

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

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

**Meeting Minutes
January 21, 2016**

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 Mr. Tierney at 7:34 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, Bradley Burke, Dave Dempski, Jason Menegus, Joel Schnetzer, Wendy Willever

Members absent: none

Others present: C. Tierney, T. Kaminski, Staff; Larry Cohen, substitute Special County Council for Michael Lavery; Dr. Enrique Hernandez and Frances Cornett, Laura Oltman and Michael Newman, Kevin & Stefanie Snyder, Pohatcong; Guliet Hirsch, attorney for the Snyder's; Gary Pohorely, SADC.

Mr. Tierney led the Pledge of Allegiance.

Reorganization

Mr. Tierney called for nomination for Chairman. Mr. Baduini nominated Mr. Schnetzer. Mr. Bodine seconded the motion.

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

Chairman Schnetzer took over the meeting and asked for nominations for Vice-President. Mr. Bodine nominated Mr. Baduini which was seconded by Mr. Menegus.

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

Chairman Schnetzer asked for nominations for Secretary. Mr. Baduini nominated Ms. Willever which was seconded by Mr. Dempski.

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

Minutes of the meeting held on December 17, 2015 were approved on a motion by Mr. Baduini and seconded by Ms. Willever. Motion carries.

Executive Minutes of the meeting held on December 17, 2015 were approved on a motion by Mr. Baduini and seconded by Mr. Willever. Motion carries.

Correspondence: Noted

Public Input (Non-agenda Items): None

Old Business:

Roes Island Wetland Mitigation Project – To be discussed in Executive Session.

New Business:

Approval of 2016 CADB Meeting Schedule

Mr. Menegus made a motion to approve the 2016 CADB Meeting Schedule which was seconded by Ms. Willever.

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

Joseph Farm Subdivision Resolution #16-01, BL 57 L 10, Franklin Twp. – Mr. Tierney went over the history of this 86 acre preserved farm that was donated in 2001. The deed of easement states the landowner's right for future subdivision or division of premises on the property as long as the Grantee gives approval. There was not an official CADB approval for the subdivision that was

done on the property by the CADB. There was a 2007 resolution approving the relocation of the exception area and in 2009 a motion was made in the minutes for confirmation of the exception area location. The deed of easement had both mentioned a RDSO and a non-severable exception area limited to 2 acres in size. The SADC does not have to give permission for any activity on this preserved farm, since it was a donation and there was no cost-share by the SADC.

The current landowner of Lot 10.01, Yolanda Kosakowski needs CADB documented approval for the subdivision/division of premises on the preserved farm by her bank for the mortgage to the house that she is building in the 2 acre non-severable exception area. Two new deed of easements will also have to be recorded for each lot because of the division of premises on the property.

Mr. Baduini made a motion to approve the Ball-Kosakowski (formerly Joseph farm) Subdivision Resolution #16-01 as presented on BL 57 L 10, Franklin Township which was seconded by Mr. Dempski.

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

Summer Solstice/Enrique Hernandez & Frances Cornett Memorialization of Certification of Commercial Farm Resolution #16-02, BL 112 L 5, 6, 9, Pohatcong Township – This resolution is being presented to memorialize the decision made by the CADB at the last meeting approving Summer Solstice Farm/Enrique Hernandez & Frances Cornett, landowners as having Commercial Farm Certification meeting all the requirements for certification. Mr. Baduini made a motion to approve the resolution as presented which was seconded by Mr. Dempski.

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

Ms. Willever recused herself and left her position on the Board to join the audience due to conflict for the following Right to Farm Complaint.

