

# Meeting Minutes

## Cascade Charter Township Planning Commission

### Farmland Preservation Study Sub-Committee

Thursday, December 14, 2023

7:30 am in the front conference room

#### **ARTICLE 1: Call the meeting to order**

Chairman Scott Rissi called the meeting to order at 7:48 am. Members Joe Engel, Ryan Bruneau and Ralph Moxley were in attendance.

Zoning Administrator Madison Smith-Jacoby joined the meeting at 8:07 am.

#### **ARTICLE 2: Approve the agenda**

Member Bruneau asked that we revise the Article 6 statement to say “Determine methods and/or priorities for **Farmland Preservation** in Cascade”. Member Engel made a motion to approve the agenda, but to revise the agenda as suggested by member Bruneau. All members approved the amendment. All members voted to approve the agenda with that one change..

Member Moxley asked if it would be OK to delete Article 9, as it is redundant to Article 5. Chairman Rissi agreed to the change since we have no visitors at this meeting.

#### **ARTICLE 3: Approve minutes from the December 7 meeting**

Member Bruneau recommended that we change the document attached to the meeting minutes so that it says “**Agricultural Uses by Right in ARC and FP Zoning Districts**”, so that it matches the following title “Special Land Use in ARC and FP Zoning Districts”.

Motion made to approve by Chairman Rissi. Motion seconded by member Bruneau. Motion is approved by all members.

#### **ARTICLE 4: Disclose any conflict of interest**

No conflicts were noted by any of the sub-committee members.

#### **ARTICLE 5: Acknowledge visitors and those wishing to speak**

There were no visitors to this meeting of the Farm Preservation sub-committee.

Member Moxley suggested that Article 9 be removed in the future if we have no visitors.

## **ARTICLE 6: Farmland Preservation Goals**

Members Bruneau and Moxley attended the Farmland Preservation meeting put on by Kent County on December 7 at Wisner Center. Zoning Administrator Smith-Jacoby also attended. We met Jerry Miller of Kent Conservation District at this meeting. Member Bruneau took a photo of the attendance list that went around the room.

There appeared to be two farmers and one prospective farmer that lives in Cascade attending the meeting. The prospective farmer has 7 acres that he wants to develop as a farm. He wants to buy land that belongs to a couple that lives in Lowell. The couple that attended wants to sell the Development Rights, and then sell the land without the Development Rights attached.

Caledonia Farmer wants to sell his Development Rights, but has been turned down by Federal Government because they say his property has wetlands. He denies there are wetlands on his property. He is farming all the land. The Feds will not consider his application any further. He was very angry about the Feds taking this position! He is a third-generation farmer and says he has all the documentation. Michigan Wetlands map show a portion of his land as wetlands. He was very upset! His goal is to get this land preserved before he dies. He is now 83 years old.

**Jerry Miller, Ph.D.**, attended the meeting and asked to attend a future meeting of the FP sub-committee. Jerry is the Chair of the Kent County Conservation District, and President of MI Association of Conservations Districts. He noted that if he came to a future meeting he would bring **Jessie Schulte** with him. Jessie is an expert on invasive species. Ralph has worked with Jessie battling Oriental Bittersweet in his HOA.

At the meeting Ralph handed out copies of documents that were made available to the group that attended the December 7 meeting. The documents included a “**Purchase of Development Rights (PDR) Application**”, and “**Kent County Farmland Preservation Program Purchase of Development Rights: 2024 Ranking System for Landowner Applications**”.

Matt Channing did most of the talking at the meeting. Member Bruneau felt that it was not a sales pitch on the benefits of the PDR program. It was more focused on how to fill out the applications for the PDR program.

Chairman Rissi voiced his concern that Kent County is having trouble convincing farmers to show up for presentations on the PDR program. Matt Channing needs to focus more on helping farmers understand the program and the benefits to farmers in applying for the PDR program.

Member Bruneau went through the documents handed out by Matt Channing at the meeting. He found 26 items that need editing and sent them to Matt. The latest set of documents have 24 of the 26 edits incorporated in the revised documents. Member Bruneau recommended that Matt Channing focus more on selling than buying development rights. Somebody else is making an investment in you. This is a marketing problem for Kent County staff. Farmers need to see this as a net plus for them.

Chairman Rissi suggested that we now need to identify bullet points of what we want to see in the Ordinance that will encourage Farmland Preservation in Cascade Township. He would like to see three goals provided in any future Ordinance for preserving farmland:

1. Buy Development Rights through the Kent County PDR program
2. Sizeable dollar donation to the Township's Open Space fund
3. Donate land to Cascade Township

If our goal is to slow development in Cascade Township, we need to change the Zoning Ordinance.

Member Bruneau suggested that a white marker board be added in the north conference room so that we can sketch out our ideas in front of the sub-committee members and then discuss the pros and cons and make changes in an open forum. This method will encourage participation by all the members.

