

HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD

Meeting Minutes

Thursday, September 10, 2009

Meeting Location: Route 12 County Complex

Building #1, Meeting Room

Flemington, NJ 08822

Members in Attendance:

**Peter Melick
Bill Bowlby
Susan Blew
Dave Bond
Paul Dahan
John Van Nuys
Marc Phillips
John Perehineys
Liz Schmid
Bill Engisch
Bob Mickel**

CADB Staff present:

William Millette, CADB Administrator
Rick Steffey, PIG Program Administrator

Others:

Guy DeSapio, Esq., County Counsel
Mike DeSapio, Esq., County Counsel Staff

Members of the Public

Open Public Meeting Act:

The Chairman opened the meeting at **8:02 p.m.** and read the Open Public Meeting Act,

"This meeting is being held in accordance with the provisions of the Open Public Meeting Act. Adequate notice has been provided by prominently posting and maintaining so posted throughout the year on the first and second floor of the County Administration Building, Route 12, Flemington, New Jersey a public place reserved for such announcements, and by mailing on or before January 9, 2009, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review, and Star Ledger newspapers designated by the Hunterdon County Agriculture Development Board to receive such notices, and by filing with the Hunterdon County Clerk a schedule of the times and dates of such meetings."

Roll Call:

Robert Hoffman, Bob Zellely, and Win Cowgill were absent.

Minutes of the July 9, 2009 meeting:

Bill Bowlby made a Motion to approve the minutes, Paul Dahan seconded the Motion; Motion carried.

Public Comment:

None

Communications Administrative Business:

- **Bailey RTF request/Complaint –Dubrow’s Nursery**

County Counsel staff indicated that his office had reviewed the Bailey’s application and sent a letter to the Bailey’s stating that this application was administratively dismissed predicated on the fact that there

was no defined problem or grievance raised by the Bailey's. Paul Dahan wanted to know if the Dubrow's land is farmland assessed; no one present knew. Staff also told the CADB members that although the dismissal letter was sent that the board has the right to proceed with a hearing, if they so chose. The board was further advised that the Bailey's have appealed the dismissal by County Counsel's office to the SADC. The CADB did not take any action on this matter.

Old Business:

2009 Round Non-Profit: HLTA / West Amwell Toll Brothers South Farm / Final Approval:

CADB staff provided a brief history and overview of the project. There was discussion among the board members on the funding structure, and the easement values vs fee simple values.

The members discussed the issue of how to determine the 20% County Share amount for the easement. Should it be by averaging the two appraisals provided by the HLTA/Twp or by hiring a review appraiser to review the existing appraisals and recommend a value.

Bill Bowlby made a Motion to give this application Final Approval but also recommend that the HC Freeholders hire a review appraiser at County expense to determine an easement value, Paul Dahan seconded the Motion; Motion carried.

2009 Round Muni PIG: Kingwood Twp. / Felix Farm / Final Approval

Liz Schmid recused herself from the discussion and vote.

CADB staff provided a brief history and overview of the project, and deferred to the recommendations of the PIG Committee.

Bill Bowlby made a Motion to approve the Felix Farm, Dave Bond seconded the Motion; Motion carried.

2009 Round Muni PIG: Holland Twp. / Henry Boss Farm Estate / Final Approval

CADB staff provided an overview of the project, and deferred to the recommendations of the PIG Committee.

David Bond made a Motion to approve the Boss Farm, Bill Bowlby seconded the Motion; Motion carried.

New Business:

Seramba Commerical Farm certification – McGee RTF request

CADB Staff reviewed the history, and status of the matter reminding the board that the Commercial Farm Certification is the first step in the process, and the board could make that determination that night.

The applicant contends that there is a failing Soil Conservation berm/terrace on the Seramba /Serafin property that is resulting in unfavorable water flow onto their property and then onto the County road. Discussion took place among the members regarding how many properties this berm/terrace impacts.

The members discussed whether or not this was a true Right to Farm dispute or a simple dispute between neighbors.

Paul Dahan made a Motion to accept Commercial Farm Certification, William Bowlby seconded the Motion; Motion carried.

Further discussion took place and it was decided that a site visit should take place and be scheduled by CADB staff before their next meeting.

Paul Dahan made a Motion for CADB staff to write to the East Amwell Township committee, Zoning Office and Planning Board to notify them of this complaint and to determine if they have any ordinances that would govern this problem if it weren't a farm. If they do, do they want the CADB to require Mr. McGee or the Seramba / Sarafins to make an application or file a complaint. The board is also requesting that if the township wants to hold a hearing to resolve this issue prior to any CADB hearing. William Bowlby seconded the Motion; Motion carried.

Mason Farm Agriculture Division request:

CADB staff reviewed the application, and the history of the matter.

The CADB members decided not to hear this as they had not done a site visit yet. The board directed CADB staff to set a site visit to be held before the next meeting.

Garden State Growers / Quaker Valley Farms Resolution:

County Counsel reviewed the contents of the resolution and directed the board to page 5

William Bowlby made a Motion to approve the resolution, David Bond seconded the Motion; Susan Blew, Paul Dahan, John Van Nuys and Liz Schmid Abstained. Motion carried.

Public Comment:

Bill Mason, of the Mason farm family wanted to know when and how many members would be coming out to visit his farm. He was assured that it would be less than ten people including staff and that staff members would be contacting him before the next CADB meeting to set up the site visit. Discussion took place regarding the SADC requirements for division of land and what the family would have to present at the next CADB meeting.

Dave Bond questioned why there are two public comment periods on the agendas. It was decided that the first comment period should be identified as specifically related to agenda items, and directed staff to add that to following agendas.

Adjournment

William Bond made a motion to adjourn the CADB meeting;
Liz Schmid seconded.

Meeting adjourned at 9:05 PM

Rick Steffey, Assistant Secretary

Approval Date-10/08/09