Right to Farm Complaint – Laura Oltman & Michael Newman vs. Summer Solstice/Enrique Hernandez & Frances Cornett, BL 112 L 5, 6, 9, Pohatcong Township – Mr. Cohen swore in Ms. Oltman and Mr. Newman (collectively the “Complainants”). Mr. Newman gave an audio-visual presentation to the Board with maps and some photos and videos which was labeled Disc A-1. Complainants stated that their property was surrounded by the Hernandez farm. Ms. Oltman stated that Dr. Hernandez in June 2015, under oath testified that he had acquired 8 pigs. Ms. Oltman stated Mr. Hernandez declined agriculture mediation through the SADC, so their only recourse they could take was to come to the CADB. Complainants stated that their complaint against Summer Solstice Farm (owned by Enrique Hernandez & Frances Cornett) is that the pig smell is overwhelming on their ¼ acre property and in their house and that this past year the landowners installed 24 hour automatic metallic feeders which its tin clanking lid sounds can be heard around the clock.

Ms. Oltman stated that they have an old house without central air and they keep their windows open during the summer and all night long they hear clanking noises in their bedroom as well as smelling pig. Mr. Cohen asked Mr. Newman how far away he thought the pig paddocks were from his house and their property line. Mr. Newman stated approximately 175 ft. from pig paddocks to his property line and another 15 ft. to house, just under 200 feet which was referenced to a map on one of the slides. Complainants said that they have lived at this location for 26 years, whereas Dr. Hernandez bought the property in 2011 and built various ag-structures and acquired animals. Ms. Oltman stated they are coming to the CADB to seek resolution since they are not able to resolve this with Dr. Hernandez.

Mr. Newman stated that Pohatcong’s ordinance regarding 10 pigs or more is a minimum of 1,000 feet distance from any dwelling. Mr. Newman stated that the pigs were closer to their house than to the barn, the farm stand and the other house on the property and pointed out location on the map. Mr. Cohen stated that Pohatcong’s ordinance applies to farmers who have 10 pigs or more and to apply for a license with Pohatcong, but Dr. Hernandez has 8 pigs so the ordinance does not apply in this situation.

Mr. Baduini called attention to the Warren County Health Department report. The Health Department reported that there was no violation, the health officer came on a day when there was a light breeze with wind blowing from the North. Mr. Newman stated that since there was a light breeze at the time of the site visit, the health officer suggested to let her know when the air was ripier, but they have not yet had occasion to ask her back. Mr. Baduini asked if Mr. Kimmel, SADC has visited the property. Ms. Oltman stated that Mr. Kimmel would only participate if he would be facilitating mediation.

Ms. Oltman didn’t know if the pigs could be placed somewhere else on the property or if the odor and smell could be managed if they have to stay at that location. Mr. Newman showed a photo taken from the road of the pig area which showed a few trees, lawn area and trailer, and the pigs were approximately 150-200 feet from the road. Ms. Oltman talked about research regarding managing pig odor and referenced an article that stated other residences should be considered when choosing the location. Ms. Oltman brought that article stating that pig odor is a known issue and location of the facilities is important.

Mr. Newman played videos taken from their back porch of the feeder metal clanking sound at different times of the day and night. Mr. Newman stated the clangs are about 6-7 clangs per minute and varies, and sometimes not at all. Mr. Newman and Ms. Oltman stated that they were not suburbanites that just showed up and didn’t like farm that surrounds them. They worked with Steven Kehayes on establishing Pohatcong’s PIG Grant program, Mr. Newman was on Pohatcong’s Agriculture Development Committee and they have both

been professional muckers and would not be here if the smell was not substantial. He stated that they are friends of the farming community and that they love animals, but don't want to smell them or hear them day and night all Spring, Summer and Fall.

Mr. Newman stated he was also concerned that the property is in a flood hazard area of the Delaware River and low lying places that collect water in storms. Mr. Cohen asked if there was always an odor all the time or worse at times than others or ever a time when there was not an odor on the property. Ms. Oltman stated that any time of day or night there could be an odor but it depends on the humidity and wind. She said it smells pretty constant in the back yard, but not constant in the house. Mr. Cohen asked about the odor in the cold weather. Mr. Newman stated that the pigs were not on the property now, but were sent to become food products. She said it is very quiet and odor free now. Ms. Oltman stated that she thought the pigs were on the property in May through November. Ms. Oltman stated that this was the first year that the pigs were on the automatic feeders. She was not sure how many there were before, but they didn't smell as much. Ms. Oltman reiterated that the smell is worse when it is hot and humid, and that the wind direction plays a part. The closest neighbors are Dr. Hernandez and Ms. Cornett who live on the lot next to them on the other side, but it is further away from the pigs, approximately another 60 feet away. Mr. Newman pointed out the approximate location of other neighbors across the street, but they are further away from the pigs.

