

# PENINSULA TOWNSHIP

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## **Agricultural Committee Meeting December 16, 2024, 7:00 p.m. Township Hall Minutes**

### **1. Swearing in of Committee Members**

### **2. Call to Order** by Sanders at 7:03 PM

### **3. Pledge**

### **4. Roll Call**

Present: Bramer, Edmondson, Gomez, Hafeli, Heller, Hemming, Kroupa, Baldyga

Absent: Seibold

### **5. Citizen Comments:** none

### **6. Approve Agenda**

**Heller moved to approve with a second by Hemming.**

**Motion passed by consensus**

### **7. Conflict of Interest:** none

### **8. Consent Agenda:** none

### **9. Business:**

#### 1. Review of Open Meetings Act

**Sanders:** I sent the handbook in an email, has everyone had a chance to review it? If anyone has questions on that let me know.

#### 2. Organizational Structure of Committee

**Sanders:** decide among yourselves who you want to be chair, vice chair, and secretary. As you get going, you are able to make changes as you go. Regulated committee, so rules for quorum and voting apply.

**Edmondson:** I'd like to nominate Jed Hemming for chair. I feel he has a lot of experience with town board and planning commission [PC] and a lot of other things in the community of agriculture. I think he would be our best choice. He's probably punching me in the nose now.

**Hemming:** I thought we were friends. We kind of grew up together.

**Gomez:** I would like to nominate John Kroupa. I think you're still very active. I like the perspective you bring, not only from the farming, but also the wine and winery perspective. I think, you're currently on the board for WOMP? [Wineries of Old Mission].

**Kroupa:** yeah, on the owner's board.

**Gomez:** I think it gives us overall look of agriculture as a whole here. And no offense to Jed, but you're no longer fully farming.

**Heller moved to make John Kroupa chair with a second by Edmondson.**

**Roll call vote:** yes – Bramer, Edmondson, Gomez, Hafeli, Heller, Hemming, Kroupa. **Passed unan**

**Bramer moved to make Jed Hemming vice chair with a second by Edmondson.**

**Roll call vote:** yes - Bramer, Edmondson, Gomez, Hafeli, Heller, Hemming, Kroupa. **Passed unan**

**Edmondson moved to make Erin Hafeli secretary with a second by Hemming.**

**Roll call vote:** yes - Bramer, Edmondson, Gomez, Hafeli, Heller, Hemming, Kroupa. **Passed unan**

3. Allocation of Commissioner Per Diem

**Kevin Beard, PC representative:** the township has allocated \$80 per meeting per commissioner. There is a form that needs to be filled out where you document the date of the meeting and what the meeting was that you attended and submit that to the treasurer's office. There will be a little additional paperwork necessary for compensating you for that. It's up to you as to whether or not you request that per diem compensation or let it go and consider it a donation to the township.

**Sanders:** I'll get with Erin, and she can let you guys know the process.

4. Discussion of Prioritizing Committee Strategy and Topics

**Sanders:** this is where I step away and you start discussing how and what you want to start tackling. The beginning of a strategic planning session. You don't have to make a decision or a consensus on any of that tonight.

**Hemming:** maybe to broaden our scope a little bit of thought, that instead of just being an agricultural advisory committee, I think the real issue here is agricultural land use. It's my opinion, and I think several others, that there's going to be a lot of agricultural land out here, looking for additional uses besides just growing crops. Whether it be, and I'm not suggesting anything, but whether it be farm stays, or country inns, or the winery thing, that's going to have to be resolved. That would broaden our thought pattern, I think that's important.

**Kroupa:** I would agree.

**Edmondson:** I think we have significant changes coming about that we need to embrace situations like Erin's got, that are new to our agricultural land, that is promoting a product that they produce. We need to somehow get on board here, because the hurdles that new entrepreneurs have to hurdle. It seems like roadblocks they have to hurdle to do something that's new and creative. I don't know what the next thing is going to be. None of us do. But we should embrace that, rather than put the roadblocks up, which seem to be there every time. I speak from a lot of experience from being here for 70 years and involved with the township and involved with a lot of land out here. Just in our own time, Jed and I. When we were punks, crawling all over the sprayers, doing this, doing that, wanting to get out there in the orchard and make it happen. We've done that for 50 some years, and now we're kind of at the end of the trail, and that doesn't work anymore. We have so many more residential people throwing up roadblocks, but they have no solution for us. Something's got to change here, real quick to save this agricultural land. I'm 70, Jeds not far behind. Erin, Jen, Beth are getting it. Support them. That's what I would like to see come out of here. Let's get rid of the "No's" and let's start saying "Yes."

**Hafeli:** are you saying it's more of a process, looking to make the process easier for farmers when they're evaluating novel uses?

**Edmondson:** we should have rights. We shouldn't have to come over here and ask for everything. A business needs to function with snap decisions. We can't have somebody else over our back constantly. You gotta make the decision. Especially in farming, if you don't react to a particular moment, it's over. I don't think a lot of residents know the degree of difficulty we have in raising crops. If they were in the trench, they would realize we need flexibility.

