

CHARTER TOWNSHIP OF FLUSHING  
6524 N. SEYMOUR ROAD  
FLUSHING, MICHIGAN 48433  
810-659-0800 FAX: 810-659-4212  
***PLANNING COMMISSION***

DATE: NOVEMBER 13, 2006 TIME: 7:00 P.M.  
WEB ADDRESS <http://www.flushingtowship.com>

***MEMBERS OF THE PLANNING COMMISSION***

Mark J. Newman, 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:** Newman, Doyle, Swanson, Buell, Flowers, Gibbs, Pratt, Fitch and Morford

**ABSENT:** None

**OTHERS PRESENT:** Mike Teeples and Linda Minarik

**I. MEETING CALLED TO ORDER** at 7:01 p.m. by Planning Commission Chair Mark J. Newman with Roll Call and the Pledge to the American Flag.

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

**III. APPROVAL OF PREVIOUS MINUTES:**

(A) **APPROVAL OF MINUTES OF SEPTEMBER 25, 2006: FLOWERS MOVED**, seconded by Doyle to approve the Minutes of September 25, 2006 as amended. MOTION CARRIED.

(B) **APPROVAL OF MINUTES OF OCTOBER 2, 2006: FLOWERS MOVED**, seconded by Doyle to approve the Minutes of October 2, 2006 as amended. MOTION CARRIED.

**IV. UNFINISHED BUSINESS:**

None

**V. NEW BUSINESS:**

1. **Michael Teeples on behalf of Brent Myers, 204 Mill Street, Flushing, MI**  
Special Use Permit to Construct a Pond at 4469 Duffield Road, Flushing, MI  
(Parcel No. 08-30-200-021)

**NEWMAN** reviewed the procedure for presenting a request to the Planning Commission:

1. the Applicant or Applicant's representative would explain the project and/or make the Planning Commission aware of any changes or additions that had not originally been submitted.
2. the Commissioners would then ask for any clarifications on any questions or for any additional information which they (Commissioners) might need.
3. there would be response time from the public to comment.
4. a more detailed discussion would then be held by the Planning Commission and further determination, if at all, as to how to proceed on the application.

**APPLICANT'S REPRESENTATIVE:**

**MICHAEL TEEPLES (TEEPLES)** was in attendance representing **BRENT MYERS (MYERS)**, who is constructing a home for **MYERS** located at 4469 Duffield Road, Flushing, Michigan (Parcel No. 08-30-200-021). **TEEPLES** is a licensed builder.

**TEEPLES** stated there were four (4) properties involved: **1)** Harold Whitcomb, 4471 Duffield Road (Parcel No. 08-30-200-020); **2)** Brent Myers, 4469 Duffield Road (Parcel No. 08-30-200-021); **3)** Gregory Barber, 4465 Duffield Road (Parcel No. 08-30-200-022); and **4)** William J. Noecker, 4325 Duffield Road (Parcel No. 08-30-200-030). The main problem is an over abundance of water.

**TEEPLES** presented letters of correspondence from Mr. Whitcomb, Mr. Barber and Mr. Noecker; letters were not available from the landowners, to the North, of the property in question.

**TEEPLES** stated he had to build the house for **MYERS** out of the "hole" because there was so much water; presently, water is not coming out of the basement. **TEEPLES** has taken some of the sand in the area and backfilled around the area; currently water is flowing in different directions, specifically to the farmer to the North of the **MYER** property. **TEEPLES** stated there were different methods in which the matter could be resolved:

1. the overflow for the proposed **MYER** pond could go West across Mr. Whitcomb's property to a North/South drain.
2. Mr. Whitcomb owns sixteen (16) foot of the ditch to the West of his property.
3. **TEEPLES** has been trying to dig the pond to relieve the water problem for the neighbors and would also be great for animal life.
4. **MYERS** owns six and one-half (6 ½) acres of land
5. the proposed pond would be sixty foot by ninety foot (60' x 90'); sixteen (16) foot deep and have a ration of 4 to 1.

