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## County of Sussex

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### SUSSEX COUNTY AGRICULTURE DEVELOPMENT BOARD

#### MINUTES

January 20, 2026

The meeting was called to order at 7:30p.m. by Michael Lavery, Esq. The meeting is being held in compliance with the Open Public Meetings Act, (P.L. Chapter 231.) Proper notice has been sent to the local newspaper, County Website and has been posted on the bulletin board of the County Administrative Center, One Spring Street, Newton, NJ 07860.

#### **ROLL CALL:**

MEMBERS PRESENT: Brian Hautau, Vice Chair  
Lori Day  
Anthony Lentini  
Billy Marotta  
Caleb Orr

MEMBERS EXCUSED: Peter Southway, Chair  
Lisa Chamings

STAFF PRESENT: Autumn Sylvester, P.P. CADB Administrator/Planning Director  
Bill Koppenaal, P.E., County Engineer/Administrator, Department of Engineering and Planning  
Summer Malone, Ag. Resource Specialist  
Megan Davis, Confidential Assistant  
Michael Lavery, Esq., Ag. Counsel  
Christy Degeorgis, Recording Secretary  
Rudy Dragan, Sr. Planning Aide

ALSO PRESENT: Dylan Jamna, Jamna Farms  
Marla Jamna, Jamna Farms  
David Sears, First Chair Farms  
Sergio Perez, Los Perez Ranch  
Robert Siejkowski, Barn View  
Derek Porter, Self  
Brian D. Smith, Esq., SADC  
Stephanie Kreiser, SADC  
Cindy Roberts, SADC  
Alan Henderson, Commissioner Liaison to the SCADB

**REORGANIZATION**

A. Nomination and Election of Chair

Michael Lavery, Esq. asked for any nominations from the floor for the position of SCADB Chair for 2026.

Brian Hautau nominated Peter Southway. It was seconded by Caleb Orr. Hearing no further nominations Mr. Lavery asked to close the nominations.

**MOTION**

A motion was made by Lori Day to close the nominations for the position of SCADB Chair for 2026. It was seconded by Caleb Orr and carried unanimously

B. Nomination and Election of Vice-Chair

Mr. Lavery asked for any nominations from the floor for the position of SCADB Vice-Chair for 2026.

Billy Marotta nominated Brian Hautau. It was seconded by Lori Day. Hearing no further nominations Mr. Lavery asked to close the nominations.

**MOTION**

A motion was made by Lori Day to close the nominations for the position of SCADB Vice-Chair for 2026. It was seconded by Caleb Orr and carried unanimously.

Vice-Chair Brian Hautau takes over the meeting.

**MINUTES CORRECTION/APPROVAL**

A motion was made by Caleb Orr to approve the Minutes of December 20, 2025 as presented. The motion was seconded by Billy Marotta. A roll-call vote was taken. Results were as follow: Billy Marotta-Yes; Caleb Orr-Yes, and Anthony Lentini-Yes. Motion carried.

**CORRESPONDENCE**

None

**“RIGHT TO FARM” PRESENTATION BY SADC**

Brian D. Smith, Esq., SADC, gave a presentation to the SCADB members. He highlighted that this is not the official position of the SADC and the slides have not been reviewed by the SADC and do not constitute the official legal position of the SADC on certain issues. He reiterated the Right to Farm Act specifics, rules, and regulations. He spoke about the complaint process and provided an example. There was some discussion between the SCADB members and Mr. Smith on the complaint process and how it is handled in Sussex County. Mr. Smith continued to highlight the issues with municipalities filing complaints vs the farmer and the issue zoning tickets in municipal court, the SCADB gets to hear the complaint under rural circumstances. Autumn Sylvester asked

what happens if a complaint is filed with the SCADB that is before the Superior Court. Mr. Smith stated that in that circumstance the farmer has the ability to inform the judge that the SCADB has jurisdiction and get it out of Superior Court. There was some discussion between SCADB members, Ms. Sylvester, Mr. Lavery and Mr. Smith about court proceedings. Several examples were provided.

Mr. Smith continued with his presentation. He highlighted the criteria for commercial farms, acreage, income, farming activities permitted, AMPs, health and safety, and compliance with State law. There was some discussion between Ms. Sylvester and Mr. Smith about compliance. Several examples were provided.

Mr. Smith highlighted the need for the CADBs to try to balance the interests between the farmer and the municipality. He went over the different options available to the CADBs for compliance. He talked with the SCADB members about direct marketing and site plans. Ms. Sylvester provided an overview of the process for the SSAMPs in Sussex County. Mr. Smith stated that Sussex County has been mentioned as being proactive in their SSAMP reviews in other presentations. He gave examples of other CADBs from other counties.

