

WEST WINDSOR TOWNSHIP  
AGRICULTURAL ADVISORY COMMITTEE  
ZOOM MEETING  
APRIL 26, 2021

The regular meeting of the Agricultural Advisory Committee was called to order at 3:00 pm by Sam Surtees via Zoom.

**STATEMENT OF ADEQUATE NOTICE**

Pursuant to the Sunshine Law, a notice of this meeting's date, time, location and agenda was mailed to the news media, posted on the township bulletin board and filed with the Municipal Clerk on April 9, 2021.

**ROLL CALL OF MEMBERS**

Charles Appelget  
Steve Jany  
Doug Tindall

Sam Surtees, Land Use Manager and Zoning Officer  
David Novak, Consultant Planner; Burgis Associates

**REORGANIZATION**

Mr. Surtees asked for nominations for Chair. Mr. Appelget nominated Mr. Jany as Agricultural Advisory Committee Chair for 2021; seconded by Mr. Tindall. 2-0-1 (Jany abstained) approved. Sam Surtees asked for nominations for Vice Chair. Mr. Jany nominated Mr. Appelget as Agricultural Advisory Committee Vice Chair for 2021; seconded by Mr. Tindall. 3-0 approved. There were no other nominations.

**DETERMINATION BY MOTION**

Mr. Surtees asked to for a motion to approve meetings scheduled for January 25, 2021, April 26, 2021, July 26, 2021, & October 25, 2021. 3-0 approved.

**MINUTES**

Mr. Appelget made a motion to approve the January 27, 2020 minutes, seconded by Mr. Jany.  
Aye: Mr. Appelget & Mr. Jany.

**CHAIRMAN'S COMMENTS AND CORRESPONDENCE**

Chair Jany mentioned he no longer wants the Agricultural Advisory Committee to meet via zoom and wants to attend in person meetings for the next scheduled meetings. 3-0 all members agreed.

## **DISCUSSION TOPICS**

### **Medical and Recreational Cannabis**

Mr. Surtees introduced David Novak to discuss medical and recreational cannabis.

Mr. Novak stated that on February 22, 2021 the Governor signed in to law the NJ Cannabis Regulatory Enforcement Assistance in Marketplace Modernization Act which essentially legalized recreational use of cannabis for people over 21 years of age. There are six classifications.

Class 1- Cannabis Cultivator which is the growing and cultivating of Cannabis.

Class 2- Cannabis Manufacturing license which is where you are manufacturing preparing, and packaging the cannabis.

Class 3- Wholesaler License where they will be obtaining and selling cannabis items for later resale by other licensees.

Class 4-Distribution License which is for businesses that will be transporting cannabis plants in bulk from either one licensed cultivator to another one or one cannabis business to another.

Class 5- Retailer which is where customers will actually go in and buy the cannabis products.

Class 6- Delivery Service which is cannabis delivery to customers.

The Legislation gives the Municipalities ability to zone for those types of classes/uses. The Municipality has until 8/22/21 to decide if they want to allow cannabis in the Township. If the Township does not come up with some kind of Ordinance by 8/22/21, then cannabis uses will be permitted throughout the Community and becomes locked in for five years.

Doug Tindall mentioned if you grow cannabis on a farm you cannot participate in any farm programs since cannabis is not permitted Federally. David Novak confirmed that Doug Tindall's statement was correct and mentioned that Farmers will also not be protected by "right to farm" because right to farm requires you to be compliant with any federal statute. David Novak believes if you have cannabis growing on your farm the property will also no longer be tax assessed farm land but is still waiting on the state guidelines to confirm.

Doug Tindall wants to prohibit cannabis for 5 years until there is more research done and a better plan. He does not want cannabis ruining the town.

Mr. Surtees stated that the Mayor and the governing body spoke and agree that they want to prohibit cannabis. If the town doesn't adopt an ordinance cannabis will be automatically allowed and you cannot change it for five years.

Mr. Novak advised that some towns are prohibiting cannabis right now and waiting to see how things work out in the next year or two. In two years if the towns decide they want to change their Ordinance and allow cannabis, they can.

Mr. Surtees mentioned if the township decides to permit cannabis the farming leasing structure would have to be reviewed.

Mr. Tindall wants to ban cannabis and state that cannabis is prohibited in the farm leases.

Chairman Jany stated that if you grow cannabis it does not matter if it is recreational or medical, Farm Credit will no longer loan you money and will most likely pull any operating loans.

Mr. Surtees said that the Township Clerk advised him that the Township Attorney wrote up the Ordinance banning cannabis and it will be adopted before the 8/22/21 deadline.

Mr. Novak ended his portion of the meeting and left zoom around 3:30pm.

#### Off-road Vehicles use on Township Property

Chairman Jany is concerned about crop damage and erosion problems from off roading vehicles.

Chairman Jany wants an Ordinance created by the Township allowing only authorized vehicles to drive off road or fining people \$1,000.00 if their vehicles are on Township property.

Mr. Surtees offered to see if he can put something together to bring to the Mayors attention to see if he wants to move forward with an Ordinance or not.

Mr. Tindall recommended notifying Township residents in the Spring and Fall that new crops are planted and there is a fine for destroying crops with vehicles. He wants to notify them by the Township Newsletter.

Chairman Jany also recommended planting a "cover crop" when possible.

Mr. Surtees will speak with the Mayor and notify the Agricultural Advisory Committee after doing so.

#### Soil Sample Reports of Township Leased Farmland

Mr. Surtees asked if there are any questions or concerns regarding the soil analysis reports for the various Township properties.

The only recommendation was from Chairman Jany which was to put Lime on the soil to bring up the 5.5 ph. deficiency.

#### 2022-2026 Farm Leases

Mr. Surtees brought up the Everett Lease, which the Everetts are still Farming. Once the Everetts decide to not sign the next 5-year lease agreement, pursuant to the Township Attorney Mr. Surtees has to bid the farm out.

Chairman Jany will be reaching out to the Everetts to see if they are still interested in farming.

Mr. Surtees asked Chairman Jany if he knows if the Everett's are still interested in leasing the white barn on the Grover farm. Chairman Jany is unaware but is willing to take over that lease if the Everett's no longer want it.

Mr. Tindall wants the soil samples to be amended on the lease agreements from one year to every other year. All members agreed. (3-0)

Chairman Jany said to keep the 2% increase in farm rent on a yearly basis. All members agree. (3-0)

Mr. Surtees asked the members if something should be put in the lease agreement regarding hunting to protect the crops.

Chairman Jany said that Deer are major problems when it comes to destroying crops.

After discussion, all members agreed to leave the lease agreement the same regarding deer.

Chairman Jany suggests to add chicken manure as best management practice unless there is written consent to the lease agreement.

All members agree the two-million-dollar liability insurance should remain the same in the lease agreement.

Motion was made by Vice Chairman Appelget and Chairman Jany seconded the motion to adjourn the meeting at 4:17 pm. Motion carried (2-0)

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Erika Ward  
Administrative Secretary