



Washtenaw County Department of Planning and Environment

July 13, 2007

Helen Neill, Clerk
Charter Township of York
11560 Stoney Creek Road
Milan, Michigan 48160

**RE: PA 116 Farmland Agreement Application Review – York Township
(116-PAB-843-2007) – Schettenhelm Farm**

Dear Ms. Neill:

Thank you for the opportunity to review and comment on the Public Act 116 Farmland Agreement Application pertaining to the Fred Schettenhelm farm in York Township. In accordance with PA 116, the Washtenaw County Planning Advisory Board can provide comments and forward them to York Township.

Staff reviewed the Schettenhelm farm PA 116 application, and the County finds it to be consistent with planning goals and policies on the local and county level, 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 within the Essential (Primary) Agricultural land use designation found in York Township’s General Development Plan, which sets the goals to “maintain existing agricultural activities” and “prevent the loss or fragmentation of farmland.”
3. The application is further supported with the enrollment of adjacent parcels to the north of the property in the PA 116 program, supporting a large, contiguous agricultural area.
4. Despite the designation of land south of Willow Road as Consent Judgment Residential Densities, staff finds the area immediately surrounding the subject parcel does not appear to be experiencing development pressure due to the Agricultural Preservation Overlay on the Primary Agricultural land north of Willow. Further, staff found no indication that the area will receive water and sewer services within the life of the PA 116 agreement (10 years).

The Washtenaw County Planning Advisory Board reviewed this PA 116 application at its July 23, 2007 meeting.

On behalf of the Washtenaw County Planning Advisory Board I would like to thank you for the opportunity to review this application, which upon approval, will assist in promoting a shared vision for Washtenaw County.

Sincerely,

Anthony VanDerworp, Director
Department of Planning and Environment

Encl. Staff Report



Washtenaw County Department of Planning and Environment

Date: July 13, 2007

**STAFF REPORT: PUBLIC ACT 116 FARMLAND AGREEMENT
APPLICATION REVIEW
York Township 116-PAB-843-2007**

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, with a maximum period of 99 years. Agreements can also be renewed.

Attached, is a copy of section 324.36101, *Application for farmland development rights agreement* within the PA 116 Act. 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 of the application process that are relevant to the County:

1. Upon receipt of the application, the local governing body (Township) shall notify the county or regional planning commission and the soil conservation district agency.
2. 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.
3. After considering the comments and recommendations of the reviewing agencies, 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.
4. If an application for a farmland development rights agreement (PA 116) is approved by the local governing body having jurisdiction, that body shall forward a copy, along with the comments and recommendations of the reviewing bodies, to the 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.

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

1. Farm Information

Township: York Section: 17 Owner(s): John J. Ball and Bethel H. Ball

<u>Size of Farm (acres):</u>	538	<u>Total Number of Acres being applied for:</u>	33
		<u>Acreage in Cultivation:</u>	33
		<u>Acreage in Grassland:</u>	0
		<u>All other acres:</u>	0

Existing Buildings 0

Residence: 0 Grain Drying Facility: 0

Barn: 0 Poultry House: 0

Tool Shed: 0 Milking Parlor: 0

Silo: 0 Milk House: 0

Grain Storage Facility: 0 Other: 0

Surrounding Land Use: The property is located on the south side of Stoney Creek Road just west of Platt Road. According to the 2005 SEMCOG Land Use Inventory, the site is surrounded by active agriculture in all directions with grasslands and shrubs to the northeast and wetlands to the northwest. Directly across the street is a small commercial building, and further on the northern side of Stoney Creek Road is a single family home.

