

MONMOUTH COUNTY
AGRICULTURE DEVELOPMENT BOARD

Joseph McCarthy
Chairman



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

Wednesday, March 6, 2013, 7:30 PM

Planning Board Conference Room, Hall of Records Annex, 2nd Floor
One East Main Street, Freehold, New Jersey

Chairman McCarthy called the meeting to order at 7:33 PM.

ATTENDANCE:

Present: Bullock, Buscaglia, Butch, Clayton, DeFelice, Foster, Holmes, McCarthy, Potter, Sciarappa, Stuart
Staff: Beekman, Brockwell, Honigfeld
Representatives: Sandy Michlich (Howell)
Public:

MINUTES:

Mr. Clayton made a motion to approve the Regular Session minutes of the January 2013 meeting. The motion was seconded by Mr. Bullock and approved by voice vote.

CORRESPONDENCE AND OTHER DOCUMENTS

Staff brought the following events and documents to the attention of the board:

- A letter of resignation and clarification from former board member, Chet Halka, who was mistakenly appointed to the MCADB in January 2013.
- Landowner and farmer informational leasing meetings sponsored by NOFA and SADC.
- The Land Conservation Rally, Saturday, March 9, 2013.
- The Jewish Heritage Museum of Monmouth County, film about Jewish farmers in Farmingdale, NJ – Wednesday, March 20, 2013.

REGULAR REPORTS:

- A. Chairman: No report.
- B. State: No report.
- C. Staff: Staff noted that the regular meeting date for the September CADB meeting will likely be changed or cancelled. The Division of Planning phone system has been changed and direct phone lines are no longer active. Amanda Brockwell can be reached at extension 5740. Harriet Honigfeld can be reached at extension 3641.
- D. Rutgers Cooperative Extension: Dr. Sciarappa updated the board on the Agricultural Convention held in early February in Atlantic City. He also provided updates on the landscape meeting held



last week, and the Open Space Pace organizational meeting held in the evening that was well attended. The Open Space Pace will be holding another meeting in March at the Rutgers Extension office. He also informed the board about an upcoming business workshop for women in the equine industry.

E. Municipal Representatives: No reports.

OLD BUSINESS:

None

NEW BUSINESS:

- **Potential Deed Violation (Block 45 Lot 10.03, Millstone Township):** The Township of Millstone brought a complaint to the attention of CADB staff related to ATV noise. Staff investigated the matter further and observed that approximately 4 acres of land was taken out of agricultural crop production to build mounds for use by various ATV riders. The landowner explained that the mounds were used for both ATV riding and for training quarter horses for barrel racing.

A site visit was held on February 6, 2013 and attended by staff from SADC, MCADB, and NJDA. The landowner demonstrated how the mounds are used for horse training during the site visit. Ms. Honigfeld played a video of the demonstration for the board. She also noted that topsoil was not brought in from off site to create the mounds and that the area could be re-graded with the original topsoil. The board discussed known methods of equine training, and the consensus was that this is not a generally accepted technique. The board decided that the mounds should be removed and the area should be restored to agricultural use. After some discussion, they decided on a deadline of May 30th to have the area re-graded and reseeded.

Mr. Stuart made a motion that the mounds were not a generally accepted agricultural use and the area should be restored by May 30th, 2013. Chairman McCarthy made a clarification regarding the reference in the Deed of Easement to activities complementary to agricultural versus non-complementary to agriculture. He continued that the board considered this section in the Deed of Easement and agreed that the use does not fit as a complementary use especially due to the size, scale, and acres that have been taken out of production. The motion was seconded by Mr. Buscaglia.

The board continued with a discussion regarding acceptable ATV use on preserved properties, which was summarized as being in compliance with the Deed of Easement when taking place on existing farm roads and not interfering with or taking land out of agricultural production.

RIGHT TO FARM ISSUES:

- **Proposed On-farm Direct Marketing AMP and Right to Farm Procedure Changes:** Staff brought the board's attention to the most recent version of the proposed AMP that was discussed at the February SADC meeting and is expected to be approved by the SADC at the March 28th meeting before being put on the NJ Registry for a formal comment period. Board and staff agreed that the proposed AMP is a well drafted document and there were no additional comments or concerns. The focus of the discussion was on the proposed procedural changes that are found at the end of the AMP, but relate to the overall RTF hearing procedures for all cases

and requests. Staff brought several areas of concern to the attention of the board. The board had a discussion regarding the implications of the proposed language and recommended that a letter be drafted ASAP to send to the Committee before the March 28th meeting.

- **Status Reports:**

Ms. Honigfeld distributed the SADC's Final Decision in the matter of Wayne Pomanowski/Becker's Tree Service vs. Monmouth County Agriculture Development Board and Township of Colts Neck. The SADC and Office of Administrative Law upheld the Board's original decision memorialized on April 6, 2011.

Mrs. Brockwell updated the board on the following Right to Farm issues that are currently under staff review:

- Complaint filed by the Township of Manalapan against the Camejo property on Dey Grove Road in Manalapan. A site visit was held on February 25. The matter is currently out of MCADB jurisdiction due to DEP involvement.
- Seven Bridges Winery SSAMP application for construction of a tasting/processing building in the Borough of Little Silver. Currently under staff review to verify income eligibility.
- Complaint filed by the Township of Middletown against the Abate property on Navesink River Road. The matter concerns 8-foot fencing installed for protection against deer damage to the vineyard. A site visit will be held in March, and the hearing is expected to take place at the April 3rd MCADB meeting.
- An appeal hearing with the OAL has been scheduled for June regarding the LaRue SSAMP decision that was appealed to the State.

PUBLIC COMMENT:

None

ADJOURNMENT:

The meeting adjourned at 8:50 PM.