6. the overflow will be underground flowing West into Mr. Whitcomb's property line ditch; the water would naturally flow to the North.
7. the property line ditch is located on the specific property so the farmers can let their water flow to Carpenter Road; the ditch at Carpenter Road is five and one-half (5 ½) to six (6) foot deep with a twelve (12) foot culvert; the water then flows to the Flint River.

**COMMISSIONERS COMMENTS:**

- **BUELL:** is Mr. Whitcomb's ditch along the road? **TEEPLES:** the ditch is located on the property line where the water would then flow toward Carpenter Road.
- **BUELL:** once the water rises above Mr. Whitcomb's property where does the water flow? **TEEPLES:** the water would flow to Mr. McCartney's property where there is an open ditch. Mr. Noecker is the farmer that sold the property to Mr. Whitcomb, Mr. Myers, and Mr. Barber.

**TEEPLES** stated he could excavate the really wet property to a point where the water would flow toward the proposed **MYER** pond but there is another area to the North that also floods. Ms. Minarik owns property, to the North of the proposed pond, that floods out but there is a ditch; currently water is going into the ditch and flooding out the area.

**SOLUTION BY TEEPLES:**

- **TEEPLES:** the pond is needed to get rid of the water problems for the farmers and the neighbors.
- **BUELL:** would the water then go across Mr. McCartney's property? **TEEPLES:** the water would then go down the easement to the ditch.
- **MINARIK:** did the ditch referenced by **TEEPLES**, run between her property and Mr. McCartney's? **TEEPLES:** the ditch runs down the center of both Ms. Minarik's and Mr. McCartney's property.
- **TEEPLES:** would really like to solve the water problem.
- **MINARIK:** Mr. Barber's house was built on a spring; Mr. Barber came across a fence on Ms. Minarik's property and dug a ditch which has flooded out Ms. Minarik's property.
- **TEEPLES:** Mr. Barber has been draining the water from his basement which has been flooding the easement and corner of Mr. Barber's property.
- **TEEPLES:** would like to take Mr. Barber's overflow and put it into the proposed pond.
- **NEWMAN:** whatever conditions the Planning Commission should give **TEEPLES** on the proposed pond, there would have to be a decision made as to what would actually happen. An individual could not start tying into other individual's properties and drain into the proposed pond. A pipe could not be run from Mr. Barber's house to another area.
- **DOYLE:** in order to drain one property onto another property even if there is a pond: 1) it has to be the original way the water drained without the houses being built and 2) there had to be some type of agreement between the way the water was put onto the property

so the water could go across another property to drain into the big drain. The process could be done with an open ditch. Ditches or underground drains would solve the problem; ditches would be better because they are already dug up. Trees grow in the ditches and therefore plug the ditches.

