

SUSSEX COUNTY AGRICULTURE DEVELOPMENT BOARD

MINUTES

JUNE 20, 2011

The meeting opened at 7:34 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  
Fred Hough  
Jim Hunt  
Cece Pattison  
Joan Snook Smith

MEMBERS EXCUSED: None

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

ALSO PRESENT: Richard Vohden, Freeholder Liaison  
Eileen Klose, Hampton Township Administrator  
Mike Pierson, Hampton Township  
Phil Brodhecker, Brodhecker Farm  
Phillip Yetter, Hampton Township Mayor  
Daniel Coranoto, Hampton Township Committee  
Frank McGovern, Esq., Attorney for Hampton Township  
Robert Morgenstern, Esq., Hampton Planning Bd. Attorney  
Ursula Leo, Esq., Laddey, Clark & Ryan

**MINUTES CORRECTION/APPROVAL:**

A motion was made by Jim Hunt to approve the minutes of March 21, 2011, as presented. The motion was seconded by Lori Day. All were in favor, with an abstention from Jane Brodhecker. Motion carried.

**CORRESPONDENCE:**

A. SADC FINAL REVIEW APPLICATION DEADLINES, 6/9/11:

An Application Sale of Development Easement Deadline Chart was received from the SADC. The chart outlined the SADC Scheduled Meeting Dates and the Application Packet Deadline Dates for the rest of 2011 through July 2012.

B. 2012 MUNICIPAL PIG FRANKFORD, SADC, 6/7/11:

On April 28, 2011 the State Agriculture Development Committee granted conditional preliminary approval to Frankford Township's 2012 County Planning Incentive Grant application. The Township's identified target farms are now eligible for submission. The SADC will not grant final approval of individual farm applications until the Comprehensive Farmland Preservation Plan and 2012 Municipal PIG application package receives SADC final approval.

C. 2012 COUNTY PIG FINAL APPROVAL, SADC, 6/9/11:

On April 28, 2011 the State Agriculture Development Committee granted final approval to Sussex County's 2012 County Planning Incentive Grant application. The County's identified target farms are now eligible to proceed through the full application approval process.

D. FARM CONSERVATION PLANS, NJCS, 6/20/11:

The Natural Resource Conservation Service is responsible for doing the Farmland Conservation Plans that are required for each preserved farm. They are looking for a list of those preserved farms for each County that have and have not finished their Conservation Plans so they can prioritize their workload. Donna said she will contact the farms that closed within the last year because they would potentially be the only ones that don't have this plan.

E. NATIONAL POLLINATOR WEEK, WALLKILL RIVER NWR:

The Friends of Wallkill River National Wildlife Refuge are hosting a program called, "National Pollinator Week." An Invitational Pollinator Art Exhibit will be open from June 20 through July 31 from 8:00 a.m. – 4:30 p.m. A list of program topics with their dates and times was included.

**RIGHT TO FARM:**

A. MESSLER, GREEN TOWNSHIP – LETTER FROM L. AAROE TO M. LAVERY, 5/25/11:

At the last meeting the Board approved a Resolution on this issue. Donna reported that since then she received a copy of a letter from Lyn Aaroe, Esq. to Michael Lavery, Esq. Donna read the letter to the Board members. There was an issue with the number of horses on site. The Board approved one horse per existing stall. Donna said she has not heard anything since receiving the letter.

**AG. AGENT'S REPORT:**

Donna said that Steve Komar was doing a presentation in Pennsylvania today. Joan Snook Smith suggested that he e-mail his report to Donna when he cannot attend the meeting.

**OLD BUSINESS:**

A. AGRITOURISM – 10 FOR 10, FARMERS MARKET:

Donna and Steve Komar are working on a new project called, "10 for 10." Originally, it was proposed that customers holding the coupon would receive a 10% discount when spending a minimum of \$10.00 per week on Jersey Fresh products,. This proposal went out to 60-70 farmers in Sussex County. Many farmers did sign up but some feedback came back from farmers who said they would prefer not to give a 10% discount. The project was revamped to ask the consumers to commit to spending 10% of their weekly grocery allotment on buying Jersey Fresh products from Sussex County farmers.

With the original program, the farmers would have kept a ledger which would have provided return on investment information. This information is vital to continue these programs. Under the new program, a coupon will be provided to the consumers to be filled in by the farmer. There is room on the coupon for multiple visits to farm stands during each week. The consumer will submit their card at the end of the season to be eligible for a drawing of Jersey Fresh projects. Farmers will be asked to donate something for a number of baskets.

