

CHARTER TOWNSHIP OF FLUSHING  
6524 N. SEYMOUR ROAD  
FLUSHING, MICHIGAN 48433  
810-659-0800 FAX: 810-659-4212  
**SPECIAL PLANNING COMMISSION MEETING**  
DATE: AUGUST 22, 2005 TIME: 7:00 P.M.  
WEB ADDRESS <http://www.gfn.org/flushing/index.html>

**MEMBERS OF PLANNING COMMISSION**

Aaron Bowron, Chair	Richard Buell
Jerome Doyle, Vice Chair	Ronald Flowers
Eric Swanson, Secretary	David Gibbs
Barry Pratt, Board of Trustee Representative	

Jerald W. Fitch, Building Inspector  
Julia A. Morford, Recording Secretary

**PRESENT:** Bowron, Doyle, Swanson Buell, Flowers, Gibbs, Pratt, Fitch, and Morford

**ABSENT:** None

**OTHERS PRESENT:** Justin W. Sprague, Assistant Planner with Rowe Inc

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

**BOWRON** requested to modify the Agenda by changing Doug Piggott of Rowe Inc to Justin W. Sprague of Rowe Inc.

**II. ADOPTION OF AGENDA: DOYLE MOVED**, seconded by Flowers to approve the Agenda with the slight change. **MOTION CARRIED.**

**III. APPROVAL OF MINUTES OF AUGUST 8, 2005: FLOWERS MOVED**, seconded by Doyle to approve the Minutes of August 8, 2005 as corrected. **MOTION CARRIED.**

**IV. UNFINISHED BUSINESS:**  
None

**V. NEW BUSINESS:**

**1. Justin Sprague (Sprague) – Review and Discussion on Township Grading/Drainage Ordinances**

**BOWRON** stated that improper grading and filling throughout the township has led to drainage problems. Toward the ultimate goal of arresting any further drainage issues by addressing their underline causes, the township has commissioned Rowe Inc to provide an Analysis of Various Grading Issues.

**SPRAGUE** will provide to the Planning Commission some insight into the frame work on how the issues operate. The Planning Commission will have to determine:

1. whether or not the township wants or needs a grading ordinance
2. if the township wants or needs an ordinance, what form will it take

There are a lot of issues involved and will require a balancing between the community's interest and the property owners rights with their property.

**AND**

**2. Justin Sprague (Sprague) - Review and Discussion of Conditional Rezoning**

**BOWRON** stated that on December 30, 2004 – effective January 4, 2005, Governor Granholm signed legislation that amended the three (3) zoning enabling acts to permit conditional or contract rezoning. The Planning Commission will have to address the issue as to:

1. whether the Township wants to engage in the particular type of rezoning
2. what form or shape are implementing ordinances going to take

**BOWRON** stated that, from a legal standpoint, there have been issues raised about the constitutionality in terms of equal protection and due process. If the Planning Commission permits conditional rezoning to one petitioner and to another petitioner, the request is denied, would there be a good reason to deny the request? Would the Planning Commission be rendering itself to a potential lawsuit for the failure to not engage in the rezoning? The case law is non existent at the present time.

**7:08 P.M. – OPENED TO AUDIENCE**

**SPRAGUE** stated that **DOUG PIGGOTT (PIGGOTT)** of Rowe Inc had been contacted by Flushing Township to do an analysis indicating what was the definition of a grading plan ordinance, how the ordinance would work, do other communities use the ordinances, and how could the ordinance work for Flushing Township. There have been previous situations in which the owners had constructed new houses, accessory structures, etc and in the process whether they have included elevated septic systems or anything along that line is indirectly causing rain or storm water run off to flood the neighbors' property. The township has been interested in resolving the matter to prevent future drainage situations.

**SPRAGUE** reviewed the “*Analysis of Issues Related to Grading Plan Ordinance*” (presented to the Planning Commission).