#### **ADDITIONAL COMMISSIONERS COMMENTS:**

- **NEWMAN:** the ordinance provides that if there is going to be a pond, the Planning Commission has to know the sources of water in terms of what is going into the pond but also how the overflow would work. If Mr. Barber intended to drain water, there would have to be a recordable easement. Mr. Myers should also have something in writing to protect himself if something should happen to Mr. Whitcomb in the future; Mr. Myers would not be able to do anything about the situation. There needed to be a reciprocal easement to confirm that in perpetuity, through all time, running with the land, that the water would still drain across the property.
- **TEEPLES:** in order to do the project, **TEEPLES** would have to get an easement from two (2) different property owners.
- **NEWMAN:** Mr. Myers would have to grant the right to Mr. Barber to let the water come onto his property and Mr. Myers would then want to get an easement from Mr. Whitcomb so there would be an enforceable right.
- **BUELL:** would there be an underground overflow that traveled westerly across Mr. Whitcomb's? What would be the size? If planning to bring all the water from Mr. Barber's property down to the pond and out, there could be an awful lot of water.
- **TEEPLES:** there already is a six (6) inch drain in the area. **TEEPLES** is not sure if the water is properly flowing to the ditch.
- **PRATT:** is the **MYERS** pond already existing? **TEEPLES:** the sand has been dug out for backfill for the **MYERS** house.
- **PRATT:** how deep is the pond? **TEEPLES:** there is already a ten (10) foot excavation of the pond. The pond is there and has water in it.
- **NEWMAN:** would the material that has been dug out of the pond stay on the property; the increase of the height of the pond would be obtained by digging out the bottom.  
**TEEPLES:** everything that has been dug out of the pond was used and would stay on the property.
- **FLOWERS:** there would be a hole in the ground. **TEEPLES:** the hole is not sixty foot by ninety foot (60' x 90') and is not sixteen (16) foot deep.
- **FLOWERS:** what type of soil is involved with the deeper excavation? How far down has **TEEPLES** gone and if he has hit ten (10) foot would the soil hold water?  
**TEEPLES:** he hit clay at five (5) foot without digging a hole. **TEEPLES** did a pre test on the basement hole because he wanted to make sure the basement would be out of the water. He (Teeple) got down three and one-half (3 ½) foot and water started coming in; at five (5) foot there was clay and sand; at seven (7) or eight (8) foot there was gray/white clay. **FLOWERS:** there is something in the soil that is holding water; if there was sand, the water should have been drained away one way or another.

- **TEEPLES:** for Mr. Barber's house, the basement hole was dug too far down into the ground and hit an open spring; the water continues to flow out of the hole.
- **TEEPLES:** the pond solution should solve everyone's problems.
- **FLOWERS:** there would need to be an easement across Mr. Whitcomb's and Mr. Barber's property to the West drain. If anyone covered the drain it would hurt both Mr. Barber and Mr. Myers. The easements needed to be in writing.
- **DOYLE:** if not sure there is a County Drain that extended North and South at Mr. Whitcomb's property but just a drain that was formed by the property owners, the same thing could apply without a written easement.
- **TEEPLES:** not sure if the drain that extended North and South by Mr. Whitcomb's property is a County Drain. **TEEPLES** has talked with Mr. Minarik and with McCartney's dad who dug the North/South drain when they were farming the property.
- **LINDA MINARIK (MINARIK):** according to the stakes, Mr. Minarik stated the North/South drain was half Minariks and half McCartneys. The County Drain is located Southwest of Victor Lake's property (Parcel No. 08-30-100-008).
- **DOYLE:** the drains were originally put together to help drain the property for farming purposes.
- **TEEPLES:** is willing to put the purposed pond in for his home owner and neighboring farmers with expenses coming out of his pocket. There are a lot of problems involved with the homeowners.
- **FLOWERS:** everything needed to be put in writing and filed with the County.
- **BUELL:** what is the condition of the drains being referred to? Are they unusable?
- **GIBBS:** some of the drains haven't been cleaned out in fifty (50) years.
- **BUELL:** at what point would the water flow to Carpenter Road?
- **SWANSON: (To TEEPLES)** a permit would be needed for the purposed pond; there needed to be a detailed drawing of the pond, the location, depths, sidewalls, everything according to the ordinance. Everything has to come to the Planning Commission as agreed before anymore digging could be done.
- **NEWMAN: (To JERRY FITCH (FITCH))** one of the provisions of the ordinance is an engineered set of plans that has been approved by the Building Inspector. **NEWMAN** read page 33 *Special Use Permits Article XVIII, BB Ponds, b General Provisions and Conditions, number 4* which states:
  - “Ponds shall be engineered and designed according to all provisions and conditions of this Ordinance, including engineered drawings, drawn to scale by a qualified designer showing all site buildings, easements, size, setbacks, etc. Such plot plan shall be approved by the Building Inspector before a hearing shall be scheduled.”
- **NEWMAN:** additional information needed to be added to the as-built sketch that was presented to the Planning Commission.
- **DOYLE:** felt the Planning Commission should give **TEEPLES** exactly what he needed to have in order to comply with the ordinance so that he could come back at a future date.

