

MINUTES
MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD
30 Schuyler Place, 4th Floor, Morristown, New Jersey
November 29, 2012

The meeting was called to order by Chairman Keller at 7:36 p.m. Members present:

Aimee Ashley Myers
Dale Davis
Ricci Desiderio
Harvey Ort

Others in attendance:

Stefanie Miller, SADC
Margaret Nordstrom, New Jersey Highlands Council (departed at 7:52 p.m.)
Ted Wachtell (arrived at 7:50 p.m.; departed at 8:10 p.m.)

Staff in attendance:

Deena Leary
Ray Chang
W. Randall Bush, Esq.
Katherine Coyle
Tina Boyer

COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW

Chairman Keller announced that in compliance with the Open Public Meetings Act, adequate notice of this meeting has been provided and filed with the Town of Morristown, the Morris County Clerk, the Daily Record and the Star Ledger.

APPROVAL OF MINUTES

On motion of member Ashley Myers, seconded by member Ort, the Board approved the minutes of the October 11, 2012 regular meeting. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, Desiderio, Ort and Keller

Nay: None Abstain: None

OPEN TO THE PUBLIC

There were no comments from the public.

NEW BUSINESS #1

Chairman Keller introduced Ms. Margaret Nordstrom, Deputy Director of the New Jersey Highlands Council, to address the Board. Ms. Nordstrom informed the Board that the Highlands Council would like to be recognized as a regional planning organization and in doing so the organization believes that agricultural preservation programs need to be tailored. The Highlands Council is partnering with the SADC, Green Acres and other agencies such as the Office of Planning Advocacy to hold quarterly meetings. The first meeting will most likely be held in January 2013. The organization is currently offering funding opportunities that are designed to build upon and strengthen municipal efforts throughout the Highlands by encouraging county-driven approaches to regional planning. The County Planning Grant Program will support agritourism and agricultural retention projects on a regional basis in order to increase agricultural sustainability. Grant recipients are governing bodies that are part of the seven Counties in the Highlands region. In order for counties to identify opportunities for coordination and collaboration with municipalities, the Highlands Council can provide a summary of municipal funding allocations within related program areas. Sussex County used funding they received from a Highlands Council grant to create a commercial kitchen. They also bought a machine used for jarring with the funding. Another example is the South Jersey Tour des Farms in Burlington County. The program allows farm visitors to take a bike ride to various farms in the county while shopping for local produce. The purchases are then delivered back to the starting point for each participant. Grants can also be given to projects that offer scenic routes and funding can be used towards signage. The goal of these grants is to promote the Highlands brand and to gain recognition similar to areas like the Pinelands. In addition to funding opportunities, the Highlands Council is also working with the SADC in order to make changes to the minimum eligibility standards for farmland preservation set forth by the agency.

Ms. Nordstrom departed at 7:52 p.m.

Chairman Keller introduced Mr. Ted Wachtell, the new owner of the DeGrande Farm in Washington Township. Mr. Wachtell informed the Board that as the new owner of the farm he has plans to expand the equine breeding operation and doing so he will need to add agricultural labor housing to the property in order to make the breeding economically viable. Mr. Wachtell explained that he is submitting a request for a 2,000 square foot, 1 story building that will be relatively low in cost to use as housing for laborers. He assured the Board that the property will not be used for rental purposes and that there are no changes from the original use which was proposed by Mr. DeGrande in 2007. His plan is for the farm manager to live on the property as well as 1 or 2 more laborers should the business expand.

Resolution 2012-07: Request for Agricultural Labor Housing – Wachtell Farm, Wash. Twp. On motion of member Ashley Myers, seconded by member D. Davis, the Board adopted Resolution 2012-07, approving the construction of agricultural labor housing on the preserved farm. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, Desiderio, Ort and Keller
Nay: None Abstain: None

Mr. Wachtell departed at 8:10 p.m.

CLOSED SESSION

On motion of member Ort, seconded by member Ashley Myers, the Board closed the open portion of the meeting pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act and per the Board's standard resolution language, and voted to conduct a closed session.

RETURN TO MEETING

The meeting reopened to the public at 9:15 p.m.