**Hafeli:** I would agree, I also believe there needs to be process improvements for the special use permit. I haven't run into as many obstacles as a land use permit, but I think it should be something that is streamlined for all farmers on the peninsula. And I don't know what that looks like, but I would agree that the experience that I'm living through-

**Edmondson:** certain uses for right would be good to redefine. I don't know if they were eliminated out of the ordinance or what, but there were a whole list of uses by right. Don't need a lot of hand holding with other people that really aren't involved.

**Bramer:** point out Right To Farm rules that are only being recently recognized by township officials. It took us three years to get a land use permit for a processing kitchen. That seems like way too long, and what we had to go through was very expensive and time consuming.

**Edmondson:** you lose most people.

**Bramer:** yeah, most people would have given up.

**Edmondson:** it almost seems they want that process to be so difficult that you weed out certain individuals. I guess I don't like that.

**Hemming:** so how do we get there? I know Jen's been through a lot, have her present to us some of the problems she had. I know there's some sign issue right now, we as the committee can say, this shouldn't be a problem, and this is maybe how we can fix it. Or the kitchen thing. In my mind, if I'm processing cherry pies to sell at the farm stand, it should take 10 minutes up here at the office to get whatever they need to go to work. It shouldn't take two years. We can use your experience to put some presentation together, maybe some of your ideas on how to fix that, and we could discuss it. I know [Hafeli] had some problems, do the same thing. I've got my own thoughts. I'm out of cherry production. In my mind, that business is over. I can present some of my thoughts on that. Go from there, looking at the ordinance, here's the problem in the ordinance, and in order for it to work, this is what we have to do, or at least consider doing. If that isn't going to work then in my mind, we're wasting our time.

**Gomez:** thinking of what we're going to discuss, and what this agricultural committee is going to be, is it us talking about agricultural use and what idea we got, is it going to stick to the wall, and how it works, or are we talking more land use process? Is it our job, like you said, if you're weeding out certain farmers or certain businesses, what is the process? Is it a one size fits all? When you get into land use...

**Hemming:** can't be one size fits all. What's really happened out here is the cherry business is over. It's done. What we're facing is what a lot of industries face. Henry Ford got tired of buying irons so he bought iron ore to make cars. Put hundreds of automobile builders out of business. We have large corporate cherry producers in this country that are producing cherries for a final product. Their cost of raw materials is what it costs to grow that cherry. As an independent grower, I can't sell my cherries for what it costs me to grow them so I can't compete. I'm not blaming anybody. It's the evolution of the market. Out here, what we face is, this land has to be used for something. Some people are going to try and grow cherries, some will be successful. But what else can we use the thousands of acres out here for? The Bramer's have a great idea. They're doing local produce. What might that consume, 100 acres?

**Bramer:** probably, yeah.

**Hemming:** how many more acres do we have out there that need to be, whatever the product is. Like Dave said, we don't know what that product is going to be. That's going to have to evolve on itself. The township can't say, it's a great idea, go grow flowers. We don't know if that's going to be viable. That's up to us as business people to determine. We have to have the ability to make that decision. The other ability we have to have is, we have to have a market. The wineries have stirred this peninsula ten ways since Sunday. I have my opinion about that. But Jen is going to bring in traffic. Dave brings in traffic. If I start growing flowers and selling flowers, I'm going to bring in traffic. Are we going to eliminate all agriculture uses because it brings in traffic? These are decisions we, as a group, have an opportunity to address. The peninsula is going to have to recognize that all these acres of crops, whatever they may be, they need a market. And the current trend in markets throughout the country, is local.

**Gomez:** if you want to do flowers, that's within your Right to Farm. So, it is more land use process rights than we're really trying to figure out.

**Hemming:** I think the current issue is the market, the sales.

**Edmondson:** exactly. If you don't have a market that pays you a profit- we're businesses. We're here for profit. We can't confuse motion for progress. You have to have profitability. I've seen a couple comments from some individuals in our community that say, "You got to have a couple million dollar processing plant to sort cherries. You need to have high density orchard. The only way to do it." You know how expensive that is. But it doesn't matter how much you throw it. You have to have a return. I have gone to high density a little bit. Yeah, it's okay. I've been in the fresh for a lot of years. It's just as tough as the processing. One minute they want you, the next they don't. There is no alternative for that product. Another thing I think is important is scale. We're an 18 mile long peninsula. This scale is not going to satisfy big production agriculture. We need to be thinking about these more niche markets. I reflect back on my little fruit stand. At the end of the day that's profitable. It's not going to sustain me for year-round though. Then you look at the wineries. What's good about the wineries is they're open every weekend. We can't do that as small operations. As far as the road issue, we need people coming up that road. That road is open to everybody. We don't have any right to prohibit people from coming down that road. Like I said, we need those people.

