

## **WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD**

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

### **Meeting Minutes February 19, 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 7:32 p.m. An announcement was read as required by the Open Public Meetings Act, N.J.S.A. 10:4-6-21.

Members present: Bradley Burke, David Dempski, Joel Schnetzer, Wendy Willever

Members absent: Lou Baduini, Tim Bodine, Jason Menegus

Others present: C. Tierney, T. Kaminski, Staff; Michael Lavery, Special County Council; Donna Rue, White Township; Wayne Jarvis, Independence Twp.; Lisa Kelly, NJ Food Shed Alliance, Blairstown; Gary Pohorely, SADC.

Chairman Schnetzer led the Pledge of Allegiance.

Mr. Lavery led Mr. Bradley Burke and Mr. David Dempski through the CADB Oath of Office. They stated their Oath of Office and signed the pledge.

**Minutes** of the meeting held on January 15, 2015 were approved on a motion by Ms. Willever and seconded by Chairman Schnetzer. Motion carries. Mr. Burke and Mr. Dempski abstained.

**Correspondence:** Noted

**Public Input (Non-agenda Items):** None

#### **Old Business:**

**Roes Island Wetland Mitigation Project** – Chairman Schnetzer said that he gave an update to the Board of Agriculture meeting the previous night on the status of this project and proceeded to tell the CADB and staff that this project went before the Liberty Township Land Use Board Meeting and that he and Wayne Jarvis gave testimony at the meeting. The applicant has said that their planting of trees and taking clippings to nurseries and bee hives constitutes an agricultural management practice. Liberty Township did not accept their interpretation of agriculture use and will go for a D variance (change of use). This property is up against a County owned road and no correspondence from the Warren County Planning Department was received by the township. Mr. Jarvis stated that they planned to construct an 8 foot tall perimeter fence to keep deer out. Mr. Jarvis stated that the property could never be resorted back to farmland. Mr. Burke stated that taking clippings from trees does not make it a nursery operation and that this project will add to the burden of the mosquito control in Warren County. The Warren County Mosquito Commission is happy that the applicant has removed the plans for the vernal pool on the property. The SADC is concerned about the project because Section 19 of the Agriculture & Development Retention Act states that such a project located within an Agricultural Development Area needs to be reviewed by the CADB and the SADC. Mr. Tierney notified the townships to inform them that the CADB or SADC were not notified according to the ARDA act. Mr. Schnetzer and Mr. Jarvis stated that the applicant advised the Liberty Township Land Use Board that Section 19 of ARDA is inapplicable to them because there is no change in use.

**Special Occasions Event Discussion** – Mr. Tierney stated that he and the Staff from the SADC on February 10, 2015 met with the owners of the 3 wineries in the County, two in Pohatcong Township and one in Knowlton Township, for discussion regarding special occasion events on their preserved farms. All three farms have their events off of the preserved premises in exception areas so the special events laws do not apply to these wineries.

**Soil Disturbance Draft Regulations Discussion** – Mr. Tierney reviewed the resolution from the SADC on soil disturbance with the Board. This discussion will be continued at next month's meeting when more Board members are present.

#### **New Business:**

**Foodshed Alliance Presentation** – Lisa Kelly, member of Foodshed Alliance in Blairstown, told the Board that this organization became non-profit in 2010 and used to work with Genesis Farms. She explained that her organization is working with food, farming and environment sectors research project of the 7 Northern NJ counties in finding out who is producing what and that they hope to build a stronger local food system. She said this came about after Hurricane Sandy when going to the grocery store, there was barely any food available on the shelves. The organization is interested in education and outreach; their Local Share program also delivers food to local shelters. They are partnering with Musconetcong River RC&D. Mr. Tierney advised the Board that he would be meeting with Ms. Kelly individually to see how the county can better assist the Food Shed Alliance in their efforts.

**Proclamation of National Agriculture Day, March 18, 2015** – Mr. Burke made a motion to approve this Proclamation which designated March 18, 2015 as National Agriculture Day in the County of Warren. Mr. Dempski seconded the motion.

Roll call: Mr. Schnetzer – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes

Motion passes.

Chairman Schnetzer stated that there will be a legislative dinner meeting on 3/18/15 at Harker's Hollow for this joint proclamation.

**Resolution for State Farmland Preservation Funding # 15-01** – Mr. Dempski made a motion to approve this resolution and change the farmland percentage to 55% match to the WCADB's contribution for farmland preservation. Mr. Burke seconded the motion.

Roll call: Mr. Schnetzer – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes

Motion passes. A new resolution with changes will be presented at next month's meeting.

Chairman Schnetzer informed the Board that Washington Township will be doing a Comprehensive Farmland Preservation Plan.

