

MINUTES OF THE MERCER COUNTY AGRICULTURAL DEVELOPMENT BOARD
MEETING HELD MONDAY, FEBRUARY 5, 2024
IN THE EXTENSION SERVICE BUILDING
1440 PARKSIDE AVENUE, EWING, N.J.

I. CALL TO ORDER

Vice-Chairman Frank D'Amico called this meeting to order at 19:30.

II. COMPLAINT STATEMENT WITH THE OPEN PUBLIC MEETINGS ACT

CADB Administrator Diane Kottas announced that pursuant to the Sunshine Law, notice of this meeting was mailed to the Trenton Times and posted on the County Planning Department's website.

III. ROLL CALL

a. Voting Members:

Mr. Steve Jany, Chair – not present
Mr. Frank D'Amico, Vice-Chair – present
Mr. Scott Ellis – not present
Mr. Gary Mount – present
Ms. Theodora Wang – present
Ms. Emily Blackman – present

B. Non-voting Members:

Ms. Meredith Melendez/Rutgers Cooperative Research and Extension – present
Mr. William Agress, County Planning Board Liaison - present

C. Others Present:

Ms. Leslie Floyd/Mercer County Planning Director
Mr. David Kimmel, SADC
Ms. Susan Bacso, MCADB Attorney
Ms. Cindy Taylor, Mercer County Land Preservation Coordinator
Ms. Diane Kottas, Mercer County CADB Administrator
Mr. Jim Lyons, Blue Moon Farm

IV. REORGANIZATION

Ms. Floyd called for nominations, Ms. Wang nominated Steve Jany for Chair, Ms. Blackman seconded the motion. Mr. Mount nominated Frank D'Amico for Vice-Chair, Ms. Wang seconded the motion. Mr. Mount nominated Diane Kottas for Secretary, Mr. D'Amico seconded the motion. Ms. Blackman nominated Ms. Bacso for Board Attorney, Ms. Wang seconded the motion. The vote was unanimous in favor of all nominations.

Ms. Floyd asked for a vote on the 2024 meeting schedule. Ms. Floyd proposed April 9th as an alternate date for the April meeting due to scheduling conflicts. The schedule was approved unanimously. Prior to the meeting, an amended proposed schedule was emailed to the Board for approval.

V. APPROVAL OF MINUTES

On a motion by Ms. Blackman and seconded by Ms. Wang, the minutes of the December 4, 2023 meeting were unanimously approved.

VI. PUBLIC COMMENT: None

VII. NEW BUSINESS

a. Blue Moon Ag Labor Housing Application

Ms. Kottas introduced Jim Lyons and asked him to give an overview of his farm and an explanation of his ag labor housing needs. Mr. Lyons stated that the farm produces rice and microgreens using greenhouses and a permanent bed system. The nature of his production requires intensive hand labor. A new ag labor housing unit is needed on the farm because the Hopewell Township Fire Marshall requires a sprinkler system in the existing barn apartment due to the number of workers housed there (11 workers last season). Because of the prohibitive cost of installing such a system, Mr. Lyons would like to bring a non-permanent structure (on wheels) onto the property to house four workers for the upcoming season with 5 more being housed in the existing apartment. Mr. Lyons reported that an oversized septic system was designed to accommodate a barn apartment and an additional house. There are 4 wells on the property, all with potable water. A resolution was introduced approving the construction of the proposed housing unit. Also introduced was an amended 2008 ag labor housing resolution. The resolution was amended to reflect the change from housing a farm manager and family to the 5 workers that will currently be housed there. Mr. Mount made the motion to pass both resolutions, Ms. Wong seconded the motion. The resolutions were unanimously approved.

VIII. CORRESPONDENCE: None

IX. COMMITTEE AND STAFF REPORTS

a. SADC

Mr. Kimmel gave brief reports on the following topics:

New law expands the scope of the deer fencing program to a wildlife fencing program. Program now includes electric fencing for bear and other wildlife on a case by case basis. Expands eligibility to farmers leasing farmland and increases grants to 50% of the cost up to \$50,000 with no tie to the acreage amount.

New law revises farm preservation appraisal formula in order to make offers more competitive. Ms. Floyd requested that Mr. Kimmel lead a discussion on the changes to the appraisal process. Mr. Kimmel responded that it has not been created yet but will note the Board's interest.

Soil Protection Standards public comment period is still open until February 23rd.

New rule proposals published: Updated AMPs for commercial vegetable production, commercial tree fruit production, on-farm composting operations and fencing installations for wildlife control. Also proposed was a new rule expanding and clarifying the list of agricultural disputes eligible for mediation.

b. Land Development

There are no Land Development applications on the upcoming County Planning Board agenda within the Agricultural Development Area (ADA).

c. Farmland Preservation Updates

Ms. Kottas and Ms. Bacso reported on three County projects:

Closing on the Kerr Farm occurred on December 19th, 2023.

Closings on Chowdhury and Wert are imminent.

X. OLD BUSINESS

a. Perrine Revisit

b. A summary of the revisit was distributed to the Board prior to the meeting. Ms. Kottas briefly reported on the visit and brought to the Board's attention the presence of a manmade berm on the property that does not have an agricultural purpose. Board members discussed if this constituted a violation of the DOE. Mr. Mount suggested that Mr. Perrine should be directed to plant trees on the berm to make it a non-issue. Upon Mr. D'Amico suggestion, it was agreed that Staff communicate the Board's recommendation to plant trees at the upcoming annual monitoring visit.

c. House Replacement Policy Discussion

XI. Ms. Taylor reminded the Board that they had been given a packet of existing and proposed CADB policies at a previous meeting. She explained that Staff will be reworking and simplifying the proposed policies in order to make them clear to the layperson and provide a roadmap for applicants. A new House Replacement policy was introduced for discussion. Mr. D'Amico suggested that the policy title reflect that it is for house replacement not in an exception area. Ms. Blackman suggested the addition of language directing the applicant to come to the CADB for approval before applying for municipal approval and that once approved by the municipality, the applicant must provide said approvals to the Board. Ms. Taylor suggested that locations of the septic system and secondary system (if required) be submitted as part of the application. Ms. Blackman made the motion to adopt the policy with the changes as noted, Ms. Wong seconded the motion. The policy was unanimously approved with the changes as stated.

XII. DISCUSSION: None

XIII. PUBLIC PARTICIPATION: None

XIV. EXECUTIVE SESSION: None required

XV. ADJOURNMENT

a. On a motion by Mr. Mount and seconded by Ms. Blackman, the meeting was unanimously adjourned at 20:39. The next scheduled meeting of the MCADB is March 4, 2024.

Respectfully submitted,

Diane Kottas

Diane Kottas
Secretary to the Board