

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation
P.O. Box 179
500 Mt. Pisgah Avenue
Oxford, NJ 07863

**Meeting Minutes
January 15, 2015**

The regular monthly meeting was held at the office of the Department of Land Preservation, 500 Mt. Pisgah Avenue, Oxford, New Jersey. The meeting was called to order by Chairman Schnetzer at 7:33 p.m. An announcement was read as required by the Open Public Meetings Act, N.J.S.A. 10:4-6-21.

Members present: Lou Baduini, Tim Bodine, Jason Menegus, Joel Schnetzer, Wendy Willever

Members absent: none

Others present: C. Tierney, T. Kaminski, Staff; Steven Gruenberg, substitute Special County Council for Michael Lavery; Donna Rue, White Township; Richard Keiling, Esq., see attached sheet list for Hope Township residents and Hope Township representatives for Cerqueira SSAMP Hearing.

Chairman Schnetzer led the Pledge of Allegiance.

Minutes of the meeting held on December 18, 2014 were approved on a motion by Mr. Baduini and seconded by Mr. Menegus. Motion carries.

Executive Minutes of the meeting held on December 18, 2014 were approved on a motion by Mr. Baduini and seconded by Mr. Bodine. Motion carries.

Correspondence: Noted

Public Input (Non-agenda Items): None

Old Business:

Drainage Issues on McCullough Road Development, LLC – Mr. Tierney stated that the landowners have agreed to construct drainage swales on the property. The County Road Department will supervise the landowner's construction of the swales and the farm will not be preserved until the Engineering Department is satisfied with the installation and drainage plans.

Roes Island Wetland Mitigation Project – Mr. Tierney stated that this project still has to come before the Liberty and Independence Land Use Boards for approval. The SADC is concerned about the project because Section 19 of the Agriculture & Development Retention Act states that such a project which is located within an Agricultural Development Area needs to be reviewed by the CADB and the SADC. Mr. Tierney informed the townships that the CADB or SADC were not notified according to the ADA act. Mr. Baduini explained that the applicant may try to claim agricultural rights by proposing bee keeping will be conducted on part of the property. The applicant asked for a postponement from the Independence Land Use Board Meeting and it was granted.

Special Occasions Event Discussion – Mr. Tierney stated that a meeting will be set up soon with the 3 wineries in the County for discussion regarding special occasions.

Right To Farm Matters:

SSAMP Hearing – Cerqueira Farm, BL 700 L 700, Hope Twp., approx. 10.05 acres – Mr. Keiling stated that his client did not show up at the last meeting because of heart problems. Mr. Keiling stated that Mr. Cerqueira was admitted to Newton Memorial Hospital on December 27th and discharged on December 29th for a heart procedure. Mr. Keiling also stated that Mr. Cerqueira was involved in an automobile accident this Monday morning in which he flipped over his truck near St. Luke's hospital. He is in a back brace and on heavy medication and at this stage he is not sure what he wants to do with his farm at this time. Mr. Keiling explained that his client's non-appearance was not intended to disrespect the Board. Mr. Keiling states that he wishes to withdrawal Mr. Cerqueira's application without prejudice at this time.

Mr. Steinhardt, attorney on behalf of Hope Township, stated that they would proceed with enforcing the municipal violations.

Mr. Baduini made a motion to accept Mr. Keiling's position that Mr. Cerqueira's SSAMP application be withdrawn without prejudice. Ms. Willever seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Ms. Willever – yes; Mr. Menegus – yes. Motion carries.

New Business:

Soil Disturbance Draft Regulations Discussion – Mr. Tierney asked the CADB to review the material provided to them regarding the Soil Disturbance Regulations. He explained that this is in the very preliminary stages, that the SADC has not yet made a formal rule proposal, and that the formal proposal and additional information will be provided by the SADC to the CADBs beginning next year.

O’ Dowd Executive Session – Mr. Tierney stated that there was no need for an Executive Session since there has been no response from the applicant.

Administrator's Report: Mr. Tierney briefly went over the status of the applications on the report.

New Applications:*County Applications*

- **Apple Mountain (Tim Matthews contract purchaser)** – White Twp. (Approx. 70 acres) Processing application.
 - **Crouse, Dale & Pamela (#1)** – Harmony Twp. (Approx. 54 acres) SADC requested info re sludge & township approval on application. Twp. approved the application. Requested mapping.
 - **Crouse, Dale & Pamela (#2)** – Harmony Twp. (Approx. 17 acres) SADC requested info re sludge & township approval on application. Twp. approved the application. Requested mapping. Confirming exception area size with landowner.
 - **Hart Farm #1** – Franklin Twp. (Approx. 113 acres) Processing application. Requested mapping.
 - **Hart Farm #2** – Franklin Twp. (Approx. 267 acres) Processing application. Requested mapping.
 - **Shoemaker** – White Twp. (Approx. 81 acres) Need more info; applicant may subdivide.
- Total Applications: 7 Total Acres: 602**