Donna said she e-mailed the coupon and new letter to Steve and if he approves of it, she will resend it to the farmers.

B. EVERETT FARM, FRANKFORD TOWNSHIP – UPDATE:

Donna said at the last meeting this Board gave direction to County Counsel to start proceedings on the Everett Farm violation. Counsel gave them an opportunity to respond one more time. Last Wednesday or Thursday Donna found out that the trailer had been demolished on site. Nothing has been removed from the barn as far as the violations but Mr. McConnell did get some feedback from the Everett's attorney,

recognizing that there are violations. Mr. McConnell advised Donna that he is starting to put the paperwork together to start the proceedings.

C. UPDATE ON CLOSINGS AND FINAL APPROVALS:

The Board received an updated chart which shows that Sussex County now has closed on 161 farms for a total of approximately 16,548 acres. This puts the County at about 7 in the Statewide ranking for closed acres. There are about nine more closings pending and two surveys are in progress. The Certification of Development Easement Value has just been received from the SADC for the Pittenger/Tommaso parcel in Green Township. This project involves a donation to the municipality for a park and a lot line adjustment to a contiguous land owner.

Donna said that she received an approach from the State saying that there are some other federal monies available and asked if the County had anyone that might be amenable to accepting Federal Farm and Ranch Bill monies. Donna said she is trying to contact a landowner who is in an area that has a waiver for soils.

**NEW BUSINESS:**

A. 2011 FPP RANKING – DISCUSSION ON 2010 APPRAISAL:

Last month this Board did the site inspections and evaluations for the 2011 round. Donna said that it has just come to her attention that one of the farms had already been appraised when it was an application under a contract purchaser last year. The certified value came in at \$6,100 and the asking price from the owner (who is this round's applicant) is \$15,000. Donna said she does not envision a significant change in the value this year. That farm was ranked number seven and a Vernon Township farm was ranked number eight. She asked if the Board wanted to reconsider that particular farm in their ranking. Discussion followed.

**MOTION:**

A motion was made by Brian Hautau that Donna talk to the landowner to see if his expectations can be lowered closer to the existing appraisal. If not, this farm will be moved to the number eight position in the rankings and the McPeck farm will be moved to the number seven position. Seven farms will be recommended for appraisals. The motion was seconded by Joan Snook Smith and carried unanimously.

The Agenda was amended to 9, C.

B. HAMPTON TOWNSHIP FARM STAND ORDINANCE:

Chairperson Jane Brodhecker recused herself and left the room. Vice Chairperson, Lori Day took over the roll as Chairperson.

Donna said at the last meeting this Board went over the Hampton Township Farm Stand Ordinance paragraph by paragraph. She took all of the notes from the meeting

and compiled a page and a half report which was distributed to the Board members. Lori Day suggested that the Board review the report before voting on it.

Donna said the first thing that was commented on without even going into the first section was whether or not existing farm stands are grandfathered in because there didn't seem to be any language on that.

Section 2A dealt with acreages and sq. ft. under the roof of the farm stands. The Board said the numbers seem too small and arbitrary. They said smaller farms can be very intensively utilized and can be very productive. The Ordinance did not reflect how many Sussex County farms are being used today.

The Board questioned what constitutes farm sales. They said the size of the farm is not relative. Size does not constitute what the farm has the ability to produce. The productive capabilities on farmland reflect soil type, topography and desire of the farmer to implement good practices. Even land without prime or statewide significant soils can be very productive if it is well farmed with proper usage and a willingness of a farmer to invest their time and money.

The Board said Section 2A through 2E should either be deleted or modified to be based on use and production. A measurement should be developed based on the production of the farm itself and the 51% rule under the Right to Farm Act. A farm can propose a "farm stand" using existing structures so a new structure does not have to be built. The need for a minor site plan should be restricted to public health and safety issues.

Under Section 4A, the Board said existing structures should be grandfathered in. In 4B, the Board said the exception should include farm equipment or farm products used for outdoor displays. Section 4D should be deleted or seriously modified. There should be some limitations for large items. The SADC or Rutgers may have some criteria on this. Small items may be used to create a visual draw to the public.

Under Section 5, the Board said existing structures should be exempt.

Under Section 7, the Board said a waiver from a site plan should be considered for an existing structure as long as safe ingress and egress exists.