#### COMMENTS FROM THE AUDIENCE:

- **MINARIK:** she is the farmer that owns Parcel Number 08-30-200-001. She doesn't have any problem with the pond but when the water floods her property, she isn't very happy. The drain West of Mr. Whitcomb won't help her property; Minarik needed her land to drain so that she can farm. Mr. Barber opened a fence that was to the North of the Barber property so that he could drain his property; Minarik lost twenty (20) acres of wheat this past summer. Minarik and McCartney's own one-half (1/2) of the drain to the West of Mr. Whitcomb's property which extends along the property line.
- **NEWMAN:** is the drain located to the North or South of Carpenter Road? **MINARIK** stated the ditch location is South of Carpenter Road extending North and South of the West side of **MINARIK'S** property.
- **BUELL:** his understanding that the plan that is being proposed by **TEEPLES** would ultimately require the water that goes along Mr. Whitcomb's place to transition into the ditch between her (Minarik) and McCartney's property; Minarik does not want the water to the extent of what several of the Commissioners eluded to earlier to where the water could be shut off unless there was an easement granted.
- **TEEPLES:** if the water from Mr. Barber's property was put into the proposed **MYERS** pond, it would have saved the twenty (20) acres from the Minarik farms.
- **NEWMAN:** more information is needed, in the correct formation, with the correct certifications for the Planning Commission to make a decision. **NEWMAN** stated the efforts of **TEEPLES** are not being dismissed as there is a terrible water problem in the area.
- **NEWMAN:** per **DOYLE**, the Planning Commission could go through all the elements in the ordinance and in the Review Procedure and inform **TEEPLES**; he (Teeples) could then bring the information back to the Planning Commission for a final decision.
- **NEWMAN:** there is a clear acknowledgement there is a water problem.
- **PRATT:** there has to be more information to make sure the project is feasible.
- **TEEPLES:** the situation would never be resolved because he could not get an easement from the farmer. **TEEPLES** has talked to McCartney but has not had the time to get the letter.

#### FURTHER COMMISSIONER COMMENTS:

- **BUELL:** at what stage does the County Drain Commission get involved with a similar situation? There is a solution but it would cost money.
- **DOYLE:** since there is a private road involved, it would not be the same as if there was a public road. The North/South drain belongs to the people so in order for **TEEPLES** to dump an easement ditch into the North/South ditch, there would need to be more easements. The County Drain Commissioner does not get involved.
- **FLOWERS:** there could be petitions for the property owners to schedule a drain hearing for the area. If the matter was approved, there would be a cost to the residents within so many feet of the area. A lot of work is involved to get the project completed.
- **SWANSON:** the North/South drain drains to a County owned ditch along Carpenter Road. There have been problems with ditches in the past but the County has worked with

the residents to get the matter resolved. The ditches could be cleaned out to help prevent the flooding and also help drain Minarik's property. **TEEPLES** would have to work with the County and Minariks to obtain a usable drain.

- **GIBBS:** approximately ten (10) years ago Minarik's father-in-law, neighbors, and himself (Gibbs) tried to get a ditch cleaned out; there was a battle getting enough signatures but eventually the drain was cleaned out.

#### **LETTERS OF CORRESPONDENCE:**

1. **Brent and Mary Myers, 4469 Duffield Road, Flushing** – “the pond is necessary due to the high water table; the pond could be a possible solution.”
2. **William Noecher, 4325 Duffield Road, Flushing** – “in total support of the pond; it would be beneficial to wildlife habitat; will act as an overflow area from the Barber property; the land gets wet and stays wet longer the farther to the North an individual goes because of the low elevation and heavy clay soil type; encourage the Planning Commission to work with **TEEPLES** to resolve the water problem.
3. **Greg Barber, 4465 Duffield Road, Flushing** – “has no problem with the digging of the pond; the pond will help with the drainage of the farmer's fields.”
4. **Harold and Brenda Whitcomb, 3169 Kings Brook St, Flushing** – “owns the property west of Brent Myers at 4471 Duffield Road, Parcel No. 08-30-200-020; has no objections to the Myers tying into the drain located in the Southeast corner of their property.”

