

**Ocean County Agriculture Development Board  
Minutes of December 13, 2023  
Manchester Township Council Meeting Room/Courtroom**

**Attendance:** Doug Hallock, Chair; Casey Hunter, Vice Chair; Glenn Riccardi (OCADB); Jeff Vogel (OCADB); Timothy Gleason (OCPLD); Thomas Thorsen (OCPLD); Larisa Paxton (OCPLD); Mat Thompson (County Counsel); Katie Mazzella (SADC); Dr. Stephen Yergeau (OC Ag Ext); Jessica Pinto (OC Soil Conservation District).

Public Attendees: Diane Vogel

- I. Call to order and Compliance with Open Public Meetings Act-** Mr. 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.
- II. Flag Salute**
- III. Approval of Minutes**

A **MOTION** was made by Mr. Hunter to approve the July 13, 2023 minutes. Mr. Vogel seconded. Roll call. All in favor, motion carried. Mr. Lynch abstained.

**IV. New Business:**

- Cier/Denson Farm, Plumsted Township – Mr. Gleason informed the Board of the farm on Fischer Rd. in Plumsted Township (Block 77, Lots 44, 57, & 98). The property is 64.76 acres and there are no existing structures. The zoning is RA-5 (Rural Agriculture) with a 5-acre lot minimum. Mr. Gleason further explained that the farm has 24.45 acres of wetlands that require a 50ft buffer by the NJDEP. Mr. Gleason also informed the Board that the County is looking to make a fee-simple purchase of the property, get the property preserved through the SADC, and then auction the farm off as a preserved farm. Mr. Gleason explained that the appraisals have been received and that the offer would be below what the owners are asking for. Staff is looking for the Board's direction as to whether to send an offer letter.

Mr. Hunter asked staff if there is a possibility of the owner getting a variance on the property to increase the development value and staff responded that there is another option in the appraisal suggesting open space preservation as well, however, the owner and their realtor believe that the farmland preservation process would be a better process for them. Mr. Gleason further responded that he does not believe that would be an option for the owner, however, this is a highly targeted farm, so staff recommends sending the offer letter and seeing if the owner is satisfied with the price. Mr.

Hallock said that he thinks that the wetlands are mislabeled on the map as the wetlands are labeled in an area that has sandy soils on high ground. Mr. Thorsen said that it is up to the owner to do their due diligence as to whether the wetlands are properly labeled. Mr. Gleason also informed the Board that the owners are older and hope to preserve the farm as soon as possible. The realtor is coordinating this process for the owners. Mr. Lynch asked if the realtor or the owners were aware of the zoning and Mr. Gleason responded that the realtor was made aware of the zoning as they previously believed that the zoning was 1 acre lots.

Furthermore, Mr. Thorsen stated that he sent the realtor a lot of information regarding the zoning and is confident that the owner and the realtor have enough information to explore more options regarding the zoning. Mr. Hallock asked if there was any action to be made right now and Mr. Gleason responded that all there was to do was to direct staff to send the offer letter to the owner.

A **MOTION** was made by Mr. Lynch to instruct staff to send the offer letter to the owners of the Cier/Denson Farm. Mr. Vogel seconded. Roll call, motion passed.

#### **V. Old Business:**

- Lewis Farm, Plumsted Township – Mr. Gleason informed the Board that the Lewis Farm on Route 539 in New Egypt (Block 76, Lot 38) is 6 acres with 1 residential home on the property. The application has no exception areas. It is zoned RD-1 with a 3.5-acre lot minimum. Mr. Gleason further informed the Board that the SADC would not be involved as there is no real development potential. He also reminded the Board that they advised staff at the last meeting to speak with the landowner to see what price they were looking for. Staff spoke to the owner and they did not understand the difference between farmland preservation and open space preservation as there was land behind them recently preserved for open space. In response, staff ordered appraisals and received a value for the property. Mr. Gleason asked the Board if they wanted to move forward with sending the offer letter to the owner. Mr. Hallock asked staff if there was any potential to subdivide the property to get higher appraisal values and Mr. Thorsen responded no. There was a discussion between the County Counsel and staff as to how the County would go about buying lands to preserve. Mr. Thompson explained that the CADB recommends buying the land for preservation to the Natural Lands Trust Fund board and that it is ultimately their decision as to whether the County buys the land.