2. Land Use Plans

Township Designation: Essential (Primary) Agricultural and Agricultural Preservation Overlay

Is agricultural use consistent? YES NO (Permitted as a use)

County Designation (Recommended Potential Future Landscapes): Rural and Open Space

Is agricultural use consistent? YES NO

3. Zoning District: A-1: Essential Agriculture

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

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

5. Additional Comments:

This parcel is located in the Essential (Primary) Agricultural designation found in the York Township Master Plan as well as the Agricultural Preservation Overlay. The York Township Master Plan sets the goals to (1) "maintain existing agricultural activities", and (2) "prevent the loss or fragmentation of prime farmland". It also states these goals and objectives will be implemented through "encouraging and approving applications for P.A. 116." Towards this end, the policies in the master plan give support to approving this application. Despite the designation of land south of Willow Road as Consent Judgment Residential Densities, staff finds the area immediately surrounding the subject parcel does not appear to be experiencing development pressure due to the Agricultural Preservation Overlay on the Primary Agricultural land north of Willow. Further, staff found no indication that the area will receive water and sewer services within the life of the PA 116 agreement (10 years).

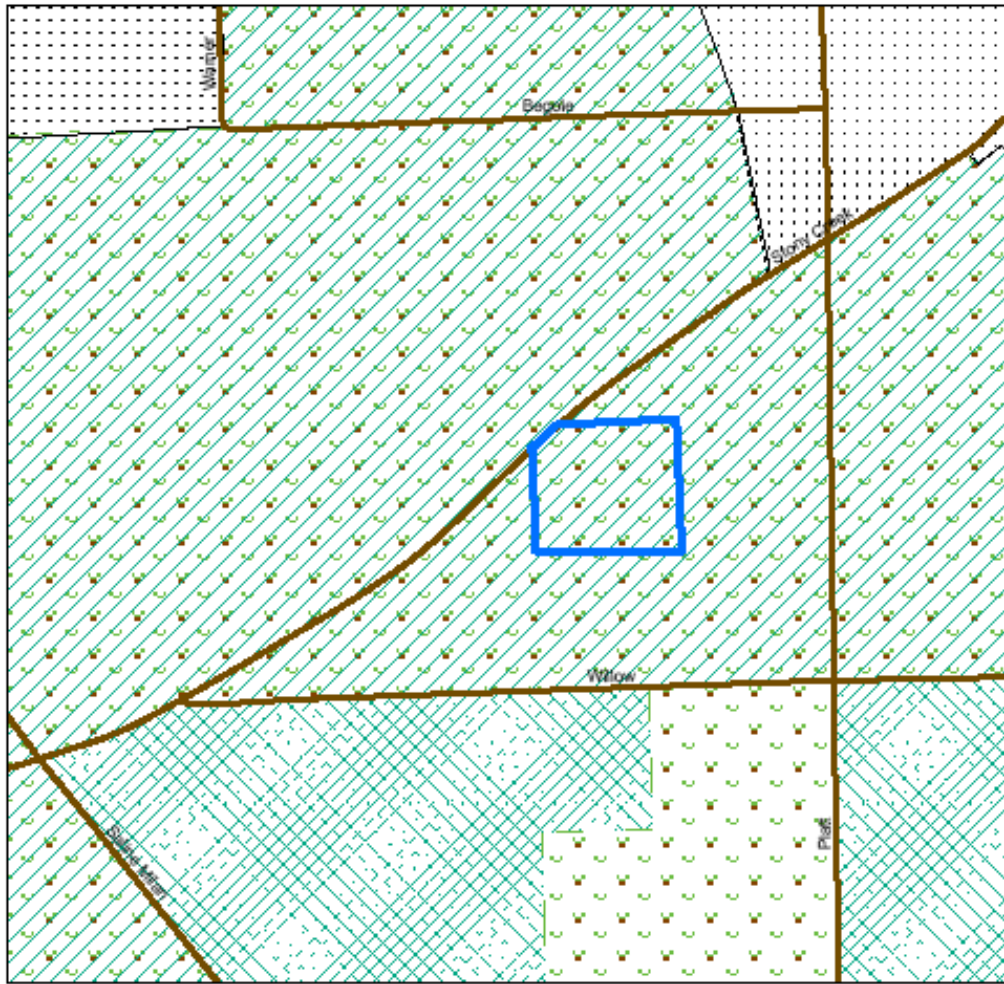
Other factors which would further support the approval of this application include: the enrollment in the PA 116 program of nearby parcels to the north, west and south of the subject parcel. Towards this end, the policies in the general development plan give support to approving this application as a PA 116 enrollment would support and help to ensure all of these goals and policies.