Awaiting Green Light Approval:*County Applications*

- **715 Harmony Station Rd. (Crouse, Rich)** – Harmony Twp. (Approx. 108 acres) SADC requested DEP info & township approval on application. Twp. approved the application.
 - **Bartha** – White/Oxford Twps. (Approx. 52 acres) SADC received landowner’s confirmation about changing exception area.
 - **Crouse, Carl** – Washington Twp. (Approx. 120 acres)
 - **Jones, Mitchell** – Franklin/Harmony Twps. (Approx. 28 acres) Landowner confirmed he is assuming risk that wetlands will not impact proposed exception area.
 - **Smith, Skip #1** – Franklin Twp. (Approx. 21 acres) SADC rejected this application for GLA because unclear whether lots created through Will are buildable under highlands act. Township needs to clarify. Highlands stated that they are not buildable. Also, owner needs to agree to add additional lot to application and resubmit.
 - **Tasevski** – Franklin Twp. (Approx. 88 acres) SADC concerned about any prior subdivision restrictions on lot in application.
- Total Applications: 6 Total Acres: 417**

Municipal Applications

- **Myers/Toretta** – Franklin Twp. (Approx. 64.42 acres) Additional lot added. Need revised GLA.
 - **Rothman (Oxbow Acres)** – White Twp. (Approx. 57 acres) Applicant revising application and will resubmit with 7 acre severable exception area for autistic home.
- Total Applications: 2 Total Acres: 121**

State Applications

- **Oberly, Jack** – Pohatcong/Alpha (Approx. 92 acres) On hold due to Pohatcong zoning Ordinance.
 - **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 acres) On hold due to Pohatcong zoning Ordinance.
 - **Santini/Chambers** – Pohatcong Twp. (Approx. 56 acres)
- Total Applications: 3 Total Acres: 232.5**

Received Green Light Approval:*County Applications*

- **Barton #1** – Mansfield/Independence Twps. (Approx. 43 acres) Appraisals underway.
 - **Barton #2** – Mansfield/Liberty Twps. (Approx. 70 acres) Sent appraisals to SADC for CMV.
 - **Barton #3** – Mansfield/Liberty Twps. (Approx. 28 acres) Sent appraisals to SADC for CMV.
 - **Brandywine** – Franklin Twp. (Approx. 64 acres) Appraisals sent to SADC for CMV. Twp. & SADC are trying to resolve dispute over zoning for appraisals; additional information requested from township.
 - **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 acres) Sent appraisals to SADC for CMV.
 - **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 acres) Sent appraisals to SADC for CMV.
 - **Klimas** – Independence/Mansfield Twp. (Approx. 174 acres) Appraisals underway.
 - **RLL Enterprises, Inc.** – Franklin Twp. (Approx. 51 acres) Appraisals underway.
 - **Sigler, Carl** – Franklin Twp. (Approx. 174 acres) Appraisals underway.
 - **Smith, Skip #2** – Franklin Twp. (Approx. 22 acres) Appraisals underway.
 - **Thompson Farm** – White Twp. (Approx. 38 acres) Sent appraisals to SADC for CMV.
 - **Unangst** – White Twp. (Approx. 85 acres) Appraisals underway.
- Total Applications: 12 Total Acres: 848**

Municipal Applications

- **Berry Farm** – Frelinghuysen Twp. (Approx. 106 acres) RFP's out for appraisals.
 - **Twin Brook Farm** – White Twp. (Approx. 22 acres) Appraisals underway.
- Total Applications: 2 Total Acres: 128**

State Applications

- **Hannema** – SADC Direct - Mansfield Twp. (Approx. 164 acres) RFP's for appraisals.
- Total Applications: 1 Total Acres: 164**

Received CMV & Offer Made:*County Applications*

- **O'Dowd Farm (East) #2** – Greenwich & Franklin Twps. (Approx. 94 acres) CMV Received.
 - **O'Dowd Farm (West) #1** – Greenwich Twp. (Approx. 113 acres) CMV Received.
 - **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 acres) CMV Received.
 - **Race, Sam & Jean** – White Twp. (Approx. 85 acres) CMV \$5,700. Offer letter sent to landowner.
 - **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 acres) Received CMV. Offer letter sent to landowner.
 - **Smith, John & Jean #2** – Harmony (Approx. 36 acres) Received CMV. Offer letter sent to landowner.
- Total Applications: 6 Total Acres: 529**

Municipal Applications

- **Paternostro** – Greenwich Twp. MUNI PIG (Approx. 40 acres) \$6,250. Received CMV.
- Total Applications: 1 Total Acres: 40**

