



**Washtenaw County
Office of Strategic Planning**

June 15, 2009

Michelle K. Manning
Northfield Township Clerk
P.O. Box 576
75 Barker Rd
Whitmore Lake, MI 48189

**RE: PA 116 Farmland Agreement Applications Review –Niles Farm –Northfield Township
(116-PAB-864-2009)**

Dear Ms. Manning:

Thank you for the opportunity to review and comment on the Public Act 116 Farmland Agreement Application pertaining to the Niles Farm in Northfield Township. In accordance with PA 116, the Washtenaw County Planning Advisory Board can provide comments and forward them to the local governing body with jurisdiction (Northfield Township).

Staff reviewed the Niles Farm PA 116 applications, and the County finds them to be consistent with planning goals and policies on the local and county levels, and provides the following comments:

1. Maintaining the property as an active agricultural use meets the goals of *A Comprehensive Plan for Washtenaw County*, specifically with respect to the Agriculture Recommendation 4.2.1 – “Encourage landowners to apply for local, state and federal programs and encourage local governments to identify funding methods for farmland preservation.”
2. The subject parcel is located in the Agricultural land use designation found in Northfield Township’s Growth Management Plan, which sets the goal of (1) “A township whereby the current and future primary land uses are agricultural” and “establish an open space system which preserves and enhances the rural and agricultural character of the township.” It also states the objective: (1) making “land use decisions...with the intent of supporting long-term agricultural operations” through strategies such as “Supporting Public Act 116 Farmland/Open Space Preservation applications if located within areas designated for agricultural use”.
3. Open Space follows the stream that runs through the property.
4. The application is further supported by the enrollment of adjacent parcels in the PA 116 program, supporting a large, contiguous agricultural area.
5. The area surrounding the subject parcel does not appear to be experiencing development pressure and staff found no indication that the area will receive water and sewer services within the life of the PA 116 agreement (10 years).

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On behalf of the Washtenaw County Planning Advisory Board I would like to thank you for the opportunity to review this application, and your effort in promoting a shared vision for Washtenaw County.

Sincerely,

Patricia Denig
Manager of Community and Strategic Planning

Encl. Staff Report

DRAFT



Washtenaw County Office of Strategic Planning

Date: June 15, 2009

**STAFF REPORT: PUBLIC ACT 116 FARMLAND AGREEMENT
APPLICATION REVIEW
Niles Farm, Northfield Township 116-PAB-864-2009**

Background

Public Act 116 is an act that enables a landowner to enter into an agreement with the state, whereby the property owner agrees to keep the enrolled land for agricultural use, or use as open space, in return for a credit on the respective landowner's income tax. The minimum duration of an agreement is ten years, but it may be for a longer period (up to 99 years). Agreements can also be renewed.

The PA 116 act was rolled-up into the Natural Resources and Environmental Protection Act of 1994 (Act 451 of 1994, Part 361). Below are steps 1 through 5 of the application process that are relevant to the County:

1. An owner of land desiring a farmland development rights agreement (PA 116) may apply by filing an application with the local governing body (Township).
2. Upon receipt of the application, the Township shall notify the county planning commission or the regional planning commission and the soil conservation district agency.
3. An agency or local governing body receiving notice has 30 days to review, comment, and make recommendations to the local governing body with which the application is filed. These reviewing agencies do not have an approval or rejection power over the application.
4. After considering the comments and recommendations of the reviewing agencies and local governing bodies, the local governing body holding the application shall approve or reject the application within 45 days after the application is received, unless that period is extended by agreement of the parties involved.
5. If an application for a farmland development rights agreement (PA 116) is approved by the local governing body having jurisdiction, the local governing body shall forward a copy, along with the comments and recommendations of the reviewing bodies, to the state land use agency (Michigan Department of Agriculture). The application shall contain a statement from the assessing officer where the property is located specifying the current fair market value of the land and structures in compliance with the agricultural section of the Michigan state tax commission assessor manual. If action is not taken by the local governing body within the time prescribed or agreed upon, the applicant may proceed as provided in subsection (6) as if the application was rejected.