#### **CADB Approval of Farmland Applications for SADC Submission:**

**Apple Mountain Recreation, Inc., BL 16 L 23, White Township, 67 acres** – This application had fields which were fallow, but the applicant has been clearing them over the winter in order to meet the minimum eligibility criteria of 25 tillable acres or 50% of the land whichever is less. Mr. Tierney said that he and SADC staff will visit the farm to confirm the fields have been cleared. The application has a County rank score of 56.47. There are 30.74 tillable acres and the applicant plans to clear more woodland and plant corn and hay. There are 37.43 acres of woodland, with Prime Soil consisting of 29.02 acres and 15.95 acres of Statewide Soil. There are no structures on the premises to be preserved. The landowner is taking a 2 acre non-severable exception area for future SFR. This farm is located in the Highlands Preservation Area and in the West project area.

Ms. Willever made a motion to approve the Apple Mountain Recreation, Inc. County Farmland Application and for submission to the SADC for preliminary Green Light Approval contingent upon the land being tillable in the Spring. Mr. Dempski seconded the motion. Mr. Tierney stated that the SADC will be visiting this site in the Spring to check on the tillable acres.

Roll call: Mr. Schnetzer – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes

Motion passes.

**Hart Farm #1(North) – BL 34 L 9, Franklin Twp., 113 acres** - This application meets the minimum eligibility criteria of 25 tillable acres or 50% of the land whichever is less. It has a County rank score of 60.52. There are 66.2 tillable acres used for corn, silage, hay, soybeans and wheat with permanent pasture of 25 acres and 28 acres of woodland. There is Prime Soil consisting of 74.88 acres and 2.321 acres of Statewide Soil. There is one shed on the premises to be preserved. The landowner is taking a 5 acre non-severable exception area around two residential buildings (one double and one SFR), barn buildings and for agriculture related off-site and non agriculture off site tree service storage use and equipment repair. There is a gas easement on the property and an access easement to BL 41 L 13 (#2 farm). This farm is located in the Highlands Planning Area and in the Southeast project area.

Mr. Burke made a motion to approve the Hart Farm #1 County Farmland Application and for submission to the SADC for preliminary Green Light Approval. Mr. Dempski seconded the motion.

Roll call: Mr. Schnetzer – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes

Motion passes.

**Hart Farm #2 (South) – BL 41 L 3, 5, & 13, Franklin Twp., 267 acres** - This application meets the minimum eligibility criteria of 25 tillable acres or 50% of the land whichever is less and has a County rank score of 70.83. There are 174 tillable acres used for corn, silage, hay, soybeans and wheat, and 90 acres of woodland with Prime Soil consisting of 159 acres and 31 acres of Statewide Soil. There are no structures on the premises to be preserved. The landowner is taking a 2 acre non-severable exception for future single family residence. There is a gas easement on the property, an access easement to BL 41 L 13 (from North to South farm), and an access easement to cemetery on Lot 3. This farm is located in the Highlands Planning Area and in the Southeast project area.

Mr. Burke made a motion to approve the Hart Farm #2 County Farmland Application and for submission to the SADC for preliminary Green Light Approval. Mr. Dempski seconded the motion.

Roll call: Mr. Schnetzer – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes

Motion passes.

**Resnick/Santini Property BL 99 L 4 & Oberly Property, BL 95 L2 & 2.06, Pohatcong Township, SADC Direct Applications**

– The Township’s ordinance states that if the Oberly property was developed, that Resnick would be deed restricted for preservation. The SADC requested that Toll Brothers abandon their rights to develop the Oberly property and that the township amend its ordinance. Toll Brothers sent a letter dated 2/9/15 with written confirmation that they will do so. Pohatcong Township’s LUB attorney is okay with amending the zoning for the properties, but the Town Council’s attorney has not yet agreed.

**Star D Farm, LLC, BL 7 L 1, Harmony Township, 39.116 acres** – This is a non-profit farmland application with through the Land Conservancy of NJ. The County has agreed to 50% cost-share for this farm with the SADC’s 50% cost-share grant to TLC-NJ. This is part of four farmland applications for the purchase amount of \$577,320. This amount was agreed upon by estimation of price per acre before appraisals were done on the properties. The Star D Farm, LLC appraisals were higher than expected with a CMV of \$6,900. The K-J Farm’s appraisals were less than the agreement at \$3,175 for the CMV. Since the K-J Farm came in at lower than expected, the purchase price of all four farms are at a cost of \$438,181.46, which is \$139,138.54 less than the agreed amount of \$577,320.00. The estimated CMV for the Star D Farm, LLC was \$6,000, but the actual CMV is \$6,900/acre which is \$450 more per acre than original agreement. There needs to be an amended approval to the agreement since it is more per acre. Chairman Schnetzer stated that this will be the only one that he will be voting yes for because it is less money, but he does not like to vote to approve agreements on price per acre before any appraisals are done. Mr. Burke made a motion to approve the additional funding of \$450 more per acre or 50% cost-share per acre of \$3,450. Ms. Willever seconded the motion.

Roll call: Mr. Schnetzer – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes

Motion passes.

**CADB Member appointment to MCCTFC** – Chairman Schnetzer would like to delay the appointment until next month when more members are present.

