

Ronald G. Rios
Freeholder Director

Charles E. Tomaro
Deputy Director

Kenneth Armwood
Charles Kenny
Leslie Koppel
Shanti Narra
Blanquita B. Valenti
Freeholders



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 20, 2017

8:00 p.m.

Held at the Cranbury Township Municipal Building

ATTENDANCE:

Voting Members:

Alan Danser
Jim Giamarese
Robert Von Thun
Thomas Mancuso
Rodger Jany

Staff:

George Ververides
Mirah Becker
Laurie Sobel
Daria Venezia, Esq.

Others:

none

I. Notification of Adequate Public Meeting Notice

Mr. Giamarese called the meeting of the Middlesex County Agriculture Development Board to order at 8:00 p.m. A salute to the flag was led by Mr. Giamarese. 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	not present (joined the meeting in progress)
Mr. Giamarese	present
Mr. Von Thun	present
Mr. Mancuso	present
Mr. Jany	present

III. Approval of Minutes of the Regular Meeting of November 29, 2017

The minutes of the Regular Meeting of November 29, 2017 were distributed to the members in advance of today's meeting. The minutes were be amended to include Mr. Mancuso's recusal on the Lark Farm and Nurseries, LLC Commercial Farm Determination. A motion was made by Mr. Von Thun, seconded by Mr. Jany and approved to adopt the minutes of the Regular Meeting as amended.

IV. Correspondence

A. Preserved Farm Owner Request for Assistance

Ms. Sobel received an inquiry from the County Parks Office requesting assistance in locating someone to cut and barrel hay for Sallie Toscano. If any member can provide assistance, please contact Ms. Sobel.

B. Kurek -- Division of Premises

Ms. Sobel provided an update on the Kurek Division of Premises that was approved at the last CADB Meeting. The SADC approved the Division of Premises at their December meeting. Staff has advised the applicants to let the CADB know when the transaction is complete in order to update ownership records. Staff also advised the landowners that when their attorneys create the property deed which transfers Lot 3 from the Kurek's ownership to 38 Brickyard Road, LLC, the deed should make reference to the existing farmland preservation Deed of Easement, as well as the CADB and SADC approval resolutions.

V. Old Business

A. Update on the Individual Farm Easement Purchase Applications

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

<u>Applicant</u>	<u>Status</u>
Melissa Beck-Callanan J.B. Heatherwood Farms	The farm is very close to closing. There have been several rounds of edits on the various legal documents. The attorneys from Wilentz have been working closely with the applicant's attorney, and they are in the process of getting the mortgage documents signed by Farm Credit East and the Subordination of Lease Agreement signed by the



V. Old Business (continued)

A. Update on the Individual Farm Easement Purchase Applications (continued)

Melissa Beck-Callanan
J.B. Heatherwood Farms

the Subordination of Lease Agreement signed by the tenant who operates the horse business. The applicant's attorney requested a few minor changes on the documents, which were sent back to his office last week. Once Wilentz is advised all of that has been resolved, they will send the Deed of Easement to the required County and State individuals for execution and a closing date will be set.

Estate of Anthony Zimbicki, Sr.

The SADC certified a development easement value in closed session at the December 7th SADC meeting. The board will review the certified value later in the meeting.

B. Resolution – Commercial Farm Determination – Smentkowski Brothers

Ms. Venezia stated that at the last CADB Meeting the landowner's attorney presented testimony and evidence in a Commercial Farm Determination. The property met the definition of a commercial farm. A resolution was presented to the Board for their consideration. A motion was made by Mr. Giamarese, seconded by Mr. Von Thun and unanimously approved to adopt the resolution.

C. Resolution – Commercial Farm Determination – Lark Farm and Nurseries, LLC

Ms. Venezia stated that at the last CADB Meeting the landowner and attorney presented testimony and evidence in a Commercial Farm Determination. The property met the definition of a commercial farm. A resolution was presented to the Board for their consideration. A motion was made by Mr. Von Thun, seconded by Mr. Jany, and approved with an abstention from Mr. Mancuso to adopt the resolution.

D. Commercial Farm Determination – Brothers Investment LLC

Ms. Venezia stated that at the last CADB Meeting the landowner's attorney and landowner presented testimony and evidence in a Commercial Farm Determination. Staff has reached out to the landowner's attorney to obtain clarification on the income information that was provided for the property. The Board will be kept informed of further developments.

A discussion ensued about the next steps that will be taken for the Right to Farm determinations. Staff will be working on forms for the landowners to complete which will be used for the Site Specific Agricultural Management Practice (SSAMP) determination. Site visits will be planned which the members will be invited to attend. Once the hearing date is set, the landowner must notify all the property owners that reside within 200 feet of the property. The landowner will also be required to cover the cost for a stenographer for the public hearing. Ms. Becker added that a staff report will be done which will include a staff recommendation. Mr. Danser stated that staff should feel free to consult with SADC staff during the process since they have been through many Right to Farm cases. There are many SSAMP decisions on the SADC website that may be of interest to the Board members.



V. Old Business (continued)

E. F.Y. 2019 County Planning Incentive Grant (P.I.G.) Application

Ms. Sobel distributed a copy of Middlesex County's PIG Application Letter in lieu of a full application package. The application included a CADB Membership List, Status of Municipal and County Funding Availability, amendments to CADB policies, an update on farms preserved, county open space compatible with agriculture preserved this year, a minor targeted farm list amendment, and GIS data update. Three additional targeted farm parcels in South Brunswick were added.

VI. New Business

A. Agricultural Development Easement Certified Value – Estate of Anthony Zimbicki, Sr., Monroe Township

The members received a copy of the SADC Certification Report for the Estate of Anthony Zimbicki, Sr. Farm. Staff reported the certified value and made a recommendation to the Board to make an offer to the landowners. The SADC's value certification is conditioned upon the estate obtaining a waiver or termination of the bequest and reverter interest. A draft resolution which authorized presentation of an offer to the landowners was presented to the Board for their consideration.

A motion was made by Mr. Mancuso, seconded by Mr. Von Thun and unanimously approved to send an offer based on the SADC's certified value to the landowners of the Estate of Anthony Zimbicki, Sr. Farm. They will have 60 days to respond to the offer.

VII. Public Comment

There was no public comment at tonight's meeting.

VIII. Next Meeting

The next meeting was not scheduled.

IX. Adjournment

A motion was made, seconded and approved to adjourn the meeting at 8:37 p.m.

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