the detention basin to the existing 24” storm sewer in Rolling Meadows, Phase I (City of Flushing). Approval from the City of Flushing and the Genesee County Drain Commissioner will be needed for the proposed usage of the existing 24” storm sewer.
ANS: A letter has been received from the Genesee County Drain Commissioner but not from the City of Flushing.
3. In order to collect the volume of runoff entering the site from the West, the applicant may want to consider an end section on the 30” storm sewer in the rear yard of Lot 58.
ANS: A catch basin has been installed instead of the storm sewer – 30” – all underground.
4. Rear yard drainage within an easement should be provided for lots 50 and 51, collecting runoff prior to reaching lots 1-2 of the existing Rolling Meadows development.
ANS: Whitcomb’s property.

Sanitary Sewer and Watermain:

1. Sheets 9-13 should have some type of horizontal control such as stationing and offsets shown in both the plan and profile view for staking the locating during construction.

- ANS:** Reference to sheets 9-11 construction plans. Review during construction.
2. The applicant has indicated the existing sanitary sewer they are proposing to connect to is owned by the Genesee County Drain Commissioner –WWS. The applicant shall obtain approval from that governing agency for the connection and provide documentation to the township.
- ANS:** The applicant shall obtain approval from that governing agency for the connection and provide documentation to the township.
3. The applicant shall provide information on the plans on how lots 50 and 51 are served by sanitary sewer, as a home has already been built on Lot 51.
- ANS:** Both are located on the East side of the property.

General Items:

1. The township should review the Master Deed to make sure the maintenance of the detention pond, as well as permanent easement areas, are part of the condominium association responsibilities.
- ANS:** The By-Laws and the Master Deed will be given to the Township Attorney for his review.
2. The applicant does not propose any lighting for Rolling Meadows #3. It is recommended lighting be included, if desired by Flushing Township.
- ANS:** as per No. 10 of the letter dated December 5, 2002 from Rowe Inc for the Preliminary Approval of January 14, 2003. A discussion was held and the final outcome was that **NEMER** would request Consumers Energy to make the layout and provide the assessment district for the lighting. The lighting would not show on the drawing; the township would make the request and Consumers Energy would act on the request. The lighting district would be set up and Nemer would pay for the lighting request.
3. The applicant does not propose any new sidewalks for Rolling Meadows #3. It is recommended the sidewalks be continued, if desired, by Flushing Township.
- ANS: No. 3, Page 5 Street/Storm Sewer/Grading of Minutes of January 14, 2003:**
ROWE: The site plan does not indicate whether sidewalks are proposed in Phase III Sidewalks exist in Phases I and II and it is recommended that the sidewalks be continued in Phase III, if desired by Flushing Township.
- FSE:** Phase I and Phase II are located within Flushing City limits and have sidewalks. If the township should require sidewalks, then the township would be responsible for the maintenance. Should there be sidewalks in Phase III? The reply was a voice roll call vote.

(**Clerk's Note:** Reference made to Planning Commission Minutes of January 13, 2003, page 3, Questions and Answers – a motion was not made only a voice roll call vote to the question)

ROLL CALL VOTE:

AYES: None

NAYS: Swanson, Minarik, Bunker, Flowers, Gensheimer, Gibbs, Doyle

There will be no sidewalks.

4. A typical cross section shall be provided for the proposed development and the roads shall be labeled as either public or private.

ANS: It is the standard County specification and will be turned over to the County – approved by the County Road Commission – intersection Pierson Road

DOYLE read the remaining information listed under General Items of the Letter of March 24, 2004 from Rowe Inc. which states:

“Our plan review is for conformance with the township’s submittal requirements and standard engineering practices for the township’s use in its determination of whether to approve the construction drawings. The developer and designer shall be responsible for the accuracy and validity of the information presented on the plan. Regulatory and other governmental agencies with jurisdiction should review the plans and may have additional comments or requirements.”

ANS: Engineers have reviewed the material; **GENSHEIMER** wanted to know that when the Church property was approved, if there was an option to contact **NEMER** regarding the extension of the Church driveway on the East. Once the road has been dedicated, it would no longer belong to **NEMER**, the Church would connect to the dedicated road. There would be mountable curves.

The road, extending out to Pierson Road, parallel with Ambleside Drive, would be deeded to the Genesee County Road Commission.

GIBBS wanted to know if there would be a yellow blinking light at the intersection of Ambleside Drive and Pierson Road. The matter would be determined by the Road Commission.

GIBBS felt there should be a blinking light since there will be people coming out of the subdivision and also Flushing Nazarene Church.

SWANSON MOVED, seconded by Flowers as per the recommendations and conditions as set forth in the minutes of January 14, 2003 for the Final Preliminary Approval.

ROLL CALL VOTE:

AYES: Bowron, Gensheimer, Swanson, Flowers, Gibbs, and Doyle

NAYS: None MOTION CARRIED.

ABSENT: Buell

VI. BOARD COMMENTS:

1. Powers and Duties of Zoning Administrators Seminar

FLOWERS reminded the Planning Commission to let the Clerk know if they were planning to attend the *Powers and Duties Zoning Administrators Seminar* on Monday, April 26, 2004 at the Holiday Inn Gateway Centre in Flint. To take advantage of the Early Bird price, all attendees' names have to be turned in before April 9, 2004, at a price of \$65 for the first two (2) registrants and \$55 for each additional registrant.

2. Special Planning Commission Meeting

FITCH stated that he had two (2) individuals: 1) Mary Jane Hudson (Hutson) – Hyde Park and 2) an individual request for a pond permit that would like to come to the May meeting. The option would be to either set up a Special Meeting or accommodate the requests on a Work Session Meeting. The next Work Session has been scheduled for Tuesday, April 27, 2004; the next regular Planning Commission Meeting has been scheduled for Monday, May 10, 2004.

DOYLE felt that a regular meeting should be just that, where regular business is held; a special meeting could be held for Mary Jane Hudson on Monday, May 3, 2004. The detailed information for both matters will be available to the Planning Commission on Tuesday, April 27, 2004. **DOYLE** suggested if Hutson wanted a special meeting she would have to pay the extra cost; if Hutson wanted to wait until Monday, May 10, 2004, that would be great. It was decided the plan drawings for Hutson would go to Rowe Inc.

VII. MEETING SCHEDULE:

PROBABLE WORK SESSION – TUESDAY, APRIL 27, 2004 – 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, MAY 10, 2004 – 7:00 P.M.

PROBABLE WORK SESSION – TUESDAY, MAY 25, 2004 – 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, JUNE 14, 2004 – 7:00 P.M.

VIII. ADJOURNMENT: There being no further Work Session business, **DOYLE** adjourned the Planning Commission Meeting at 9:55 p.m.

JEROME DOYLE, Chair

JULIA A. MORFORD, Recording Secretary

ERIC SWANSON, Secretary

Date of Approval