Ms. Sylvester asked what happens where a previously approved operation acted outside their SSAMP. What type of enforcement authority would the SCADB have in terms of enforcing the SSAMP? Mr. Smith stated that the SCADB does not have enforcement authority. He advised speaking with the operation to mediate compliance with the SSAMP. He gave examples where the municipality filed a complaint and then it can come before CADBs. CADBs have the authority to rescind a SSAMP but they need a "live" case in front of them.

Stephanie Kreiser, SADC Acquisitions, presented the SCADB members some information of the new Statewide Formula. She highlighted that the applications over time were declining part of that was the values they were offering were declining. The SADC and Rutgers found that easement values were declining over the years. Easement values have been based on appraisals. She described the different values of the appraisals and the easement value. The State passed a law enabling the SADC to establish a funding formula. She explained the stakeholder engagement for input on best methods. She explained and described the specifics of the formula; valuation via appraisal based on the various characteristics of the land. She described the different criteria and characteristics involved in the formula for valuation. There was some discussion between the SCADB members and Ms. Kreiser about who determines valuation and characteristics of farms. Ms. Kreiser discussed the two voluntary deed restrictions and easements values. She explained the different deductions for the farms. There was some discussion between the SCADB members and Ms. Kreiser about exception areas in the value of the farm.

### **AG. AGENT'S REPORT**

None

### **RIGHT TO FARM**

- A. Commercial Farm Certification
  - i. First Chair Farms

David Sears, First Chair Farms, stated that he is seeking CF status because he is planning on putting in a farm based brewery and a direct marketing facility on the farm. He stated that the

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Sparta Twp does not allow a brewery in the zone. He going to proceed with the SSAMP for the direct marketing farm market AMP.

Ms. Sylvester summarized that the applicant submitted:

- Commercial Farm Certification (FORM A) Application for First Chair Farm
- FA-1 Farmland Tax Assessment Forms for 2024, 2025, and 2026
- Tax form 1040 Schedule F for 2023 and 2024
- Hand written receipts documenting farm income for 2023, 2024, and 2025

The application for the commercial farm certification that was submitted on behalf of First Chair Farms was determined to be complete. The subject parcel is located in the Economic Development District (ED) zone in Sparta Twp, wherein agriculture is a permitted use. The property is 7.18 acres. Ms. Sylvester went over the submitted list of the agricultural commodities sold on the property; specifically mulch, hay, hops, and eggs. The receipts show an income in 2025 of \$2040.00 in mulch/hay, \$700.00 in hops, \$965.00 in eggs, totaling \$3705.00 for 2025. In 2024 they had \$2200.00 in mulch/hay and \$520.00 in eggs, totaling \$2720.00 for 2024. In 2023 they had \$2205.00 in mulch/hay and \$445.00 in eggs, totaling \$2650.00 for 2023. She went over why the applicant is before the SCADB. The applicant is applying for an On Farm Direct Marketing AMP that is related to his application for the New Jersey Farm Brewery License as regulated by the State's ABC department. As part of that approval the applicant is required to either get site plan approval from the municipality or an SSAMP through the SCADB.

Vice-Chair Hautau asked the applicant how many hop vines he has. Mr. Sears stated that they have 45 and they are expanding and they produce well. Vice-Chair Hautau asked how many are needed to support the brewery. Mr. Sears stated that there are enough currently, they can produce 15 barrels of beer. They are allowed to produce, under the Farm Brewery License, 25-45. He explained the reasoning why he got into brewing beer. Vice-Chair Hautau asked if farm breweries are required to have at least 50% or more in Ag. sales. Ms. Sylvester explained the requirement.

Ms. Sylvester summarized and reviewed the SSAMP checklist and the Site Plan elements and what was required for the On Farm Direct Marketing AMP and what is required next.

## **MOTION**

A motion was made by Caleb Orr to approve Commercial Farm Certification for First Chair Farms. The motion was seconded by Lori Day. A roll-call vote was taken. Results were as follow: Brian Hautau-Yes; Lori Day-Yes; Billy Marotta-Yes; Caleb Orr-Yes, and Anthony Lentini-Yes. Motion carried.

- B. Conflict Resolution
  - i. Los Perez Ranch Resolution

Ms. Sylvester summarized that Planning has received no additional information.

Sergio Perez, Los Perez Ranch, updated the SCADB with no new or additional information.

Mr. Lavery explained the time limits and constraints involved with not providing information to the SCADB. And what he can do in the future to refile.

**MOTION**

A motion was made by Billy Marotta to dismiss without prejudice for Los Perez Ranch. The motion was seconded by Anthony Lentini. A roll-call vote was taken. Results were as follow: Billy Marotta-Yes; Caleb Orr-Yes, and Anthony Lentini-Yes. Motion carried.