Questions/Comments from the Analysis are as follows:

Currently 1 and 2 family dwellings are not required to have a site plan review.

**1. When is a grading plan required?**

- a. for one (1) and two (2) family dwellings
- b. exemptions found within the ordinances:
  1. projects that involve only minimal excavating for footings
  2. lots under “x” (often 20,000 sq feet) in size
  3. single family development on lots over “x” (such as 1 or 2 acres)
  4. fill of less than 3 feet or 50 cubic feet (dog house or small utility house)
  5. disturbs less than “x” square feet of land
  6. minor additions to existing dwellings or structures, the construction of accessory buildings, tennis courts, swimming pools or minor landscaping
  7. projects that in the determination of the township engineer, do not alter an existing grade, contour or drainage flow, including but not limited to: raised decks; patios built to grade; fences; and tree removal and planting
  8. agricultural practices involving the establishment, cultivation, or harvesting of products of the field or orchard, preparing and planting pasture land, and forestry land management practices.

**SPRAGUE** stated the Township must first determine what projects there needed to be a grading plan for as far as 1 to 2 family dwellings, accessory buildings, pole barns, dog houses, tool sheds, swimming pools, tennis courts, etc. Determination should be made as to how strict the township should be to enforce such items as proposed or what has been shown in other grading plans **OR** in the township’s case with the 20,000 square foot lots, should that be included?

**PLANNING COMMISSION COMMENTS:**

- **FLOWERS:** 20,000 square foot lots would only be if water and sewer was available.
- **DOYLE:** lots could be smaller than 20,000 square feet if water and sewer were available.
- **FLOWERS:** problem would be the raised septic fields on lot sizes being 100 x 200 square feet and the house constructed in the middle of the property.
- **GIBBS:** water flows to the neighbor’s property with the raised field.
- **SWANSON:** problems have been documented with the raised septic system; there have been problems with simple grading; commercial businesses, etc.
- **BOWRON:** the assumption is that improper grading or filling has led to the drainage issues – what are the statistics?

- **BOWRON:** would a new ordinance be overly broad for what the Planning Commission has been trying to address.
- **DOYLE:** ordinance currently states that any new property that is put together for a house could be extended to a commercial building, that any drainage to the side property line has to drain backwards or forwards and not to the adjoining property. With the raised septic systems, there would be excess water which would create a temporary water problem for the neighbor.
- **BOWRON:** what was the underlined reason for the drainage problem - what extent does it relate to the County not maintaining the drains.
- **SWANSON:** issue started from an issue where a couple of houses were constructed and the septic was put in the front after the houses were built. The neighbor's property was the only place for the water to drain.
- **SWANSON:** previously, the septic system could be placed ten (10) feet from the property line – changed to twenty (20) feet to get a decent slope.
- The raised septic fields are a major problem.
- **FLOWERS:** two (2) neighbors, each having one adjacent lot, became a “waterway” due to one raised septic field and one below ground septic field
- **DOYLE:** Planning Commission should change the ordinance so that if individuals were in a “waterway”, divert the water so that it was on the individual's property and did not infringe upon the neighbor – there would have to be an inspection if the grading was not completed.
- **SWANSON:** felt there was a problem with the grading issue.

**BOWRON** felt that for the time being, there needed to be a review of the general frame work

**2. What information is required from the applicant?**

- a. what formation does the Planning Commission want to see on the grading plan
- b. \* = Rowe recommended the township include the information which the township required  
\*\* = Rowe recommended the Township consider including the information which the township required  
without asterisks = some information requirements that were in one or more of the sample ordinances
  1. \* existing contours – some sample ordinances require 1 foot intervals, others 2 foot intervals, some required information to extend 25' off the property.
  2. \* proposed contours.
  3. \*property lines.
  4. \* existing and proposed structures.
  5. \*grade information at key locations – such as all corners of proposed structures, basements, driveways or other “critical areas.”
  6. \* existing and proposed easements.

