

COUNTY AGRICULTURE DEVELOPMENT BOARD  
MINUTES OF MEETING MARCH 26, 2018

**MEMBERS PRESENT:** George Brewer Chairman  
Matthew Stiles Vice-Chairman  
Leslie Rea  
James Hand  
Alfred Natali Teleconference  
Jenny Carleo Agriculture Agent  
Barbara Ernst Div. Dir. Open Space &  
Farmland Pres.

**OTHERS PRESENT:** Katelynn Wintz of the Planning Department and others as listed on the sign in sheet.

**CALL TO ORDER:** Chairman Brewer called the meeting to order at 5:00 P.M.

**MINUTES:** Mr. Stiles made a motion and it was seconded by Mr. Hand to approve the minutes of the January 29, 2018 meeting.

**FINANCIAL STATEMENT:** Mrs. Ernst reviewed the financial statement that showed the balance in the fund at the end of February was \$14,217,095.74, and \$2,772,114.00 although not encumbered was projected to cover approved projects in the Open Space program, leaving \$11,444,981.74 available for funding.

**RESOLUTION CADB 2-18, WILLIAM SIMMERMAN, UPPER TOWNSHIP, BLOCK 476, LOT 17, 16.2 ACRES**

Mrs. Ernst said the public hearing had provided several comments on the farming operation both negative and positive and had given the board a chance to extract the factors pertinent to this current application for a Site Specific Agriculture Management Practice.

Mr. Hand was appreciative of the exchange, and he reminded the Board of a current sheep farm on Hands Mill Road that has been in operation for 25 years which is a pleasant operation, and which is not something neighbors are against. Mr. Natali added that there is now a herd of buffalo being raised in Hunterdon county. He also asked if Mr. Simmerman is farm assessed as he thought someone at the hearing said that he was not. Mrs. Ernst responded that Mr. Simmerman was farm assessed as of January 1, 2018 by the Upper Township tax assessor.

Ms. Carleo said the pollution and smell concerns were part of her job as a public employee in agriculture. She said that all plant and animals have smells that tend to travel, and change with environmental factors

at specific times. She said bad smells that are persistent are unhealthy.

She said that the NRCS plan was developed to remediate smell issues to educate farmers. She said that the grant funding that was provided for the plan will protect the water supply.

Chairman Brewer asked if there were any questions from the public. Mrs. Natalie Neiss cited the administrative code and said that the current agriculture is a forbidden use unless a variance was granted by the zoning board.

She also wanted clarification from the County Health Department about well and septic permits which listed different acreage than the existing acreage. Mr. Simmerman said he had an engineer draw up the septic design for his house and he did not know where they got the acreage. He said he is using the existing well to water the animals, everything is permitted.

Mrs. Neiss said the property had been cited previously for water problems. She said she never got a zoning notice nor did she see an approved site plan from the township.

Mrs. Neiss said that Mr. Simmerman never got a permit and clear cut an area with threatened and endangered species. Mr. Simmerman responded that the area in question was 95% engulfed in invasive species, and he spent \$25,000 cleaning the area of trash.

Mrs. Neiss said the township didn't want development on the parcel because they didn't want to impact the schools. She said in the Master plan they that took a residential area, let it be farmed and sell products off it. She said the township dropped the ball and "spot zoned".

Glen Constantine of Ocean City not an adjacent landowner on the 200-ft. list said he is neutral on the issue, but that he as a taxpayer is subsidizing this farm with his reduced taxes.

Ms. Carleo said if there were any threatened and endangered species on the property, the NRCS would have caught it, and so would have Upper Township.

Mr. Hand made a motion, and it was seconded by Mr. Rea to approve Resolution 2-2018 to Recommend Site Specific Agriculture Management Practice approved the Breeding of East Friesian Sheep for Lamb and the Production of Dairy Products. Breeding of Boer Goats and Practices Relating to the Above.

Roll Call taken, George Brewer, Yes; Matthew Stiles, Yes; Leslie Rea, Yes; Jamie Hand, Yes; Alfred Natalie, Yes. The motion passed with 5 yes votes.

**Dennis Township, Leonard Verity Block 120, Lot 40, 33.37 Acres** Mrs. Ernst said that the current agriculture production of the farm is 31.23 acres under a woodland management plan, with an additional 1.14 acres in strawberries, tomatoes, cantaloupes, watermelons, asparagus, zucchini, peppers. He also has numerous laying hens for egg production.