Mr. Cohen swore in Dr. Hernandez and Frances Cornett (collectively the "Respondants"). Dr. Hernandez stated that his barrel pigs are fattened for five or six months and this pork is sold out of their farm stand and is their major source of income. Dr. Hernandez stated that their primary source of income is from animal sales including duck and duck eggs which are located on the property in the orchard where the barn is also located. He stated that he also gets income from wood products and firewood. Dr. Hernandez stated that they pick up the pigs from the breeder where they are already castrated and weaned. Dr. Hernandez stated that they use standard feeders and a watering system for the pigs. Dr. Hernandez stated that the pigs location on the property is in relation to the proximately of the water line and to other animals and the location proved to be most viable. Dr. Hernandez stated that there is a water line that comes to the barn and they use that line to connect the water for the pigs.

Dr. Hernandez stated that the pigs are at that location primarily for the access to fresh water. Dr. Hernandez referred to Mr. Newman's statement of possibly putting the pigs further South on the property, and that Mr. Newman specifically objected because he stated it was inhumane because it was subject to more flooding at that location. Dr. Hernandez stated that Mr. Newman already had in mind certain objections where the pigs should be located.

Chairman Schnetzer pointed out to Dr. Hernandez that the Board needs to know the reasoning as an agricultural operation where they wanted to place their swine operation and will not take into consideration what someone else thinks they should be placed and why but needs to know from the farmer the positioning of the pigs on the farm. Dr. Hernandez stated that the reasoning was for the availability of fresh water, the location of the water lines, and general accessibility. He said this is where the main activity occurs and is close to where the other animals are; it is the area of the farm where they are most attentive to and the area of the farm that they can access by walking from their property daily to care for the animals. Dr. Hernandez referred to the slide of the mapping and pointed out how they access their farm from their home site and that the pig's location is most viable and effective for their daily maintenance.

Mr. Cohen asked if Dr. Hernandez would agree that the pigs were approximately 175 feet from Ms. Oltman and Mr. Newman's property line. Dr. Hernandez stated that he thought it was closer to 200 feet, but close enough. Mr. Burke asked if the gray area on the map was a stream. Dr. Hernandez pointed out that it was the Pohatcong Creek that bisects their property and there are no bridges on their property that allow them to cross, they need to go out onto the road to access the farm stand on their property. Mr. Cohen asked where Dr. Hernandez would have put the pigs had he put them further south. Dr. Hernandez stated that it was simply a thought that occurred when they were discussing the activities that could happen in that area since it is not an area suitable to crops, so pigs were thought they might be put there. Mr. Cohen asked if there would be water available for the pig at that location. Dr. Hernandez stated placing them further South on the property would require drilling another well or digging a trench to extend the water line. Dr. Hernandez stated that the water for the pigs comes from their well on their home site.

Mr. Bodine asked if the pig paddock had a concrete pad or dirt lot. Dr. Hernandez responded that it has a dirt lot. Mr. Menegus asked if there was any vegetation on the pig lot or have they eaten everything down. Dr. Hernandez stated that there are two pig paddocks which they try and rotate and plant. The smaller paddock is now fully grown and was rested, and the larger paddock will be planted this Spring. Dr. Hernandez understands that Ms. Oltman and Mr. Newman are very angry, so they want to try and alleviate some of their concerns so they ordered 250 bushes and trees to be planted around the pig area to try and shield their house from their pig enclosure and will be planting them in the Spring and as the vegetation builds up, hopefully that will decrease the noise and smell.