7. \* all elevation information is required to be on an established datum.
8. \* applicable flood plain elevations.
9. \* existing drainage courses, storm sewer lines, etc.
10. location of disposal site for soils
11. \*\* impervious surface area calculations.
12. cross sections (3 to 5 for each side yard between another residence, others showing maximum depth of fill and maximum height of cuts, setbacks of buildings from fill or cuts, and retaining walls).
13. total quantities of cut and fill material
14. \*\* location of foundation drain outfall
15. \*\* soils identification
16. \* existing and proposed utilities

### 3. Review Process

- a. Would be determined how the grading plan is reviewed as to who performs the duty and the items on the plan.
- b. Most plans and ordinances require the municipalities own engineer. Flushing Township would be using Rowe who would review the plan and determine whether or not it was in compliance with the township's ordinance.
- c. Most of the sample ordinances require at least one (1) inspection of the site once it has been graded. Some of the other sample ordinances require notification to property owners when they submit the grading plan. There could be a one-time up-front fee to cover all of the cost or there could be a \$50 application fee which would cover the cost of the review or the inspection of the engineer at first.

### 4. Standard for Approval

The engineer that would be doing the review, would base his review of the procedures to ensure that the concerns important to the township are addressed and to promote due process for all property owners. Objective vs Subjective Ordinances:

#### **Objective: (Rowe's Preference)**

- a. provisions that have cuts or fills over five (5) feet must be at least twenty-five (25) feet from a property line and that cuts or fills could not result in slopes greater than a 2 to 1.
- b. would allow the engineer to approve modifications to these standards based on data provided by the applicant's engineer.
- c. if the township chose to go with the Objective method, the exact information would not have to be used in the ordinances – there would be flexibility and creativity.
- d. Objective standards are easier to judge.

**Subjective:**

a. "if, in the determination of the municipal engineer, the proposed work will unreasonably divert or detain water onto adjacent properties or the public right of way; alter existing drainage patterns so as to adversely impact adjacent properties or the public right of ways; increase or concentrate runoff of storm water onto adjacent properties or the public right of ways; or cause some similar adverse impact, and the applicant fails to submit proposed measures that would eliminate the identified adverse impacts, then, the request for a grading permit shall be denied."

1. problem: if, upon first inspection someone wanted to put in a house with an elevated septic, based on the Genesee County Health Department (Health Department) determination, it would be hard at that point to determine, based on the lot as it existed, what the full impact of the elevated septic would be.
2. determine if it would increase or alter, in an unreasonably way, runoff onto an adjacent property to a public right of way.

**5. Appeal Process**

- a. should an applicant's grading plan be denied, who would be the appealing body to hear the appeal of denial.
- b. several options to appeal:
  1. the township could establish an appeals body for the specific purpose of hearing grading plan appeals.
  2. Rowe recommended a separate body, only if the township believes the level of request would justify creating a board especially if there should be a lot of one (1) and (2) family dwellings:
    - a. if there should be 100 building permits handed out in a year; there could be a lot of potential appeals
    - b. the Zoning Board of Appeals has practice handling appeals but the issues they (ZBA) would deal with, in the grading plan appeals, are not typically addressed by the ZBA.
    - c. an appeals board would meet on an infrequent basis.
    - d. the Planning Commission has more practical experience based on the site plan review process and the amount of site plans they (Planning Commission) deal with on a commercial basis, residential, etc.
    - e. the township board of trustees usually does not have the experience to deal with issues on the hearing appeal dealing with drainage

**SPRAGUE** stated the purpose of the technical analysis has been to review the key issues that would need to be addressed in development of a grading plan ordinance. The hope is that by dealing with the issues at point, they would not get lost in discussion of the ordinance verbiage and the drafting of the actual text would be simplified.