Under Section 8, the Board said existing signs on farm stands should be grandfathered. Two signs should be allowed on a building since otherwise you are allowed a double sided sign. A name sign on a building should not be included in the total number of signs. A minimum of 15' from the road is ok as long as the topography allows. If 15' from the road is over a rise and the sign cannot be seen, it is not acceptable and should be allowed to be closer. In the third sentence, delete "along the road 10 feet..." and substitute, "not limiting sight distance or impediment to the traveling public." In the last sentence, the Board suggested to delete, "retail business" and substitute "selling season."

The Board had the same comments for Section 9 that they had for Section 2.

The Board felt Section 10 should be take out in its entirety. The Farm Assessment form provides much of this information. The farmer must comply with the 51% of Right to Farm to qualify for additional protections. Hampton may have the ability to request additional information (to Farm Assessment) on a case by case basis but this section as written is too burdensome on the farmer.

Donna said she prepared a letter to Hampton Township under the Vice Chairperson's signature. She read the letter into the meeting.

Fred Hough suggested the meeting be opened to the public before approving the letter.

Chairperson Lori Day called for a motion to open the meeting to the public.

A motion was made by Joan Snook Smith to open the meeting to the public. The motion was seconded by Jim Hunt and carried unanimously.

Frank McGovern, Esq. spoke on behalf of Hampton Township. He said it was his impression when he left the last meeting that County Counsel was going to work with Mr. Komar and possibly the SADC legal counsel to come up with language for some of the proposed provisions. He asked if that happened. Donna Traylor said she was not aware of it.

Bob Morgenstern, Esq., attorney for Hampton Township's Planning Board asked if site plan review would be permitted for parking, access, etc. The Board said yes, but only for public health and safety. Mr. Morgenstern said he could not hear very well and asked for a clarification of what Donna read. Donna said under Section 7, for driveway access, read, "A waiver from a site plan should be considered for an existing structure as long as safe ingress and egress exists." Mr. Morgenstern said the farm could always apply for a waiver. Mr. McGovern said that one consideration on site plans is that the Right to Farm Act does specifically provide, with respect to farm stands, that they be in conformance with parking and construction standards. It's not just safety and health.

Donna said that the Board is not discounting that, they're saying as long as safe ingress and egress exists. Jim Hunt asked if someone came to the town and proposed putting up a farm stand that a site plan would have to include whatever parking the township deems necessary for that. Mr. Morgenstern said they'd have to show that they can get off the road and make sure the driveway access is safe so that it's not on a crest or a turn. Mr. Hunt said so as not to become burdensome for a small farm stand which is seasonal and doesn't do a huge business all hours of the day, there shouldn't be some magic formula that says because you have this stand you need to provide 20 parking spots. Mr. Morgenstern said there is a standard in the ordinance but farm stands that are less than 1,000 sq. ft. are totally exempt from site plan. Under the Municipal Land Use Law, the buildings that are exempted from site plan review are one and two family homes. Joan Snook Smith said the Board's concern was for the farmer who has some old buildings and wanted to put their farm stand in an outbuilding that already exists and may have a seasonal farm stand. That person should not have to submit a formal site plan approval with "x" number of parking spots and all the financial burden that would go along with a formal site plan. Mr. Morgenstern said even a large barn, if they only use 1,000 sq. ft. or less of the barn for the farm stand,

they wouldn't have to go before the town at all. Ms. Smith said 1,000 sq. ft. is quite small. Mr. Morgenstern said that would be a minor site plan. When asked, he said the farmer would have to have a map and show the parking and driveways. He felt most farmers would already have a survey available and that they could draw in the parking and location of the farm stand. Ms. Smith said she would like to see language in the ordinance that a farmer could use an existing survey and draw in the location of the stand and parking themselves. Mr. Morgenstern said they would take that under advisement.

Mr. Hunt asked Mr. Morgenstern if any of the existing farm stands are grandfathered at this point. Mr. Morgenstern said he did not think so. He said they would have to have gotten a legal approval in order to be grandfathered. Ms. Smith pointed out that they did not need a legal approval to have a small farm stand several years ago. Mr. Morgenstern said their previous ordinance was a lot stricter than this one. He said Hampton Township worked with this Board and various farmers to make this ordinance a lot more farmer friendly than the one before. Mr. Hunt said it seems as though the Township's thinking is that maybe 90% of the farm stands that exist or would be built in the township would fall under the 1,000 sq. ft. rule or close to it. He felt this was not a good reason to determine whether something is grandfathered or not. Mr. Morgenstern said that would depend on the zoning law. Is it a preexisting, non-conforming use that existed before the ordinance? He said he can't answer that with regard to every single farm stand in Hampton.