ACTIONS RESULTING FROM CLOSED SESSION

Arley Smith Farm, Washington Township. On motion of member Ashley Myers, seconded by member D. Davis, the Board directed staff to draft a letter to the owners of the farm informing them that the Board will not pursue the preservation of the farm as agreed in Closed Session. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, Desiderio, Ort and Keller

Nay: None Abstain: None

Turnquist-Porambo Farm, Washington Township. On motion of member Ashley Myers, seconded by member D. Davis, the Board directed staff to draft a letter to the Washington Township zoning officer to notify the municipality about the potential violation on the Porambo Farm as discussed in Closed Session. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, Desiderio, Ort and Keller

Nay: None Abstain: None

Scaff, Harding Township. On motion of member Ashley Myers, seconded by member D. Davis, the Board directed staff to draft a letter to the landowners and to Harding Township regarding the storage of debris resulting from Hurricane Sandy as discussed in Closed Session. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, Desiderio, Ort and Keller

Nay: None Abstain: None

REPORT OF DIRECTOR & ATTORNEY

Annual PIG Application to SADC – Status. Ms. Coyle informed the Board that Ms. Boyer has been working on the annual Planning Incentive Grant application to the SADC. The application deadline is December 17, 2012 and Ms. Boyer will deliver the application to the SADC office on December 13, 2012 at their monthly meeting.

RIGHT TO FARM

Mine Hill Township – Draft RTF Ordinance. Ms. Coyle informed the Board that Mine Hill Township did not respond to the CADB's final comments regarding livestock density standards in the draft RTF Ordinance.

Landi Simone, Gooserock Farm – Request for SSAMP. Ms. Coyle informed the Board that a decision was received from the Local Finance Board indicating that there is no conflict of interest for the Morris CADB to hear the Gooserock Farm matter. Ms. Coyle informed the Board that the landowner and the municipality will be notified that the CADB will proceed with addressing the application for SSAMP. Ms. Simone will have to provide evidence that her apiary operation meets the minimum standards to be considered a “commercial farm”. Ms. Coyle explained that more information is needed from the landowner in order to make an assessment of the eligibility for the apiary. On motion of member Ashley Myers, seconded by member D. Davis, the Board authorized staff to draft a letter to Ms. Simone requesting additional information by December 31, 2012 in order for the CADB to review at the next meeting scheduled for January 10, 2013. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, Desiderio, Ort and Keller
Nay: None Abstain: None

Alex Adams, Denville Township – Complaint. Ms. Coyle informed the Board that the SADC is waiting for a response to their September 13, 2012 letter from Mr. Adams regarding proof that his farm meets the minimum standards to be considered a commercial farm. The SADC received a letter dated November 6, 2012 from Denville Township requesting that the SADC find that Mr. Adam’s property does not comply with the definition of a “commercial farm” and is not entitled to the protections of the RTF Act.

Fish Farm, Florham Park – Complaint. Ms. Coyle informed the Board that the SADC had received a response from the farm owners to their letter requesting proof that the Fish Farm meets the minimum standards to be considered a commercial farm. Ms. Coyle was informed that the SADC is currently reviewing the information.

CORRESPONDENCE

There was no correspondence to review.

OLD BUSINESS

There was no old business to review.

NEW BUSINESS

Resolution 2012-08: Final Approval: DeNeufville, Mendham Township. On motion of member Ashley Myers, seconded by member Ort, the Board approved Resolution 2012-08. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, Desiderio, Ort and Keller
Nay: None Abstain: None

Resolution 2012-09: Final Approval: How, Mendham Township. On motion of member Ashley Myers, seconded by member D. Davis, the Board approved Resolution 2012-09. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, Desiderio, Ort and Keller

Nay: None Abstain: None

Hickey Farm, Washington Township – Proposed new use. Ms. Coyle informed the Board that Mr. David Cassirer is a prospective buyer of the Hickey Farm in Washington Township. Mr. Cassirer would like to expand the equine operation, which would include building an indoor riding arena as well as 10 additional stalls for the horses, which would total 19,090 square feet. Mr. Cassirer may also want to construct a garage to store agricultural machinery. The Board discussed Mr. Cassirer's proposal and agreed that it complies with the provisions of the CADB's Equine Policy and the Deed of Easement for the property. On motion of member Ashley Myers, seconded by member D. Davis, the Board authorized staff to draft a letter to Mr. Cassirer to advise him of the Board's decision. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, Desiderio, Ort and Keller

Nay: None Abstain: None

OPEN TO THE PUBLIC

There were no comments from the public.

ADJOURNMENT

There being no further business, on motion of member Ashley Myers, seconded by member D. Davis, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Katherine Coyle
Director