

MIDDLESEX COUNTY AGRICULTURE DEVELOPMENT BOARD

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CHAIRMAN

ALAN A. DANSER

VICE CHAIRMAN

JAMES GIAMARESE

SECRETARY

JOHN RIGGS

FREEHOLDER LIAISON

CHARLES TOMARO

STAFF

MIRAH A. BECKER, PP, AICP
Supervising Planner

LAURIE SOBEL, PP, AICP
Senior Environmental Planner



MINUTES

MIDDLESEX COUNTY AGRICULTURE DEVELOPMENT BOARD

Meeting of January 27, 2016

8:00 p.m.

Held at the Cranbury Township Municipal Building

ATTENDANCE:

Voting Members:

Alan Danser
Jim Giamarese
John Riggs
Thomas Mancuso
Rodger Jany

Staff:

George Ververides
Mirah Becker
Laurie Sobel
Barbara Koonz, Esq.

Others:

Dan Knox, SADC

I. Notification of Adequate Public Meeting Notice

Mr. Danser called the meeting of the Middlesex County Agriculture Development Board to order at 8:00 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. Riggs	present
Mr. Giamarese	present
Mr. Von Thun	not present
Mr. Moskowitz	not present
Mr. Mancuso	present
Mr. Jany	present

III. Reorganization

Mr. Ververides stated that the annual reorganization would take place at tonight's meeting.

Mr. Ververides asked for nominations for the position of Chairman. Mr. Riggs nominated Mr. Alan Danser for the office of Chairman. Mr. Giamarese seconded the nomination. There were no other nominations and the nominations were closed. All members were in favor of the appointment of Mr. Danser as Chairman.

Mr. Danser asked for nominations for the office of Vice Chairman. Mr. Jany nominated Mr. Jim Giamarese for the office of Vice Chairman. Mr. Mancuso seconded the nomination. There were no other nominations from the floor and the nominations were closed. All members were in favor of Mr. Giamarese being appointed as Vice Chairman.

Mr. Danser asked for nominations for the office of Secretary. Mr. Giamarese nominated Mr. John Riggs for the office of Secretary. Mr. Mancuso seconded the nomination. There were no other nominations from the floor and the nominations were closed. All members were in favor of Mr. Riggs being appointed as Secretary.

IV. Approval of Minutes of the Regular Meeting and Closed Session of October 14, 2015

The minutes of the Regular Meeting of October 14, 2015 were distributed to the members in advance of today's meeting. A motion was made by Mr. Riggs, seconded by Mr. Jany and approved to adopt the minutes of the Regular Meeting as presented.

The minutes of the Closed Session of October 14, 2015 were distributed to the members in advance of today's meeting. The minutes were amended to add convening of the closed session. A motion was made by Mr. Riggs, seconded by Mr. Giamarese to approve the minutes of the closed session of October 14, 2015 as amended.

V. Correspondence

A. NJ Farm Bureau – Farmland Preservation Funding

Ms. Sobel distributed a copy of a memo from Tom Beaver at the NJ Farm Bureau, which outlined the status of the on-going deliberations with the distribution of the Corporate Business Tax (CBT) revenues among the different land preservation programs that was approved by voters on the 2014 ballot.

The memo discussed the latest advancements in determining the funding allocations, including the latest proposals that the legislature is considering. Several new proposals have been introduced to the legislature recently, the memo discusses Bill S-2769/A-4197 in particular (which seemed to have the most traction last month and was endorsed by the Farm Bureau & State Board of Agriculture). These bills propose to dedicate 31 percent (\$25 million annually) for the farmland preservation program through 2019, after which time a new funding formula would be developed to reflect the increase in CBT revenues from four percent to six percent for land acquisition programs. The Farm Bureau and State Board of Agriculture have offered endorsements of this proposal. However, it appears that this bill was pocket-vetoed by Governor Christie last week.

There is now a very similar bill, S-969, that is sponsored by Senators Smith & Bateman that was approved by the Senate Environment and Energy Committee. Ms. Sobel distributed an article on that bill. The article stated that in a unanimous vote, the Senate Environment and Energy Committee approved legislation to allocate approximately \$146 million over the next two years from CBTs to enable towns, counties, and others to acquire and protect open spaces and agricultural land. If the bill wins approval, it would establish general

V. Correspondence

A. NJ Farm Bureau – Farmland Preservation Funding (continued)

parameters where the money could be spent during the next four years. Senator Smith called the legislation the most important environmental bill in the current session. He noted \$66 million has yet to be allocated from taxes collected in the current fiscal year, which ends July 1, and another \$80 million should be available in the next budget.

The bulk of the money would go for the state's popular Green Acres program (61 percent), which funds open-space acquisition and park development, including in urban areas. More money is allocated for urban communities than in the past. Thirty-one percent would be used for farmland preservation projects and five percent would be set aside for historic preservation.