#### **ADDITIONAL INFORMATION NEEDED:**

1. Setback information
2. Engineered drawings designed to ordinances which would include the depths and grades of the pond.

#### **FURTHER ADDITIONAL COMMENTS FROM THE COMMISSIONERS:**

- **PRATT:** recommended **TEEPLES** take the Flushing Township Ordinance to Rowe Inc. for their review and request the information needed be placed on the engineered drawing to satisfy the ordinance.
- **NEWMAN:** the Planning Commission needed to see an engineered drawing that showed how the pond would look when it was completed, based on the proposal of the pond, and if the Planning Commission would approve the pond.
- **NEWMAN:** the Planning Commission needed to see a drawing of how the pond would sit on the property, how it would look, how it would be built with setbacks if it was built the way **TEEPLES** had proposed.
- **TEEPLES:** if the proposed pond issue did not work and the neighbors were not willing to cooperate with the easement recommendations across Mr. Whitcomb's property, what would be an alternative?
- **FLOWERS:** **TEEPLES** should contact the Genesee County Drain Commission and inform them there is a water problem; the County will conduct a survey and then hold a Board of Determination.

- **BUELL:** on the Northeast quarter of the Northeast quarter of Section 30 would be everything to the Northeast of where **TEEPLES** is constructing Myers home. There are a lot of small parcels in the area. Are the small parcels inundated with water as well as the properties mentioned? **TEEPLES** stated the small parcels would be fine as the water flowed to the West. **TEEPLES** stated Duffield Road ran North and South; Carpenter Road runs East and West. **BUELL:** felt **TEEPLES** would be taking the water a long distance if there was an opportunity to extend the water to the East. **TEEPLES** stated the natural flow was to the West.
- **DOYLE:** felt that **TEEPLES** should get the property owner involved because **TEEPLES** would be helping his property owner (Myers) and others. In order to drain the property there would have to be easements put into affect. During the time period of putting all the information together, **TEEPLES** needed to contact the neighbors about getting some type of easement over to the property where the drains are located because without the easements to the drains nothing will happen. Putting the water into a pond or drain would be the only way to get rid of the water because there is too much water sitting in the area. Certain times, even farms are wet. **DOYLE** recommended there be open drains/ditches. The Planning Commission will work with **TEEPLES** to proceed with the matter.
- **BUELL:** if Mr. Barber's water wasn't coming on Myers property would there be a problem? **TEEPLES** stated there wouldn't be any problem; the water from Mr. Barber's property has created the problem. **BUELL** wanted to know if there a successful negotiation that would put a ditch to the North from the Northeast corner of Mr. Barber's property and extend straight North to Carpenter Road; would that resolve the issue because it would only be six hundred fifty (650) foot. **TEEPLES** stated it would solve the problem but there still would be the problem of getting the easement. **BUELL** stated one (1) of the letters of correspondence from the neighbors stated the property has always drained to the North.
- **NEWMAN:** in the letter of correspondence from William Noecker, he stated it drained to the North.
- **GIBBS:** the land in the area is very flat.
- **TEEPLES:** would be willing to work with any plan that would be available.
- **NEWMAN:** the decision was left up to **TEEPLES**. The Planning Commission cannot continue until there are reciprocal easements. The issue will be placed on the Agenda for the next Regular Planning Commission scheduled for Monday, December 11, 2006.
- **SWANSON:** the smart thing would be to get the property owners involved; ask the owners what "they" would like and then **TEEPLES** could work to resolve the issue. The property owners would be the ones to sign the easements.