The Planning Advisory Board can make comments and forward those comments back to the Township. Below is the staff review and comments on this PA 116 application:

1. Farm Information

Township: Northfield Section: 11 Owner(s): Richard and Ramona Niles

<u>Size of Farm (acres):</u>	43.81	<u>Total Number of Acres being applied for:</u>	43.81
		<u>Acreage in Cultivation:</u>	9.2
		<u>Acreage in Grazing (Horse)</u>	19
		<u>Acreage in Grassland:</u>	0
		<u>All other acres: (swamp, woods, etc.)</u>	15.61

Existing Buildings 7

<u>Residence:</u>	1	<u>Grain Drying Facility:</u>	0
<u>Barn:</u>	2	<u>Poultry House:</u>	0
<u>Tool Shed:</u>	2	<u>Milking Parlor:</u>	0
<u>Silo:</u>	0	<u>Milk House:</u>	0
<u>Grain Storage Facility:</u>	0	<u>Other:</u>	2 Run-in Sheds

Surrounding Land Use: According to the 2007 aerial photographs and the Washtenaw County Land Use Inventory, the site is composed of Active Agriculture, Inactive, and one residential farmstead, and is surrounded by predominately open lands, agricultural land, with one residential use to the north, across Seven Mile Rd, one across Willow Rd to the west, one to the southwest, adjacent to the property, two to the southeast, and one to the northeast adjacent to the property. Woodlands are present throughout the property, however, they are primarily located between hayfields on the southern half of the property.

2. Land Use Plans

Township Designation: Agriculture and Rural Residential/Agricultural Preservation Area

Is agricultural use consistent? YES NO

County Designation (Recommended Potential Future Landscapes): Rural/Agricultural and Agricultural Preservation Overlay Area

Is agricultural use consistent? YES NO

3. Zoning District: Agriculture

4. Term of proposed PA 116 Agreement? 10 Years

5. Is sewer service anticipated during the life of this agreement? YES NO

6. Does the farm meet PA 116 technical requirements? YES NO

7. Additional Comments:

This parcel is located in the Agriculture and Rural Residential/Agricultural Preservation designation found in Northfield Township's Growth Management Plan, the primary goal of this area is "preservation of open space and agricultural-related activities." Additionally, the plan