A **MOTION** was made by Mr. Vogel to instruct staff to send the offer letter to the owners of the Lewis Farm. Mr. Riccardi seconded. Roll call, motion passed.

- Huie Farm Update — Block 77, Lot 38.02 & Block 82, Lot 1.12, Plumsted Township – Mr. Gleason informed the Board that Max Spann Auctioneering has recommended the properties to be auctioned as two separate farms and that the minimum bid estimate has been received from the appraiser. The title work has been updated and sent to the SADC. They are reviewing all documents necessary for preservation. He further informed the Board that staff is working on a land sale report and that the next steps are to schedule the public hearings required before the auction. Mr. Thompson informed the Board of details as to when and where the meetings must be held to adhere to the law for auctioning off county-owned land. Board members asked about the process and timeline for auctioning county-owned land. Mr. Thompson answered their questions and explained the process as well as informed the Board that more details will come when the public meetings and auction are scheduled. There was no action from the Board taken on this matter.
- Emley Farm — Division of Premises Update – Mr. Gleason updated the Board on the Emley Farm subdivision application. He informed the Board that the application had been completed and sent to the SADC along with any necessary supporting documents. Staff received a response that the documents have been received, and have not heard any updates from the SADC concerning the application since. Mr. Lynch asked for clarification on the location of the farm and Mr. Gleason and Mr. Hallock responded, explaining where the farm is. There was no action from the Board taken on this matter.
- Parson's Mariculture Update – Mr. Gleason informed the Board that both parties involved in the Parson's dispute agreed to mediation through the SADC Mediation Program, however, one of the parties is now unsure if mediation will resolve the issue as the complainant is adamant about having no shell recycling on the property. Mr. Thompson said it is unclear what the next steps are as the information provided did not give much detail for what the two parties or the SADC wish to do to solve this dispute if mediation is no longer an option. Mr. Hallock asked if the SADC would take the lead on this issue and Mr. Gleason responded they should because there is no Agricultural Management Practice (AMP) for the recycling of clam shells on a farm, but they are unsure what the next steps would be. Mr. Thompson further explained that the Board certified Parson's Mariculture operation as a commercial operation (farm), which gives him protection under the Right to Farm Act (RTF). Because there is no AMP for the practices the complaint was for, the case had to go up to the SADC as the addition of aquaculture and mariculture to the practices listed under the RTF Act does not specify any best management practices. Mr. Gleason stated that the Board and staff

will wait for updates on this issue. There was no action taken by the Board on this matter.

- SOE Application - Green Cell Farms (Van Kirk)

Mr. Gleason updated the Board on the status of Green Cell Farms' Special Occasion Events application. The tenant farmer is applying for the SOE. Staff sent the owner and applicant a letter stating what was still missing from the application and the applicant sent back the application completed with a notarized copy of the owner's signature, annual hemp production report, and mapping.

Mr. Gleason also informed the Board that County staff and SADC staff have been receiving complaints of soil importation onto the site. Staff has been in contact with the township, County Soil Conservation District, the Department of Agriculture, and the SADC on this matter as well as the tenant farmer and the owner of the farm. Plumsted has not received a soil importation application required by an ordinance for the township. The Soil Conservation District inspected the soil disturbance from the public road and believed it to be over 5,000 sq. ft. A soil disturbance letter was sent to the owner and there is a 10-day period to respond. A code enforcer from Plumsted visited the property and was told that the farm operators were working with an "ag board" to stay in compliance with the farmland preservation rules. Staff has not received an NRCS Conservation Plan, however, the farmer did supply soil testing paperwork. County Council is expected to reach out to the tenant farmer and owner for more information on the matter.

Mr. Gleason further explained that the tenant farmer told staff that the material is being used to retain soil on the farm and stop erosion. Mr. Thompson informed the Board that there seems to be a lot of miscommunication between staff and the many agencies involved in this matter along with the farmers. He further stated that at this point, the Board can determine if his SOE application should be deemed complete and passed, or if they want to wait out the period and get it approved automatically. Mr. Hunter asked if the approval of the SOE application would have an effect on the soil importation matter. Mr. Thompson stated that the possible violation would not be affected by the approval because the violation has not been declared yet.