Mr. Cohen asked if Dr. Hernandez had looked into any other type of feeder or try to eliminate the noise. Dr. Hernandez stated that when he tried another type of feeding system, the pigs ripped it to shreds, and did not have good luck with plastic clappers. Mr. Bodine stated that the pigs would often demolish a rubber stopper. Dr. Hernandez stated that his pigs get up to 300 pounds and are tough. Mr. Bodine asked if the feeder was outside or under a shed. Dr. Hernandez stated that the feeder was outside and several feeders are attached to different parts of the fence. Mr. Bodine stated that if covering was built over the feeders, perhaps the clappers can be taken off. Dr. Hernandez stated that he would be concerned about moisture getting into the feeders. Mr. Bodine stated that the pigs are very wasteful though with the lids off. Chairman Schnetzer stated that you would have a trade-off, of the feeders being covered with a roof, but waste and extra cost for the feed and smell from rotten feed. Ms. Cornett stated that the wind comes into an open feeder, the whole container is ruined, and animals and squirrels will eat from the feeder as well.

Dr. Hernandez said that the manure is plowed into the field. Dr. Hernandez stated that he uses organic feed from Lancaster, PA and they are in the process of getting their organic certification and have to be very careful at what products are allowed on their farm for the certification. Dr. Hernandez makes frequent trips to Lancaster so there is not a lot of feed laying around and rotting. Mr. Dempski asked about how they handle animal waste. Dr. Hernandez stated that they plow the field by hand to distribute the manure into the fields and plant vegetation to try and process it and that it stays in the pig paddock until after the pigs are gone at the end of the season.

Mr. Burke asked how much of an investment Dr. Hernandez was making with the planted vegetation buffer. Dr. Hernandez stated that the 14 hollies ordered are \$200/piece and Viburnum are \$100 for 200 plants. Ms. Cornett stated that they will be receiving a grant from the Forestry Commission. Mr. Burke asked is the \$2,000 for the vegetation would help extend the water line further from the property line. Dr. Hernandez stated that he would have to build an entire new path, and that would be more costly. Ms. Cornett stated that the original area location for the pigs is approximately 1,000 feet away. Dr. Hernandez stated that the recent trench he had dug to service the house on Lot 6 was \$5,000.

Mr. Cohen asked Dr. Hernandez about building a wall to dampen the noise instead of shrubs. Dr. Hernandez stated that their property is highly restricted because they are in the flood hazard area and they are prohibited by NJDEP from installing any artificial obstruction to restrict the flood flow in the flood hazard area and that the whole farm is in the flood hazard area. Dr. Hernandez stated that the reason they are allowed to build the pig pens is because of the width of the spacing in the fences and it allows debris to go through which is permitted. Dr. Hernandez stated that NRCS has been out to their property, but there is not any particular grant they qualify for at this time, but they are working with NRCS regarding soil erosion and stabilization of the banks along the river. Dr. Hernandez pointed out the location of the other neighbors and stated that there were no complaints regarding the pigs. Dr. Hernandez stated that he was not allowed to place the pigs in the flood way, which is different classification than the flood hazard area. The entire farm is located within the flood hazard area and a portion is located in the flood way located approximately a third of the way on the property from the river.

Dr. Hernandez stated that he hears the clanging, but it doesn't disturb him and that the smell is occasional, but not a constant pressing smell. Dr. Hernandez has his own manure management plan and is not aware of any organic substance to use on the manure that is on the OMRI list. Dr. Hernandez stated that he is part of the Forest Stewardship and Woodland Management Plan with the State. Dr. Hernandez stated that the pig paddocks were 5,000 square feet all together, one is 3,500 and the other is 1,500 and a house for them with closing on one side or the other. Dr. Hernandez has only had the pigs for two years and will plan to rotate the two paddocks, small one for piglets and then larger one for when they become larger. Mr. Dempski and Mr. Menegus stated that they would like to see the property.

