

**Ocean County Agriculture Development Board
Minutes of October 11, 2023
Manchester Township Council Meeting Room/Courtroom**

Attendance: Doug Hallock, Chair; Casey Hunter, Vice Chair; Kathleen Sucharski (OCADB); 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), Ramon Mejia (OC Soil Conservation District); 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 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 July 13, 2023 minutes. Mr. Riccardi seconded. Roll call. All in favor, motion carried.

IV. New Business:

- Lewis Farm, Plumsted Township- Mr. Gleason informed the Board of the details of the application for farmland preservation. He explained that without proper variances and other changes to the zoning, the value of the development potential is quite low, however, the farm has prime soil and has a high score. Staff felt that the application was worth bringing to the Board. Mr. Hunter asked for the exact acreage, and Mr. Thorsen said that there would not be a confirmed number until after the survey is done. Mr. Hunter said that there really is no development potential, so the value would be quite low. Mr. Gleason stated that the applicant could go to the town and ask for a variance and bring the application back before the Board, but as of now, there is very little development potential due to zoning. Mr. Hunter asked if it would be financially worth it to order appraisals and Ms. Sucharski stated that because the town is changing, it may be worth it to see if a variance would be possible. Mr. Hallock reminded the Board that the farm is in the Pinelands, so there would be a lot more than a variance required to increase the development potential. Mr. Thompson stated that both the staff and the Board are not aware of what the applicant is looking to get out of preservation and that they may be satisfied with a low value.

Mr. Gleason then said that staff can discuss the situation with the applicant to see what value they are looking to get and decide whether the applicant would like to go through with the application. Mr. Thorsen informed the Board that he had spoken to the son of the applicant and he wishes for the farm to be preserved. His parents have some financial issues and are looking to see what they can get out of preservation. Mr. Gleason informed the Board that the farm does back-up to natural lands properties, but the applicant and son wish to live on and continue their operation on the farm. The Board and staff discussed the various variances and approvals that the applicant would have to go through in order to increase the development potential. Staff recommended to the Board that a discussion with the applicant would be a reasonable next step. The Board asked of staff to do so, and if the applicant chooses to go through with the process, then staff will inform the chairman and Board of the results of the discussion.

- SOE Application

- Laurita Winery

Mr. Gleason informed the Board that staff has been going back and forth with Laurita's staff to complete their Special Occasion Events application. Staff received the maps required in the application and a value verification letter to prove they meet the income necessary to move forward with the application. Mr. Gleason also informed the Board that the SADC does not have a value calculator to determine the value of the production of grapes, nor do they use Schedule F as the tax code qualifies wineries differently than other farm operations. Mr. Gleason also informed the Board that the SADC is currently working on getting a value per acre for grape production, however, the value certification letter is the best they can do as of now. Mr. Gleason also stated that the staff feels that the application is as complete as it has been and as it can be, given the situation. Mr. Thompson informed the Board that the next step would be for the Board to deem the application complete. Mr. Gleason stated that staff has a resolution if the Board feels that the application is complete.

A **MOTION** was made by Mr. Hunter to deem the Laurita Winery Special Occasion Events Application complete. Mr. Riccardi seconded. Roll call. Mr. Hallock abstained. 3:4 vote, motion carried.

V. Old Business:

- Cicconi Farms Update – Block 1201, Lots 19, 20, 21, & 23, Jackson Township

Mr. Gleason updated the Board on the status of the Cicconi Farms preservation application. County and SADC staff met with the applicant on his farm and conducted a site inspection. Ms. Mazzella explained to the Board that she talked to other staff at the SADC and came up with a map with recommended exception areas and a map with soil disturbances. Mr. Thorsen showed the Board examples of these maps. She also informed the Board that only 1 of 2 houses will be recognized in the application due to one of the houses on the property being inhabitable. Mr. Thompson asked Ms. Mazzella if she felt that the farm market should be included in an exception area and Ms. Mazzella replied no, the market would be considered a pre-existing agricultural use. Mr. Hallock asked what type of greenhouses are on the property because he wanted to know how many tillable acres there are on the farm. Mr. Thorsen replied that there are different types of greenhouses, and all are utilized. Ms. Mazzella stated the farm is over 60% tillable. Ms. Mazzella also informed the Board that her office is still reviewing the application to ensure that all current operations can be continued upon preservation. Mr. Thorsen and Mr. Gleason informed the Board that this was just an update and that there was no action to be taken at this time. Mr. Hallock asked staff if the farm had been appraised. Mr. Gleason replied that no, the appraisals were not ordered yet because staff is waiting for SADC's greenlight approval. There was no action taken by the Board in regard to this matter.

- Huie Farm Update – Block 77, Lot 38.02 & Block 82, Lot 2.12, Plumsted Township

Mr. Gleason gave the Board an update on the status of the Huie Farm auction. Staff completed a site inspection with the SADC to look at possible areas with soil erosion. The SADC confirmed that there were no major erosion issues. There is a tenant farmer currently farming one piece of the property. Staff spoke to the tenant farmer during the inspection and he expressed concerns with the lease he has and the timing for when all of his equipment needs to be removed from the property. Mr. Gleason informed the Board that surveys are currently being worked on and that the SADC has sent a deed template. Staff and County counsel are currently filling out and reviewing as well. The paperwork will then be sent up to the SADC for review and approval. Staff is also working on title work. Mr. Thompson explained to the Board that they can recommend that the farm be auctioned off as two separate lots, but it is ultimately up to the Commissioners as to how the farm is auctioned. Mr. Gleason then informed the Board that the

County auctioneer is putting together a report for the farm to determine whether it should be auctioned off as one or two separate farms and what values would come of either option. Staff discussed with the Board the lease agreement concerns that the tenant farmer brought up and informed the Board that the County will continue to aim at auctioning the farm in the Spring of 2024.