Mr. Gleason stated that they could schedule a site visit with all staff involved and any Board members interested in attending. Mr. Hallock asked if the paperwork indicated where the soil was from. Ms. Paxton responded that the soil appeared to be from a construction site, however, the paperwork

did not indicate any destinations. Mr. Hallock suggested that there be a site visit.

Mr. Thompson stated that the application is complete, however, the Board still has time left before the application would get automatically approved, if they were to wait until the next meeting. The Board reviewed the application and staff answered any questions they had. The Board discussed and determined that the approval of the SOE should be pushed to the next meeting and that staff should schedule a site visit. There was no action taken by the Board on this matter.

## **VI. 2024 Meeting Schedule**

- The Board reviewed and discussed the proposed dates for the 2024 meetings. The Board approved the schedule and directed staff to follow normal procedures.

A **MOTION** was made by Mr. Hunter to adopt the 2024 meeting schedule. Mr. Vogel seconded. Roll Call. All in favor, motion carried.

## **VII. Public Comment**

- Ms. Mazzella gave an update on behalf of the SADC. She updated the Board on the proposed soil protection standards as well as other rules and regulations to expect to see soon. There is an extension to the proposed soil protection standards comment period. Letters explaining the standards and how they affect farms in the State were sent out to owners and CADBs. SADC staff is available to attend meetings to discuss the standards. The formula-based value bill was voted out of the state recently, however, once the bill passes, the SADC still has to come up with the formula. There is also an update to agricultural management practices and the agricultural management practices eligible under the Right to Farm Act and mediation.

Dr. Yergeau updated the Board on the Rutgers Extension Office's new hires and their roles and research topics.

Ms. Pinto updated the Board on the Soil Conservation District's role in the Van Kirk Farm issue and reiterated the 10-day notice they sent out informing the owner and tenant farmer of the possible soil disturbance on the property. This letter gives the owner 10 days to respond with details as to what they are doing on the farm and if it is an agricultural-related activity. She further explained that if there is no response, the Soil District could issue a stop work order, however, this would only be in the case where the soil was causing sediment to erode the land or move offsite. SADC staff has

reported that sediment was tracked onto the road from the trucks importing the soil onto the farm.

Mr. Riccardi stepped out of the room at 7:45 pm.

### **VIII. Riccardi Farm, Plumsted Township**

- Mr. Hallock asked staff if the Riccardi farm is approved, would Mr. Riccardi have to step off the Board. Mr. Thompson responded that the Board should discuss the farm first and then staff will do more research into that question.

Mr. Gleason informed the Board that the Riccardi Farm is on Highbridge Rd. in New Egypt (Block 73, Lots 11.08 & 11.09) and is about 15 acres. The applicant is requesting a 1-acre non-severable exception area for an existing residence. The property is zoned R-40 and the application is all woodland. Mr. Gleason further informed the Board that the past woodland farms have been preserved with the help of the municipality as the SADC usually does not partner for woodland application. Mr. Lynch asked if the town has an open space tax and Mr. Gleason responded that he was not sure. Mr. Hunter asked for clarification on the map regarding the location of wetlands on the property. Mr. Hallock asked about the farm adjacent to the Riccardi Farm and Mr. Gleason said they explored preservation for that farm, however, the owner did not go through with an application. Mr. Lynch asked if the land would be eligible to be preserved as a natural lands property and Mr. Gleason responded that since the owner will be living on the farm, the property cannot be bought for open space preservation. Mr. Thompson stated that staff can look into the issue of Mr. Riccardi's position on the Board and if the township would be interested in partnering to preserve. Mr. Lynch asked if the property is in the Pinelands and Mr. Gleason answered that it is not. The Board instructed staff to discuss the option of partnering with the township for preservation.

Mr. Hallock asked about the vacant spot on the Board and Mr. Thorsen informed the Board that anyone interested in being on the Board should send a resume to the Director of the Planning Department.

### **IX. Adjournment**

A **MOTION** to adjourn at 9:16 pm was made by Mr. Hallock and Mr. Hunter seconded. All in favor, motion passed.

**Next Meeting: January 11, 2023 at 7:00pm**  
**Manchester Township Council Meeting Room/Courtroom**

Respectfully Submitted,



Larisa Paxton  
Planner Trainee