**Heller:** would like to hear [Gomez's] thoughts, you had something else in mind.

**Gomez:** as far as setting agendas and seeing what we're going to discuss. If you wanted to do flowers on your farm, it's your Right to Farm. I'm trying to narrow it down to, what's our big picture, what's our big process? It's not agricultural activities for for certain, you're already allowed to do certain activities. Now it's, more niche, more special use permits. So, it's land use. We're not necessarily gearing to priorities certain agricultural activities, sounds like more, what's the process? How can you speed up land use, special use permits for agricultural land?

**Hemming:** yeah, I'm not saying we don't have the right to grow whatever crop we want, as long as it's legal. I think we can even grow hemp now, marijuana. I think a good place to start, and I don't want to put Jen on the spot, but she's had some experience the last few years that I think this committee can benefit from. She can put it on a piece of paper. We can read it. We can go, okay, I get it. She's been trying to put a sign up, and here's what's happened, and here's what shouldn't have happened, and here's why it shouldn't happen. She tried to open a kitchen. That shouldn't have been a two-year process. We can look at her experience, or anybody else in the committee who's willing to present. Those kinds of things we can look at and create an agenda and make some recommendations. I propose we all for the next month, make some notes on these experiences we've had, and present to the committee and have the committee come up with some ideas. That addresses all of these issues, whether it's flowers or fruit stands or kitchens or wineries. The truth is, we do not have any idea what the next big thing is going to be. I had a guy tell me a few years ago, agriculture is going to all end up out in the desert, out on the plains, 150 acre greenhouses, and they're going to grow tomatoes 12 stories high. Maybe somebody out here wants to put up a greenhouse and grow tomatoes. Those are the kinds of things we can talk about. That gives us not only direction, but purpose, and a place where we can actually say, this is a solution.

**Heller:** I disagree with the reference of putting a kitchen through in a month. I don't think it should take two years, but there's a process. Rules and regulations. It's not just the township, it's a lot of other difficulties. You and Dave are push, push, push. And I disagree. I agree, but disagree in the sense of anything that's rushed, usually isn't quality. You also have to understand that agriculture is not the only clients of Peninsula Township. I'd like Chris to talk. I go to meetings and the last few months, I've not spoken a lot. I've done a lot of thinking, trying to walk in both footsteps, the township and my personal. There's some overlooking of the township's responsibility. They're

moving target for lawsuits, as we are. As every citizen is. Chris?

**Baldyga:** talking to Gordon [previous township planner] years ago when he talked about writing any, whether agricultural or any zoning or ordinance, was the old Bullseye theory. He said, we always start in the middle, at the bullseye, and we allow this many things through, teeny tiny, and if that works, and we find success, and everyone around that, either agricultural entity or subdivision is happy, then we're willing to open it up to the next level, and maybe the next one. Eventually you'll find a spot where someone either does something they shouldn't, creates a problem, or we'll look back and go, why did we ever do that? What were we thinking? So he said, we always start here, and then we'll open it up and allow more things in as we grow and as we watch it be successful or not. We consistently see a lot of tiny bulls eyes that never change. I would agree that changing land uses and creativity of existing farmers is important. The thing I rarely hear anybody talk about, and something I'm personally interested in, there aren't a lot of things the township does to incentivize new farmers, or first time farmers. There are things you can get for tax abatements from the state, for the property taxes, for filing PAP 60s and agricultural covenants on your property, so you can remove some of your property tax payments. But I don't know how many things the township can offer someone who is starting a new farm on the peninsula. What can the township do for them? Whether it's like renaissance zones in town, where you have property tax abatements for seven years, or if you're renovating existing farms or renovating new and creative agricultural changes to their existing builders, and saying, I want to do a new processing plan. Can they get some kind of tax offset, or, I'm just unaware. I hear the refrain is often the township doesn't have a lot of money. I know we're not talking grants out to new people, but there are things the township could potentially do to draw in new farmers. I am concerned, seeing things like Jed's farm open and bear without anything on it. What goes into that land? It should be agricultural, if we can. It's Jed's process. If that's not farming, I don't fault him for taking the best for him, passing down wealth for himself and his family. Those are things I think that are exciting, what can we do to attract new entrance, new development within the current agricultural sector, incentivize, or offer some kind of financial creative solution. Either bring new people out, or have current farmers find a way be able to reinvest or change. And streamline a lot of the existing processes. When we did our 139 ordinance that led us through the farm process facility, it was two pages. The second page wasn't even a whole page. It was literally the administrative checklist of like, 15 things and signatures. And we got a farm processing facility. We got a winery. It was relatively easy, versus what I watch for other people doing SUP's. It was relatively painless, as painful as I thought it was at the time, I see if it was pretty easy. I'd like to see some iteration of that initially come back.

