



**PASSAIC COUNTY AGRICULTURAL
DEVELOPMENT BOARD
MINUTES OF A REGULAR MEETING
Thursday, April 20th, 2021
WebEx Meeting**

Chair Bartlett opened the meeting at 6:30 PM and read the notice that the requirements of the Open Public Meeting Act had been met. He then proceeded to the roll call.

MEMBERS PRESENT: Skip Bartlett, Chair; Tim Feeny, Vice Chair; Rocky Hazelman, Commissioner; Jennifer Papa, Commissioner; Rudy Ploch, Commissioner; Michael Eelman, Commissioner; Henry Anderson

EX-OFFICIO MEMBERS: Glen Van Olden, Soil Conservation District of Hudson-Essex & Passaic; Kenneth Simpson, Supervisor of Roads

STAFF PRESENT: John Pogorelec, County Counsel; Michael Lysicatos, Planning Director/Board Secretary; Jessie Summers, CADB Administrator; Salvatore Presti, Assistant Planner

OTHERS PRESENT: Cindy Roberts, SADC Development & Training Coordinator; Rachel DeFlumeri, SADC Regional Acquisition Coordinator; Amy Mandelbaum, SADC Regional Acquisition Coordinator

MINUTES: A motion to adopt the minutes of the June 4th, 2019 meeting was made by Commissioner Hazelman and seconded by Vice Chair Tim Feeny. The motion passed unanimously.

REORGANIZATION: Henry Anderson and Michael Eelman were sworn in by County Counsel John Pogorelec as Commissioners of the Passaic County Agriculture Development Board. A motion to carry the previous slate of Commissioners for the next term was made by Commissioner Hazelman and seconded by Vice Chair Tim Feeny. The motion passed unanimously.

PUBLIC PORTION: Commissioner Hazelman made a motion to open the meeting to the public which was seconded by Vice Chair Tim Feeny. The motion passed unanimously.

Seeing no one present, Commissioner Hazelman made a motion to close the meeting to the public which was seconded by Vice Chair Tim Feeny. The motion passed unanimously.

NEW BUSINESS

Meeting Schedule for 2021

The meeting dates for the remainder of 2021 were proposed as follows:

- July 13th, 2021 (second Tuesday)
- October 18th, 2021 (Monday)
- January 18th, 2022

A motion to accept the proposed meeting dates for 2021 was made by Vice Chair Tim Feeny and seconded by Commissioner Hazelman. The motion passed unanimously.

Update to County Farmland Master Plan

Administrator Summers and Board Secretary Lysicatos outlined the proposed update to the County Farmland Master Plan. They stated that they plan to submit a general scope of work for the master plan

update and that a draft would be provided to the Board to confirm the major goals. This scope of work is targeted for the next planned meeting for the members to review. Chair Bartlett stated that he would like an emphasis placed on reclassifying urban agriculture to encourage urban farming in counties that do not have traditional farmland. He also stated that he would like an examination of the classification of facilities such as horse barns and stables.

Cindy Roberts spoke to the concerns regarding barns and other permanent structures, stating that the current rules on the book might not support the types of farms in Passaic County. She stated that many facilities that farms in Passaic County use (horse barns, arenas, etc.) do not qualify as tillable soil capable of supporting horticulture or agriculture. She concluded that Passaic County should coordinate with neighboring counties such as Bergen and Morris County to have more weight behind the suggested changes brought forward to the state.

Commissioner Hazelman responded that an issue the county was facing was that money granted to the County could not be used due to the outstanding state regulations. Commissioner Van Olden added to this discussion by referencing that the County may be more likely to dedicate funds to farmland preservation if the cost was more readily available in Passaic County from State funding. He also stated that the largest farm in the county does not qualify for state cost share. As a result, Count Open Space funds gets shifted to the general Open Space projects instead of farmland preservation.

SSAMP Appeal for Harper Turner Farms

County Counsel Pogorelec outlined the jurisdictional determination appeal for Harper Turner Farms. He stated that he had received the following documentation:

- Certification from David Sisco-Izak who certifies that Harper Turner Farms is five (5) acres or more, produces agricultural or horticultural products grossing at least \$2,500 or more annually, is eligible for differential property taxation.
- Proof from the West Milford borough tax assessor stating that the property is classified as farmland.
- Proof from the applicant that the property is in a residential zone, in which West Milford allows farms.

County Counsel Pogorelec stated that he believes the standard has been met for this matter to qualify for a jurisdictional determination and that board can set up a substantive hearing at the next CADB meeting where the farmer may argue that they are covered by the Right to Farm Act.

A motion was made by Rocky Hazelman and was seconded by Cecilia Diaz to accept the jurisdictional appeal and schedule the hearing for the next CADB meeting on July 13th, 2021. The motion passed unanimously.

County Counsel Pogorelec outlined the requirements for the hearing that the applicant will have to fulfill with the assistance of staff. The requirements are:

- Serve a notice of the hearing to property owners within 200 feet of the property. The list of owners will have to be acquired from the West Milford Tax Assessor.
- A notice of the hearing must be published in a newspaper at least ten (10) days before the hearing date.
- The proceedings will be recorded, during which the applicant and their experts can present testimony.
- The Borough of West Milford will be notified and can testify if they choose.

Administrator Jessie Summers stated that she was in contact with the farm owner to get clarification of the agriculture practices happening on site. She also explained that the complaint lodged against the owner was from the Borough of West Milford, and that the zoning violation and stop work order was regarding the importation of soil to construct logging paths on site. The applicant has stated that the stop work order also prevents them from moving topsoil around their property, which is detrimental to their farm.

1566 Union Valley Road, West Milford

Commissioner Van Olden stated that the property has been or will imminently be purchased by a new owner who is seeking to revive farming activities on site. He explained that the site was approximately 40 acres and was a combination of uplands, wetlands, transition areas, and flood plains. He stated that the applicant has begun to clean up the property and remove brush. The Borough of West Milford expressed concern about the applicability of the change in the type of farming.

OLD BUSINESS

Oldham Road

Planning Directory Lysicatos stated that there are no updates as of the time of the meeting. However, the staff has been talking to the state regarding soil standards. More details are forthcoming.

CORRESPONDENCE – None.

RESOLUTIONS – None.

ADJOURNMENT: Chair Bartlett made a motion to adjourn the meeting at 7:28 PM that was seconded by Commissioner Feeney. The motion passed unanimously.

Respectfully submitted,
Salvatore Presti for



JESSIE SUMMERS