Ms. Cornett stated that the Berkshire pigs were very happy pigs that play with one another and that they sold 90% of their organic pork in 2 weeks. Mr. Burke asked about SADC's AMP for swine. Chairman Schnetzer said that they would have to look into it. Mr. Burke was concerned about any ordinance violation.

Dr. Hernandez stated that he consulted with the zoning officer and there is no violation. Mr. Burke was concerned that a violation could be a public health issue. Chairman Schnetzer stated that it was important for a site visit on this property. Mr. Baduini wanted to know if we should notify the township. Mr. Cohen stated that there wasn't a health hazard raised and that the County Health Department officer did not cite any conditions with their report and the complaint is in regards to comfort and annoyance by Ms. Oltman and Mr. Newman and whether or not there could be different farming practices that could reduce that and what animal management practice would be a reasonable action or alternative for the farmer to control the manure or reduce the odor and noise from the clappers with respect to the NJDEP restrictions on the property.

Dr. Hernandez stated that the pigs return to the farm in April or May and are on the farm for 6 months and use the feeders aggressively for 2 months. Chairman Schnetzer stated that the pigs being on the farm weren't necessary at the time of a site visit, he was aware of what pig manure smells like and would be interested in the lay of the land and the positioning of the pig area and didn't feel that they should delay the parties until May. Mr. Burke made a motion to carry hearing to next meeting of February 18, 2016 to give the CADB members a chance to visit both party's properties and to notify Pohatcong Township of the complaint. Mr. Dempski seconded the motion. Motion carries. Mr. Cohen stated that the Health Department Report be labeled as A2.

Ms. Oltman stated that Dr. Hernandez was mischaracterizing statements of what her husband said during his testimony regarding the location of the pigs. Mr. Newman stated that it was a long time ago, but their concern was with the whole concept of keeping animals in a flood hazard area since it was so hard to get people out and it would be nearly impossible to get animals out and stated that he never said not to move the pigs farther South. Mr. Newman stated that the well that services the barn also services the farm stand and comes from a house he pointed to on the map. Dr. Hernandez is not asking Board to overturn any decision or waive any rule since they are in compliance with the town, but wants their practices ruled as an acceptable practice. Chairman Schnetzer stated that Mr. Bodine has been a pig farmer for nearly 45 years and he would be a great person to ask about best practices with raising pigs.

Snyder - Certification of Commercial Farm, BL 96 L 9, 9.01 & BL 97 L 46, Pohatcong Township

Wendy Willever recused herself from this determination. Chairman Schnetzer asked counsel how many acres they are certifying. Mrs. Snyder referred to the FA-1 Forms and stated that the farm is broken up by lots, BL 96 L 9.01 has 15.63 acres, and 86.4 acres for BL 96 L 9 and the farms are contiguous. Mr. Menegus asked if any land includes the quarry and Mr. and Mrs. Snyder stated that it did not, that it was just privately owned land. Ms. Hirsch, counsel for the Snyders, explained the old attempts at certification were with the connection to the Old Susquehanna Mine, but this new certification is just for the Snyder property, completely separate from the mine operation.

Mr. Baduini asked why the previous application was withdrawn. Ms. Hirsch stated that after speaking with Mr. Lavery, he pointed out that part of the application contained property owned by Baer Aggregates and that there was not common ownership between that leased portion of the Baer Aggregate property and the Snyder farm and Mr. Lavery pointed out a case law from the tax court that knocked out the property from being considered a farm management unit. Ms. Hirsch said that they have been working with Pohatcong Township for quite some time on the Susquehanna Mine.