**Edmondson:** Chris is kind of saying the same thing we are. Let's make it less cumbersome.

**Heller:** I think we can all agree on that.

**Edmondson:** that's what I'm trying to say.

**Bramer:** I don't think we're trying to rush things. I wasn't with my project.

**Heller:** no, I mean, disregard we should be able to do what we want to do. The world isn't made that way.

**Edmondson:** there's property rights.

**Heller:** I'm more mid ground. Let's get some guidelines and not just go, I want to do what I want to do.

**Bramer:** I'm not saying that. I know there are state laws that supersede township laws, and those are just being recognized.

**Edmondson:** I'd like to refortify what my statement is. I do want to do what I want to do, because I think it might be something that might be good for me and maybe others. I don't know what that

is, but I don't want to be told every time I come up with something maybe different than the next person, oh, we gotta go through a huge study for this. It'll be over by then. You gotta have your eyes open and see anything. That's what's fun about traveling and seeing what other people are doing in other areas. It seems like roadblock after roadblock. It should not take years.

**Heller:** no, I don't agree with an overkill mechanism-

**Edmondson:** that's what we have.

**Heller:** but I do believe in a mechanism, that's the point I'm trying to make. The township has to protect their interests. Which are our interests.

**Edmondson:** the township needs to follow the ordinance, and that's something that is not done very well by the administration.

**Kroupa:** from a priority standpoint, what do we want this committee to take into priority?

**Hemming:** I think a good place to start was my suggestion. Look at problems we've had. Look at how the township addressed it, and maybe start there with some ideas to streamline.

**Kroupa:** call that education? Try and educate the town board to our concerns, which are well known to us, but less so to them. Help them see where we find pain points in the process that maybe they can address. Like Nancy [Heller] says, maybe they can't take that out of the process because it's mandatory, it's the health department, or it's X, Y or Z that we're not familiar with. Educational back and forth should be a priority.

**Sanders:** because you have your secretary now, have everybody send their suggestions, concerns, to Erin. She can compile so you can have an agenda for the next meeting.

**Hemming:** I think the next meeting could be nothing but educational. I don't know what everybody's personal experience has been.

**Sanders:** if there is any low hanging fruit that you could all kind of get on board with right now.

**Edmondson:** I know Jen wanted to address the sign ordinance.

**Hafeli:** that's one of the areas I wrote about in my questionnaire for interview for this position. Having farms on Center Road is fantastic, but those are fewer and far between. For people that are not on the main drag, it's extremely difficult to rely exclusively on social media or traversity.com to direct traffic to your place of business. There's countless examples of grandfathered off premises signs in the area, and that is something that is low hanging and is no cost to the township. The applicant would bear the cost of the fees for the signage permit or whatever process would be. But there's nothing in the current zoning that allows for off premise signage for farmers. That's something where we're talking about marketing. We're talking about the ease of process. If we could find common ground in making a recommendation for zoning change to allow for off premises signage for farmers, that's a motion I'd be willing to make. Follow up with what Chris talked about, especially on the taxes. As farmers are pulling acres of cherry trees and orchards out of their farms, one thing to consider is to be qualified for agricultural tax exemptions, you need to be at least 50 percent planted out. I think it would be an interesting concept for this township to consider the concept of fallow land and allowing some farmers time to plan for that next succession of crops before being hit with, especially if you don't live on site, what could be an approved residential, non-homestead tax obligation for farmland.

**Heller:** good idea. Along with your experiences, try to think of some fixes. Have those in mind. I'm sure, in being denied things, have the thought process.

**Bramer:** I think Erin has experience similar, maybe not the same, but some similar experiences.

**Hafeli:** yeah, it's not been a straight road, but I'm nothing if not persistent for things that I believe in. The process I'm currently going through, I expect to see it through. I believe there are Right to Farm implications, but showing a willingness to come to the township to negotiate things like number of people or hours of operation, things that don't have a limitation in the state language, I

think it shows a cooperation to come up with something that's agreeable to the township as a whole, maybe not just the agricultural sector. We've talked about process improvements, but I'd be happy to put kind of my case studies or lessons learned. I can compile those with whatever anyone else sends.

**Heller:** there was an applicant for the PC prior to this meeting. Just purchased a PDR farm and expressed sort of a back against the wall financially because of the limitations, what they couldn't do. I asked her on the way out what she wanted, and she said a petting zoo. It brought to mind, well, you charge. In the PDR ordinance, allow a little loosening, reasonable loosening, so that the people that purchase PDR would have a means to supplement their income.

**Edmondson:** I have five contracts with PDR, nowhere does it say petting zoo's are prohibited. Every contract is different, so that contract, that person could have gave away that right.

**Heller:** they purchased the PDR-

**Edmondson:** I understand, but that would have been their obligation to read that contract before they bought the property, so they knew they couldn't do that.

**Heller:** you got all these individual contracts. You got a lot of agricultural people, and people that want to become agricultural people involved in these PDR contracts. Is there a way to loosen up this contract?

