

**Ocean County Agriculture Development Board
Minutes of July 13, 2023
Plumsted Township Municipal Building**

Attendance: 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); Larisa Paxton (OCPLD); Mat Thompson (County Counsel); Charles Roohr (SADC); Dr. Stephen Yergeau (OC Ag Ext); Robert Bowen (Mayor, Plumsted Twp.).

Public Attendees: Diane Vogel, Ron Emley Jr., Tara Emley

I. Call to order and Compliance with Open Public Meetings Act- Mr. Hunter (Vice Chair) called the meeting to order at 8:00 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. Vogel to approve the June 14, 2023 minutes. Ms. Sucharski seconded. Roll call. All in favor, motion carried.

IV. New Business:

- Special Occasion Events (SOE) Applications:
 - Delicias del Campo – Mr. Gleason informed that staff has received the first full SOE application. The owner, Mr. Salazar, has submitted his Schedule F and FA-1 for this current year. Staff previously thought that it would be difficult to provide proof of income to meet the income requirements of the application of \$10,000 annually because he has not been the owner of the property for a full year as he moved to the property in February of 2023. Mr. Gleason informed the Board that staff feels that this is not an issue, given the documents Mr. Salazar provided and that they are able to produce such income because they moved their entire operation from the farm they previously owned in Pennsylvania to their current property in New Egypt to continue the same operation. Mr. Gleason also informed the Board that staff did an inspection of the property on April 19th, 2023 and Mr. Thorsen showed the Board photos from said inspection. Based on the documents provided, and the inspection, staff feels that Mr. Salazar has a viable operation on the farm, and that the application is complete.

Mr. Hunter asked if there is any action to be taken tonight. Mr. Gleason replied that there is no action to be taken tonight, however, if the Board deems the application complete, it can authorize staff to draft a resolution for approval at the next meeting.

Ms. Sucharski asked about the location of the farm. Mr. Gleason explained the location and informed the Board that there is a map of the farm at the end of the application.

Mr. Thompson informed the Board that if an application is deemed complete, the Board has 90 days to approve or deny the application. If the Board does not approve nor deny the application within those 90 days, the application will automatically be approved.

Staff reviewed the SOE application with the Board and answered questions the Board had about the application and the application process.

Mr. Roohr informed the Board of multiple ways that they can verify income for SOE applications. He also stated that the SADC recommends that the Board comes to a consensus based on their satisfaction of the application and can deem it complete to move forward in the process of approving the application.

The Board deemed the application complete and authorized staff to move forward with drafting a resolution for approval. No formal action was taken.

- Laurita Winery – Mr. Gleason updated the Board on the status of Laurita Winery’s SOE application. Staff is currently waiting on supporting evidence of income from their farm production. The winery does not use Schedule F as the tax code qualifies wineries different than other farm operations due to processing. Mr. Gleason informed the Board that the owner has also not submitted a “occupied” area map detailing the specific areas and uses of the farm being used for the SOE(s). Staff sees the application as incomplete and will keep the Board updated with the status of the application. There was no formal action taken.
- Emley Farm – Division of Premises – Mr. Gleason informed the Board that Ronald Emley Sr. passed away in February of 2023 and his sons wish to divide the farm. The farm was subdivided previously a few years ago. The Emley’s wish for the farm to be divided as per the will of Ronald Emley Sr. Edgar Emley and his family will reside in the existing farm house and that land shall be placed

in Edgar and Lisa Emley's name. Mr. Thorsen presented the Board a map of the property and the previous division and proposed division. Mr. Gleason further informed the Board that the access to the farm will remain the same and that the farm will still be rented and farmed. The two new proposed parcels will be just over 100 acres to Ron Jr. and just over 60 acres to Edgar.

Mr. Ron Emley Jr. and Ms. Tara Emley were both present at the meeting and asked if they had any comments to be made to the Board. Mr. Gleason explained to the Board that staff just received this application this week and are still trying to work out the details of the proposal with the applicants. The Board received the full application along with a map showing the division. Mr. Ron Emley Jr. explained to the Board that he divided his parcel a few years ago, so that land is in his name already, but his brother, Edgar Emley, would like the other farm house in his name. Ms. Tara Emley questioned in order to get the farm house, does there need to be acreage to go with it because it is a preserved farm. Staff responded yes.