- ii. 44 Route 284 – Jamna Farm

Ms. Sylvester briefed the SCADB on the complaint filed against the proposed farming operation for Jamna Farms, 44 Rte. 284 Wantage Twp. Planning sent two letters requesting information. They did not provide information by the deadline, for the December SCADB meeting. Neither party attended the meeting. It was carried over to the January 2026 SCADB meeting and both are attendance.

Mr. Lavery asked if we have the information for the commercial farm certification. Ms. Sylvester stated that we do not. Mr. Lavery stated that this is supposed to be submitted 14 days before a hearing. The issue here is that they have been notified several times. There is a complainant and they are entitled to have it resolved within a reasonable amount of time. He explained that the applicant appearing before the SCADB, is asking for the SCADB to assume jurisdiction. In order to assume jurisdiction the applicant has to show they are a commercial farm. Mr. Lavery explained the SCADB role with jurisdiction and the choices the applicants have.

There was some discussion between Ms. Sylvester and the applicant, Marla Jamna, about the letters of October 28, 2025, November 24, 2025, December 8, 2025 being sent out via mail, certified mail and email to the address and contact information provided. A follow-up letter was also sent via regular mail and email to inform them that the SCADB carried it over to the January 2026 SCADB meeting.

Mr. Lavery stated that it is up to the SCADB whether they want to dismiss without prejudice.

**MOTION**

A motion was made by Brian Hautau to dismiss without prejudice for Jamna Farm. The motion was seconded by Caleb Orr. A roll-call vote was taken. Results were as follow: Brian Hautau-Yes; Lori Day-Yes; Billy Marotta-Yes; Caleb Orr-Yes, and Anthony Lentini-Yes. Motion carried.

- C. SSAMP
  - i. Barn View LLC – Correspondence

Bill Koppenaal updated the SCADB members on Barn View LLC.

**FARMLAND PLAN SUBCOMMITTEE:**

Ms. Sylvester updated the SCADB members about the meeting with the consultant to review the comments on the plan.

**NEW BUSINESS:**

A. Duddy – White Horse Estate LLC

Ms. Sylvester updated the SCADB members on a farmland preservation application for Duddy – White Horse Estate LLC. A site visit was discussed for a future date.

B. Notice of Farmland Preservation Application - AF & EJF, LLC - Stillwater Township

Ms. Sylvester briefed the SCADB members on a request from the SADC who received an application for the direct easement program to preserve Block 3502 Lots 1.05, 1.06, 1.07, 1.08, 1.11, 1.12, 1.13, and 1.14 located in Stillwater Township. She gave a history of the property. They are looking for support/comments from the SCADB. There was some discussion between Ms. Sylvester and the SCADB members.

**MOTION**

A motion was made by Brian Hautau to support the SADC. The motion was seconded by Lori Day. A roll-call vote was taken. Results were as follow: Brian Hautau-Yes; Lori Day-Yes; Billy Marotta-Yes; Caleb Orr-Yes, and Anthony Lentini-Yes. Motion carried.

C. Notice of Farmland Preservation Application - Imperatore Sussex Partnership LP - Hardyston Township

Ms. Sylvester briefed the SCADB members on a request from the SADC who received an application for the direct easement program to preserve Block 61, Lots 51 & 54 located in Hardyston Township. They are looking for support/comments from the SCADB.

**MOTION**

A motion was made by Billy Marotta to support the SADC. The motion was seconded by Caleb Orr. A roll-call vote was taken. Results were as follow: Brian Hautau-Yes; Lori Day-Yes; Billy Marotta-Yes; Caleb Orr-Yes, and Anthony Lentini-Yes. Motion carried.

**OLD BUSINESS:**

None

**PUBLIC COMMENT:**

Vice-Chair Hautau opened the meeting to the public.

Derek Porter stated that he bought a property in 2023 and began construction in September 2024. He did not see the animals during that season. In 2025 he saw the animals. His property borders their property behind him and there is no fence. He moved next to a farm with animals but there is negligence of the animals coming on his property, there is not someone there every day. These are facts. If there is food and water he believes that the animals would not be coming to his property to eat his plant and trees and defecate on his property that he just built. The solution that he is looking for is he thinks they should be held to higher standard. They should have the correct

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fencing to prevent the animals from going onto his property and the highway, he has seen them on the highway. The neighboring farm on the opposite side has dozens of complaints about them as well about the same problem. He is looking for compensation for the damage caused by the animals. He described the measures that he and his neighbors have taken so far. He added that the NJ State Police have been involved as well.

Vice-Chair Hautau closed the meeting to the public.

### **ADJOURNMENT:**

All business having been completed, a motion to adjourn the meeting was made by Caleb Orr. The motion was seconded by Lori Day and carried unanimously. The meeting adjourned at 9:20p.m.