Mr. Morgenstern said that the maximum size of the farm stand was suggested by Judge Bonzanelis to relate it to the size of the farm. Hampton Township hired a Planner who researched it and came up with standards. The larger the farm, the larger the farm stand you can have. The same thing with the area used by the farm stand. Donna said that last month Counsel from the SADC was asked if there were any existing ordinances out there that were anything like this statewide and he said, "No." Mr. McGovern said the question Donna was talking about was specifically with regard to the last provision which had to do with the enforcement of the ordinance. He was asked if he was familiar with any other ordinances which had a similar enforcement provision and he said "No." He wasn't talking about the whole ordinance; he was just talking about enforcement. Joan said they were talking about the size. Donna said that is what she recalled too. Where there any ordinances statewide that had any similar language about size restrictions? Joan asked where the planner did his research to come up with that. Mr. Morgenstern introduced Eileen Klose, the Township Administrator.

Ms. Klose said there are a variety of different ordinances out there in different counties throughout the state. She only touched on about five or six of them. In relation to minor site plan approval, in Morrestown, NJ their ordinance says farm stands can only be used in certain months. It also says a minor site plan is required for such stands that are not in existence as of September 1, 1992. When asked if there are any that cite acreages, Ms. Klose said, "No, there aren't." Mr. McGovern said the whole idea of relating the size to the acreage came from Judge Bonzanelis. Lori Day said that as farmers the Board knows that a small piece of property can be extremely productive and it would penalize the small farm that is extremely productive to have such limitations on the possibilities of their size of the farm stand. Mr. McGovern said there

is always the ability to show such a circumstance before the Planning Board to be able to get relief from these provisions. Ms. Day pointed out that that would cost money. Mr. McGovern agreed. Mr. McGovern said he thought Mr. McConnell was charged to try to come up with a standard based upon the ability of the farm to produce. Donna said that there wasn't anything existing. The State Counsel said that there wasn't anything existing out there. Ms. Klose said the Township of Pohatcong has a farm stand ordinance that says they shall not exceed 1,000 sq. ft. in size. She said maybe Brian Smith could look into that.

Lori Day said she has a problem with the limitation of the size ratio of the farm stand to the farm itself. She feels the government does not need to regulate this. The farmer will make his own judgment on that because he knows what he can sell and what he can't sell. He will not make a building that's too big to sell his product because that will not be a responsible business decision. The government does not need to regulate the farmers in how and what they're going to sell, other than the 51% rule. Joan Snook Smith agreed. She said she's not sure Hampton Township understands what Lori said before. She's not talking about people bringing in things from other places to sell as part of that stand. A farmer can grow a lot of vegetables in a very small amount of acreage. On one to two acres, a farmer can easily grow more vegetables than he can sell in 1,000 sq. ft. Lori added that in the height of the season when the vegetables are ripe and ready to be sold, the farmer needs a lot of display area because the entire production is coming in inside of three weeks. On the other side of the coin, a large amount of acreage is needed to graze beef cattle but when they are sold as meat, they take up little space. It's not a ratio that you can pick. Mr. Morgenstern said that the ratio would cover 90% of the farm stands in Hampton. He asked for examples of such intensive farming. The Board said the township should be looking towards the future so that what they're doing now will work 10-15 years from now.

Discussion moved to the need to report either 51% of income or sales space. The Board questioned whether this was necessary on a yearly basis. Mr. Morgenstern said yes because farm assessment has to be applied for every year. The Board said yes, farmers must file for farm assessment every year and the township should be able to get any information they need from that application. Mr. Hunt said the town should accept the farm assessment form and if there is a question and someone has an issue with what someone is doing, they can ask for the proof. Mr. Morgenstern said the farm assessment form does not have the key information. Mr. Hunt said they're asking the township to have a lot more paperwork, and asking farmers to have the burden of providing more paperwork for what he considers no reason because if there is a question, they have the ability to ask for proof. Ms. Smith said the Board would like to see that there be something in the ordinance that encourages someone to have an agricultural endeavor and less things that are burdensome to the farmer, less forms he has to fill out, less attorneys he has to hire, less engineers he has to hire. Hampton has done nothing to minimize the burden on the farmer and on the other hand has introduced things he has to fill out and do in order to sell the product that he is producing on his own property in the township. Mr. Morgenstern said they are only asking for what the Right to Farm Act requires. When Mr. Morgenstern said the farmer could send in the same affidavit every year or some photographs, Donna looked into the ordinance and said that it says, "The owner of the lot and operator of the farm stand are hereby required to file with the Township Tax Assessor an affidavit with