## VI. PUBLIC COMMENTS:

**8:22 P.M. – OPENED TO THE PUBLIC FOR NON AGENDA ITEMS**

**LINDA MINARIK (MINARIK), 10168 W. Pierson Road, Flushing** – “the current ditch was dug around the Minarik farm, consisting of twenty (20) acres, to keep the neighboring properties from flooding. The Minariks never had any problems with their farm until the houses were constructed. **MINARIK** wanted to know who to contact when someone was draining their sump pump into a ditch extending across a fence and draining into the ditch around the twenty (20) acres. **MINARIKS** had ask Mr. Barber’s contractor to not drain the water into the ditch around the Minarik’s farm; the builder stated he wouldn’t – but the water is back. **MINARIK** stated the farming was her living – she did not farm for pleasure.”

**NEWMAN** stated he has seen situations similar to Minariks long before he was on the Planning Commission where individuals would submit code compliant plans approved by a Building Inspector; build the house; pass all the inspections as far down as to how the sump crock was tied in and everything was completed; receive the certificate of occupancy; and the individual moved into the house. After they moved into the home, the occupants would start changing things in the home such as the patio, on the back of the house, was now a deck that was never approved but is attached to the house or the way the water drained off their property. Regular Annual or Bi-Annual Inspections of every property are not possible to make sure modifications have not been made. **NEWMAN** stated that if water was being released onto **MINARIK’S** property in a way that **MINARIK** felt was not appropriate or lawful, that would be a civil remedy between Minarik and the other offending property owner. The remedies would be in the Civil Court of Law.

**NEWMAN** stated that by protecting his own property and knowing that other people in his subdivision protect their property, they are protecting each other.

**MINARIK** stated there was a ditch along the south and west side of the property to the North of Mr. Barber’s, Mr. Myers, and Mr. Whitcomb’s property. The road is on the North side; there is a ditch on the east side.

**PRATT** wanted to know if Mr. Barber dug a ditch across **MINARIK’S** property line?  
**MINARIK** stated Mr. Barber reached over a fence to dig the ditch. The issue would be a Civil Case.

**DOYLE** felt if **TEEPLES** was willing to spend the money to take care of the particular water problem, it would be reasonable to try and work with the property owners to see if the problem could be resolved. **MINARIK** stated it was her opinion that **TEEPLES** wanted to take Mr. Barber’s water, drain across Mr. Myers property and Mr. Whitcomb’s and then drain across the **MINARIK** property. **MINARIK’S** property would drain last. If the water was taken care of properly then the **MINARIK** property would not be wet. **DOYLE** stated that in order to satisfy the amount of water that would be going to the North and across **MINARIK’S** property (Minarik’s property is lower than the other properties according to the map) **MINARIK** should allow the extra water, that is being put on **MINARIK’S** on their back South property, to go into the current ditch with the adjoining neighbor. If the ditch was clean and clear it would alleviate

the other problem. Mr. Barber could put the water to the South into the proposed ditch and get it away from **MINARIK'S** property so she would not lose her farming ability. **DOYLE** stated his thought would be to get **TEEPLES** to a point where the three (3) property owners would agree to spend the money to put the ditch in as well as clean out **MINARIK'S** ditch.

**BUELL:** felt the other alternative would be to clean out the East ditch on the East end of **MINARIK'S** property. The ditch on the East side would be shallow.

**SUPERVISOR ANDY TROTOGOT** stated there were other cases in the township similar to the current issue at hand regarding water and ponds; could anything be done about the matter. **NEWMAN** stated the matter was addressed as a Planning Commission when people come in with proposals. The Planning Commission had to say "OK" the water was coming off Mr. Barber's and going to Mr. Myer's but that would not be the end of the water problem; this has been the concern for **MINARIK**. In the roll as a Planning Commission, this would be when the Commission could address the issue. The Building Inspector does the best that he can when he is inspecting the properties, but when he hands over the Certificate of Occupancy, no one knows what is taking place within the confines of the homes.