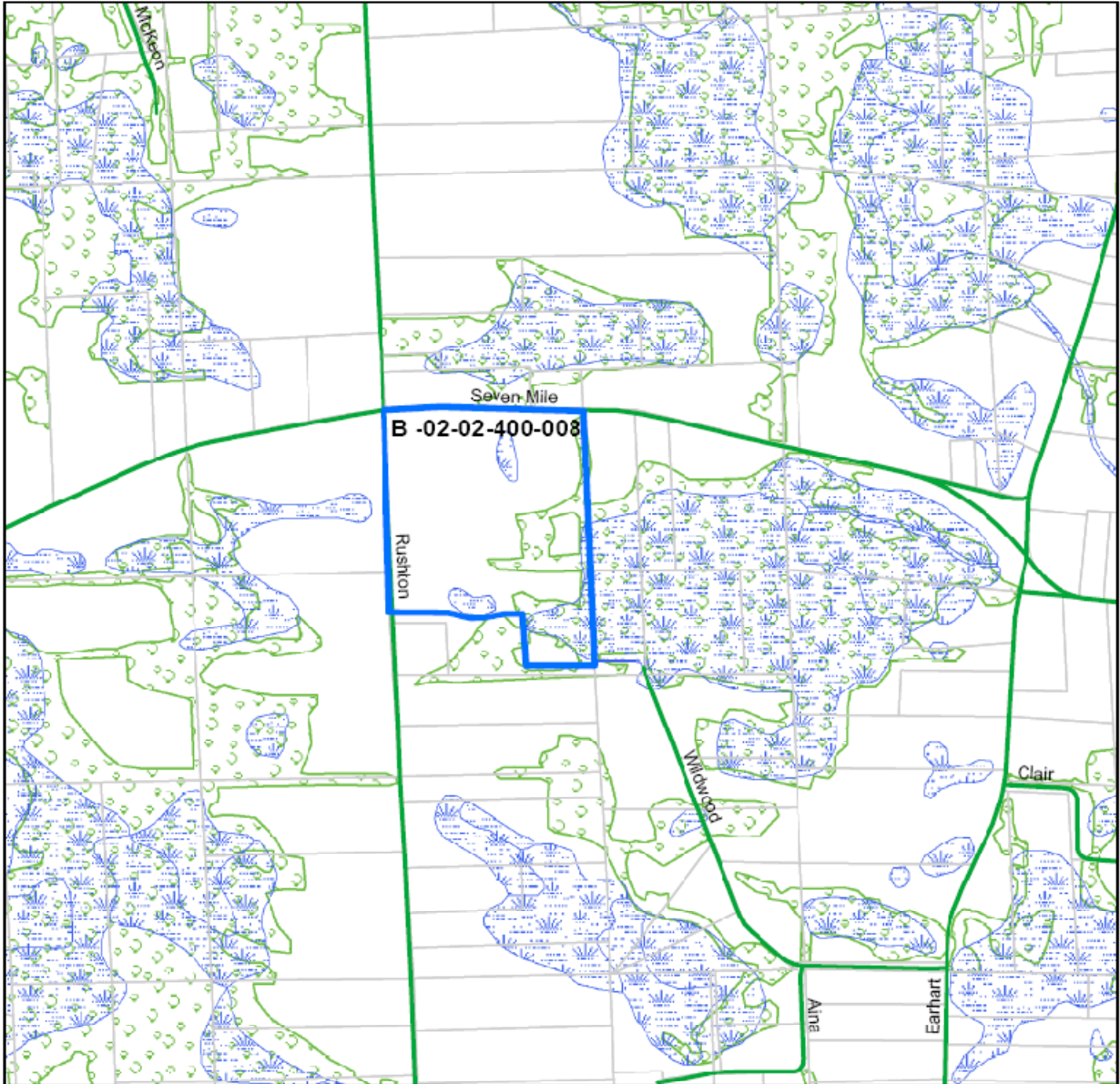
sets the goal of (3.1.G) “Encourage and support open space and agricultural operations through preservation programs” and “establish an open space system which preserves and enhances the rural and agricultural character of the township.” It also states the following: “the Township shall support applications for P.A. 116 protection.” Open A woodland hedgerow follows a stream (Willow Marsh Drain) that runs through the property. A pond is located in the southern part of the property and a wetland exists in the southeastern part of the property. Towards this end, the policies in the Township’s General Development Plan give support to approving this application as a PA 116 enrollment. Given the current use of the surrounding land this area does not appear to be experiencing development pressure. Staff found no indication that the area will receive water or sewer services within the lifetime of the agreement (10 years).

According to *A Comprehensive Plan for Washtenaw County*, the Landscapes Goal is to “Promote an efficient pattern of development that maintains our sense of place, preserves our natural resources and reduces the effects of sprawl.” Further, Landscapes Objective 3 states “Maintain our rural sense of place through land use techniques, economic viability of agriculture and alternatives that provide rural tax base for local governments.” In addition this also supports Agriculture Objective #2 which identifies the following Agricultural Recommendation that supports these efforts:

- 2.1: “Encourage landowners to apply for local, state and federal programs and encourage local governments to identify funding methods for farmland preservation.”

The Office of Strategic Planning finds this PA 116 application consistent with planning goals and policies on the local and county level, and supports this application.

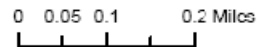
Niles Property



116-PAB-864-2009

Washtenaw County Office of Strategic Planning

STAFF REPORT



Legend

-  Roads
-  Wetlands
-  Woodlands
-  FA116