**Edmondson:** PDR is a contract. It's not zoning. Land that is governed by zoning. But what you agreed to is what you got paid for. And most contracts are, you give up your right for a development, a residential site. That was the main premise of the whole program. If your contract says, you have all the other rights as anybody else, other than to build a residential structure. But there is a lot of other conditions in each individual contract.

**Kroupa:** maybe we leave that off our priority list for now.

**Edmondson:** it shouldn't be a problem. If you're doing an agricultural use on PDR land, there is no problem.

**Heller:** what is the definition of agricultural use?

**Edmondson:** well, that's where things get a little squirrely.

**Gomez:** on our agenda, definition, education, we could sit here all day talking about different agricultural activities, which we should at some point. Comes down to, what falls under the definition of agricultural activity, what's then land use, process.

**Kroupa:** priority list we have to get hammered out here. Education, that's one that can be a priority. Signage, maybe that's something small we can relatively quickly get into. The PDR restrictions, sounds like a can of worms, because it is contracts.

**Heller:** it is.

**Bramer:** there's so much land in PDR, though, it needs to be recognized. The uses are the same. They're agricultural uses.

**Kroupa:** it would apply to both the PDR and non-PDR, that you can do those opportunities.

**Heller:** but what if your contacts says you can't?

**Edmondson:** well that's what it says.

**Kroupa:** I don't know how you go down the road changing the contract.

**Heller:** you can't, just cross it off.

**Kroupa:** what is it that would wrap this up, an actual list of one, two and three?

**Sanders:** tonight, priority list on the agenda for the next meeting. Leading up to that, communication independently through Erin to get a packet together. That information needs to be going to the planning department, so you have an understanding of what our ordinance looks like in relation to these priorities. That would be part of the packet as well. You probably already know all those, but the public in general needs to be educated.

**Kroupa:** Jenn [Cram, township planner] do you have something?

**Cram:** I'm taking copious notes of everything I'm hearing. When I suggested this committee be formed to the board, my hope was by having a diverse group of agricultural operators here, that there would be a forum for all of you to educate the community and the board, with the things that you are facing. The cost of land, the cost to plant crops, so that the community could understand the difficulties you're facing. In addition to our antiquated zoning ordinance adopted in 1972 with 204 bandaid amendments. What are the difficulties with the zoning regulations? We have a permissive zoning ordinance, if something is not listed as a use by right, or use listed by special use permit, it's considered to be prohibited. We know that we need to expand those uses by right. We know we need to make the special use permit process easier for everybody, for all businesses, including agriculture. In addition to digging into these specific things. Jen's land use permit did not take two years through the zoning office. It took two years for her to conceive of it and do things, and it went through the process in a couple of months. Big picture, helping the community and the board to understand the challenges, so they can be more open minded to looking at these other value added uses that are going to make the farms viable. When I was the planner, the staff liaison to the agricultural advisory board for Larimer County, we had a county commissioner that came to every meeting, that updated all of you on what the county was facing, the big picture issues, the traffic studies, the boat launches and things like that, so you have an understanding of the bigger things the township is facing. And there's a staff liaison that talks about the process. This is what the zoning ordinance says. These are how these things work. So there's that cooperation. And then we hear from you, your individual stories, the areas that are happening. And then the agricultural advisory board would, every year, put together an annual report of what they felt was a priority for the board to know. What are the big issues facing agriculture for this region? I agree with Dave, we have 18 miles. We have one road on and off. Peninsula Township is never going to be set up to be a large scale production agriculture like Larimer County. An annual report was prepared that helped the community to understand what the farmers were facing, so they could be supportive when we get into the nitty gritty of amending our zoning ordinance. I asked a PC representative to be here. Kevin Beard is our representative. He's going to be on the front lines of the PC when future zoning ordinances come forward. Maura [Sanders, township supervisor] is here to keep you aware of the big things that are happening, and I'm here to listen, take notes, and help you to understand the day to day process and the constraints that our planning and zoning office have with one planner and one zoning administrator and a community that has a lot of needs. I think you're headed in a great direction talking about some of the things, the SUP process, the land use process, uses by right, uses by special use permit. In a broader context, the community would benefit from hearing what you're facing. A comfort level in trying something new and looking at creativity when we realize how difficult this is, and if we don't save farming and make it viable for new farmers to get into this, or older farmers to continue. Every farmer I believe should have the ability to make a decent living and retire, and raise a family. Saw the cherry trees coming out. An article was shared with that Leelanau county, there isn't enough demand so grape vines are coming out. You are individuals with different experiences that can help to educate the community. We can be doing research of what other areas are doing to come up with reasonable solutions for our community.

