

SUSSEX COUNTY AGRICULTURE DEVELOPMENT BOARD

MINUTES

MAY 20, 2013

The meeting opened at 6:50 p.m. by Chairperson Brodhecker in the Freeholder Meeting Room at the Sussex County Administrative Center, One Spring Street, Newton, New Jersey. The meeting was held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-1 of 1975, as amended. Notice has been forwarded to the newspapers and posted on the bulletin board maintained at the Sussex County Administrative Center for public announcement.

ROLL CALL:

MEMBERS PRESENT: Jane Brodhecker, Chairperson
Lori Day, Vice Chairperson
Brian Hautau
Jim Hunt
Cece Pattison
Joan Snook Smith
Peter Southway

MEMBERS EXCUSED: None

STAFF PRESENT: Donna Traylor, CADB Coordinator
Antoinette Wasiewicz, Recording Secretary
Rudy Dragan, Planning Aide
Steve Komar, County Agricultural Agent

ALSO PRESENT: Freeholder Liaison Rich Vohden
Susan Payne, SADC
Eileen Klose, Hampton Township
Stephen Roseman, Esq., Hampton Township
Tamara Scully, Ag. Writer

The Recording Equipment failed to record this meeting. Minutes have been prepared from notes and memory.

The Agenda was amended to New Business, A.

MINUTES CORRECTION/APPROVAL:

A motion was made by Joan Snook Smith to approve the Minutes of April 15, 2013 as presented. The motion was seconded by Lori Day. All were in favor, with an abstention from Peter Southway. Motion carried.

CORRESPONDENCE:

A. ANNUAL APPRAISER'S CONFERENCE, SADC:

The State Agriculture Development Committee (SADC) has scheduled its annual Appraiser's Conference from 9:00 a.m. to 12:30 p.m. on June 5, 2013 at the Mercer County Community College Conference Center, West Windsor, New Jersey.

Attendance at this session satisfies one of the SADC's requirements for remaining on the list of Approved Appraisers. It also satisfies one of the requirements for appraisers applying for inclusion on the Approved Appraiser List. The SADC's Policy requires an appraiser to attend at least one annual conference over a two-year period.

B. APPROVED APPRAISER LISTING, SADC:

Correspondence was received from the SADC advising that Gerome J. Gall was inadvertently left off the 2012 Approved Appraiser Listing. Mr. Gall is from Woodbridge, NJ.

C. DRAFT SUMMARY OF CHANGES TO SADC APPRAISAL HANDBOOK, MAY 2013:

A draft summary of changes to the SADC Appraisal Handbook for May 2013 was received.

D. HIGHLANDS DUAL APPRAISAL PROVISION, MORRIS CADB:

An e-mail was received from Katherine Coyle, Director, Morris County ADB asking for support from CADB's in the Highlands area in urging Legislators to extend the Highlands dual appraisal provision, which will expire on June 30, 2014. Since the majority of Morris County's targeted farms are in the Highlands Preservation Area, they feel the expiration of the dual appraisal provision will have a significant impact on their ability to continue preserving farmland.

E. ARTICLES OF INTEREST:

Donna discussed an article relating to Native Pollinator Habitat.

RIGHT TO FARM:

None

AG. AGENT'S REPORT:

None

OLD BUSINESS:

A. AGRITOURISM UPDATE:

The Farmers Market at the Fairgrounds is scheduled to open for the 2013 season on June 1.

B. FPP UPDATES (APPRAISALS, SURVEY RFQ AND RECERTIFICATIONS, MONITORING, LAND CONSERVANCY OF NJ PROJECTS):

Two Land Conservancy of New Jersey projects have received certified values from the SADC; one has already accepted the offer. Monitoring continues on an ongoing basis. A survey Request for Quotes is out for the Klein and Goldman farms.

C. KOLICH VIOLATION UPDATE:

County Counsel has provided information to the Kolich's attorney on what was in Hampton Township's file. We are awaiting a response.

D. UPDATE TENNESSEE GAS PIPELINE AND PSE&G:

Peter Southway provided an update on PSE&G relative to his property.

NEW BUSINESS:

A. SADC PRESENTATION ON THE ON-FARM DIRECT MARKETING FACILITIES, ACTIVITIES AND EVENTS AMP AND REVISED RIGHT TO FARM PROCESS RULES, SUSAN PAYNE, EXECUTIVE DIRECTOR, SADC:

Susan Payne, Executive Director of the SADC did a Power Point Presentation on the On-Farm Direct Marketing Facilities, Activities and Events AMP and on the revised Right to Farm Process Rules.

For the On-Farm Direct Marketing AMP, topics discussed were:

- Definitions
- Hours of Operation
- Lighting
- Sanitary Facilities

- Safety
- Signs
- Parking Areas
- Buffers
- Outdoor Sales Areas
- Use of Structures & Improvements
- Use of Land
- OFDM Activities
- Event Management Plan
- Overnight Lodging
- Approval of Site Plan Elements
- Relevant Federal and State Laws & Regulations
- Additional Provisions

For the revised Right to Farm Process rules, topics discussed were:

- Basics of Right to Farm
- Right to Farm Act Procedures, which included Site-Specific AMP Request and Conflict Resolution
- Criteria to Receive Protections
- CADB/SADC Threshold Determinations
- CADB's Primary Jurisdiction
- Limits to CADB's Jurisdiction
- Preemption of Local Regulations
- Other Eligibility Requirements
- State Laws/Regs Delegated to Towns
- Other Direction from the Court

For Right to Farm Procedures, topics discussed were the four Proposed Changes to Existing Right to Farm Procedures. They were:

- CADBs make Threshold Eligibility Findings before Sending Complaints to SADC
- Avoiding the Ping-Pong in the Complaint Process
- Public Notice Requirements
- CADB Resolution Contents

A Flow Chart for the Right to Farm Complaint process and for Site-Specific AMP Determination was also shown and discussed.

There was a period of questions and answers. Lou Tomassa as to whether or not Ag. Labor Housing was covered under this AMP; Brian Hautau asked who makes determinations in matters of Public Health and Safety; and Peter Southway asked if farm activities fall into the 51% or 49% of income.

B. PRELIMINARY 2013 FP APPLICATIONS – FOR DISCUSSION ONLY:

A chart outlining the Preliminary 2013 Farmland Preservation applications was provided to the Board members. There was some discussion on the farm details, the point values as well as asking price per acre.

The Board members agreed to conduct their farm visits on Tuesday, June 11.

PUBLIC COMMENT:

None

ADJOURNMENT:

All business having been completed, a motion to adjourn the meeting was made by Brian Hautau. The motion was seconded by Joan Snook Smith and carried unanimously. The meeting adjourned at 9:40 p.m.