**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) On CADB for Approval to send to SADC for GLA.
  - **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) On CADB for Approval to send to SADC for GLA.
  - **Hart Farm #2** – Franklin Twp. (Approx. 267 acres) On CADB for Approval to send to SADC for GLA.
  - **Shoemaker** – White Twp. (Approx. 81 acres) Need more info; applicant may subdivide.
- Total Applications: 6            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.
  - **Crouse, Carl** – Washington Twp. (Approx. 120 acres)
  - **Tasevski** – Franklin Twp. (Approx. 88 acres) SADC requested information about prior subdivision restrictions on lot in application.
- Total Applications: 3            Total Acres: 316**

*Municipal Applications*

- **Myers/Toretta** – Franklin Twp. (Approx. 64.42 acres) Additional lot added. Need revised GLA.
  - **Rothman (Oxbow Acres)** – White Twp. (Approx. 57 acres) Revised application submitted to SADC with 7 acre lot for autistic home.
- Total Applications: 2            Total Acres: 121**

*State Applications*

- **Oberly, Jack** – Pohatcong/Alpha (Approx. 92 acres) On hold pending resolution of zoning issue.
  - **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 acres) On hold pending resolution of zoning issue.
  - **Santini/Chambers** – Pohatcong Twp. (Approx. 56 acres) Application is still with the SADC; they’re trying to resolve issue with a landlocked parcel.
- Total Applications: 3            Total Acres: 232.5**

Received Green Light Approval:

*County Applications*

- **Bartha** – White/Oxford Twps. (Approx. 52 acres) RFP’s out for appraisals.
- **Barton #1** – Mansfield/Independence Twps. (Approx. 43 acres) Appraisals underway.

- **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. Green Acres wants a trail easement which delayed getting CMV at January's SADC meeting.
  - **Jones, Mitchell** – Franklin/Harmony Twps. (Approx. 28 acres) RFP's out for appraisals.
  - **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.
  - **Unangst** – White Twp. (Approx. 85 acres) Appraisals underway.
- Total Applications: 9      Total Acres: 752**

*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 out for appraisals.
- Total Applications: 1      Total Acres: 164**

Received CMV & Offer Made:

*County Applications*

- **Barton #2** – Mansfield/Liberty Twps. (Approx. 70 acres) CMV \$4,800. Offer letter sent to landowner.
  - **Barton #3** – Mansfield/Liberty Twps. (Approx. 28 acres) CMV \$5,800. Offer letter sent to landowner.
  - **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 acres) CMV \$6,000. Offer letter sent to landowner.
  - **O'Dowd Farm (East) #2** – Greenwich & Franklin Twps. (Approx. 94 acres) CMV Received; offer made to landowner.
  - **O'Dowd Farm (West) #1** – Greenwich Twp. (Approx. 113 acres) CMV Received; offer made to landowner.
  - **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 acres) CMV Received; offer made to landowner.
  - **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. Applicant accepted offer.
  - **Smith, John & Jean #2** – Harmony (Approx. 36 acres) Received CMV. Applicant accepted offer.
  - **Smith, Skip #2** – Franklin Twp. (Approx. 22 acres) CMV \$5,500. Offer letter sent to landowner.
  - **Thompson Farm** – White Twp. (Approx. 38 acres) CMV \$3,600. Offer letter sent to landowner.
- Total Applications: 11      Total Acres: 705**

*Municipal Applications*

**Total Applications: 0      Total Acres: 0**

*State Applications*

**Total Applications: 0      Total Acres: 0**

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*

**Total Applications: 0      Total Acres: 0**

*State Applications*

**Total Applications: 0      Total Acres: 0**

*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***Total Applications: 0          Total Acres: 0***Municipal Applications*

- **Al-Ruby Farm** (Waters & Schanzlin) – Harmony Twp. (Approx. 27 acres) CMV \$7,000. Final inspection performed.
  - **Anderson** – Knowlton Twp. (Approx. 119 acres) CMV \$5,200. Final inspection performed.
  - **Apgar Cider Press** – Harmony (Approx. 19 acres) CMV \$7,000.
  - **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: 6          Total Acres: 388**

*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; rejected offer as too low
  - **Paternostro** – Greenwich Twp. MUNI PIG (Approx. 40 acres) CMV \$6,250; rejected offer as too low
- Total Applications: 2          Total Acres: 111**

Farms closings:

- **Cooke** – Hope & Frelinghuysen Twp. (Approx. 59 acre County-PIG) Closed on 1/16/15!

**Public Comment –**

Gary Pohorely was reaching out to the CADB members on behalf of the Washington Borough BID. He is a volunteer with them and they are looking for vendors for their farmer's market that they will be having on Saturdays from 9 am to 1 pm next to the Pocket Park.

Ms. Rue stated that she has been battling with the SADC for 19 months now with the issue of putting greenhouses on her preserved farm in Monmouth County. She attended the State Agricultural Convention in Atlantic City in earlier in February and stated that the Soil Disturbance resolution was written by the SADC there because of so much comment and that they will be discussing it at their meeting next week.

**Adjournment:** A motion for adjournment was made by Ms. Willever and seconded by Mr. Dempski. Motion carries. Chairman Schnetzer adjourned the meeting at 9:16 pm.

Respectfully submitted,



Teresa Kaminski