- Emley Farm – Division of Premises Update

Mr. Gleason informed the Board that staff was just contacted today about this application, so they did not have time to fully review it, nor did the Board have a chance to review the updated application prior to the meeting. He explained that the SADC will want to see specific, detailed agricultural activity descriptions for now and in the future. The application does have descriptions, but staff feels that it may not be specific enough for the SADC to approve. Mr. Gleason explained the changes that were made to the application since the last time the Board saw this application. He also explained the process of approval for a Division of Premise application. Mr. Gleason further explained that the owners are having some issues with putting the application together, writing a full, completed agricultural plan for use, and identifying the specific operations on each proposed farm parcel.

Mr. Hallock asked about the current driveway on the farm. Mr. Thorsen answered that the driveway is a right of way and goes all the way back to give access to each parcel.

Mr. Gleason asked for Ms. Mazzella to state her opinion to the Board. Ms. Mazzella stated that the division must be for an agricultural purpose, so the applicant has to state what their operations are and how the division would assist in bettering them. She further explained that settling an estate is not a valid reason for a division of premises. The applicant is going to need to be very specific about the current operations and future plans and how the operations will benefit from the division in order for the SADC to approve the application. The applicant should prove that the division is necessary to continue or expand the farm's operations. Ms. Mazzella also informed staff and the Board that SADC staff could assist in getting this application deemed complete and move forward with the division. Staff asked the Board if they wanted to take time to review the application or make a decision at tonight's meeting. Staff also explained to the Board that they can either deem the application complete and send it up to the SADC for review or can deem the application not complete and state what they feel is missing from the application. Ms. Mazzella informed the Board that while this may not be enough information for the SADC to approve the application, the

SADC staff would most likely be willing to work with the landowner(s) to get the application complete and approved. Staff recommended moving the application forward to the SADC to review and provide assistance that the County staff and CADB may not be able to provide.

A **MOTION** was made by Ms. Sucharski to send the Emley Farm Division of Premises application to the SADC for their review. Mr. Hunter seconded. Roll call. All in favor, motion passed.

- Filippone Farms Update – Block 76, Lot 77.12, Plumsted Township
Mr. Gleason gave the Board an update on the status of the Filippone Farms preservation application. He explained that the owners have been trying to preserve the farm for some time now, but when staff ordered appraisals, the appraisers found a non-resubdivision restriction on the property that the property owner was not aware of. This restriction was not found in the title or deed paperwork when the owner bought the property, however, it was found in the original deed paperwork and must have gotten lost in transitioning land ownership over the years. The landowner is now working with the town to figure out the issue, but as of now, the land cannot be subdivided, giving the property a very low value. There was no action taken by the Board in regard to this application.
- SOE Application
 - Green Cell Farm
Mr. Gleason gave the Board an update on the Green Cell Farm SOE application. He informed the Board that the application is still incomplete and that staff has been trying to work with the tenant farmer and explain to them what is still needed in the application. The applicant is not the farm owner, so the Affidavit section needs to be signed by the landowner, and has not been so far. The applicant also has not sent proper proof of income.

Ms. Sucharski asked to clarify the location of the farm and Mr. Riccardi clarified.

Mr. Hunter stated that staff could send a letter to the landowner stating that his tenant farmer is in violation of the deed of easement and to make sure he is aware of the situation. Mr. Gleason replied that the landowner had been copied on all emails and communications that have been going on between staff and the tenant farmer. Mr. Thompson agreed with Mr. Hunter that sending a letter to the landowner detailing the violations could influence the landowner to involve themselves in the situation more. Mr. Thorsen

stated that if violations continue, the SADC could get involved and bring monetary consequences into the situation, if necessary. Mr. Thompson said that he would look into the Board's options if this issue is not resolved.

The Board recommended staff to send a letter to the landowner stating the tenant's violations with details about the situation. There was no action from the Board on this matter.

- Delicias del Campo
Mr. Gleason gave an update on the SOE application. He informed the Board that the application was deemed complete at the July meeting and staff put together an approval resolution. Staff met with Mr. Hunter in September to sign the resolution. There was no action from the Board on this matter.

VI. 2024 Meeting Schedule

Mr. Gleason went over the proposed 2024 meeting schedule with the Board. The Board stated that they approve of the dates and staff can move forward with confirming the dates and times with the appropriate locations. There was no action from the Board on this matter.

VII. Public Comment

Ms. Mazzella gave an update on the SADC. She informed the Board that the Soil Protection Standards were published in the NJ register and are open for comment. The comment period was extended another 30 days. Letters were sent out to all preserved farm landowners and their deed of easement holders with an attached map of the soil disturbance highlighted on their property. There was also a public meeting held for questions and concerns in regard to the standards. She also informed the Board that the SADC will have 2 new positions opening up at the beginning of 2024 to create a new program. Ms. Mazzella also stated that the PIGs for next year have been approved and the acquisition standards have been updated to a score of 54 and 20+ acre minimum. She also reminded the Board that if there are any discrepancies between the soil protection maps and their actual farm, to contact the SADC to fix the maps before they are set for the year. Mr. Hallock asked who to contact and Ms. Mazzella recommended a staff member to discuss the discrepancies with.

Ms. Pinto gave an update on the County Soil Conservation District and introduced Mr. Mejia, who is a new staff person who will be working with the program and the Board in the future.

VIII. 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: December 13, 2023 at 7:00pm
Manchester Township Council Meeting Room/Courtroom

Respectfully Submitted,



Larisa Paxton
Planner Trainee