This application meets the eligibility criteria for Certification of a Commercial Farm which is: (1) Five or more acres, applicant supplied tax map, and; (2) \$2,500 annual income from agricultural and/or horticultural products which was provided by a 2014 Schedule F, and; (3) Satisfies the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, applicant provided Farmland Assessment Form (FA-1 Form), and; (4) Is located in an area in which, as of December 31, 1997 or thereafter, agriculture has been a permitted use under the municipal zoning ordinance and is consistent with the municipal master plan. Kevin and Stephanie Snyder own BL 96 L 9.01, Glenn Snyder owns BL 97 L 46 & Glenn & Kevin Snyder own BL 96 L 9, approximately 102.03 acres.

Mr. Baduini made a motion to justify the Certification of Commercial Farm for the Snyder Farm, owners Kevin and Stephanie Snyder, BL 96 L 9.01, Glenn Snyder, owner of BL 97 L 46 and BL 96 L 9, Pohatcong Township, approximately 102.03 acres in which Kevin and Stephanie are operators of the blocks and lots. The applicant provided all the required documents for certification. Mr. Dempski seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Mr. Menegus – yes

Motion carries.

Ms. Willever returned to her position on the Board.

Croucher MUNI PIG Funding Resolution #16-03, BL 1501 L 15, Blairstown - SADC Cost Share \$243,100 (\$2,860/acre) Warren County Cost Share \$52,700 (\$620/acre), Blairstown Cost Share \$52,700 (\$620/acre), Total Cost \$348,500. Mr. Menegus made the motion to support the Warren County Cost Share amount for the preservation funding on this MUNI PIG farm and to make a recommendation to the Freeholders which was seconded by Mr. Burke.

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

Garden State Preservation Trust Fund – Mr. Tierney stated that Governor Christie vetoed the State funding allocation for Open Space and Farmland Preservation bill. The process needs to start over again.

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

Crouse, Dale & Pamela Farm, Harmony Twp. – SADC wants to restrict the severable exception are that is zoned for Industrial use. Mr. Baduini proposed to ask the Crouse's if the changes are acceptable before the CADB makes a decision on the SADC's revisions and restrictions to the application. Mr. Bodine seconded the motion.

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

Murphy Farm, Frelinghuysen Twp. – Mr. Tierney stated that the Township provided a draft funding agreement for the CADB to consider. Mr. Tierney explained the basic terms of the agreement. In light of the county's grant funding constraints, the CADB inquired whether the township would be willing to contribute some portion of its municipal open space funds towards this project. Mr. Tierney will discuss funding with the township.

O'Dowd Properties, Greenwich & Franklin Twps. – Mr. Tierney stated that the landowners were willing to close the East, West and Open Space properties while the SADC figures out the South Farm CMV.

New Applications:

County Applications

- **Crouse, Dale & Pamela** – Harmony Twp. (Approx. 50 acres) SADC wants to restrict the severable exception are that is zoned Industrial use.

▪ **Total Applications: 1 Total Acres: 50**

Municipal Applications

- **The LaBarre Family Limited Partnership** – Knowlton & Hope Townships – (Approx. 107 acres) Switched to MUNI PIG.
- **Murphy Farm** – Frelinghuysen Twp. (Approx. 206 acres) Municipal/County cost-share agreement*.
- **Zukoski Farm** – Hope Twp. (Approx. 52 acres)

Total Applications: 3 Total Acres: 365

Non-Profit Applications

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 acres) SADC preliminary approval in November, but no funding yet

- **Shoemaker I** – White Twp. (Approx. 115 acres)
 - **Shoemaker II** – White Twp. (Approx. 12 acres)
 - **Tjalma II** – Harmony Twp. (Approx. 61 acres)
 - **Tjalma III** – Harmony Twp. (Approx. 36 acres)
- Total Applications: 5 Total Acres: 475**

Awaiting Green Light Approval:

County Applications

- **Hart Farm #1** – Franklin Twp. (Approx. 113 acres) On hold pending resolution of issues regarding the Pohatcong Groundwater Contamination Area.
 - **Hart Farm #2** – Franklin Twp. (Approx. 267 acres) On hold pending resolution of issues regarding the Pohatcong Groundwater Contamination Area.
- Total Applications: 2 Total Acres: 380**