B. Middlesex County Funding Update

Ms. Sobel provided a status of Middlesex County's available funding. In reference to the Fiscal Year 2009 and 2013 base grants, there is no funding available. For 2011 base grant, there is \$89,925.55 available (which will be applied towards the next farm that receives final approval). Middlesex County is eligible to compete for up to \$5 million in 2013 competitive funding. There is currently \$4,447,045.73 available in 2013 competitive funding. Middlesex County will be relying on competitive funding until new funding is in place.

C. 2016 Annual State Agricultural Convention & NJ Agricultural Convention

Ms. Sobel distributed registration information for the above referenced convention and trade show that is being held on February 9th through 11th at Harrah's Resort in Atlantic City.

VI. Old Business

A. Update on the Individual Farm Easement Purchase Applications

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

<u>Applicant</u>	<u>Status</u>
Jesse Voight	The SADC requested a Subordination Agreement be drafted pursuant to a 1999 agreement between Mr. Voight and the County Planning Board. A draft Declaration of Non-Application was prepared by Counsel. After the legal document is acceptable to all parties, it will be signed by the County Planning Board Chairman and recorded with the County Clerk. After the documents are filed and all closing documents have been signed and returned, the closing date will be scheduled.
J.B. Heatherwood Farms	Will be discussed later in the meeting.

VI. Old Business

B. Planning Incentive Grant (P.I.G.) Application -- FY 2017

Staff submitted the annual County Planning Incentive Grant (P.I.G.) Application for Fiscal Year 2017 to the State Agriculture Development Committee (SADC) prior to the December 15th deadline. The annual application is required in order for Middlesex County to remain eligible for participation in the State's Farmland Preservation Program and to qualify for State cost-sharing on the County's acquisitions. During the update process, existing Project Areas, ADAs & Targeted Farms are reviewed in order to look for any new additions or changes.

The targeted farm list is updated with information received from the municipalities. This year's Targeted Farm List contains 121 farms, totaling 4,431 acres located in the municipalities of Cranbury, Monroe East Brunswick, South Brunswick and Old Bridge (five project areas cover 21,284 acres). Ms. Sobel distributed a summary table and project area maps for the Board's review.

C. Final Approval – J.B. Heatherwood Farms (Melissa Beck Callanan), Monroe Township

Ms. Sobel informed the Board that the landowner has accepted the offer and a municipal support resolution had been received. Staff is seeking final approval from the CADB. A motion was made by Mr. Giamarese, seconded by Mr. Jany and approved to grant final approval to the J.B. Heatherwood Farm. The next step would be to obtain Middlesex County Board of Chosen Freeholder approval which has been scheduled for February 18.

VII. New Business

A. Review of New Application – Estate of Anthony Zimbicki, Sr., Monroe Township

Ms. Sobel presented the Estate of Anthony Zimbicki, Sr. application. The farm is approximately 37 acres located at Block 20, Lots 12.3 & 14.3 in Monroe Township. The application is for two parcels that are adjacent to one another and will be applying as one general farm.

This farm has been on the County's Targeted Farm List for many years, and following the recent passing of their father the original property owner, the farm was left to six of his children/grandchildren and was put into an Estate, for which only Joe & Kathy are now the Co-executors.

The farm meets all of the minimum eligibility criteria. It surpasses the required Eligible Farm Quality Score (60/39), is a Targeted Farm, is located within an adopted Agricultural Development Area (ADA); and in a Project Area.

As per the minimum eligibility requirements, farms greater than 10 acres must have at least 50 percent of their land, or a minimum of 25 acres—whichever is less, consisting of tillable land and soils that are capable of supporting agriculture or horticulture production. Based on the total 36.8 acres, staff analysis shows that 25.70 acres (69.87%) of the farm are tillable, 36.21 acres (98.45%) of the farm consists of capable soils, and only 3.57 acres (9.71%) of the farm is subject to wetlands.

VII. New Business (continued)

A. Review of New Application – Estate of Anthony Zimbicki, Sr., Monroe Township (continued)

The farm is located in the Rural Residential zoning district with 6-acre minimum lot size. There is additional development potential that exists on the property, which is also a requirement for eligible farms. The farm has historically been in production as apple and peach orchards, however as of December 1st, 2015, the property had been changed over to grain production.

There is one standard single family residence on the property as well as a few agricultural structures. There are no exception areas being requested and no non-ag uses on the property. Monroe Township has endorsed the application.

Mr. Riggs expressed a concern about the parcel being on a dangerous intersection and the need for future improvements. Ms. Sobel stated that an exception area does not need to be carved out of the application in order to set aside land for future road improvements. Rather, at the time of Survey and Contract, the township could address the safety concerns by requesting additional road right-of-ways or easements along the road frontage. The township can request as much ROW footage for future improvements as the township engineer thinks is necessary. Ms. Koonz indicated a letter would be sent to the township confirming the township's ability to request additional ROW for future improvements during the survey phase.

A motion was made by Mr. Giamarese, seconded by Mr. Mancuso and approved to grant preliminary approval to the Zimbicki Farm application.

VIII. Public Comment

There was no Public Comment made at this evening's meeting.

IX. Next Meeting

The next meeting will be announced.

X. Adjournment

A motion was made, seconded and approved to adjourn the meeting at 9 p.m.

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