Under Contract (Title Search & Survey):*County Applications*

- **Bullock (Yellow Rock Horse Farm)** – White Twp. (Approx. 64 acres) CMV \$3,900. Received title search & survey underway.
 - **Cericola Farm #1** – Franklin Twp. (Approx. 182 acres) CMV \$6,200. Requested title search & Survey underway.
 - **Cericola Farm #2** – Franklin Twp. (Approx. 31.5 acres) \$6,000. Requested title search & Survey underway.
 - **Kinney Estate** – Blainstown/Knowlton Twps. (Approx. 34 acres) \$5,600 CMV. Received signed contract, survey underway.
 - **McCullough** – Washington Twp. (Approx. 44 acres) FRPP appraisal sent for NRCS review.
 - **Smith Farm #1, J&K** – Harmony Twp. (Approx. 49 acres) CMV \$6,000. Received title search & survey underway.
 - **Smith Farm #2, J&K** – Harmony Twp. (Approx. 53 acres) CMV \$5,500. Received title search & survey underway.
- Total Applications: 7 Total Acres: 457.50**

Municipal Applications

- **Anderson** – Knowlton Twp. (Approx. 119 acres) CMV \$5,200. On CADB Agenda for restriction approval.
 - **Apgar Cider Press** – Harmony (Approx. 19 acres) CMV \$7,000. Survey underway.
- Total Applications: 2 Total Acres: 138**

Non-profit Applications

- **K-J Farm** – Harmony Twp. (Approx. 104.72 acres) \$3,175 CMV. Received draft survey.
 - **Star D Farm** – Harmony Twp. (Approx. 46.74 acres) \$6,900 CMV. Received draft survey.
- Total Applications: 2 Total Acres: 152**

Waiting to Close (Final Legal Review):*County Applications*

- **Cooke** – Hope & Frelinghuysen Twp. (Approx. 59 acre County-PIG) FRPP reviewing file. Final inspection performed.
- Total Applications: 1 Total Acres: 59**

Municipal Applications

- **Al-Ruby Farm** (Waters & Schanzlin) – Harmony Twp. (Approx. 27 acres) CMV \$7,000. Final inspection performed.
 - **Farley Acres (Stern)** – Harmony Twp. (Approx. 108 acres) CMV \$5,600. Final inspection performed.
 - **Schanzlin** – Harmony Twp. (Approx. 87 acres) CMV \$6,000. Final inspection performed.
 - **Walburn Farm** – White Twp. (Approx. 28 acres) CMV \$5,900; Final inspection performed.
- Total Applications: 4 Total Acres: 250**

State Applications

- **Santini** – Lopatcong/Greenwich Twp. (Approx. 105 acres) Closing file review. Waiting for survey revisions.
- Total Applications: 1 Total Acres: 105**

Farm withdrawals:

- **Santini, R&S** – Harmony Twp. (Approx. 71 acres) CMV \$2,000.

Farms closings:

- **Czar Farm** – Pohatcong Twp. (Approx. 94 acres) Closed 12/23/14!

Public Comment – Ms. Rue stated that the SADC is not going to have the soil disturbance discussion at their meeting next week's meeting but would be up for comment at the State Agricultural Convention in Atlantic City in February.

Reorganization

Mr. Gruenberg took over the meeting and asked for nominations for Chairman.

Mr. Baduini made a motion to nominate Mr. Schnetzer as Chairman which was seconded by Mr. Menegus. Mr. Baduini made a motion to close nominations. Ms. Willever seconded the motion.

Roll Call: Mr. Schnetzer – abstained; Mr. Bodine – yes; Mr. Baduini – yes; Ms. Willever – yes; Mr. Menegus – yes. Motion carries.

Mr. Gruenberg asked for nominations for Vice-Chairman. Chairman Schnetzer made a motion to nominate Mr. Baduini for Vice-Chair. Mr. Menegus seconded the motion. Mr. Gruenberg asked if all those were in favor to close nominations for Vice-Chair and the Board was in agreement.

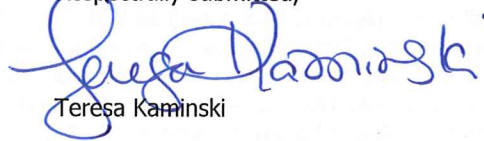
Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – abstained; Ms. Willever – yes; Mr. Menegus – yes. Motion carries.

Mr. Gruenberg asked for nominations for Secretary. Mr. Baduini made a motion for Ms. Willever to be Secretary. Mr. Schnetzer seconded the motion. Mr. Schnetzer made a motion to close the nominations which was seconded by Mr. Bodine. Motion carries.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Ms. Willever – abstained; Mr. Menegus – yes. Motion carries.

Adjournment: A motion for adjournment was made by Mr. Baduini and seconded by Mr. Menegus. Motion carries. Chairman Schnetzer adjourned the meeting at 8:37 pm.

Respectfully submitted,



Teresa Kaminski