Municipal Applications

- **Malon Farm** – Hope Twp. (Approx. 65 acres) Anticipate receiving Green Light this week.
- Total Applications: 1 Total Acres: 65**

Received Green Light Approval:

County Applications

- **715 Harmony Station Rd. (Crouse, Rich)** – Harmony Twp. (Approx. 108 acres) On hold pending applicant's decision to add another exception area.
 - **Brandywine** – Franklin Twp. (Approx. 64 acres) On hold pending applicant's resolution of COAH and zoning issues.
 - **Tasevski** – Franklin Twp. (Approx. 88 acres) On hold pending resolution of issues regarding the Pohatcong Groundwater Contamination Area.
- Total Applications: 3 Total Acres: 260**

Municipal Applications

- **High Acres Farm** – Blirstown Twp. (Approx. 121 acres) Appraisals being authorized next month.
 - **Myers/Toretta** – Franklin Twp. (Approx. 64.42 acres) Received resubmitted application.
 - **Spencer (Terra Bella Farm)** – White (Approx. 20 acres) Received appraisals; awaiting CMV.
- Total Applications: 3 Total Acres: 205**

Received CMV & Offer Made:

County Applications

- **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 acres) \$3,500 CMV. Received signed contract and SADC Final Approval. Waiting for verification of exception area with township before ordering survey.
 - **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 acres) CMV \$6,100. Received signed contract and SADC Final Approval. Waiting for verification of exception area with township before ordering survey.
 - **Crouse, Carl** – Washington Twp. (Approx. 120 acres) CMV \$4,700. Accepted offer; contract sent out.
 - **Jones, Mitchell** – Franklin/Harmony Twps. (Approx. 28 acres) CMV \$5,500. Offer sent to landowner.
 - **Smith, Skip #2** – Franklin Twp. (Approx. 22 acres) CMV \$5,500. Accepted offer; contract sent out.
 - **Sigler, Carl** – Franklin Twp. (Approx. 174 acres) CMV \$4,600. Waiting for reply.
- Total Applications: 6 Total Acres: 443**

Municipal Applications

- **Campbell Foundry Company** – Hope (Approx. 170 acres) – CMV \$2,000. Verbally accepted offer.
 - **Croucher** – Blirstown (Approx. 90 acres) – CMV \$4,100. Verbally accepted offer.
 - **Heatherfields** – Harmony Twp. (Approx. 78 acres) \$5,200 CMV. Waiting for town to authorize offer.
 - **Post** – Frelinghuysen Twp. (Approx. 41 acres) – Offer being made to landowners.
 - **Rothman (Oxbow Acres)** – White Twp. (Approx. 57 acres) – CMV \$4,000. Offer made to landowners.
- Total Applications: 5 Total Acres: 436**

Under Contract (Title Search & Survey):

County Applications

- **Apple Mountain** – White Twp. (Approx. 70 acres) CMV \$3,900. Fully executed contract sent to landowner.
- **Bartha** – White/Oxford Twps. (Approx. 52 acres) CMV \$4,500. Received signed contract. Survey to start soon.
- **Barton #1** – Mansfield/Independence Twps. (Approx. 43 acres) CMV \$4,500. Under contract; proceeding with due diligence.
- **Barton #2** – Mansfield/Liberty Twps. (Approx. 70 acres) CMV \$4,800. Under contract; proceeding with due diligence.
- **Barton #3** – Mansfield/Liberty Twps. (Approx. 28 acres) CMV \$5,800. Under contract; proceeding with due diligence.
- **Klimas** – Independence/Mansfield Twp. (Approx. 190 acres) CMV \$3,700. Received title search & survey underway.
- **O'Dowd Farm (East) #2** – Greenwich & Franklin Twps. (Approx. 94 acres) Under contract; title search, survey, & Phase I underway.
- **O'Dowd Farm (West) #1** – Greenwich Twp. (Approx. 113 acres) Under contract; title search, survey, & Phase I underway.
- **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 acres) Under contract; title search, survey, & Phase I underway. SADC may reduce CMV due to Pohatcong Groundwater Contamination Area.

