

Minutes of the June 27, 2022
Somerset County Agriculture Development Board
Virtual Meeting

Following the Pledge of Allegiance, the June 27, 2022 Somerset County Agriculture Development Board (SCADB) Meeting began at 8:00 A.M. This meeting was held virtually due to the Covid-19 pandemic.

Open Public Meetings Statement

Chairman Mark Kirby reported the meeting had been duly advertised in accordance with Open Public Meetings Act as follows:

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.*, and the Emergency Remote Meeting Protocol for Local Public Bodies N.J.A.C. 5:39-1.1 through 1.7, adequate notice of this meeting has been provided. The date, time and virtual meeting information for this meeting were published in The Star~Ledger and the Courier News. The agenda and the virtual meeting information were also posted on the County Planning Board website.

Roll Call

Roll call was taken. There was a quorum.

Members in Attendance:

Mark W. Kirby, Chairman
W. Peter Staats, Vice Chairman
Sandra D. Rhue, Secretary/Treasurer
Laura DePrado
Kenneth Osterman
Matt D'Alessandro, Soil Conservation District
County Commissioner Paul Drake, Liaison

Members Not in Attendance:

Robert Schultz

Somerset County Staff:

Walter C. Lane, Director, Office of Planning, Policy and Economic Development
Kate Katzer, Principal Planner, Office of Planning, Policy and Economic Development
Angela Knowles, Deputy Director, Office of Planning, Policy and Economic Development
Thomas Boccino, Supervising Planner – Preservation, Office of Planning, Policy and Economic Development
Patrice Brown, Administrative Assistant, Office of Planning, Policy and Economic Development
Larisa Paxton, Preservation Intern, Office of Planning, Policy and Economic Development
Greg Pasquale Esq., Deputy County Counsel
Joseph DeMarco, Esq., County Counsel

Public Members Present:

Dave Clapp, SADC Staff

Dave Zaback, SADC Staff

Beth Savaryn, Snyder's Farm

Vince Dominach, Franklin Township Director of Economic Development

Ray Snyder, Snyder's Farm

John Snyder, Snyder's Farm

Linda Petersen, Consultant for Michael Mueller

Anthony Sposaro, Esq., Attorney for Michael Mueller

Approval of Minutes:

Due to the Cyber event which took place in May, A motion to table the May 23, 2022 SCADB meeting minutes was made by Laura DePrado. The motion was seconded by Ken Osterman. A roll call vote was taken, and the motion passed.

PUBLIC COMMENT & PRESENTATIONS:

Snyder Farm

Principal Planner Kate Katzer shared with the Board that a Right to Farm complaint from Snyder Farm of Franklin Township has been submitted to County Staff. The Farm Owners plan to host an Event in the August of 2022 where there will be between 12 and 15 Food Trucks. Franklin Township has denied approval of this event due to the Food Truck participation. Franklin Township has determined that there is no Farm to table/Right to Farm element to justify approval for the event.

Representatives from Snyder Farm spoke to the board and questioned why they were denied. Director of Franklin Township Economic Development, Vince Dominach, was present and responded with explanation of why the event was denied. Dominach cited that it is the Township's determination that this event would not be considered a Farm to table/Right to Farm event and therefore does not comply with regulation. This matter will be discussed in closed session.

**** At 8:10, Board Member Sandra Rhue entered the meeting***

INFORMATIONAL ITEMS:

SADC Meeting –Update

Dave Clapp, of the State Agriculture Development Committee reported that the SADC held its Appraisal Seminar on June 8, 2022. At this seminar, there were several subjects addressed so that there is a harmonious approach from all the Appraisers.

Mr. Clapp informed the Board that at the last SADC meeting, the Soil Protection Standards were reviewed again. After a few adjustments, the committee hopes to bring publication and registration to July's meeting for

formal public comment. Chairman Mark Kirby questioned Dave Clapp of the SADC about the logic behind the Soil Protection Standard's 15% impervious coverage limit with no farms Grandfathered in. Dave Clapp explained the SADC's attempt at clarification to the Deed of Easement language on disturbances. He further explained that the 15% impervious coverage limitation is more based on the allowable disturbance to the soil.

County /State Boards of Agriculture – Update

No Updates.

Staff Comments

Principal Planner Kate Katzer introduced the new Preservation Intern Larissa Paxton to the Board. Ms. Katzer read a letter from ex Board Member Chris Carnevale officially resigning from the Board due to lack of available time to serve the board efficiently. Director of Planning Policy and Economic Development, Walter Lane updated the board on the adopted Preservation Plan is on the County Planning Board website. Hard copies will be available for public review at the Office of Planning, Policy and Economic Development shortly.