**PLANNING COMMISSION COMMENTS, CONCERNS, QUESTIONS:**

1. **BOWRON:** what were the typical fees for the application and, if in the engineer's estimation, the grading plan would be required, what would be the cost?
  - a. there is a lot of costs to consider such as house construction, property values, etc.
  - b. **SPRAGUE:** without speaking to the engineer it would be hard to determine. A fee of \$100 could be set aside to cover the township engineer and the application. The engineer would go to the site to determine:
    1. if the grading plan was necessary (cost would be \$100)
    2. if the situation needed to proceed, there could be costs between \$250 to \$500 depending upon the scope of the project:
      - a. if a contractor wanted to put in a four hundred (400) unit development, the cost could be close to \$1,000 based on the actual amount of work and detail that would be needed to go into the engineer reviewing the plan for four hundred (400) homes.
2. **FLOWERS:** what was the normal cost for sending plans for subdivisions, etc to the engineer for review? **JERRY FITCH (FITCH)** Flushing Township Building Inspector stated the cost was normally \$700 to \$900.
3. **PRATT:** was there a possibility of being "backed into a corner" in a situation where the township would be accused of taking property in a case where the individual made a bad decision such as 1) the property did not drain properly, 2) the property needed a lot of work, 3) the house design would not fit on the property, etc. (A recent MTA (Michigan Townships Association) Planning Commission Seminar discussed the possibilities of taking property).
4. **DOYLE:** he did not see a problem. In order to build on a country lot where there had to be a septic system, there had to be a perk test.
5. **BOWRON:** the "taking" was a high threshold; the property owner had to be deprived of all economically viable use of the property; because a particular use has been restricted does not in itself constitute a "taking".
6. **DOYLE:** he has never seen a lot that some type of house could not be constructed on it; the design of the house may have to be changed.
7. **SPRAGUE:** there are other types of landscaping, screening things that could be done by vegetating further than grass that would contribute to slowing the flow of water.
8. **PRATT:** the township could get itself out of most situations.

9. **DOYLE:** the Planning Commission has recommended a basement not be constructed were there is underground water.
10. **FITCH** stated:
  - a. someone would be complaining about drainage regardless of what takes place regardless if there was or was not an engineer.
  - b. building permits are not issued without septic permits being issued.
  - c. the township changed the ordinance and made the lot size bigger.
  - d. originally twenty-five (25) foot setback from the property line from a septic system.
  - e. Land Division Act has helped the situation – a septic system is not placed on less than an acre of land.
  - f. drainage problems with the septic systems have gone away
    1. **FITCH** has been called 4 times this year – all because of sump pumps
      - a. most sump lines deal with private drives
      - b. locations of where sump lines should be installed
      - c. **DOYLE:** the City of Flushing did not want the rain water to come from either a roof or a sump but to flow into a pipe that ran to a storm drain or someplace similar. A downspout drainage could be installed to have the water drain out to the yard on the rest of the property.
      - d. elevated septic system problems have gone away with the larger lots.
11. **BOWRON:** who was going to bear the cost for eliminating the problem of the drainage issues largely affected by adjacent property owners rather than public right of way?
12. **SWANSON:** it was the responsibility of the township, in issuing the permit system to build in the township, to insure that the township wasn't liable for creating the problem.
13. **BOWRON:** for many developments the information is required; why not for single family dwellings?
14. **DOYLE:** there are more problems when there are small lots. Problems involve water that drains off driveways, roofs, and things of that particular nature. There would continue to be problems until vegetation has been built up.
15. **DOYLE:** to control the issue, the Planning Commission would have to stipulate the matter be assembled when the individual applies for a building permit.
16. **GIBBS:** he heard one-third (1/3) of the water that drains into the ditches has been coming off black-top driveways.
17. **PRATT:** (inquired from **FITCH**) what has been the procedure for making sure the grading has been done properly on residential building sites:
  - a. let the engineer have a wide hand – not sure if the drainage would work until it had been put in.
  - b. review the septic system and try to get an idea of what was going on around it.