photographs and other proof satisfactory to the Tax Assessor...." It was questioned whether farm stands less than 1,000 sq. ft. must comply with the Proof of Sales area or Income section as well. When asked if Hampton would specify that farm stands under 1,000 sq. ft. would not be required to provide proof of income, Mr. Morgenstern said he would have to discuss this with the Planning Board. There was some discussion with the signage. Mr. Morgenstern said the Township would not have any problems with the Board's suggestions. He said he would bring the Board's comments back to the town.

Eileen Klose said something was brought up at the last meeting that she wanted to address. It was said that the town had attack dogs at the meeting for testimony regarding the ordinance. She said they listened to hours and hours of testimony from the farmers and the Township Committee was extremely respectful. There were some people that did get very angry and threatening. The only reason the Sheriff's Department came was because one of the men that was threatening had just shot a neighbor's dog with a 44 magnum.

Dan Coranoto, Hampton Township said he felt the sign ordinance was fair and they did make some adjustments for small signs. The façade sign goes by the square footage of the building. The free-standing sign is double sided and can catch traffic in either direction. They made adjustments for seasonal activity. Brian Hautau said they wanted to be able to put a sign on either side of the building because a lot of farm stands have existing barns on the road.

Ursula Leo, Esq., Laddey, Clark and Ryan felt the Board did hit on the issues which were discussed last month. She said it is clear that the 1,000 sq. ft. is only for an exemption for minor site plan. Anyone that has a small farm stand that has a setback that is less than required by ordinance will have to go for a variance. She said a minor site plan can take three nights of hearings with an attorney and engineer present, a survey is needed with several revisions of the plans, costing thousands of dollars.

Pre-existing, non-conforming uses must go before the Board, with plans and an attorney to show when the use was in effect and when the ordinance came into effect. It is not an easy, one-night, five minute, two thousand dollar thing.

Regarding maximum size, Ms. Leo said that David Troast was an expert on behalf of the township. Not every resident of Hampton Township or every farmer of Hampton Township went before the judge. Mr. Brodhecker was there, who has a larger farm. David Troast testified on behalf of the township and said acreage may be a good idea. The Judge said, "That's something that concerns me, but send it down to the Sussex County Ag. Development Board who are the experts in this matter."

Regarding Variance relief, she cited several farms in the County who do not meet the setback requirements and are going for variances. There are many, many farms that would be affected by this ordinance. As far as the comment that others business are regulated, Ms. Leo said that other businesses are not protected under the Right to Farm Act.

Mr. Morgenstern said that the farm stands that Ms. Leo cited have been there for a long time and are probably pre-existing, non-conforming uses and would not need approval at this time. He said if the farm stand is on a County Road, they would have to get County site plan approval as well. Lori Day said that would only be for new construction. She asked if a farm stand is in existence today and this ordinance goes into effect next January, does it still need site plan approval. Mr. Morgenstern said if it was legal when it was started and it was before any ordinance regulating farm stands, they could be protected as pre-existing, non-conforming use. Mr. Hunt said they'll assume it's safe to say that the township isn't going to look into any existing farm stands as to whether they're meeting the current farm stand ordinance other than now they will have to file their annual income with everyone else. Mr. Morgenstern said he didn't think they were going to go hunting anybody down. The Board felt there was a lot of grey area in the ordinance. Mr. Morgenstern said there is a lot of grey area in the Farm Stand Act. Joan Snook Smith said the problem with grey area is when you then try to take something that has some flexibility and then try to start writing rules to govern that same thing, it gets to be really sticky business.

