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DEPARTMENT OF INFRASTRUCTURE MANAGEMENT

Office of Planning
Agriculture Development Board

Charles Kenny
*Chairperson,
Infrastructure Management*

John A. Pulomena
County Administrator

Khalid Anjum
Department Head

Alan A. Danser, *Chairman*

James Giamarese
Vice Chairman

Thomas Mancuso, *Secretary*

Mirah Becker, PP, AICP
Supervising Planner

Laurie Sobel, PP, AICP
Senior Environmental Planner

MINUTES
MIDDLESEX COUNTY AGRICULTURE DEVELOPMENT BOARD
Meeting of December 19, 2018
1:00 p.m.

Held at the Middlesex County Administration Municipal Building
Dept. of Infrastructure Management Conference Room – 2nd Floor

ATTENDANCE:

Voting Members:

Alan Danser
James Giamarese
Robert Von Thun
Rodger Jany
Thomas Mancuso
Samuel Landy

Non-Voting Members:

none

Staff:

George Ververides
Mirah Becker
Laurie Sobel
Daria Venezia, Esq.

Others:

Steven Bruder, SADC
Amy Mandelbaum, SADC



I. Notification of Adequate Public Meeting Notice

Mr. Danser called the meeting of the Middlesex County Agriculture Development Board to order at 1:00 p.m. Ms. Sobel stated that the meeting had been properly noticed according to the Open Public Meetings Act and all notifications had been provided to all local media outlets.

II. Roll Call

Ms. Sobel called the roll as follows:

Mr. Danser	present
Mr. Giamarese	present
Mr. Von Thun	present
Mr. Mancuso	not present (joined the meeting in progress)
Mr. Jany	present
Mr. Landy	present

III. Approval of Minutes of the Regular Meeting of September 12, 2018

The minutes of the Regular Meeting of September 12, 2018 were distributed to the members in advance of today's meeting. A motion was made by Mr. Von Thun, seconded by Mr. Giamarese and approved to adopt the minutes of the Regular Meeting as presented.

IV. Correspondence

A. FY2020 PIG Grant

Ms. Sobel stated that she submitted the FY2020 Planning Incentive Grant (PIG) application letter, project area summary table, and PDF maps to the SADC on December 12, 2018. The CADB members also received a copy of the submission in today's meeting packet. Middlesex County's project areas span about 21,438 acres in Southern Middlesex County which include 129 targeted farmland properties, totaling about 4,548 acres. Two farms in Monroe were added to the targeted farm list (Cranbury Brook Farm and Pop's Market).

B. Site Specific Agricultural Management Practice (SSAMP) Right to Farm (RTF) Applications

Ms. Sobel informed the members that last week she received all three outstanding SSAMP RTF applications for the mulching cases in Monroe Township. The CADB dismissed two of the complaints without prejudice due to failure to submit documentation and the third landowner requested a time extension. In addition, Ms. Sobel was contacted by the attorney representing Cranbury Sales Stables, a RTF complaint which was dismissed without prejudice due to the landowner's failure to submit requested documentation. The Board will be hearing four RTF cases in 2019.



IV. Correspondence (continued)

C. County PIG Rule Proposal

Mr. Steve Bruder presented a summary of the County PIG Rule Proposal. During review of the municipal PIG rules it was discovered that some parts of the County PIG rules needed to be consistent with the municipal PIG rules. The proposal was released to the SADC's partners as a courtesy for review. There will be additional opportunities for formal comment. Highlights of the changes are noted below:

- Clarification was made about the difference between an individual farm application and the annual PIG application.
- Project Area summaries are being renamed as Project Area inventories. The GIS analysis is seldom needed for the County PIG program and will be done by SADC on an as needed basis.
- Clarification was made on the annual planning application procedures and requirements.

Ms. Becker added that the County has embarked on an effort to update its Comprehensive Master Plan. Middlesex County intends to update its Farmland Preservation Plan information as part of this effort. The plan is anticipated to address all the topics that were in the plan from 2008 but will include some new topics such as urban agriculture.