- c. most of the time when the septic system was installed forty-eight (48) inches above the ground there would be a problem somewhere; eighteen (18) inches above the ground and twenty (20) foot from the property line, there should not be an issue.
- 18. DOYLE:** the same problems applied when berms were placed on property.
- 19. SPRAGUE:** generally the ordinances required the grading plan be met before the building permit had been issued. If the *Objective Standard Procedure* was followed and the developer or the home owner was going to put in an engineered septic system, they could give all the specifications to the engineer, and based on the information, the standards could be applied:
- a. septic system four (4) foot off the ground – recommended to be thirty-five (35) feet from the property line
  - b. septic system one and one-half (1 ½) feet off the ground – recommended to be twenty (20) feet from the property line
    - 1. the water would be slowed down if the septic system to the property line was at no more than a 2 to 1 drainage ratio as long as not right on the property line.
- 20. BOWRON:** what would be the time frame procedure:
- a. applicant would submit the documentation to the engineer
  - b. engineer would review the information and visit the site.
  - c. time involved to review the initial stages to determine whether or not there would be a grading plan:
    - 1. if application turned in, within 30 days to determine if a grading plan would be needed.
    - 2. engineer would have time to read the application and visit the property to do a survey and see if a grading plan was needed.
    - 3. if a grading plan was required, there would be more time involved.
    - 4. time frame the grading plan was submitted for review:
      - a. the township would have ninety (90) days to respond
      - b. if a “no” response, the appeal process would be started
      - c. if “yes” response, any time within the zero (0) to ninety (90) days, the information would be given to the building inspector and if everything looked good, the building permit would be approved.
- 21. DOYLE:** as a builder, the cost of the house could increase immensely, putting the construction of the house off another season; the cost of the house would increase so that you would not be able to build – the process could be a major project. **DOYLE** stated he has found the septic system has been the biggest item as far as a time frame that has to be covered. In order to estimate the cost of the house in the first place, the builder has to have the engineered drawing to find out what the grades would be so in order to figure what kind of situation you would have when you go to the Health Department:
- a. extended situation where everything has to be above the ground

1. could not take the plan to the Health Department and get a permit – never would happen without an engineered design system
  2. property has to be perked in order to bid the project before the construction starts.
- b. from a builder’s standpoint, don’t always need the information - all cases are different.
- 22. BOWRON:** in a situation where the applicant gets a waiver of a grading plan and could have the building permit issued, the initial application cost of \$50 or \$100, would not truly reflect the cost born by the applicant if the delays should increase. **DOYLE** stated there would be other costs involved for delays; engineering fee depends upon the job, etc.

**BOWRON** stated the Planning Commission had been provided with sample ordinances to review as to how the ordinances worked as to the standards. **SPRAGUE** stated the analysis was prepared on a review of the six (6) ordinances which were given to the Planning Commission.

**BOWRON** inquired as to the prominence of the grading ordinances were in Genesee County. **SPRAGUE** stated that he had not seen any grading ordinances in Genesee County. If anyone has any questions, the Planning Commission could call **SPRAGUE** at the office.

\* \* \* \* \*

### **Justin Sprague (Sprague) - Review and Discussion of Conditional Rezoning**

#### **DEFINITION OF DIFFERENCE BETWEEN CONTRACT ZONING AND CONDITIONAL ZONING.**

“Contract Rezoning in which the city, township, municipality agrees to rezone in return for the land owners promise to do certain things. A Conditional Rezoning is a unilateral zoning in which the land owners agrees to certain things the city rezones.”

**SPRAGUE** reviewed the *Analysis of Contract Zoning*:

(See Attached Exhibit A)

1. What is Contract Zoning?
2. What is the legal basis for contract zoning?
3. Why enter into a contract?
4. Entering into the Zoning Agreement.