- **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 acres) CMV \$4,600. Received title search; survey underway. Changed lot configuration. Final inspection performed.
 - **Smith, John & Jean #2** – Harmony (Approx. 36 acres) CMV \$6,000. Received title search; survey underway. Final inspection performed.
 - **Race, Sam & Jean** – White Twp. (Approx. 85 acres) CMV \$5,700. Survey underway and received SADC Final Approval.
- Total Applications: 12 Total Acres: 982**

Municipal Applications

- **Berry Farm** – Frelinghuysen Twp. (Approx. 106 acres) CMV \$6,250. Received title search; survey underway.
 - **Twin Brook Farm** – White Twp. (Approx. 22 acres) CMV \$6,600. Waiting on final survey.
- Total Applications: 2 Total Acres: 128**

State Applications

- **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 acres) CMV \$4,400.
 - **Santini/Chambers** – Pohatcong Twp. (Approx. 56 acres) CMV \$3,000
- Total Applications: 2 Total Acres: 140**

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

- **RLL Enterprises, Inc.** – Franklin Twp. (Approx. 51 acres) CMV \$7,600. Waiting to close.
 - **Thompson Farm** – White Twp. (Approx. 38 acres) CMV \$3,600. Waiting to close.
 - **Unangst** – White Twp. (Approx. 85 acres) CMV \$3,625. Waiting to close. Legal estate issues need to be worked out.
- Total Applications: 3 Total Acres: 174**

Municipal Applications

- **Schanzlin** – Harmony Twp. (Approx. 87 acres) CMV \$6,000. Final inspection performed. Scheduled to close on 1/29/16.
- Total Applications: 1 Total Acres: 87**

Recent Closings:

- **Oberly, Jack** – Pohatcong/Alpha (Approx. 92 acres) CMV \$4,000. Scheduled to close on 12/28.

2015 Closings: 16 farms totaling 983 acres

Program Totals: 253 farms totaling 22,801 acres

Public Comment – Gary Pohorely, SADC stated he had nothing to add.

Executive Session – Mr. Dempski made a motion to go into Executive Session which was seconded by Mr. Baduini. Motion Carries. The Board entered into Executive Session at 9:49 pm to discuss potential litigation issues of Roes Island Wetlands and Makarevitch farm. A motion was made by Mr. Baduini and seconded by Mr. Dempski to come out of Executive Session. The Board came out of Executive Session at 10:02 pm.

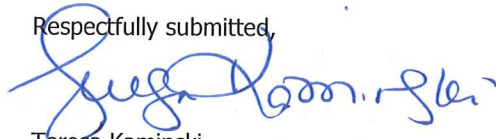
Roes Island Wetlands Mitigation – Mr. Cohen stated that an application was filed in court by Roes Island Wetlands Mitigation contending that Mr. Baduini and Mr. Schnetzer had no withstanding to bring a lawsuit against them because they did not see how their property was adversely affected as they do not own a property near the area. However, the Statute states that in order to challenge any LUB decision, you do not have to be a resident of the community if they have an interest in a common zoning scheme or if they feel that the decision by Independence was improper. Mr. Cohen stated that the land use board went into a closed session to discuss whether to grant the interpretation, which procedurally they should not have done. Judge Pursell will decide whether or not they have standing to bring a lawsuit.

Makarevitch Farm, BL 42 L 5, Knowlton Twp. – Mr. Baduini made a motion for Mr. Tierney to notify Warren County Soil Conservation, the SADC about the soil disturbance and send a letter to landowner to come to the next CADB meeting in February. Mr. Burke seconded the motion.

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

Adjournment: A motion for adjournment was made by Mr. Baduini and seconded by Mr. Burke. Motion carries. Chairman Schnetzer adjourned the meeting at 10:23 pm.

Respectfully submitted,



Teresa Kaminski