Ms. Katzer announced that on June 15, 2022 New Center Dairy celebrated its "90th plus two" anniversary. There was an event on the Somerset County Courthouse Lawn where the history of the organization was presented by young members of the club, a demonstration along with a display of live dairy cows from local farms for attendees to interact with, and a milk toast occurred. The cows showcased during the event were from Derwood Farms and Middlebush Dairy Farm – both preserved farms in Somerset County. Commissioner Paul Drake and Assemblyman Freiman were present for the event. There was an outstanding turnout.

DISCUSSION AND ACTION ITEMS:

1. Birge-Merchant Farm (Branchburg)

Principal Planner Kate Katzer reported that Staff conducted a Site visit on June 13, 2022. The Board previously agreed to Phase 1 of the Deer fence project and inspected the property to ensure Phase 2 can proceed. No issues were detected so the Board's approval to move forward with the approval of Phase 2 will be further discussed in closed session.

2. Van Cleef Farm– (Branchburg Township)

Principal Planner Kate Katzer reported that Staff did due diligence research and discovered that the property had been previously preserved as part of a cluster agreement for a housing complex that had gone up across from the main portion of the farm. Staff was able to find the initial submission for the cluster development. The submission does state that the property in question was part of the preserved area. This inclusion would remove the largest section from the farm which would drop it below the 15 acre threshold for Ag Board consideration. Staff also looked into that after the last few storms; the main portion of the farm is largely underwater during big storm events. By this occurrence, the Federal Emergency Management Agency (FEMA) maps show a large section of the farm in the flood zone. This drops the threshold for preservation even lower. The farm would therefore be an estimated 5 to 7 acres total to preserve deeming it ineligible for the Preservation Program at this time. To be discussed during closed session.

3.Osterman Farm (Hillsborough Township)

To be discussed during closed session.

4.Van Cleef Farm (Branchburg Township)

To be discussed during closed session.

5.Osterman Farm (Hillsborough Township)

To be discussed during closed session.

6.Mueller (Hillsborough Township)

Principal Planner Kate Katzer and Deputy County Counsel Greg Pasquale briefed the Board on the request submitted by Mueller Farms for approval of revised location for their barn pad, and the movement of dredge spoils to a nearby field for maintenance. Mr. Mueller's Attorney, Tony Sposaro spoke on behalf of Mr. Mueller and his request for approval. To be discussed during closed session.

7.Snyder (Franklin Township)

Deputy County Counsel, Greg Pasquale recused himself from this agenda item due to conflict of interest. County Counsel Joe Demarco will act in this agenda item.

**** At 8:18, Commissioner Drake entered the meeting***

CLOSED SESSION:

At 8:40 a.m., a motion to go into closed session was moved by Laura DePrado and seconded by Peter Staats. A roll call vote was taken, and the motion passed. At 9:20 a.m., the Board came out of closed session.

RESULTS AND ACTIONS FROM CLOSED SESSION:

Kenneth Osterman did not participate in any discussion pertaining to the Osterman property nor the Mueller property during closed session. Deputy County Counsel Greg Pasquale did not participate in any discussion pertaining to the Snyder Property during closed session.

Van Cleef Farm (Branchburg Township)

A motion for denial of the Preservation application as it presently does not meet qualifications for Preservation was made by Laura DePrado and seconded by Sandra Rhue. A roll call vote was taken and the motion passed.

Birge-Merchant Farm (Branchburg Township)

A motion to approve Phase 2 of the Deer Fencing Project was made by Laura DePrado and seconded by Sandra Rhue. A roll call vote was taken and the motion passed.

Blue Bird Farm Alpacas (Peapack/Gladstone Borough)

A site visit was done at this property. The owner is looking to submit a Site Specific Agricultural Management Plan (SSAMP). A Commercial Farm Certification is being sent to this property.

Additional Items for Discussion

Time changes for monthly SCADB meetings were discussed. Director Lane announced the intention of going to in person meetings in September.

The 4H Fair was discussed. The Board members were encouraged to man the SCADB table at the Fair. Kate Katzer will supply a sheet with time slots to choose from.

At 9:43a.m., a motion to adjourn was made by Laura DePrado and seconded by Sandra Rhue. A vote was taken, and the motion passed.

The next meeting will be held on July 25, 2022, via Zoom at 8:00 a.m.

Respectfully Submitted by,

Sandra Rhue

Sandra Rhue
Secretary/Treasurer