Mr. Ron Emley Jr. further explained that they just want the division to be fair to his brother, so he gets a fair amount of land along with the farm house on that side of the parcel. Mr. Villinger asked what they plan on doing with the irrigation pond between the parcels. Mr. Ron Emley Jr. responded by saying that they are not exactly sure on what to do with the pond and that they planned on just doing an internal agreement. Mr. Villinger explained that this application will go to the SADC if this Board were to approve it, and that both Boards have to think about future ownerships of the properties as well as the current owners, so the irrigation pond will have to be sorted out. Discussion about altering the lines of the division were had, however, the Board and staff came to the conclusion that staff and the applicants need to have further discussions about the division and the needs of the applicant. The Board agreed that a meeting with staff and the applicant to work out details would be necessary before any formal action is taken by the Board. No formal action was taken.

V. Old Business:

- Cicconi Farms – Block 1201, Lots 19, 20, 21, & 23, Jackson Township – Mr. Gleason informed the Board that staff performed a site inspection of the farm on June 21st. Mr. Thorsen showed the Board maps and images of the property. Mr. Gleason further stated that an approximate 5.86 acres exception area around the area where Halloween events take place was agreed upon by the owner and is now set in their application. This was done because the events occur for a little over a month annually, and have over 250 attendees. The new special occasions law would restrict the Farm to the number of events they could hold

and would require approval from the Board. The exception area is also beneficial because the area is leased by an outside LLC (Nightmare at Gravity Hill, LLC) for these Halloween events annually.

Mr. Gleason informed the Board that the farm is 16 acres total with about 14 of those acres being farmed. Most of the farm is greenhouses with the floors covered in fabric, making the area still considered tillable acreage. There is also an apartment on the farm that is leased out on a monthly basis to a family member of the owners along with an office building used by the owner/farm. There is also a produce stand utilized by the farm and a structure/house that is currently used for storage, however, there are plans to convert it to a farm market, brewery, bakery, or additional housing in the future. Mr. Gleason explained to the Board that the next steps for this property would be to send the application to the SADC for Green Light Review and that the SADC has already informed staff that the committee will need to do their own site inspection because of the nature of the application.

Mr. Lynch asked staff if the proposed exception area has any farming activities on it year-round. Mr. Thorsen replied that there are farming activities in that area outside of the Halloween season, however, during that season, the area is used for the attraction and for parking. Mr. Thorsen further stated that the appraisals would be done for about 10 acres of the farm.

The Board came to the consensus that the application is complete and that it should be sent to the SADC for Green Light Review and approval. There was no formal action taken by the Board.

- Filippone Farms – Block 76, Lot 77.12, Plumsted Township – Mr. Gleason informed the Board that this application came to them back in December 2022 and has been with the SADC for the past 6 months while attempting to get Green Light approval. Staff, the SADC, and the owner worked to come up with an exception area that includes the brewery on the property. The SADC recommended that the brewery be included because they have concerns about the farm being able to produce the majority of the components for the beer production on site. The SADC gave the application Green Light approval and staff will order appraisals on the property. This was just an update on the property and there was no formal action taken by the Board.

VI. Public Comment:

Mr. Roohr informed the Board that the SADC recently got two new committee members that are public members, but both own their own farms. One of the new

members owns an apple orchard and hard cider operation in Hunterdon County. The other new member owns a Blueberry farm in Lacey Township in Ocean County. Mr. Roohr went into more detail about the new members' operation and stated that Ocean County now has representation on the committee.

There was no more public comment. Mr. Villinger left the room to discuss the division of premises with Mr. and Ms. Emley.

A **MOTION** was made by Mr. Lynch to move into Closed Session at 8:31 pm. Mr. Riccardi seconded. All in favor, motion carried.

A **MOTION** was made by Mr. Lynch to move back into Open Session at 8:41 pm. Mr. Vogel seconded. Roll Call. All in favor, motion carried.

There was no action to be taken from the discussion in closed session.

Mr. Gleason informed the Board that all members were given a full, printed copy of the newest draft soil protection standards document for their review before the next meeting. Mr. Thompson advised the Board to contact staff with their comments and if necessary, ask staff to draw up a resolution with comments and concerns. Mr. Lynch asked if there were any changes to the draft. Mr. Gleason replied that there were a few changes and that they are marked in the draft document.


Mr. Lynch asked if there is any update with the Parson's Right to Farm Case. Mr. Gleason replied that the case was sent to the SADC for their review and decision regarding the Agricultural Management Practice. The committee is still drafting the rules and trying to draw a conclusion on the matter. The SADC has had contact with staff and stated that when the decisions are made, they will let staff know what the next steps will be.

VII. Adjournment:

A **MOTION** to adjourn at 8:45pm was made by Mr. Vogel and Mr. Lynch seconded. All in favor, motion passed.

**Next Meeting: August 10, 2023 at 8:00pm
Plumsted Township Municipal Building**

Respectfully Submitted,



Larisa Paxton
Planner Trainee