#### **SUMMARY OF CONTRACT ZONING:**

The developer could come to the Township and specify that he would like to put a specified use on some property. The developer would then offer the township stipulation for constructing the business such as putting a grocery store on Joe Smith’s farm:

Stipulations:

- a. sewer ½ mile away – agree to extend the sewer line to the property
- b. developer would build the grocery store to the township’s architectural standards
- c. a certain design for the parking lot, drainage system, etc
- d. township would agree to the terms of the contract
- e. when the contract has been settled, that would be what would be allowed on the property and is rezoned to that specific classification.

1. **BUELL:** what would happen in five (5) years if the grocery store closed?

**ANSWER: SPRAGUE** stated it could only be used as a grocery store for the term of the agreement. If the term of the agreement was for ten (10) years and the store closed in five (5) years, there would be an issue. There has not been a precedence set so the only thing similar would be a PUD, but not exact.

2. **BUELL:** would *Contract Zoning* be more advantageous than PUD’s.

**ANSWER: SPRAGUE** stated he has not formulated an opinion as of yet due to lack of rulings on the case. **DOYLE** felt the township partially has done contract zoning in an Open Space Development. **FITCH** stated a developer could approach the Planning Commission but the Planning Commission could not approach the developer. **DOYLE** stated that in an Open Space Development, there had to be a certain amount of open space forever or a small development could have a small store included. **PRATT** stated a rezoning runs with the land but only for the length of the term of the agreement.

3. **FLOWERS:** what would happen if someone had an agreement for ten (10) years and in the first five (5) years nothing was accomplished and suddenly the individual passed away?

**ANSWER: SPRAGUE:** stated that according to the analysis, No. 2 of the Public Act, it states:

“the township may establish a time period during which the conditions apply to the land. Except for an extension under subsection (4), if the conditions are not satisfied within the time specified under this subsection, the land shall revert to its former zoning classification.”

4. **BUELL:** what would be the typical term of a Contract?

**ANSWER: SPRAGUE** stated that since the rezoning was a new procedure, it was undetermined.

**EXAMPLES:** Someone comes in to get a ten (10) year contract and the business turns into a booming business and at the end of the ten (10) years an extension can be obtain; the extension would not have to be approved.

5. **BOWRON:** after the time period of the contract the petitioner could petition from a grocery store to some other commercial business.

**ANSWER:** **SPRAGUE** felt an attorney needed to be consulted. The language would be vague. **BOWRON** felt that something could end up on the property which the Planning Commission had not approved. Per the Master Plan, the authority and the power resided as to the developer's responsibility to convert to commercial.

**SPRAGUE** mentioned that within the Zoning Ordinance, just because the State law provides the authority to have contract zoning, the Township could take a stand that:

“the township does not recognize the issue and would not be using the practice within the township.” This would be similar to the Zoning Board of Appeals (ZBA) who do not have the authority to grant a use variance but the State law states they (ZBA) could grant an approval – permissive but not mandatory.

**BOWRON** felt that in the absence of an implementing ordinance, there would be all the authority in the State Law, there would be more flexibility. **SPRAGUE** recommended that if the township wanted to use contract zoning as a tool, there should be some language in the ordinance that stated to that fact, the procedure to proceed all the way to the appeals, etc. making sure it was thoroughly laid out. If the township did not want to proceed in the particular direction, it should be stated in the ordinance to stay silent or state the township would not use contract zoning.

**BOWRON** stated that on one hand, if an ordinance was implemented, there would be objective standards to comply with; if the township should be silent on an issue, there would be subjective standards with more flexibility. **PRATT** stated that since the issue was a State Law, wouldn't it be within the rights to offer in writing and the Planning Commission would have to hear the request. **SWANSON** stated it was already mentioned in the ordinance that the Planning Commission does not have contractual zoning. **SPRAGUE** wanted to know the authority of the ZBA Ordinance regarding granting of uses. **FITCH** stated the uses mentioned “the ZBA could not grant a use variance.” **SPRAGUE** stated the *Contractual Zoning* would be stated the same way, “the township does not accept contract zoning offers” plus the wording from the attorney. A citizen has a right to challenge the wording.

