

**Minutes of the January 23, 2023**  
**Somerset County Agriculture Development Board (Reorganization)**

Following the Pledge of Allegiance, the January 23, 2023 Somerset County Agriculture Development Board (SCADB) Meeting began at 8:03 A.M. This meeting was held in person in the Commissioner's Meeting Room at the Somerset County Administration Building in Somerville, N.J.

**Open Public Meetings Statement**

Chair 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.*, adequate notice of this meeting has been provided. The date and time information for this meeting were published in The Star~Ledger and the Courier News. The agenda for this meeting was also posted on the Somerset County Agriculture Development Board's website.

**Roll Call**

Roll call was taken. There was a Quorum.

**Members in Attendance:**

Mark W. Kirby, Chair  
W. Peter Staats, Vice Chair  
Laura DePrado  
Robert Shultz  
County Commissioner Paul Drake, Liaison  
Matt D'Alessandro, Soil Conservation District

**Members Not in Attendance:**

Kenneth Osterman  
Sandra D. Rhue, Secretary/Treasurer

**Somerset County Staff:**

Walter C. Lane, Director, Office of Planning, Policy and Economic Development  
Tom Boccino, Supervising Planner – Preservation, Office of Planning, Policy and Economic Development  
Patrice Brown, Administrative Assistant, Office of Planning, Policy and Economic Development  
Greg Pasquale, Deputy County Counsel

**Public Members Present:**

Mr. and Mrs. Koppes, Neighbors of Dalness Property  
Mr. Harry Rho, Dalness Farm  
Dr. Steven Back and Wendy Golden, Green Flash Farms (Golden-Back)  
Mr. Keith Wheelock, Montgomery Resident  
Anika Risi, Montgomery Resident  
Lori Savron, Montgomery Township Administrator/Planning Director  
David Zaback, SADC (State Agriculture Development Committee) Staff  
Rich Dodds, New Jersey Conservation Foundation

**REORGANIZATION OF THE SCADB AND SWEARING IN OF BOARD MEMBERS**

Peter Staats nominated Mark Kirby for Chair of the Somerset County Agriculture Development Board for 2023. Laura DePrado seconded this motion. There were no other nominations. A motion to close nominations was made by Laura DePrado and seconded by Peter Staats. A roll call vote was taken, and the motion passed unanimously. Chair Kirby thanked the Board and accepted the nomination.

Laura DePrado nominated Peter Staats for Vice Chair of the Somerset County Agriculture Development Board for 2023. Robert Shultz seconded this motion. There were no other nominations. A motion to close nominations was made by Laura DePrado and seconded by Robert Schultz. A roll call vote was taken, and the motion passed unanimously. The Vice Chair thanked the Board and accepted the nomination.

Laura DePrado nominated Sandra Rhue for Secretary of the Somerset County Agricultural Development Board for 2023. Peter Staats seconded this motion. There were no other nominations. A motion to close nominations was made by Peter Staats and seconded by Laura DePrado. A roll call vote was taken, and the motion passed unanimously. Secretary Rhue was not present to accept the nomination.

**Approval of Minutes:**

A motion to approve the SCADB minutes of the December 19, 2022 meeting was made by Laura DePrado and seconded by Peter Staats. A roll call vote was taken, and the motion passed.

**PUBLIC COMMENT & PRESENTATIONS:**

1. Dalness Property Right to Farm Complaint-Peapack-Gladstone

Jami Koppes, neighbor to the Dalness Property, provided testimony regarding the Pyrenees Mountain Dog belonging to the owners of the Dalness property and the alleged barking which Ms. Koppes states is not in compliance with the Borough's noise ordinance. Michael Koppes also testified that there were acoustical issues with the dog's alleged barking and therefore disrupting the otherwise peaceful environment. The neighbors had filed previous complaints regarding a rooster and Guinea Hens but that complaint was later dropped as Mr. Rho stated that he had the poultry removed in order to address the neighbors' complaints.

The owner of Dalness Property, Harry Rho testified that he has been in regular communication with his neighbors regarding the dog's barking. Mr. Rho explained that the dog is necessary to protect the chickens on the property from predators.