Chairman Rissi suggests that we go to the Planning Commission and ask them if we can work with staff and legal counsel to draft an Ordinance that has what Grattan Township has in their Farmland Preservation act. We should include incentives for urban redevelopment. Let staff and the attorneys draft an Ordinance that we can then review and tweak. That will be much easier for us than starting with absolutely nothing!

Member Bruneau suggested that we give the Planning Commission members a two-page summary that outlines what we are thinking before we ask for the approval to move ahead with staff and attorney development of a new Ordinance.

We need to develop an Ordinance that outlines what are called "Sending Areas" and "Receiving Areas". This is much like what is outlined in the Lancaster County (Pennsylvania) TDR (Transfer of Development Rights) Practitioners Handbook. Bonuses that come from selling Development Rights could be used by developers in any other zoning district to achieve goals that are outside or above current standards. If a developer wants to achieve higher goals in an urban zone, then they will have to preserve land in a Farmland Zoning district.

Member Engel recommends that we use Grattan Township's TDR Ordinance as a base for developing a new Ordinance for Cascade Township. He also suggested that we show what we have developed for Ag Uses by Right and Special Land Use in ARC and FP Zoning Districts as part of a two-page summary document.

Grattan Township has everything we need for Farmland Preservation Ordinance, but they do not have a bonus program that allows developers to buy credits that they can then use to achieve their goals in other zoning districts in Cascade Township. Member Bruneau suggests blending Grattan Twp., Lancaster County, and McKenna recommendations together into one new zoning ordinance.

Chairman Rissi recommends that we develop a map that will show “Receiving Areas” where developers can use the TDR credits purchased from owners in “Sending Areas” (Farmland zones) for constructing projects that would not normally be allowed in those commercial zones.

McKenna representative (Michelle Bouchard) wants to come in here to meet with us to see what we are doing in the Farmland zone and find out what our goals are going forward. Opening of the Master Plan occurred much too early for us. We needed to start first so that we could be well ahead of the Master Plan development. Now we are under pressure to catch up with McKenna and their Master Plan. Receiving areas (Bonus areas) needs to be defined by McKenna and the Planning Commission. Sending areas are to be ARC or FP zones.

Consensus was to engage McKenna first before legal attorney in writing of the Zoning Ordinance. We need to seek Planning Commission approval of our plan first on Monday (December 18) before moving ahead.

We need to give an update to the Planning Commission before the end of the year. We are not voting on anything at the meeting. We have spent a lot of time on this and we are ready to share our progress with the PC members.

Member Bruneau proposed developing a draft document that sub-committee members can review at 9 am on Saturday morning. This document will outline the proposed document “Ag Uses by Right” and “Special Land Use (ARC and FP zones)”. Will show how we are using Lancaster TDR “Sending” and “Receiving” zones, and McKenna “Bonus” zones. Will try to keep it to two pages. Sub-committee members need to respond to the draft white paper by 9 pm on Saturday evening. Member Bruneau will then send out a revised version by Sunday at noon. Sub-committee members should respond with comments by 6 pm on Sunday. Final draft will be sent to all PC members by noon on Monday. Madison will provide a note in the packet to PC members that a supplemental document will be issued to them at noon on Monday.

Scott Rissi, as chairman of the Farmland Preservation sub-committee, should present the white paper on Monday evening at the PC meeting. Member Moxley will be chairing the PC meeting. Four of the 7 PC members that will be attending the PC meeting are on the FP sub-committee.

## **ARTICLE 7: Any other business**

Planning Commission to arrange for Brooke from **Housing Next** to make a presentation.

FP sub-committee to arrange for Jerry Miller, a McKenna rep and Paul LeBlanc to meet with the sub-committee at future meetings.

We will need to ask the Planning Commission for approval to work with McKenna to define and develop the new zoning ordinance.

## **ARTICLE 8: Goals of the next meeting**

No meeting of the sub-committee is planned for next week (December 21) since it would be held shortly before Christmas.

Next meeting will be **Thursday, December 28, at 8:00 am**. Member Moxley will invite **Jerry Miller** of Kent Conservation District to join us. Focus on understanding with the Bonus structure. Ask a rep from McKenna should be invited to join us to listen to Jerry Miller.

Next meeting will be **Wednesday, January 3, at 8:00 am**. Member Moxley to invite one of the **McKenna** team members to join us to focus on coordination of Master Plan and Farmland Preservation goals.

Next meeting will be **Wednesday, January 10, at 8:00 am**. Member Moxley will invite **Paul LeBlanc** to join us to discuss development of Transfer of Development Rights for Cascade. Paul LeBlanc worked with Grattan Township and Dennis Heffron in developing their TDR documents.

First meeting of the Planning Commission in 2024 will be held on **Monday, January 15, at 7:00 pm**. Officers of the Planning Commission will be elected at that meeting.

## **ARTICLE 9: Acknowledge visitors and those wishing to speak**

There were no visitors present at this meeting of the sub-committee.

## **ARTICLE 10: Adjournment**

Chairman Rissi moved to adjourn the sub-committee meeting at 9:24 am. Member Engel seconded the motion. Motion approved.

Ralph W. Moxley, recording secretary