**FLOWERS** stated the Planning Commission should first determine if the township wanted contract zoning.

**BOWRON** stated if the Planning Commission remained silent, they would still have the authority per the statute. **FITCH** wanted to know if it would have to be put in an ordinance book or could it be put in a procedures manual.

**SWANSON** felt there should be a “wait and see” attitude. Someone might come to the Planning Commission that would be perfect for the situation. **DOYLE** stated that if it was an inviting thing to do, it might be worth it.

**PRATT** felt if it opened the Master Plan and created a flow in the direction which the township wanted, it would be a tool.

**SPRAGUE** felt if the Township stayed silent, what would be the standard of approval.

1. one proposal would be for a situation which the Planning Commission felt was not feasible; another proposal would have a different situation that would be approved, what would be the standard of denial.
2. situations best dealt with administratively – not a record of the issue.
  - a. personnel can make suggestions of actually dictating the conditions.
  - b. **SWANSON** stated there could be committees to make sure everything was in place.

**SPRAGUE** gave a Legislative Analysis:

**For:**

Land use planners in counties, towns, and townships need many tools to ensure that land is re-developed and preserved in sensible, cost-effective, and aesthetically appropriate ways. Conditional zoning would enable local planners and property owners to rezone a parcel – say an obsolete gas station or abandoned warehouse – subject to explicit conditions that are specified in order to maintain high quality standards during the redevelopment. Conditional zoning would be part of a local unit of government’s land planning process, and any changes in the zone that were proposed would be subject to the same kinds of public notice and public hearings.

**Against:**

Some have argued that conditional zoning is unenforceable. In a situation where a zoning ordinance is passed upon condition that a landowner perform a certain act prior to, simultaneously with, or after the passage of the zoning ordinance, the effectiveness of the legislation is conditioned upon the landowner’s act—with no enforceable contract. The principal objection to conditional zoning is that it constitutes illegal spot zoning, and a “bargaining away” of a local unit of government’s police power.

**DOYLE** felt that in the future, everything the Planning Commission took, would be contract zoning.

**8:40 P.M. – CLOSED TO THE AUDIENCE**

**VI. PUBLIC COMMENTS:**

**8:41 P.M. – OPEN TO THE PUBLIC FOR NON AGENDA ITEMS**

**8:41 P.M. – CLOSED TO THE PUBLIC FOR NON AGENDA ITEMS**

**VII. BOARD COMMENTS:**

1. **BOWRON** stated that Gary Miller would be at the September 12, 2005 Planning Commission. There were issues with the drainage coming from the East and West. **DOYLE** stated East drainage comes into the pond from the East to the West; the other drainage goes from the pond to the North.
2. **PRATT** stated that at the last Board of Trustees meeting, approval was given to share a GIS venture with Genesee County Planning Commission at a cost of \$900.00.

**VIII. MEETING SCHEDULE:**

**REGULAR SCHEDULED MEETING – MONDAY, SEPTEMBER 12, 2005 – 7:00 P.M.**

**PROPOSED SPECIAL MEETING – MONDAY, SEPTEMBER 26, 2005 – 7:00 P.M.**

**REGULAR SCHEDULED MEETING – MONDAY, OCTOBER 3, 2005, – 7:00 P.M.**

**PROPOSED SPECIAL MEETING – MONDAY, OCTOBER 24, 2005 – 7:00 P.M.**

**IX. ADJOURNMENT:** There being no further business, **BOWRON** adjourned the Planning Commission Meeting at 8:45 p.m.

\_\_\_\_\_  
AARON BOWRON, Chair

\_\_\_\_\_  
JULIA A. MORFORD, Recording Secretary

\_\_\_\_\_  
ERIC SWANSON, Secretary

\_\_\_\_\_  
Date of Approval