

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

February 20, 2014

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: Tim Bodine, Frank Gibbs, Joe Gourniak, Joel Schnetzer, Wendy Willever

Members absent: Lou Baduini, Jason Menegus

Others present: C. Tierney, T. Kaminski, Staff; Michael Lavery, Special County Council; Tom Sharko, Alba Vineyards, John Gardner, LUB Chairman, Mayor Jim Kern, Pohatcong Twp.; Mitchell Jones, White Twp.; Giulia Iannitelli; Gary Pohorely, SADC.

Chairman Schnetzer led the Pledge of Allegiance.

Minutes of the meeting held on January 16, 2014 were approved on a motion by Mr. Gibbs and seconded by Ms. Willever with correction to Giulia Iannitelli not being listed with WC Tourism and the year on the minutes being changed from 2013 to 2014. Motion carries. Ms. Kaminski later noticed that the Agenda had the incorrect year of 2013, but the minutes had the correct year of 2014.

Executive Minutes of the meeting held on January 16, 2014 were approved on a motion by Mr. Gibbs and seconded by Mr. Bodine. Motion carries.

Correspondence: Noted

Public Input (Non-agenda Items): None

Old Business:

PRO letter regarding Jansen farm – Mr. Lavery stated that he checked on this matter and the letter does not accurately represent the status of the case and that the approvals were valid.

Skip Smith Farmland Application, BL 18 L 1, 1.03, 1.04, 26 & BL 16 L 18, Franklin Twp. 43 acres – The SADC requested that this application be split into two applications because BL 18 L 26 is not contiguous with the rest of the property. Mr. Smith was amenable to the proposal. The two separate applications both meet the minimum tillable acreage requirement and are well above the County ranking. Mr. Bodine made a motion to accept the revisions of the Skip Smith Farmland Application to two separate smaller farms, each approximately 22 acres. Ms. Willever seconded the motion.

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

New Business:

Chairman Schnetzer opened up the meeting for a public hearing.

Chelsea Forge Vintners, LLC/Tom Sharko, Alba Vineyards Site Specific Determination – All notice requirements were met by the Department of Land Preservation notifying the Township, SADC and public publication. Mr. Sharko met the notice requirement for all property owners within 200 feet of his property by certified mail more than 10 days in advance of the meeting date. Mr. Sharko is seeking relief from having to apply to the Pohatcong Township Land Use Board for approval of his agricultural building.

Mr. Sharko stated that he would like to build a new tractor shed with dimensions of 42X96 feet. The square footage of the building comprises over 3,000 square feet which would require a variance. All of the setbacks and height are within conformance. Ms. Willever asked the Mr. Sharko about drainage plans for the building. Mr. Sharko stated that the main building has a downspout that runs into an 8 inch pipe which drains into a seepage pit and the runoff would go down to a sediment pond and the run off from that then is channeled into a ravine and into a pipe that travels under Route 627. Mr. Sharko stated that the drainage project was approved by the NRCS in 2006 and was completed in 2008. Ms. Willever asked if there would be a roadway to the building. Mr. Lavery asked Mr. Sharko a series of questions regarding electricity, plumbing, and storage use for the proposed building. Mr. Sharko stated that the existing road which is gravel near the parking lot would be used. Mr. Sharko stated the town would like to have one light in the building. The Morton building will have one open side with a gravel floor. The storage would be used for agricultural equipment such as tractors, mowers, sprayers, and some of the processing equipment. There will be no plumbing inside the building.

Mr. John Gardner, the Chairman of the Pohatcong Township Land Use Board stated that the town does not object to Mr. Sharko's plans and that the Mayor supports him and an approval by the CADB would save Mr. Sharko a long process.

Chairman Schnetzer asked if there were any more comments on the public hearing. Chairman Schnetzer closed the public hearing.

Mr. Gibbs made a motion to grant relief for Mr. Sharko from having to appear before the Township Land Use Board for approval of the construction of the 42x96 foot Morton agricultural storage building and to approve the construction of the agricultural building as presented as long as all other zoning conformance requirements are met. Mr. Bodine seconded the motion.

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

A resolution will be prepared of the Site Specific Determination for Chelsea Forge Vintners, LLC/Tom Sharko, Alba Vineyards and to be memorialized at the next meeting.

Mr. Gourniak just arrived at the meeting and took his place on Board.

TLC-NJ request for cost-share on Frelinghuysen Township Farm – Mr. Tierney stated that that the Township farm is approximately 30 acres of a portion of a property that the Township cannot receive SADC funding on because it has owned the parcel for more than 3 years. TLC-NJ would try to obtain funding from an alternate source from the 1772 Foundation for a \$50,000 grant. If TLC-NJ obtains the grant, they would like the County to match the \$50,000 grant. They believe that the price per acre for the development easement would be \$3,448 per acre. There would be a one acre exception area for a future house on the farm. The Township would then like to auction off the property after the preservation. The location of the farm is on Rte. 94 and across the street from the Nature Conservancy's Johnsonburg Swamp. Ms. Willever made a motion to approve the matching grant of \$50,000 provided that the grant from the 1772 Foundation is obtained and that the County's maximum funding amount is no more than 50% of the appraised value of the development easement and that the township is to provide the appraisals on the property. Mr. Gibbs seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes; Ms. Willever – yes
Motion carries.

