

**Ocean County Agricultural Development Board  
Minutes of October 12, 2022  
Manchester Courtroom, Manchester Township**

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

**I. Flag Salute**

**II. Call to order and Compliance with Open Public Meetings Act-** Doug Hallock (Chair) called the meeting to order at 7:00 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 September 14, 2022 minutes. Mr. Lynch seconded. Roll Call. All in favor, motion carried.

**V. Program Updates**

- Nivison Farm Term Easement Expiration – Mr. Villinger reminded the Board that Mr. Nivison’s farm is preserved by the county. He is also enrolled in the 8 year program, but his term is expiring at the end of November. Mr. Nivison is prepared to enroll in the 8 year program ran by the state in order to get access to state grant funds. The State has provided an option for him to do a permanent easement so that he does not have to continue enrolling. It is a matter of getting through Mr. Nivison’s paperwork such as his Schedule F as he initially expressed interest, but it has been hard to get in contact with him. Mr. Hallock questions if Mr. Nivison can enroll in the 8 year program and then change to the permanent program. Mr. Villinger informed that once your filed in the 8 year program you cannot undo it. Mr. Thorsen informed the Board that a possible permanent easement would only be the second farm the state has ever done this with. This is a new process and the state still needs to provide a form for permanent enrollment. Mr. Lynch questions what happens if there is a time lapse between the expiration of his current 8 year easement and being enrolled permanently. Mr. Roohr informed the Board that there would be no penalty if there was a gap in time between the two, but Mr. Nivison would not be able to apply for programs such as the deer fencing program until back in the program.
  
- Murray Farm – Mr. Thorsen informed the Board that the SADC should have everything they need to clear green light review and staff is hoping to hear from them within the next couple weeks. Once green light review is authorized staff can order appraisals for the farm. Mr. Hunter questioned if the farm is within an ADA and he was told it is. Mr. Villinger informed the Board that staff is not working on changing

current ADA's as they would most likely get smaller. Once the farm plan is complete, staff can look into changing the ADA's if the Board wants to.

## VI. Old Business

- Special Occasion Events Update – Mr. Villinger informed the Board that senate bill S757 was passed and Assembly accepted the bill. The Governor conditionally vetoed the bill in September and had a number of recommendations. The Senate then passed the Governor's recommendations and it is now going back to Assembly. One of the big concerns in the prior bill was if a farm had an exception area and they were holding an event within the area it would count towards the number of events the farm is allowed to have. One of the recommendations from the Governor was that events held in exception areas should not count. Mr. Roohr informed the Board that another big change was the Governor wanted to allow charity events and they would not count towards the farms number if they were not paid more than \$1,000. If the bill is passed by Assembly than it will go back to the Governor for him to sign and become a law. Mr. Lynch questions what the Boards role will be once it becomes a law. Mr. Thompson and Mr. Villinger informed the Board that this is still unclear as the Board, Committee, and municipality will all have some sort of role. It is recommended to wait until the actual law is passed and comes out to see what the Board's role will be in enforcement. Mr. Villinger informed the Board that there is a good chance this is a law by the next meeting and staff will provide update.
- Comprehensive Farmland Management Plan: Survey Questions – Mr. Thorsen reminded the Board that staff sent out survey questions to all members and questioned if they had any answers or suggestions to the questions. No Board members had answered the survey questions yet and they were informed that they could have them for the next meeting or send by email. Mr. Villinger questioned the Board if the questions were clear and if they should be discussed. Mr. Hunter stated that farmers are in an unusual economic period as input costs may exceed the value of a product. Mr. Hallock provided input on topics such as labor shortage, increase in fuel and fertilizer prices, shortage of equipment suppliers, increase in tractor and parts prices, and new technology that he is looking into to cut labor out at his farm. Mr. Villinger informed the Board that staff will follow up with them on the survey questions as their answers are valuable towards the farm plan.
- Soil Protection Standards Update – Mr. Villinger informed the Board that according to SADC mapping, there are three farms in Ocean County that are in exceedance of their soil standards limit. Mr. Thorsen informed the Board that the SADC would like guidance on how to approach these farmers. The Board was also informed that the SADC got their data from looking at aerial imagery over the years and seeing how vegetative cover was changing on the farm. Mr. Villinger informed that this is the evolution of the soil standards that has been around for years and the SADC is now settling on up to 12% of a farm disturbed with the chance of applying for a waiver allowing up to 15%. Mr. Hallock wants to know what the three farms looked like the day the owner bought the development rights and he wants to see a map of each farm the day the farm was preserved. Mr. Villinger reminded him that this comment was sent to the SADC from the Board and many other CADB's.

Mr. Thorsen informed that the farms that are over their disturbance limit are not in trouble, they just can't expand or improve. Mr. Roohr told the Board that the SADC has come up with three options on how to approach the farmers that are over their limit. The SADC provides the maps to County staff and they can contact the owners on their own, County staff and SADC staff can take part in the process together, or it's an SADC rule and they can deal with it on their own. Whatever each county decides the SADC is willing to do. Mr. Lynch questions what the ultimate goal of this is and Mr. Villinger states the SADC does not have a choice they have to establish a soil standard. Mr. Thompson reminds the Board that their job right now is to determine how they want to approach each farmer on this proposed rule whether that be county staff doing it, the SADC doing it, or some kind of combination of the two.

Mr. Thorsen informed the Board that the areas of disturbance shown on the maps were consistently showing less than 70% vegetative cover over time and that is how the SADC determined what is disturbance. Mr. Roohr stated that the 70% vegetative cover is used as a proxy for compaction as you can't tell compaction from a satellite image. This was the SADCs way of mass producing maps and if the landowner disagrees then they can have the SADC come out and perform a bulk density test. Mr. Roohr also stated that Ocean County has very sandy soil and some farms may not have 70% vegetative cover no matter what the circumstance is.

Mr. Villinger informed the Board that there may be more farms coming from the SADC that show their soil disturbance exceeded. Mr. Hallock questions what is considered leveling and Mr. Roohr informed it is when a farm gets below the top soil layer. Mr. Roohr then informed that the SADC wants to notify these three farms by the end of the calendar year as it is expected that the farms will have some objections. This will give them time to express any comments before the law gets too far.

The Board decided that the SADC should send the map and a letter of notice in the mail giving the option of a farm visit to review. The letter will also give the farm owner the option to have a staff member or CADB member there to go over everything.

## **VII. Public Comment**

Mr. Hallock opened the meeting to the public. There was no public comment.

**VIII. Adjournment**

A **MOTION** to adjourn at 8:00 pm was made by Mr. Hunter and seconded by Mr. Lynch. All in favor, motion passed.

**Next Meeting: November 9, 2022 at 7PM  
Manchester Council Meeting Room, Manchester Township**

Respectfully Submitted,



Tim Gleason  
Planner Trainee