## 2. Green Flash Farms Right to Farm Site Specific Agriculture Management Plan-Montgomery

Dr. Steven Back and Wendy Golden testified regarding the property Site Specific Agriculture Management Plan which focuses on the construction of a commercial kitchen. The applicants are simultaneously submitting a request to replace a previously existing agricultural labor unit that was demolished due to mold damage. Dr. Back and Ms. Golden displayed several maps that were submitted as exhibits to guide the Board through the proposed changes. This property is a Preserved Farm and has no exception area. Montgomery Township Administrator-Planning Director, Lori Savron, submitted a memo on behalf of the Township and provided testimony regarding the proposed changes to the property. Mr. Keith Wheelock, a Township resident provided testimony outlining his concerns over the increased activity on the property. Ms. Anica Risi, a Township resident provided testimony concerning the narrow width of Mountain View Road and the number of residents who walk on the road and expressed concern over possible increased traffic with potential new activities on the property.

### **INFORMATIONAL ITEMS:**

#### **1. SADC Meeting –Update**

No update was provided.

#### **2. County /State Boards of Agriculture – Update**

No update was provided.

#### **3. Staff Comments**

Supervising Planner Tom Boccino updated the board on the following:

The County Commissioners approved the offer at certified market value from the State of \$44,000.00 per acre. The offer package has been sent to the owner. The SADC has indicated that they will cost share on the project.

Soil Conservation district will be holding a workshop February 16, 2023 from 1:00p.m. to 4:00 p.m. at the Somerset County 4H Century. Various organizations will be in attendance to provide programs available to farmers. County staff has been asked to present about the County Farmland Preservation Program and the Right to Farm process.

There will be a virtual public meeting regarding "Keep Somerset Moving: Transportation Plan 2045 to be held on Wednesday February 1, 2023 from 6:00pm to 8:00pm. Somerset County Planning Transportation team is looking for public participation. This plan seeks to select and identify priority transportation projects to improve mobility and travel throughout the County.

### **DISCUSSION AND ACTION ITEMS:**

#### **1. Crestview Farms -SSAMP Resolution**

Chair Mark Kirby read the SSAMP Resolution to the Board. Vice Chair Peter Staats made a motion to approve this resolution as submitted. Laura DePrado seconded the motion. The motion was passed.

## **2. 2023 Meeting Dates**

The proposed meeting dates were presented to the Board. The proposed dates are the fourth Monday of each month with a December date change to accommodate the holidays. A motion to approve the 2023 meeting dates as presented was made by Laura DePrado and seconded by Robert Shultz. A roll call vote was taken, and the motion passed unanimously.

## **3. 2023 Committees**

The Board examined the Committee assignments for 2023. All members will remain as designated for 2022. A motion was made to approve the 2023 Committee assignments by Laura DePrado and seconded by Peter Staats. A roll call vote was taken, and the motion passed unanimously.

## **4. Closed Session**

At 9:36 a.m. a motion was made by Laura DePrado and seconded by Peter Staats to go into closed session. A roll call vote was taken, and the motion was passed.

## **5. Results and Actions from Closed Session**

Dalness Property – A motion was made by Laura DePrado and seconded by Bob Shultz to dismiss the Right to Farm complaint. A roll call vote was taken and the motion was passed unanimously.

Green Flash Farms (Golden-Back) – A motion was made by Laura DePrado and seconded by Peter Staats to send correspondence to the owner requesting more information in order to better understand the proposal. A roll call vote was taken, and the motion was passed unanimously.

Nahkla – Magdi and Krollis Nahkla testified regarding their request for an SSAMP and the issues concerning the new driveway access, vehicle storage on the property, millings placed within on-site wetlands. The owner was given information by Deputy County Counsel, Greg Pasquale on requirements that are to be met before the issues can be resolved. Chair Kirby reminded Mr. Nahkla that the property preserved and is not to be used to store vehicles belong to others. The Board assured Mr. Nahka that staff would be reaching out to him shortly with details pertaining to the next steps.

At 10:34 a.m., a motion was made to adjourn by Laura DePrado and seconded by Bob Shultz. A voice vote was taken, and the motion passed unanimously.

***The next meeting will be held in person on February 27, 2023, at 8:00 a.m. in the same location.***

Respectfully Submitted by,

A handwritten signature in black ink, appearing to read "Sandra Rhue". The signature is written in a cursive style with a horizontal line underneath the name.

Sandra Rhue  
Secretary/Treasurer