**DOYLE** felt there could be a rational where the Planning Commission could tell the property owner that he had to put his sump on his own property next to his house so that it would drain on his own property instead of running onto someone else's property. Years ago the City of Flushing had too many sump lines that went into the sewers. Now the sump is put into a drain that is already in existence or the individual could let the water drain on their own property. It would be similar to down spouts which do not go to the storm sewers. In the current case, it should be recommended that Mr. Myers' sump should drain outside of his property about ten (10) foot and wherever it went from there, it would filter through the greenland.

**PRATT** wanted to know if before an occupancy permit was issued didn't it require the Building Inspector to check out the site for proper drainage? **FITCH** stated the only thing the Building Code required was for the land to be sloped away from the foundation of the home. **FITCH** stated that when he went out to do the final inspection for Mr. Barber, **FITCH** looked for water but did not see any standing water. **FITCH** stated the first time he saw any water going across the road, by Mr. Barbers, was when he went out to Mr. Myer's property to do the foundation inspection. When Mr. Barber's home was completed there wasn't any "gushing water" coming out of the foundation. The excavated basement hole looked like any other basement hole in Flushing Township; clay soils had a little bit of water in it; but there wasn't any water bubbling out of the ground or pouring out of the sides of the excavation. The problem of the water is a mystery.

**PRATT** stated he remembered something in the ordinance about proper drainage. After someone moved into a home, the township couldn't say anything about what an individual was doing to their home; it would be a trespass issue.

**MINARIK** felt running water away from your foundation ten (10) foot verses all the way along your property line into the neighbors, something seemed wrong. **MINARIK** inquired as to why the homeowner had to be responsible for his own little parcel.

**PRATT** stated if someone was draining water onto someones property, he was illegal and it would be a civil matter.

**PRATT** felt the issue at hand was the drainage of wetlands.

**DOYLE** felt the natural drainage that was in the area would be allowable. The natural drainage was according to the topography map; water naturally went across the area. The problem would be the speed of the water. Once there was the situation where there was no longer grasses that slowed down the water; currently there is the problem where there is too much water all at once. There are no ordinances against water it would be the natural drainage law of the land.

#### **8:43 P.M. – CLOSED TO THE PUBLIC FOR NON AGENDA ITEMS**

#### **VII. COMMISSIONER COMMENTS:**

1. **BUELL:** Rowe Inc had at one time given the Planning Commission some thoughts on drainage requirements. It might be a good idea to check with other townships to see how they are handling the issue. The issue could be added to the Special Meetings List.
2. **SWANSON:** (further discussion to **BUELL**) when the drainage issues were given to the Planning Commission they were pretty strict. The Planning Commission thought the ordinances were too restrictive but it would be a great idea to revisit.
3. **DOYLE:** thought the ordinances were too restrictive because the ordinances made reference to smaller parcels instead of large farm areas.
4. **NEWMAN** recommended not having a Special Planning Commission Meeting on Monday, November 27, 2006. There would be a Public Hearing on Monday, December 11, 2006 regarding: 1) *Stake Surveys* and 2) *the change of language to comply with the 2006 Michigan Zoning Enabling Act*. December 25, 2006 would be a holiday for some of the residents so the next Special Planning Commission Meeting would be in January 2007.

**VIII. MEETING SCHEDULE:**

**REGULAR SCHEDULED MEETING – MONDAY, DECEMBER 11, 2006 – 7:00 P.M.**

**REGULAR SCHEDULED MEETING – MONDAY, JANUARY 8, 2007 – 7:00 P.M.**

**IX. ADJOURNMENT:** There being no further business, Chairperson **NEWMAN** adjourned the Planning Commission Meeting at 8:47 p.m.

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MARK J. NEWMAN, Vice Chair

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JULIA A. MORFORD, Recording Secretary

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

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Date of Approval

Planningminutes 11/13/06