V. Old Business

A. Update on the Individual Farm Easement Purchase Applications

Ms. Sobel presented a report on the status of an easement purchase application as listed below:

<u>Applicant</u>	<u>Status</u>
Estate of Anthony Zimbicki, Sr.	CADB Counsel finalized the Agreement to Sell a Development Easement last month. The landowners received the contract in mid-November. Ms. Venezia added that she received correspondence which contained questions regarding the disclaimer of the life estate which was contained in the will. Once the signed contract is returned, title and survey work will commence.

VI. New Business

A. Application to Sell a Development Easement/MCADB Preliminary Approval – Bergfelder Estate, East Brunswick Township

Ms. Sobel presented a new application known as the Estate of Ernest Bergfelder. The property is located at Block 316.01, Lot 22.06 in East Brunswick. The property being considered for preservation is 26.2 acres. The property is being farmed by Erik Hague. The Co-executors are Erna Diem and Mabel Sigle. Their family has been farming this property for over 50 years.

The property is identified as a Targeted Farm, is within an adopted Agricultural Development Area, and is farmland assessed. The property meets the tillable land requirement, being 50.7 percent tillable. The property contains 100 percent capable soils (40% prime and 60% of statewide importance). In respect to the wetlands criteria, which applies to



VI. New Business (continued)

- A. Application to Sell a Development Easement/MCADB Preliminary Approval – Bergfelder Estate, East Brunswick Township (continued)

land that are less than 25 acres and cannot contain more than 80 percent wetlands. This property is just over the 25-acre mark and contains about 73.5 percent wetlands. However, 25.6 percent (6.7 acres) of this are in agricultural-modified wetlands which support agriculture production and about 48 percent or 12.6 acres are classified as deciduous wooded wetlands.

The farm contains 16 cropland harvested acres, which are in hay and barley production, woodlands and four acres of permanent pasture for sheep grazing. Mr. Hague states that he actually has about 60 to 70 sheep in total that graze on this lot and his adjacent lot (which is not part of the application).

The applicants have also requested a severable exception area of approximately 3.4 acres in the northeastern section of the property, as part of this application that currently contains some pasture grazing land (perhaps for a future farm market). They are willing to restrict the exception area to zero or one residential unit. There are no residences or structures on the premises identified for preservation; and no non-agricultural uses present.

The Township of East Brunswick has submitted a letter of support. The property is located in the RP-3, Rural Preservation Low Density Residential Zoning District. A letter from the Township Planner confirming that the zone allows single family residential development at a density of one unit per two acres, and the property in question has access on Dutch Road and has the potential to be developed was received. The property owners have received inquiries and written offers to purchase the property for development.

Mr. Jany questioned the access to the exception area. Ms. Mandelbaum added that the SADC would certainly work with the County to get an easement recorded when the application is closer to closing. Mr. Von Thun asked if the landowner was interested in preserving the second farmstead piece. Ms. Sobel indicated that consideration was given, however, the landowners are only interested in pursuing the one piece at this time. Mr. Danser suggested considering a non-severable exception area. Mr. Mancuso indicated that the Google Earth mapping shows access on Fresh Ponds Road. Staff indicated they would advance the application with the severable exception area as requested for SADC's consideration, but would work with the applicants and SADC on changing the classification to non-severable if necessary after the next application (individual PIG Application) is reviewed by the State.

A motion was made by Mr. Von Thun, seconded by Mr. Giamarese and unanimously approved to grant preliminary approval to the Estate of Ernest Bergfelder.

VII. Public Comment

There was no Public Comment at today's meeting.

VIII. Next Meeting

The next meeting will be determined.



IX. Adjournment

A motion was made, seconded and approved to adjourn the meeting at 2:05 p.m.

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p/environmental_sustainability/farmland_preservation/cadb/minutes/2018/121918