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."

Given the current use of the surrounding land and the parcels that are currently enrolled in the PA 116 program (within close proximity to the north, west and south), this area does not appear to be experiencing development pressure. Staff found no indication that the area will receive water and sewer services within the lifetime of the agreement (10 years).

Planning and Environment Department staff finds this PA 116 application consistent with planning goals and policies on the local and county level, and supports this application.



PA 116 | STAFF REPORT | 116-PAB-843-2007

Washtenaw County Department of Planning & Environment
York Township General Development Plan

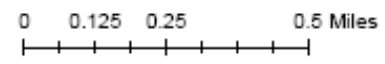
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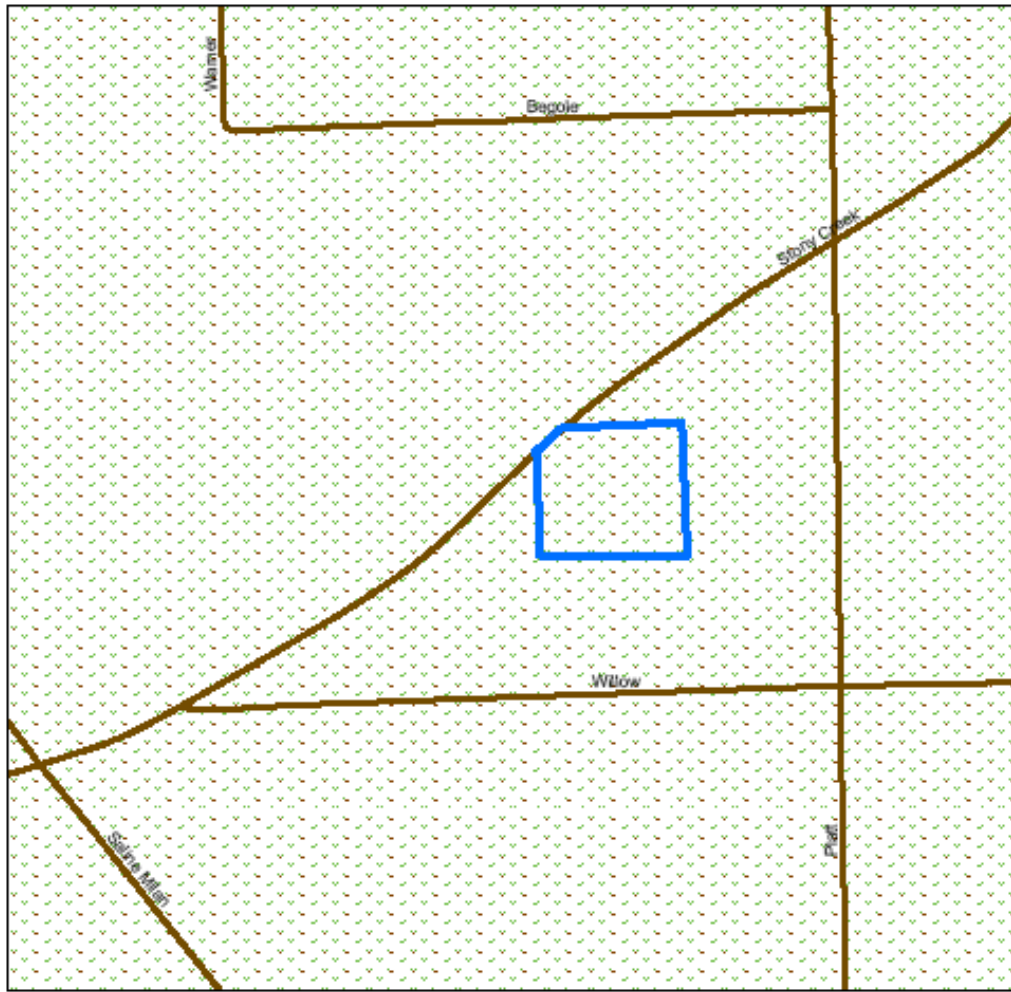
Site