Beaver Brook, Hope Township Funding Resolution #14-04 – BL 3400 L 400 & 1400 and Block 3401 L 400, approximately 140.92 acres. The CMV for this County application is \$3,979/acre with a 3% adjustment for final surveyed acres bringing the total funding amount to \$560,720.68 which the County is contributing \$167,920.27 or \$1,191.60/acre with the SADC cost share of \$392,800.41 or \$2,787.40/acre. There are no existing dwellings or structures, no ag labor housing no pre-existing non-ag uses, and no proposed trails on the premises, and no RDSO's. There are two exception areas; one non-severable exception of .65 acre for conversion of existing barn to single family residence restricted to one residential unit and one non-severable exception of 1 acre for future single family residence

restricted to one residential unit. Access easements to be determined with title search. Mr. Bodine made a motion to approve the resolution as submitted which was seconded by Ms. Willever.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes; Ms. Willever – yes
Motion carries.

CADB Approval of County Farmland Applications

- **Thompson Farm** – BL 67 L 16, White Twp., approx. 40.28 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 46.51. There are 22.37 tillable acres used for permanent pasture, and 12.65 acres of woodland, with Prime Soil consisting of 23.55 acres and 4.728 acres of Statewide soil. The structure on premises to be preserved is one barn. The landowner is taking a 2.5 acre non-severable exception area around existing two family residences and one garage and three barns. This farm is located in the West Project Area and in the Highlands Planning Area.

Ms. Willever made a motion to approve the Thompson County Farmland Application and for submission to the SADC for preliminary Green Light Approval. Mr. Gourniak seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes; Ms. Willever – yes;
Motion carries.

- **Burke/Dinsmore Farm #1** – BL 9 L 51.01, Harmony Township, approximately 80.56 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 51.80. There are 25.17 tillable acres used for soybean, 50.82 acres of woodland, with 16.45 acres of Prime Soil, and 13.05 acres of Statewide soil. This application has a 1 non-severable exception of 1 acre for future single family residence. There are no structures on the premises to be preserved. There are Telecommunications easement and power and light easements on the property. This application is within the County ADA and in the West Project Area and located in the Highlands Preservation Area.
- **Burke/Dinsmore Farm #2** – BL 9 L 51.02, Harmony Township, approximately 17.381 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 64.89. There are 15.88 tillable acres used for soybean, .87 acres of woodland, with 7.117 acres of Prime Soil, and 10.597 acres of Statewide soil. This application has a 1 non-severable exception of 1 acre for future single family residence. There are no structures or easements on the premises to be preserved. This application is within the County ADA and in the West Project Area and located in the Highlands Preservation Area.

Mr. Schnetzer was concerned about the exception area being located within the middle of the fields. Mr. Tierney stated that the landowner would be willing to relocate the exception areas. Ms. Willever was concerned about the impervious surface coverage of the driveway because the applications are in the Highlands Preservation Area.

Ms. Willever made a motion to approve both of the Burke/Dinsmore applications provided that the exception areas could be relocated and for submission to the SADC for preliminary Green Light Approval. Mr. Gibbs seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes; Ms. Willever – yes;
Motion carries.

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

New Applications:

- **Barton #1** – Mansfield/Independence Twps. (Approx. 43 acres) One lot outside ADA. Processing application.
- **Barton #2** – Mansfield/Liberty Twps. (Approx. 70 acres) Processing application.
- **Barton #3** – Mansfield/Liberty Twps. (Approx. 36 acres) Processing application.

- **Kinney Estate** – Blairstown/Knowlton Twps. (Approx. 34 acres) Waiting for subdivision to be perfected.
 - **Smith/Demers** – Knowlton Twp. & White Twp. (Approx. 79 acres) Investigating access issues with road. Applicant claims lawyer has requested documents regarding parcel ownership in White Twp.; request made to lawyer to acquire access easement from NJ DEP.
 - **Twin Brook Farm** – Harmony Twp. MUNI PIG (Approx. 22 acres)
- Total Applications: 6 Total Acres: 284**

CADB Approval:

- **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 acres)
 - **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 acres)
 - **Thompson Farm** – White Twp. (Approx. 38 acres)
- Total Applications: 3 Total Acres: 137**

Awaiting Green Light Approval:

County Applications

- **715 Harmony Station Rd. (Crouse, Rich)** – Harmony Twp. (Approx. 108 acres) SADC requested zoning info.
 - **Bartha** – White/Oxford Twps. (Approx. 52 acres) Two lots outside ADA.
 - **Bullock (Yellow Rock Horse Farm)** – White Twp. (Approx. 64 acres) GLA sent.
 - **Cericola Farm #1** – Franklin Twp. (Approx. 182 acres) GLA sent.
 - **Cericola Farm #2** – Franklin Twp. (Approx. 31.5 acres) GLA sent.
 - **Klimas** – Independence/Mansfield Twp. (Approx. 174 acres) Two lots outside of ADA.
 - **Oberly, Jack** – Pohatcong/Alpha (Approx. 92 acres) One lot outside ADA.
 - **O'Dowd Farm (West) #1** – Greenwich Twp. (Approx. 113 acres) GLA expected by end of Feb.
 - **O'Dowd Farm (East) #2** – Greenwich & Franklin Twps. (Approx. 94 acres) GLA expected by end of Feb.
 - **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 acres) GLA expected by end of Feb.
 - **Santini, R&S** – Harmony Twp. (Approx. 71 acres) SADC requested town vacate Esposito Rd. through property.
 - **Smith Farm #1, J&K** – Harmony Twp. (Approx. 49 acres) GLA sent.
 - **Smith Farm #2, J&K** – Harmony Twp. (Approx. 53 acres) GLA sent.
 - **Smith, Skip** – Franklin Twp. (Approx. 44 acres) SADC requested two separate applications based on a non-contiguous lot and zoning/access issues for BL 18 L 26.
 - **Meadows at Mansfield** – Mansfield Twp. (Approx. 124 acres) Application on hold until appeal is resolved.
 - **Smith, John & Jean** – Harmony/White Twp. (Approx. 119 acres) Applicant subdividing farm. Will be two applications. Can proceed with GLR once separate applications are received.
- Total Applications: 16 Total Acres: 1489.5**

Municipal Applications

- **Paternostro** – Greenwich Twp. MUNI PIG (Approx. 40 acres) Seeking FRPP funding. GLA by end of Feb.
- Total Applications: 1 Total Acres: 40**

Active Projects:

State Applications

- **Kleindienst** – Frelinghuysen Twp. & Stillwater Twp., Sussex County (Approx. 130 acres, 45 acres in Warren) Survey & Title Search underway.
 - **Santini** – Lopatcong/Greenwich Twp. (Approx. 105 acres) CMV expected on 2/27.
- Total Applications: 2 Total Acres: 150**

County Applications

- **Beaver Brook Farm** – Hope Twp. (Approx. 137 acres) CMV \$3,979; Signed contract received.
- **Brandywine** – Franklin Twp. (Approx. 64 acres) Appraisals ordered.
- **Czar Farm** – Pohatcong Twp. (Approx. 94 acres) Requested title search and survey underway;

- **Cooke** – Hope & Frelinghuysen Twp. (Approx. 59 acre County-PIG) Survey & FRPP appraisal underway, requested title search.
 - **McConnell** – Oxford Twp. (Approx. 52 acres) Under final legal review; ownership issue on Lot 11.
 - **McCullough** – Washington Twp. (Approx. 44 acres) Received signed contract.
 - **Myers/Toretta** – Franklin Twp. Muni-PIG (Approx. 48 acres)
 - **Race, Sam & Jean** – White Twp. (Approx. 85 acres) Appraisals ordered.
- Total Applications: 8 Total Acres: 583**

Municipal Applications

- **Apgar Cider Press** – Harmony (Approx. 19 acres - Muni PIG) CMV \$7,000. Received contract.
 - **Al-Ruby Farm** (Waters & Schanzlin) – Harmony Twp. (Approx. 27 acres – Muni PIG) CMV \$7,000. In contract review.
 - **Anderson** – Knowlton Twp. Muni-PIG (Approx. 119 acres) Appraisals sent for CMV.
 - **Erhardt** – White Twp. Muni-PIG (Approx. 27 acres) In closing review – waiting for FRPP approval of appraisal & DOE.
 - **Farley Acres (Stern)** – Harmony Twp. (Approx. 108 acres - Muni PIG) CMV \$5,600.
 - **Schanzlin** – Harmony Twp. (Approx. 87 acres - Muni PIG) CMV \$6,000. In contract review.
 - **Walburn Farm** – White Twp., (Approx. 28 acres – Muni-PIG) CMV \$5,900; Received Final Approval 1/23/14.
- Total Applications: 7 Total Acres: 415**

Non-profit Applications

- **K-J Farm** – Harmony Twp., Non-Profit (Approx. 104.72 acres) \$3,175 CMV. In contract review.
 - **May** – Hope Twp., Non-Profit (Approx. 22.8 acres) \$5,950 CMV. Signed contract, survey ordered.
 - **Star D Farm** – Harmony Twp., Non-Profit (Approx. 46.74 acres) \$6,900 CMV. In contract review.
 - **Sunny Hill Farm** – Harmony Twp. & Lopatcong Twp., Non-Profit (Approx. 30.647 acres) \$6,650 CMV. Title & Survey underway.
- Total Applications: 4 Total Acres: 205**

Closings:

- **Bowers** – Pohatcong Twp. (Approx. 50 acres) Closed 01/22/14!
 - **Pruden** – Hope Twp. (Approx. 162 acres) Closed 01/22/14!
- Total Applications: 2 Total Acres: 212**

Public Comment: None

Adjournment: A motion for adjournment was made by Ms. Willever and seconded by Mr. Gourniak. Motion carries. Chairman Schnetzer adjourned the meeting at 8:21 pm.

Respectfully submitted,


Teresa Kaminski

