

MONMOUTH COUNTY
AGRICULTURE DEVELOPMENT BOARD

Joseph McCarthy
Chairman



Hall of Records Annex
2nd Floor
One East Main Street
Freehold, New Jersey 07728
732-431-7460

Minutes for a Regular Meeting of the
MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD

Wednesday, August 7, 2013, 7:00 PM
Freeholders' Meeting Room, Hall of Records
One East Main Street, Freehold, New Jersey

Chairman McCarthy called the meeting to order at 7:07 PM.

ATTENDANCE:

Present: Buscaglia (arrived at 9), Bullock (arrived at 7:20), Butch, Clayton (arrived at 7:30), DeFelice, Foster, Holmes (arrived at 7:20), McCarthy, Potter, Sciarappa (arrived at 8), Stuart

Staff: Beekman, Brennen, Honigfeld

Representatives: Gruzlovic, Jacoby

Public: Christopher Ackerman, Dane Mihlon, Greg Blash, Angelo Trapani, Patrick Accisano, Elaine DeBlasi, Rick DeBlasi, Rick LaRue, Monica LaRue, Steve Dey, Peggy Dey, Gene Cheslock, Michael Geller, Erik Anderson, David Shaheen, Joanna Mozino, Roby Laufer, Rich Lemongello, R. Fitzsimmons, Al Natali, Carol Murphy, Robin Arnheiter, Phil Arnheiter, Marc Henry, Dennis Donnelly, Jay Schukin, Jeff Palumbo, John Ricci, Tim Nelson, Alston McCall, Gary Pavlis

MINUTES:

Ms. Honigfeld pointed out a typo in the minutes. Mr. Stuart made a motion to approve the Regular Session minutes of the July 2013 meeting with the correction. The motion was seconded by Mr. Foster and approved by voice vote. Mr. DeFelice abstained.

CORRESPONDENCE AND OTHER DOCUMENTS

None

REGULAR REPORTS:

- A. Chairman: No report
- B. State: No report
- C. Staff: No report
- D. Rutgers Cooperative Extension: No report
- E. Municipal Representatives: No reports



OLD BUSINESS:

- **Deed Interpretation Request (Block 15 Lot 17.02 Upper Freehold)**
Mr. Stuart made a motion to memorialize the Rue deed interpretation request resolution. Mr. Potter seconded the resolution which was approved by roll call vote. 6 members were present at the time of the vote.

NEW BUSINESS:

- **Monitoring Summary July 14, 2012 – July 12, 2013**
Ms. Honigfeld provided highlights from the monitoring summary. The report and associated monitoring forms are due each July to the SADC.
- **Notice of Termination of Farmland Preservation Program (Block 50 Lot 4 Upper Freehold)**
Because the Lemack farm is now permanently preserved, Ms. Honigfeld recommended that the Board terminate the 8-year Program agreement rather than renew it. The landowners have agreed. Mr. DeFelice made a motion to terminate the agreement. Mr. Foster seconded the motion which was approved by roll call vote.

RIGHT TO FARM ISSUES:

- **Status Reports:**
Ms. Honigfeld updated members about Triple C Nursery in Marlboro and some informal complaints and inquiries that staff received recently.
- **LaRue SSAMP Hearing Income Component (B 50 L 6.07, Upper Freehold)**
Staff explained that the appeal of the MCADB's 2012 decision in the matter has come before the Office of Administrative Law. The judge in the case requested that the board consider new evidence of income for 2011 and 2012, specifically IRS Form 1040 Schedule Fs that the LaRues submitted to the federal government.
Monica LaRue made a brief presentation to the Board and answered questions.
A member commented that the new income evidence made the case for commercial farm status more clearly than before.
Mr. Stuart made a motion that the farm meets the income threshold to be considered a commercial farm. Mr. Bullock seconded the motion which was approved by roll call vote. Mr. Clayton abstained as he arrived as the vote was being taken.
- **Seven Bridges Winery SSAMP Hearing (B 66 L 16 and 16.02, Little Silver)**
Ms. Honigfeld gave a PowerPoint presentation showing photos of the farm. She recommended that the Board defer outstanding traffic safety issues to the County Engineering Department. Because the farm is on a county road, the Engineering Department normally has jurisdiction over ingress and egress, and has already provided initial comments on the proposal.

The applicant's attorney, Patrick Accisano, opened the testimony and called 3 witnesses: Al Natali, Michael Geller, and Rick DeBlasi. Mr. Natali has his own winery in Cape May. He noted

that Mr. DeBlasi applied for a license that would enable him to sell up to 1000 gallons of wine made from fruit sourced in New Jersey. Mr. DeBlasi would use 300 SF of his garage for a tasting room with a moveable bar. The tasting room is expected to be a pre-planned destination point. A flight of wine is typically 5 samples and 7.5 oz of wine total. Bottles would sell for at least \$15. No food would be sold but visitors might take a tour of the farm. Expected production at this site would be 250 cases of wine max (600-800 gallons). Hurricane Irene impacted wine grapes in 2011 but the farm still sold grapes for other uses.

Mr. Geller testified about traffic issues at the site. He is expecting 2 to 3 vehicles midweek at the farm and 4-5 on weekends. It is assumed that there would be 2 people per car. Mr. Geller depended on Mr. Natali's statistics and traffic counts for his own winery. The hedges along the proposed new entrance would be removed. A 400' site triangle would be needed.

Mr. McCarthy inquired about signage at the farm to ensure that guests enter the new driveway and not the existing one.

Mr. DeBlasi then testified. He moved to the site in 1979. He originally grew hay there for horses at his Locust property. He had to go to court to obtain farmland assessment. The case rose through the ranks and took 6 years. So the farm has been farmland assessed since 1993. The new access way would have a gate.

The objectors were given the opportunity to speak, starting with municipal and neighbor counsels. Christopher Ackerman represented Little Silver. He would like to provide formal input on traffic safety to the County Planning Board and Engineer. He asked that prohibitive conditions be incorporated into any MCADB resolution. Mr. Ackerman rested on the contents of his brief.

Gregory Blash, the Municipal Engineer and Zoning Officer, spoke. Little Silver contends that its zoning does not expressly allow for farming at the site. Therefore, the applicant needs to prove that the site has been farmed since before 1997. In the township's reading of the statute, the applicant must show that the commercial farm has generated at least \$2500 of income each year since 1997. Mr. Beekman will have to do further research on this issue and report back to the Board.

Eric Anderson, Counsel for 3 objectors, spoke.

David Shaheen, Counsel for Marion Becker, testified. Ms. Becker lives next door to Seven Bridges Winery LLC. He noted that if the driveway were to be converted, there would be no garage associated with the house. He expressed concerns about the proposed driveway, parking, noise, and the existing shared driveway and access easement.

Dane Mihlon, a Borough Councilman and resident, spoke.

Because of time, Mr. McCarthy ended testimony for the evening. Objector testimony and the hearing will continue at the October 2, 2013 meeting.

PUBLIC COMMENT:

None

ADJOURNMENT:

The meeting adjourned at 10:32 PM