

**Ocean County Agricultural Development Board  
Minutes of April 12, 2023  
Plumsted Municipal Building, Plumsted Township**

**Attendance:** Doug Hallock, Chairman; Casey Hunter, Vice Chair; Kathleen Sucharski (OCADB); Glenn Riccardi (OCADB); Jeff Vogel (OCADB); Mark Villinger (OCPLD); Timothy Gleason (OCPLD); Mat Thompson (County Counsel); Charles Roohr (SADC); Dr. Stephen Yergeau (OC Ag Ext); Jessica Pinto (OCSCD); Kristin Adams (OCSCD). Public Attendees: Diane Vogel

**I. Flag Salute**

**II. Call to order and Compliance with Open Public Meetings Act-** Doug Hallock (Chairman) called the meeting to order at 8:12 pm by declaring a quorum and stating the Open Public Meetings Act requirements had been met.

**III. Roll Call**

**IV. Approval of Minutes**

A **MOTION** was made by Mr. Hunter to approve the February 8, 2023 minutes. Ms. Sucharski seconded. Roll Call. All in favor, motion carried.

**V. New Business**

- Bill S428 (Aquaculture) – Mr. Villinger informed the Board that this Bill is now a law. The Bill extends right to farm protections for certain aquaculture operations. The Bill defines a shellfish aquaculture management unit as an area contiguous or non-contiguous together with buildings or structures and facilities in which shellfish aquaculture is occurring and operated as a single enterprise.

A shellfish commercial farm is a shellfish aquaculture management unit that engages in shellfish aquaculture and produces shellfish worth \$40,000 or more annually. Mr. Villinger then informed the Board the Bill states the shellfish commercial farm must be in operation as of the effective date of this Bill and is located in an area zoned for commercial or industrial use or it is located in the coastal area, as designated pursuant to section 4 of P.L. 1973, c.185, and is zoned for commercial or industrial use. The farm can also be located on land under tidal waters that the shellfish commercial farm has the authority to use pursuant to a riparian grant or lease granted.

Ms. Adams informed the Board that the average production from a 2 acre lease is around \$40,000 and that is how they got to that number when writing the Bill. This is usually every 18-24 months for oysters, but farmers are working with Rutgers at trying other shellfish such as bay scallops and softshell clams which could possibly shorten that time.

Mr. Hallock questioned what if a shellfish commercial farm comes before the Board and they do not make the \$40,000 requirement. Mr. Villinger informed then they would not get right to farm protection.

## **VI. Old Business**

- **Proposed Soil Protection Standards Update** – Mr. Roohr informed the Board that there has been some recent changes to try and make the rule more flexible. One recent change is instead of current landowners being able to request a waiver it now states all landowners can request a waiver to get to 15% or 6 acres of disturbance. The benefit of this is if an owner sells the farm then the next owner is now eligible to request the waiver as this was not the case before. Another change to the rule is any livestock confinement area that is roughed up and disturbed is now exempt. The reason for this is compaction from horse hooves or livestock is not the same as compaction from machinery.

Mr. Roohr informed that the State Board of Agriculture asked about the ability to add to the list of exemptions and from this the SADC came up with an innovation waiver. This waiver can be granted if a farm owner has some form of technology that has no harm to the soil and they can prove that. A refined draft of the rule that was presented at the February SADC meeting will be presented at the April meeting.

Mr. Villinger questioned Mr. Roohr if the mapping of each farm was being revised and Mr. Roohr informed that this was the case and every farm owner will receive a map that is color coordinated with what the SADC thinks is disturbed including the farms disturbance calculation. The SADC is waiting on printing and sending the maps until the rule gets more clarity.

- **Special Occasion Events** – Mr. Villinger informed the Board that they all should have received the SADC guidance documents for special occasion events and it is recommended that the Board adopts the template application the SADC provided. The only difference in the application now is references to the State now read County. Mr. Thompson informed the Board that even though the regulations aren't adopted yet, farm owners can submit applications beginning the day the law was signed.

Farm owners must provide a map showing the occupied area where events will be held and the area shall be no more than the lesser of 10 acres or 10% of the preserved farm. They must state any event that will have more than 250 people and there shall not be more than 6 of these events per year. At the end of each calendar year farm owners who have special occasion events will have to provide a list to the Board of all events they held. Farm owners only have to apply to hold special occasion events once annually and they can have new events come up as long as they do not go past the threshold of 26 special occasion events each calendar year. Mr. Villinger informed the Board that one thing the law is clear on is farm owners must apply in order to hold weddings. If an event meets the criteria of on-farm direct marketing then this does not need to be applied for and would not count towards the number of special occasion events. If a wedding is for a family member or employee of the farm then it does not count either.

Mr. Roohr informed the Board that the SADC is holding a municipal officials meeting in the third week in May to cover all things farmland preservation. The meeting will be held at the Monmouth County Rutgers extension office. Special occasion events is expected to be a main topic as municipalities have the option to require their own separate application.

A **MOTION** was made by Mr. Hunter to adopt the application to hold special occasion events on preserved farmland. Mr. Riccardi seconded. Roll Call. All in favor, motion carried.

## **VII. Public Comment**

Mr. Villinger encouraged opening up the meeting to Public Comment before Closed Session.

Mr. Roohr informed the Board that the SADC has had two outreach sessions that covered special occasion events. The session that was done virtually was recorded and will be posted on the SADC website. One important question they have received was municipalities are not going to be able to know the difference in a special occasion event and an on-farm direct marketing event. To answer this, the SADC is recommending municipalities to the On-Farm Direct Marketing AMP which lays out all the details of these events. If an event follows all the details and requirements of the AMP then it is covered by right to farm protection and would not count as a special occasion event. A farm can only have 26 special occasion events in a calendar year, but if an event is two consecutive days and is marketed as one event then it only counts as one. If an applicant violates the approval they were given to hold special occasion events, the CADB can inform the SADC on the violation and they will handle it from there on.

There was no more public comment. Mr. Vogel left the meeting at 9:09 p.m.

A **MOTION** was made by Mr. Hunter to move into Closed Session at 9:10 p.m. Ms. Sucharski seconded. All in favor, motion carried.

A **MOTION** was made by Mr. Hunter to move back into Open Session at 9:17 p.m. Ms. Sucharski seconded. All in favor, motion carried.

There will be action taken on the single farm application that was discussed in closed session:

Wangenstein Farm Application, Lakewood Twp. A **MOTION** was made by Mr. Hunter to approve the purchase of the Wagenstein Farm for a development easement of approximately 11.8 acres at a cost not to exceed \$6,000,000. Ms. Sucharski seconded. Roll Call. All in favor, motion carried.

## **VIII. Adjournment**

A **MOTION** to adjourn at 9:22 pm was made by Ms. Sucharski and seconded by Mr. Hunter. All in favor, motion passed.

**Next Meeting: May 10, 2023 at 8PM**  
**Plumsted Municipal Building, Plumsted Township**

Respectfully Submitted,

A handwritten signature in blue ink that reads "Tim Gleason". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tim Gleason  
Assistant Planner