**Beard:** the ideas, suggestions, recommendations generated by this body, they would come to the PC in such a form that the commission with the director of planning would get to a point where they may introduce changes to the ordinance that would accomplish some of the goals and objectives you would recommend. Under state law, it starts with PC. Wherever the suggestions may come from, it has to flow through the PC. As I was taking notes of the different ideas from



around the table, this group of eight people here generated 15 or 18 different topics to discuss. A tool like SurveyMonkey could send out a survey and you could rank order these things, and other things that come into Erin over the next week or two. Help the group focus in on the top two or three things to tackle in this first year of this advisory committee's existence. I'm a non-voting member sitting and listening, reporting back to the PC.

**Hemming:** that's what I was thinking, everyone bring their issues and we discuss it and condense them and come up with some basic direction.

**Beard:** just in the discussion right now, you generated over 15 unique topics, one of those was the case studies of the farmers experiences here.

**Hafeli:** I think there was a prior iteration of the agricultural advisory committee, I don't know if there was any unfinished business with that before it dissolved, anything to add to the SurveyMonkey list as well. I can take a look, dig up that information. I'm sure the township has it.

**Kroupa:** could request the PC or the town board to send us a list of struggles that they're having, whether it be a project or something they see on the horizon.

**Sanders:** you can request it, and I can circulate it and see. We're usually about a few months out from putting our agendas together, but there are some bigger ticket items like land division and that sort of thing that involves agricultural land.

**Kroupa:** get a little direction from where what we advise is going. More focused. Could see us spinning our wheels a little.

**Sanders:** Kevin and I will help in any way we can. But I want it to be all of you getting your agenda together and running with it.

**Bramer:** I think there are maybe some things we haven't discussed, I believe the board is dealing with a transportation plan?

**Sanders:** that's a good one. We received a grant in order to go after a non-motorized transportation plan. There's now a committee together. It could be tying into agricultural. We don't know what it'll look like. Some of it might be requesting, if any farmers have a piece of their property that they'd be willing to put in this easement to get from the base of the peninsula out to the end and get cyclists, strollers, joggers off the road, but also making a safe place for farmers to be taking their tractors.

**Bramer:** we discussed in our master plan meetings that if you're going to have a non-motorized plan, there should be motorized plan in conjunction. So, they're doing a study of it, is that what the grant was for?

**Cram:** the purpose of the non-motorized plan is to put together a plan that will be looking at both motorized as well as non-motorized so that everybody's working safely. We educated our consultants to the farmers needs, that we have one road on and off the peninsula, they need to be able to get things to and from town. They know that that is a priority for this plan, that they have to work together.

**Bramer:** I also think farm equipment on the road is concerning.

**Cram:** yes, I agree. They will be hitting the ground running soon. They will be out here doing site visits, during prime production season. It will be a year long process or so to get to a plan. The budget was increased based on grants we received because we wanted to have a robust public engagement process. The proposal that came in from McKenna only had one public engagement, and we added three more, for a total of four.

**Hemming:** is there currently a committee or not?

**Cram:** there is a grassroots, ad hoc, non-motorized committee that has been meeting regularly, led by Susie Shipman. Andy Valdmanis sits on that committee. Partners with the Cherry Capital cycling club, TART trails, Norte, Becky Chown [township clerk], myself. There will be coordination with the

parks committee. This is all evolving. The non-motorized group was the result of the several people that were on the master plan steering committee originally.

**Hemming:** didn't they find that PDR land didn't allow for those trails?

**Cram:** there are some restrictions. Conservation easements are negotiated by the property owner, and some restrictions within some conservation easements would currently prohibit having a trail because of the surface disturbance. There's also concerns by the farmers about spraying and liability. A lot of things that need to be addressed. To answer a question that you all had earlier, conservation easements can be amended. It's currently an onerous process. In order to amend a conservation easement, the board, would have to look at the conservation values. I know of one conservation easement that was amended to change the building envelope location.

**Edmondson:** there's an amendment process to relocate development sites. I believe the contract says there is no amending to the contract other than that.

**Cram:** I think it would have to be in agreement by the township. I can look at that Dave and well, share that with everyone.

**Edmondson:** there could be a reason to do that. But, that's what happened originally, you didn't have the option of moving building sites. Some of our contracts, we picked alternative sites. More appropriate way, because the PDR contract was for perpetuity. That kind of blows the whole perpetuity out the window.

**Cram:** I'm happy to provide examples of a few conservation easements and look at that. If that's something that interests. As Jennifer said, we do need to understand PDR. The township is a leader in the purchase of development rights program, so we're doing well at conserving agricultural land. We want to make sure that it stays viable for agriculture.

**Kroupa:** if that non-motorized becomes an actual committee, would it be appropriate for one of our members to sit on that committee as well?

**Cram:** very helpful. As the non-motorized plan moves forward, I already noted that our consultants would come to you to ask questions. They would be invited to one of your meetings. When we originally proposed this committee to the board, suggested this committee meet six times per year. Maybe you meet six times in the winter, maybe every other month. Something to consider with your structure, how often you want to meet. If you want to meet every month, I'm sure we will find the resources to support this group, because it's important to our community.