Land Use

DISTRICT

- Consent Judgement Residential Densities
- Primary Agriculture
- Secondary Agriculture
- Agricultural Preservation Overlay





PA 116 | STAFF REPORT | 116-PAB-843-2007

Washtenaw County Department of Planning & Environment
York Township Zoning

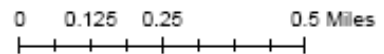
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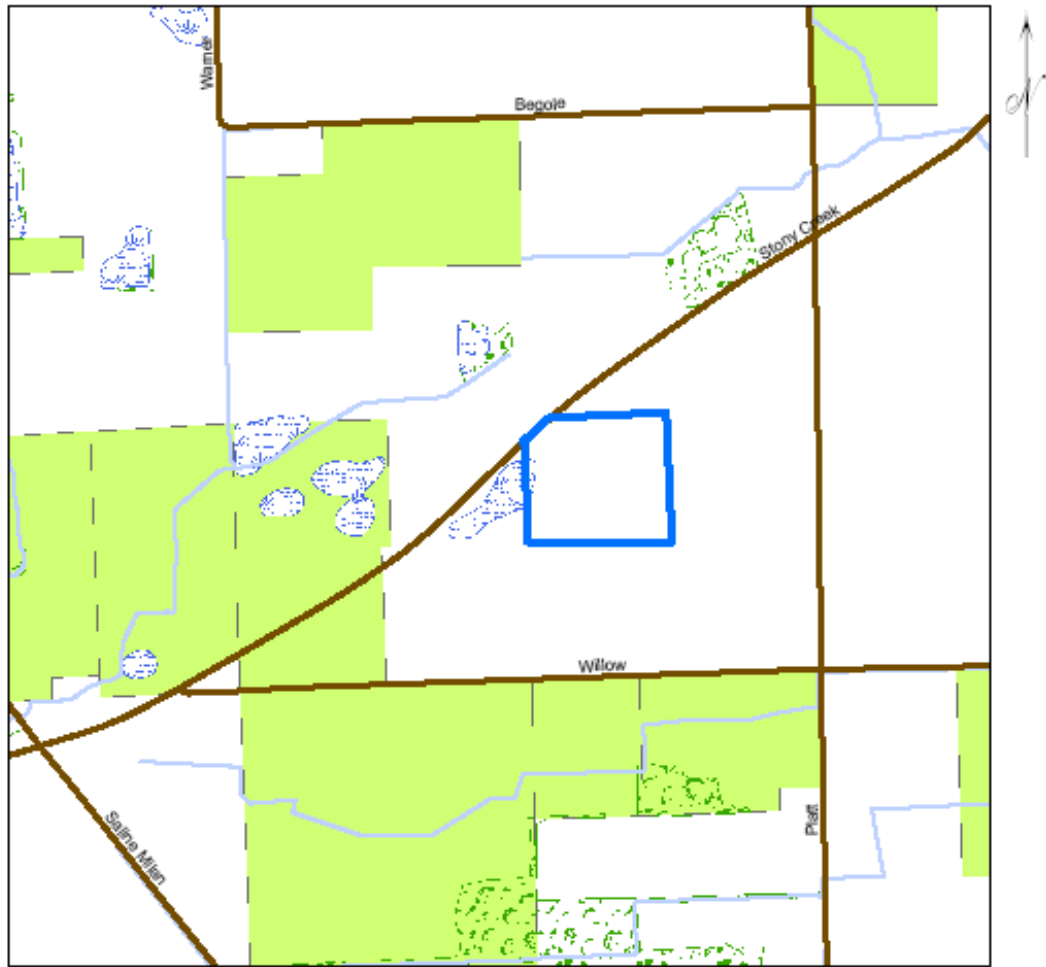


Site



Essential Agriculture





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Washtenaw County Department of Planning & Environment

York Township Natural Features and P.A. 116 Lands

Legend

-  Site
-  Roads
-  Streams
-  Wetlands
-  Wooded Areas
-  Existing P.A. 116