Mr. Morgenstern asked Ms. Smith what has changed in farming in the last ten years. Ms. Smith said there are fewer large farms and many smaller farms. He asked her what she thinks the future will bring to farming in Sussex County. Ms. Smith said farms in Sussex County have decreased in size substantially. There are more farms today than there were. The face of farming has changed. There are more horse farms, vegetable farms, flower farms, herb farms, all kinds of small animal farms and all of those farms take much less property than a dairy farm or orchard. The reason is strictly economic because most people today cannot afford to buy a traditional 200 acre farm. They're interested in farming, they want to be a farmer and so they're buying smaller pieces and because they've got smaller parcels of land, they have to adjust the type of farming for that amount of property. It has changed in Sussex County dramatically since the days when there were more cows than people here. It doesn't mean it was better or worse than it was before, it's just different. She said the Hampton ordinance is not adjusting for that. Brian Hautau said when that small farm wants to take the next step to be a bigger farm, this kind of stuff gets in the way. Mr. Morgenstern said the ordinance does say that if a farmer wants to buy more land he has the ability to expand his area. Mr. Hautau said a small farmer can expand his sales without expanding the size of his farm. Mr. Hunt said the other thing that has changed dramatically is the push towards agritourism. Agritourism brings with it many more people which makes you have to adjust your accommodations, such as a larger area for them to wander through or display areas that make it better for the tourist.

No other comments were offered. The meeting was closed to the public.

Discussion returned to the Draft Comments by the Sussex County Agriculture Development Board on the Hampton Township Farm Stand Ordinance. Lori Day said she would like the issue of grandfathering pre-existing, non-conforming use clarified.

**MOTION:**

A motion was made by Joan Snook Smith to send the Comments letter, with the additional request as noted above, to Hampton Township. The motion was seconded by Cece Pattison. A roll call vote was taken, all were in favor.

Donna said she will add language to the first sentence (regarding grandfathering) and will copy all three attorneys.

C. AGRICULTURAL LEARNING CENTER – LETTER OF SUPPORT:

Several months ago Kathy Cafasso from the New Jersey State Fair/Sussex County Farm and Horse Show gave a presentation to the Board on the Agricultural Learning Center at the Fairgrounds. The Board agreed to send a letter of support. Donna drafted a letter addressed to Mark Mascilli, the Fair Manager. She read the letter to the members. The Board approved the letter and it was signed by Chairperson Jane Brodhecker.

**PUBLIC COMMENT:**

Mr. Morgenstern said, regarding small, very productive farms, if the Board is going to get into proving soils to prove this farm would be extra productive, he feels that would be more expensive to the farmer. Donna clarified what the Board said. The soils in Sussex County historically are not prime or statewide significant. But a farm can be productively farmed with the proper usage and the willingness of a farmer to invest time and money.

Tom Brodhecker said the site plan issue has more grey area than any Right to Farm Law ever written. No one objects to a site plan for health or safety issues as long as it's kept within reason. He said the town is trying to set a site plan in order to regulate what a farmer can sell. The Right to Farm law is what should determine what is and isn't sold. That's what the 49%/51% regulates.

When asked if he had anything to add, Freeholder Liaison Rich Vohden said he was speaking as a farmer, not a Freeholder. In the State of New Jersey there are only 9,600 farms and only 3,600 farms are making over \$10,000 per year. A \$10,000 a year income isn't viable. Farms are getting smaller. On most smaller farms, their income is derived solely from what they produce on the farm. It is not a commercial industrial enterprise. They're not producing widgets in a building, they're not selling products at Home Depot and ShopRite. They're selling what they produce and farms stands are very important.

Freeholder Vohden gave a personal example. He said he just plowed under a mile of asparagus rows. It is not a viable product anymore. Asparagus is coming in from all over the world at cheaper prices than he can produce it. Sussex County residents are here because they love its rural character. People are fighting to keep farms in the area. Freeholder Vohden said he is 74 years old and he is considered an average farmer. There are a few young guys that are trying to survive and he wished them luck. He said they have burdensome overregulation.

Freeholder Vohden said he has been on the Green Township Planning Board for 17 years and on the County Planning Board for eight years. He said he has seen people come in crying when they realize what it costs to get a Variance. The farmers cannot afford it. The Right to Farm Act was created to protect the farmers from the overregulation by neighbors, municipalities and counties. Farmers are planting, growing, harvesting and marketing --- that's it. All they're looking for is relief for their farm stands.

He said that there are five and six acre farms that are closer to the city that are bringing in \$100,000-\$200,000 on their small property. Restrictions could put them out of business.

**ADJOURNMENT:**

All business having been completed, a motion to adjourn the meeting was made by Joan Snook Smith. The motion was seconded by Fred Hough and carried unanimously. The meeting adjourned at 9:45 p.m.