**Kroupa:** do the SurveyMonkey or some version thereof, for whenever the meeting might happen?

**Cram:** the SurveyMonkey could include the question of how often you want to meet, what time you want to meet.

**Hafeli:** who is generating the survey, is that the secretary?

**Cram:** staff can assist with that.

**Sanders:** get your structure set so your next meeting has an agenda ready to roll.

**Bramer:** so we're throwing all of our ideas out there with this survey?

**Kroupa:** it sounds like there's quite a few notes that have been taken. Everybody goes through it, then it'll prioritize it, hit the top five or the top two.

**Cram:** Kevin and I could compare notes and share that via email. If we missed anything, you could get those to us, and we'll include Erin as the secretary. Then we could expand that list from what we've heard today, as well as the frequency of meetings and things, and get that out via SurveyMonkey.

**Hemming:** because it is wintertime, lets meet every month for now. I think personal input in addition to the survey. Tonight I heard the kitchen thing took two years and the township said, it wasn't my fault. I'd like some discussion along those lines. It's not uncommon to hear a story over here that is entirely different over here.

**Gomez:** meet a little bit more often. Discuss it later on, at what point do we hold a meeting where we encourage more community engagement? I expected more people here, but maybe, since it's our first meeting. I feel it was a big subject, leading up to putting this committee together.

**Sanders:** this is the intro of what is considered strategic planning. Get your priorities and then inviting the community as a whole. More of a town hall type discussion. That's how we run it at the board, and a good operating model to run through here.

**Edmondson:** I'd like to reflect on a couple comments Jenn made. That she'd like to have all farmers be profitable. I don't believe that's our township government's responsibility. I think the responsibility of our staff is to follow and implement the ordinance. That's where I think I've seen things fall apart. That's what causes delays.

**Kroupa:** that's the top of the list for you?

**Edmondson:** it's nice for her to have that attitude, but that's not her responsibility. My dad told me, you plant that tree, it's your responsibility to ferret the money out of it, there's no guarantees. Other thing I'd like to know is, what do we think this WOMP lawsuit is going to do to our agricultural community, something we should be concerned about? I'm concerned.

**Heller:** so many other things to be concerned about.

**Kroupa:** it's out of all our hands. Leave it there's, once they're more information we can dig in.

**Heller:** I interpreted Jenn's comment, that the outcome of these committee meetings and putting all our ideas together, that all sides could be successful. She's the planner. She's got to care.

**Edmondson:** I said I was happy she is interested, but that's not her goal. That's not her job. What I see problems come from, is the ordinance isn't followed by staff.

**Kroupa:** put it on your sheet Dave.

## 10. Citizen Comments

**Molly Stretten, 2822 Devil Dive Road:** hello and congratulations to everybody here. We are very happy to have an agricultural committee. Piggybacking on your conversation about strategic planning, I would like to provide a specific example of challenges faced by small growers. My husband and I own Devils Dive Vineyard across from the recycling station. Our vineyard is situated on 10 acres, with five acres in active production. In April of 2023 we applied to the MLCC for a small wine maker license. Our goal, then, as it is now, was to set aside a portion of the grapes that we harvest, bottle under our own label, and sell those direct to consumer and through local shops and restaurants. Our model does not increase traffic in any way. It does not produce any more smells or noises that regular farming doesn't already produce, and it provides a pathway for our farm to be more sustainable. Because our production output is small, we intended on using custom crush, or the excess capacity of larger wineries to process and manufacture our grapes. To satisfy the MLCC requirements, a small percentage of work would be done on our property. Unfortunately, Peninsula Township sent a letter objecting to our license, citing an inadequate amount of acreage to process and manufacture as per amendment 201. In the ensuing 20 months, we have met with the planning department, and our attorney continues to correspond with township attorney Chris Patterson. Early on, we experienced a fundamental misunderstanding of the wine making process. We encountered confusion from the township on Use By Right. We've had to point out that our proposed activities at our scale do not fall within the township's zoning ordinance definition of processing, nor does our intended use qualify as a retail or wholesale farm processing facility. In essence, amendment 201, has resulted in an over restricted processing ordinance meant to curtail the activities of large wineries, by affecting small growers as well. We are seeking the same rights that are afforded other small farmers by creating value added products from our farm. We acknowledge that a small wine maker license does allow for us to have the potential to manufacture up to 50,000 gallons per year, but at five acres of producing vines, we

have neither the desire nor the scale for a production facility for this to make financial sense. A simple solution is through a special use permit with a resolution to memorialize the restriction. The township has the ability to place restrictions on the rights granted by the MLCC, as was stated and confirmed by a recent ruling from Judge Maloney in the WOMP lawsuit. It is our hope that this committee will prioritize amendment 201, and thoughtfully and expeditiously recommend language to the township board that provides clarity and relief to small growers.

