

September 23, 2022

235 Fairfield Lane
Hillsborough, NJ 08844

Carl Suraci, Chairman
Hillsborough Township Planning Board
379 South Branch Road
Hillsborough, NJ 08844

Subject: Tree and Land Clearing of 203 Homestead Road

Mr. Suraci,

I'm sure you are aware that David Kois, Deputy Zoning Official, observed site clearing of the subject property on August 17th, as described in his letter dated August 22, 2022. In that letter Mid-State Industrial Park, the property owner, was ordered to stop work, given that the clearing was disturbing wetlands and the stream corridor.

The letter dated August 23, 2022, from a Sandy Kerzner, no company name or return address, claims that no such disturbance occurred, and then went on to describe debris removal and cultivation in these areas by the contracted farmer. They also claim that no trees were disturbed, which directly contradicts observations made by several members of our local community group.

As objectors to the very large warehouse buildings proposed for this property and 189 Homestead, we are particularly concerned about this activity on the property that is currently being scrutinized for development. It is puzzling what motivation the farmer would have to undertake such activities as land clearing. These activities are expensive and time-consuming, especially compared to the revenue generated by farming operations. As a result they are rarely worth doing unless farming is anticipated over several years, where the initial cost of clearing can be amortized over multiple years of production. Why would the farmer choose to do this extra work, and why now?

We can consider just two possibilities. First, perhaps the land owner, Mid-State Industrial Park, is not anticipating that the proposed development will happen. Perhaps they will withdraw from whatever contract they have with Eric Greif, Homestead LLC? Perhaps they have decided to hold on to the property as farmland for longer? If this is true, then Mr. Greif's proposal for subdivision and building two giant warehouses is indeed theoretical and not at all a real plan. This argument is bolstered by the fact that Mr. Greif is not first purchasing the two tracts before requesting the subdivision. It appears that he is hedging his bets, and not at all serious about pursuing this project.

The second possibility is that Mid-State Industrial Park, via the contracted farmer, is conducting land and tree clearing activities that would be illegal by Mid-State themselves, but allowable under certain farming allowances. Such activities are quite beneficial to Mr. Greif and Homestead LLC, since presumably the altered site conditions would change the requirements that the Planning Board might

impose on the property. If this is the case, it would be a flagrant violation of Hillsborough Township ordinances, and would suggest a willful disregard of the ongoing semi-judicial process of the Board.

Further, it would reflect a serious lack of integrity and willingness to follow the legal process of Planning Board review and approval. This entire process relies in part on honesty and forthrightness of all parties concerned. Applicant experts are expected to testify honestly. Board members are expected to duly consider every argument and counter-argument. A suggestion that the applicant, or in this case, the property owner, is grasping at some advantage inappropriately, and framing it as "related farming activities," violates the very idea of honesty and upright dealing.

Similarly, if the former possibility is true – that neither Mid-State Industrial Park nor Mr. Greif is serious about the project – then again they are acting in bad faith towards the Planning Board, and wasting the Board and the public's time and resources.

I suppose a third possibility is that they were doing the land clearing in order to appear to be farming, in order to maintain their farming tax assessment. If this is true, it is a clear violation of Hillsborough tax ordinances. They have been enjoying the low tax assessment for years. If they have not actually been operating as a farm they are acting fraudulently, and have cheated the Township and the taxpaying residents out of significant tax revenue for years. Indeed, Sandy Kerzner's letter indicated that the farmer removed "trash and large debris," a present site condition that would certainly have prevented any sort of crop cultivation.

An obvious indication that the site clearing was in pursuit of one of the noted three possible reasons is if the farmer is being paid for his services. Typically a farmer will pay a modest fee for the right to farm a plot of land. If instead he is being paid, then it is reasonable to posit that his activities are in pursuit of one of these three fraudulent reasons.

In any case, we request that township officials fully investigate what activities occurred, how many trees were removed, the extent of wetlands and stream corridor disturbance, and whether the farmer was paid for his services, and make this information available to the Formal Objectors and the public record. We also request that the Planning Board take appropriate action against Mid-State Industrial Park and Homestead LLC, as a consequence of this action.

The question we are left with is: Given these documented actions, how can we trust that the applicant will act in good faith going forward? How can we be confident that their experts will testify honestly, and when they say they will comply with a specific requirement, that they will in fact do it? I am not sure what remedial action could be taken to restore this trust.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Tarantino". The signature is stylized and somewhat cursive.

Brian Tarantino