His soils are comprised of 16.62 acres of prime agriculture soils of the Hammonton soil series, and 17.15 acres of unique soils of the Berryland series. He is immediately adjacent to the west to unrestricted farms and U.S. Fish & Wildlife land.

There is a homestead with a single family home, a detached garage and apartment which is being utilized as an ag labor unit. He also stores masonry equipment, material and trucks utilized in the masonry business, in an area adjacent to the garage, which together with the home totals about 1 acre of the land. Mr. Verity due to his age is not expanding his masonry business, but downsizing and starting to farm the land.

The 3 acre zoning, lot averaging, and prime upland soils make the land desirable for development.

Mrs. Ernst said that she scored the application based on the State criteria for inclusion into the program and the lack of tillable land had a negative impact, but the prime soils helped to bring the score to 31, with 70% of the county's average rank score as certified by the SADC being 41.

She said that she had questioned Freeholder Morey on the policy of not funding farms with the main production being a woodland management plan, and he suggested that the Board evaluate the farm on its own merits, its ability to be agriculturally productive with a wide variety of agricultural products, and its benefit to the program and to the County. He said if the Board found that the farm met these criteria, then they should consider preservation, and he would see that funding is available.

Mr. Hand asked if the policy was changed again to take applications with woodland management plans, and Mrs. Ernst responded that the policy still stands as is, that applications should be funneled to the State for green light approval, but that if an opportunity comes along that the Board feels strongly about preservation, than consideration might be given.

Mr. Stiles, added that the unique soils totaling approximately 17 acres and now under woodland management, would have scored the application higher if a tillable crop had been planted. He said the area was perfect

for low bush blueberries, and would allow for other agricultural production because of the unique designation.

Mr. Natali said that the 33 acres constituted an active farm.

Chairman Brewer asked Mr. Verity what his future production plans were, and he responded that he would like to increase the vegetable production and have a small farm stand. He said the irrigation for his production is currently from his well.

Ms. Carleo added that she could not remember any application that we have looked at lately, that had 50% prime agricultural soils. She said this is a valuable designation.

The Board discussed the application and acknowledged the value of the agricultural soils but was apprehensive about setting policy precedence in approving woodland management plans.

Mr. Stiles added that the prime farmland on this farm also meant prime building land. Mr. Brewer said that with lot averaging, maybe 10 lots could be developed.

Mr. Stiles made a motion, and it was seconded by Mr. Rea to approve the application and recommend the purchase of the development easement on the Verity farm.

Roll Call taken, George Brewer, Yes; Matthew Stiles, Yes; Leslie Rea, Yes; Jamie Hand, Yes; Alfred Natalie, Yes. The motion passed with 5 yes votes.

**Middle Township, Block 55.01, Lot 33, 6.78 Acres, B-JAC LLC.** Ms. Katelyn Wintz said the SADC had certified a value on the B-JAC at \$12,000 per acre for a total of approximately \$81,360. She said that Mr. Barber has indicated that he would sign a contract to sell his easement at the certified value. She asked that the Board approve the purchase price.

Mr. Hand made a motion and it was seconded by Mr. Rea to approve Resolution 3-2018 Granting Final Approval for the Purchase of a Development Easement on the B-JAC LLC property.

Roll Call taken, George Brewer, Yes; Matthew Stiles, Yes; Leslie Rea, Yes; Jamie Hand, Yes; Alfred Natalie, Yes; Sue Ann Wheeler, Yes. The motion passed with 6 yes votes.

**PUBLIC COMMENT:** Mrs. Natalie Neiss, 759 Route 50, a neighbor, asked if there was any appeal process for any of the actions taken tonight. Mrs. Ernst responded that she had already given Mrs. Neiss a complaint form for the approval of the SSAMP and that in the history of this program,

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no one has ever filed an appeal for any of the actions of the Board, but that she could forward her request to the Board of Chosen Freeholders with a copy to her.

**ADJOURNMENT:** Mr. Rea made a motion, it was seconded by Mr. Hand and unanimously approved to adjourn the meeting at 6:10 P.M.

Next Regularly Scheduled Meeting May 21, 2018.

Respectfully Submitted,

Barbara M. Ernst