**Three-minute limit reached. Fred Woodruff succeeded his time.**

**Stretten:** thank you. Wanted to respond to a point that Jen made. I think this committee needs to focus on the challenges that some small farmers here, several of you do grow grapes, and you know that in our region, we are more dependent on hand labor than mechanical labor. In this region, we have crazy weather, unlike California, Oregon, Washington, that has pretty static weather. They can spur prune and do this mechanically, we cannot. That translates to much higher labor costs, in the neighborhood of \$25 to \$35 per hour for basic labor. Then we talk about chemicals that we need for spraying. A lot of us are trying to move towards a more environmentally friendly organic model, which means we're spraying every week. We have those mechanical costs, labor costs associated. So, affording someone the ability to have a value-added product, selling wine to local restaurants, is not a big ask. But this process has been crazy. It doesn't need to be. We're 20 months into this. I hope you think about amendment 201, and some of the negative consequences that it's had for small growers. Thank you.

**Hemming:** one of my pet peeves, somebody talks to the board and the board stays quiet and doesn't comment. I don't think anybody here would mind if you put on a piece of paper your points as concise as possible and presented it to the board, just like board members are going to do. About 201, I don't know a single farmer on the peninsula who supported that.

**Bramer:** can I comment?

**Kroupa:** we'll have board comments after.

**Sheila Johnson, 13700 Bluff Road:** I was the one that talked to miss Heller about the PDR. The problem is, our property is low lying, we're at 3625 Swaney Road. Since it went into the PDR, it probably changed hands five times. Nobody can make any money on it. It's too low lying. Our point was to do livestock on it and do a petting zoo. There's gray area there, whether or not we can actually charge. That's not just part of the PDR, but it's part of the township. So that would also be you guys trying to streamline the special use permit, because we probably are going to need one. Unfortunately, prior owners to us, sued the township. And we are dealing with that situation still, because that judgment came along with the property. To clarify where we're coming from, it's a complicated piece of property. Growing on it doesn't seem to be possible. We're trying. We have crops on it now. But our point is, would be better off going a whole different direction with livestock. We have nothing out here for small children. It would be something that's new to the area. But just to kind of clarify, we're in a little wonky spot with our property. It's not just the PDR. That's where I'm coming from. We're new to farming, so we are kind of floundering a little bit, but the special use permit and going about that with township scares me half to death, because I've heard nothing but horror stories.

**Wes Cowen, 2849 Shorewood Drive:** want to congratulate you for getting this together. I think it's really important. I would urge you to make sure the public knows what you're doing. Because most of the public are not farmers. How many farmers are there on Old Mission? Somebody said 30 - 40, maybe. And of those 30 or 40, three of them are farming most of the property here. I've heard this mention of farming in this meeting that relates to orchards, but aren't vineyards farmers too? I don't mean to be telling you anything, but you need to be thinking about the totality of what farming is. You need to decide what that is and then communicate what that is to the people who

are your neighbors, the people who are really driving what you guys can and can't do. I mean, that's what the ordinances are developed for. They're developed to protect everyone on the peninsula. They're not written just for farmers. If you have problems with the ordinances, there's a way to change those ordinances, and that's what you need to do. You need to prioritize, what are the bad ordinances, how they need to be changed, and what it looks like. But from my understanding, tree crop farming here is dead. So, does that mean we're going to have more vineyard farming in the future? Are we going to have lavender farms? Are we going to have small truck farms here? All those things are on the table, but you need to be thinking about those as part of what you're talking about in this committee. You need to be looking over the horizon. Because most people here are not going to be growing cherries and apples, because you can't make any money on it on 40 acres. The only way to make money on it is when you're growing 2,000 or 1,500 acres, which is what three people do on this peninsula. Again, I think it's great you're here. I think you need to reach out to the public, try not to take an adversarial role with the public, because we're all in this together. We all live here on this peninsula, and we all love this peninsula for different reasons. And if there are ways to make it better, particularly ways to make it better for you guys, this is the structure to make that happen. Thanks.

#### **11. Board Comments**

**Bramer:** the future is smaller acreage. It's good to have a new farmer here. The barriers to entry are huge. I do think the major problem with 201 is the scale. Part of the development of it was identifying how many pieces of land it would even work on. And it wasn't very many.

**Kroupa:** I think that goes on the survey as a priority to review and see what we can recommend.

**Edmondson:** I concur with Jen. I think that at whatever point we can, 201 has to be amended to function. It has to be something that works for the farmers and the residents. All the residents I talk to are for us. We only have a small handful of individuals that are very vocal, that pushed the 201, and it went through. That's disappointing, because, as Jen said, almost all the significant farmers, little farmers, did not agree with that. I was on that committee, and I was the only one that pretty much objected to it, but we had all these other people that had nothing to do with farming, and it went down, hook, line and sinker. That's wrong.

**Hemming:** respond to [Cowan's] comments. You hit the nail on the head. You defined what we need to do precisely.

#### **12. Adjournment**

**Hemming moved to adjourn with a second by Edmondson.      Motion approved by consensus**  
**Adjourned at 8:35 p.m.**