

MINUTES OF THE MERCER COUNTY AGRICULTURAL DEVELOPMENT BOARD
MEETING HELD MONDAY OCTOBER 1, 2018
IN THE EXTENSION SERVICE BUILDING
930 SPRUCE STREET, TRENTON, N.J.

I. CALL TO ORDER

Chairman Steve Jany called this meeting to order at 7:30 PM.

II. COMPLIANCE STATEMENT

Pursuant to the Open Public Meetings Act, notice of this meeting was given to the Trenton Times, Trentonian, Mercer County Clerk, and posted in the Mercer County Administration Building.

III. ROLL CALL

A. Voting Members:

Steve Jany, Chairman – Present	Scott Ellis – Present
Frank D’Amico, Vice-Chairman – Present	Kelly Mooij – Present
Kristine Walsh – Present	Gary Mount – Present
Laurie Emde – Absent	

B. Non-voting Members:

Bill Agress/County Planning Board Liaison – Absent
Meredith Melendez/Rutgers Cooperative Research and Extension – Present

C. Others Present:

Emily Blackman, CADB Secretary	Public: Ashley and Sam Kerr
Leslie Floyd, County Planning Director	

IV. APPROVAL OF MINUTES

On a motion by Mr. Mount and seconded by Mr. D’Amico, the minutes of the August 6, 2018 regular meeting were unanimously approved.

V. PUBLIC COMMENT: None

VI. CORRESPONDENCE

Ms. Blackman shared a flyer provided by Ms. Mandelbaum of the SADC about upcoming Municipal PIG application workshops.

VII. COMMITTEE AND STAFF REPORTS

A. SADC: Ms. Blackman reported that the SADC currently has four active projects in the County. The Harbourton Foundation direct easement purchase by the State received final approval at the last SADC meeting.

B. Land Development Activity: None

C. Farmland Preservation Status:

- *Chowdhury, Hopewell*: Ms. Blackman reported that the County is still in negotiations with the Chowdhurys.
- *Kerr, Hopewell*: Ms. Floyd reported that the County is still in negotiations with the Kerr family. Ashley and Sam Kerr were in attendance and Ms. Floyd provided clarification

about the project maps.

IX. OLD BUSINESS

- *Monitoring: Dakota Farm, Robbinsville:* Ms. Blackman reported that County Counsel sent a final letter to the Dakota Farm requesting that they maintain the land for agricultural purposes. Following the letter, Ms. Blackman visited the farm and did observe signs of maintenance, including mowing and invasive plant treatment. Ms. Blackman will visit the farm again during the fall B&B season to look for evidence of tree or shrub removal.
- *Auction:* Ms. Blackman reported that the two farms on Sawmill Road in Hamilton (Chowdhury and PRL) should close soon. The other two farms in Lawrence and Hopewell (Chmiel and McNulty) have closed.

X. NEW BUSINESS

- *2020 County PIG application:* Ms. Blackman reported that the annual County PIG application is due in December. She asked that the Board let her know if they have any comments or updates for the application. The County is not planning to make any significant changes to the ADA and targeted farm mapping, other than updating them with any new preserved land.
- *Monitoring: Guzikowski Farm, Hamilton:* Ms. Blackman reported that the Hamilton Health Department and State have cited Mr. Guzikowski for animal welfare violations on his farm. At the Township's request, the County provided a letter of support for their actions. In addition to the agricultural easement, the County also holds a historic easement on the 1700's house on the property. The house is on an exception area, separate from the agricultural easement and there are violations to the historic easement. The County plans to address these violations after the Township has addressed the animal welfare concerns.
- *Right to Farm Commercial Farm Eligibility Determination: Oasis Family Farm, Robbinsville:* The County received a Right to Farm SSAMP (Site Specific Agricultural Management Practice) request on September 11, 2018 from Frank Panzitta, the owner and operator of Oasis Family Farm at 3 Circle Drive (Block 38, Lot 9) in Robbinsville Township. Prior to the request, Mr. Panzitta applied to the Township for a special events permit for an event to be held this fall on his farm. The permit was denied by the Township due to lack of zoning approvals and Mr. Panzitta then applied to the County for a SSAMP review related to the events that he holds on his farm. Mr. Panzitta is also participating in a mediation session with the Township later this month. The first step in the SSAMP process is an eligibility review by the CADB to determine whether Oasis Farm meets the SADC's criteria for a commercial farm and therefore qualifies for the SSAMP review.

The Board used the SADC's eligibility criteria to determine Oasis Farm's eligibility. The criteria are:

- 1) A farm management unit of five or more acres producing agricultural or horticultural products worth more than \$2,500 annually, and satisfying the eligibility criteria for the Farmland Assessment Act; or

A farm management unit less than five acres, producing agricultural or horticultural

products worth \$50,000 annually and otherwise satisfying the eligibility criteria for the Farmland Assessment Act; or

A beekeeping operation farm management unit that produces honey or apiary-related products, or provides crop pollination services, worth \$10,000 or more annually.

- 2) The farm management unit must be located in a zone that as of December 31, 1997 or thereafter permits agriculture, or must have been in operation as of July 2, 1998.
- 3) The farm management unit must conform to generally accepted agricultural management practices.
- 4) The farm management unit must comply with all relevant Federal or State statutes and regulations.
- 5) The farm management unit must not pose a direct threat to public health and safety.

The Board reviewed the following exhibits related to the eligibility criteria:

Submitted by Mr. Panzitta:

Exhibit A – Applicant request for SSAMP determination.

Exhibit B - Right to Farm Certification Form.

Exhibit C – Tax Bill showing that the farm is eligible for Farmland Assessment.

Exhibit D – 2019 Farmland Assessment application showing that the farm’s agricultural production area exceeds five acres.

Exhibit E – Records of annual sales of agricultural products in excess of \$2,500.

Submitted by Ms. Blackman:

Exhibit F – Robbinsville Township zoning map showing that the Applicant’s property is in the Rural Residential (RR) zone.

Exhibit G – Robbinsville Township zoning code showing that agriculture is a permitted use in the RR zone.

In addition, Ms. Blackman and Ms. Melendez did a site visit at the farm and provided the Board with photographs of the current production areas (pumpkins, goji berries, Jerusalem artichokes and Brussel sprouts). Based on the above exhibits, the Board determined that the farm is larger than five acres and produces agricultural products worth more than \$2,500 annually. The property is farmland assessed and is in a zoning district (Rural Residential) where agriculture is a permitted use. The farmer’s request for a SSAMP review for the events held on his farm is consistent with the SADC’s On-Farm Direct Marketing AMP. Finally, the farm does not pose a direct threat to public health and safety

and to the best of the farmer's knowledge, is not in violation of any State or Federal statutes or regulations. Therefore, the Board determined that Oasis Family Farm does meet the SADC's criteria for a commercial farm.

If Mr. Panzitta and the Township do not come to an agreement through mediation, the County will continue with the SSAMP process and will schedule a public hearing.

XII. PUBLIC PARTICIPATION: None

XIII. EXECUTIVE SESSION: None was required.

XIV. ADJOURNMENT

The meeting was adjourned at 8:30PM. The next scheduled meeting of the MCADB is December 3, 2018.

Respectfully submitted,

Emily Blackman
MCADB Secretary

Date adopted: March 4, 2019

Attachments, if any, are made a part of the permanent record and are filed in the Minute Book, and are located in the Mercer County Planning Division Office. All copies are available upon request.