

Minutes of the February 27, 2023
Somerset County Agriculture Development Board

Following the Pledge of Allegiance, the February 27, 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 Act Compliance 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
Sandra D. Rhue, Secretary/Treasurer
Laura DePrado
Debbie Norz
Robert Shultz
County Commissioner Paul Drake, Liaison
Matt D'Alessandro, Soil Conservation District

Members Not in Attendance:

Kenneth Osterman

Somerset County Staff:

Kate Katzer, Principal Planner- 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, Dalness Property Neighbors
Mr. Harry Rho, Dalness Farm
David Zaback, SADC (State Agriculture Development Committee) Staff

Swearing in of the New Board Member:

Debbie Norz was sworn in as Somerset County Agriculture Development Board's newest member. Ms. Norz was introduced to the standing Board Members and introduced herself. She was welcomed by all.

Approval of Minutes:

A motion to approve the SCADB minutes of the January 23, 2023, meeting was made by Laura DePrado and seconded by Peter Staats. A roll call vote was taken, Debbie Norz abstained, and the motion passed.

PUBLIC COMMENT & PRESENTATIONS:

1. Dalness Site Specific Management Plan-Peapack-Gladstone

Mr. Koppes, Neighbor to the Dalness Property provided testimony regarding the alleged dog barking disturbance and the hours of occurrence. Mr. Koppes also requested that Mr. Rho, owner of Dalness Farm, include dedicated hours of operation in any application and/or paperwork regarding this property. Mr. Koppes also voiced concerned with any "On-site Marketing" Mr. Rho may participate in. Additionally, Mr. Koppes discussed his concern over the imported wood and the noise that would occur from constructing the fence; he further requested that a time limitation be added that would only allow Mr. Rho to work between 9 and 4:30 each day.

Harry Rho, farmer of the Dalness Property, gave testimony on his own behalf noting the many adjustments he has made to satisfy the complaints of his neighbors, Mr. and Mrs. Koppes. Mr. Rho explained how he removed the Guinea fowls and rooster due to the complaints from Mr. Koppes. Mr. Rho explained to the Board the necessity for the dog as a security measure for his farm animals. Mr. Rho explained that he had lost multiple flocks of chickens due to predatory animals prior to the addition of the dog to the farm. Mr. Rho stated that he did not plan to work before 8am when his farm hand was due to the property; and that he was willing to work with his neighbors. Ultimately, he needed to be afforded the ability to get the work done

INFORMATION ITEMS

2. SADC Meeting -Update

Dave Zaback of the State Agriculture Development Committee (SADC) reported on the adoption of the Special Occasion Events rule; and updated the Board on the Soil Protection Standards. At the SADC's last meeting, the Board discussed the option that even if a current farm owner opted out of a waiver, that the next owner would be able to apply. This waiver would be for 29 farms that are close to their disturbance allowances and would allow for the farmer to increase their disturbance allowance to 15% of 6 acres – whichever is greater. He mentioned the original lawsuit that caused the Soil Protection Rules to be written, and how the SADC analyzed each farm to find its current percentage of disturbance. Principal Planner Kate Katzer shared that there are no County-held easements that are close to the 50% of disturbance. If that is to change in the future, farmers will be notified jointly by the County and SADC, and at that time a farmer can request an on-site visit if they disagree with the percentage stated by the SADC.

3. County/State Boards of Agriculture – Update

Debbie Norz stated that the State Board of Agriculture will meet in March.

4. Staff Comments

Principal Planner Kate Katzer shared the Farm to Frame flyer with the Board describing the exhibit and events. She reminded the Board that the event will take place on Ag. Day, March 24th at 6pm in the Cultural & Heritage Art Gallery in the Administration Building. The Board was invited to attend.

Ms. Katzer updated the Board on the Resources for Growth Workshop to be held at Raritan Valley Community College on March 8, 2023 from 2:00 p.m. until 5:00 p.m. The workshop will allow visitors to connect and network

one-on-one will dozens of Government Agencies, technical assistance providers and lenders to help businesses grow and thrive.

DISCUSSION AND ACTION ITEMS

1. Green Flash Farms /Golden-Back- Montgomery

Principal Planner Kate Katzer shared the letter that the Right to Farm Committee developed at its last meeting. The Board discussed the contents of the letter that requested additional information concerning the survey, the septic system, fence lines, existing farm lanes, historic boundaries, and the projection of soil disturbance. The letter was sent to the owners and their attorney.

2. 2023 Committee Meeting Dates

Robert Shultz made a motion to maintain the 3rd Monday of each Month for Committee meeting dates. The motion was seconded by Laura DePrado. The motion passed unanimously.

3. 2023 Committees (Updated)

Laura DePrado made motion to approve Debbie Norz replacing Mark Kirby on the Legislative Committee. The motion was seconded by Peter Staats. The motion passed unanimously.

4. Special Occasion Event Rules

Ms. Katzer reported to the Board that the County Agriculture Development Board Administrators met recently and discussed the Special Occasion Event rules. The Ocean County CADB Administrator drafted a document highlighting the differences between the prior set of rules on which the CADB's commented and the rules that past recently. Ms. Katzer will be drafting a fact sheet for farmers and municipalities.

5. Closed Session

A motion to go into closed session was made by Laura DePrado and seconded by Peter Staats. The motion passed unanimously. The Board went into closed session at 8:51 a.m. At 9:16 a.m., Peter Staats made a motion to come out of closed session, Laura DePrado seconded the motion. The motion passed unanimously.

6. Results and Action from Closed Session

Sandra Rhue made a motion for a formal SSAMP for the Dalness Property to be drafted which will authorize fowl, wood milling for fencing, hay, organic vegetable operation, horses, donkeys, and goats – as expressed in the documents shared by staff. County Counsel Greg Pasquale will prepare the SSAMP, and it will be presented at an upcoming meeting. Laura DePrado seconded the motion, and it was passed unanimously.

Staff from the Cultural and Heritage Commission brought in samples of submissions for Farm to Frame to give the Board a sneak peek of the artwork. The Board was pleased to see how the artists captured the preserved farms in their work and expressed that they are looking forward to seeing the entire collection.

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

Respectfully Submitted by,

Sandra Rhue

Sandra Rhue
Secretary/Treasur