

## **WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD**

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

### **Meeting Minutes**

**April 20, 2017**

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 7:34 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, Richard Keiling, County Counsel, Carmen Fuela, Independence Township; Donaldson Family, Mansfield; Tim Matthews, White Township; Bob Santini, Pohatcong Township.

Chairman Schnetzer led the Pledge of Allegiance.

**Minutes** of the meeting held on March 16, 2017 were approved on a motion by Mr. Baduini and seconded by Mr. Burke. Motion carries.

**Correspondence:** Noted

**Public Input (Non-agenda Items):** Mr. Schnetzer opened the meeting for public comment. No comments.

### **Old Business:**

#### **O'Dowd Auction Discussion and South farm status**

Mr. Tierney informed the Board that there has been no news since last month and that he is still waiting for an answer from SADC regarding the adjusted appraisal process for the properties in the Pohatcong Valley Contamination Area.

#### **Roes Island Wetlands/Kenco Property - Great Meadows Area**

Carmen Fuela, Independence Township Committee and Land Use Board Member. Mr. Fuela came to address the Board regarding the two projects for Wetlands Mitigations in the Great Meadows Area. Mr. Fuela stated that the land has become valuable for the mitigation which takes place of the agriculture and the lands that are under mitigation, the dams are blocked. Mr. Fuela stated that the County could solve the problem by preserving the land. Freeholder Ed Smith has been in contact with Susan Payne regarding this matter. The Great Meadows area is not currently in our Agriculture Development Area and we are not certain that the SADC would see the land as valuable just for wetlands mitigation since they pay for the development easement. The Kenco property is 98 acres and it is going to be developed for wetlands mitigation and it is ½ mile from the Elementary School. Mr. Fuela and the Farm Bureau had been to the DEP three times to discuss the danger and problems the wetlands would cause the area. The DEP is concerned that if the project meets the checklist, it is ok. Chairman Schnetzer stated that the agriculture description in the zoning laws are too vague. Roes Island had bee hives on the property, but they were taken out because the bees can't thrive in wetlands. There is a 10 foot fence around the property and the ditches have been plugged up. The municipalities in that area all contribute to the maintenance of the channel's water flow. The plugging up of ditches will cause flooding, something that the Army Corps of Engineers came to this area to remedy in the 1950s. The wetlands mitigation taking place in Great Meadows is a contradiction to the Flood Control Act PL 566, but the DEP oversees that as well as the wetlands mitigation. The Board talked about contacting the legislators regarding this issue. Mr. Baduini stated that Roes Island is under appeal.

### **New Business:**

#### **Apple Mountain, BL 16 L 23, White Township request for Emergency Funding for closing**

Mr. Matthews has a contract to purchase the property. He is currently farming this and has worked to clear the 40 acre property that hasn't been farmed since the 1970's. Mr. Matthews would like to put up a 50 X 70 barn for hay storage. Mr. Matthews does not have any plans to build a home on the property. Mr. Tierney brought to the Board's attention, the violations regarding the driveway and the County Engineer's letter regarding their concerns on the ROWs. Mr. Matthew said that the change in the driveway that he made to the property makes it safer for him to go in and out of the property with farm equipment. Mr. Matthews is amenable to any change. The current access is for agriculture use only. The driveway for the future house would have to have a County-site plan review and need CADB & SADC approval. Mr. Matthews said that there are no violations outstanding and that the dead tree in the road has been moved and he showed aerial photos to the County Engineer. The Board discussed whether to use the SADC competitive funding for Apple Mountain or O'Dowd South farm and which one to seek reimbursement for. Mr. Tierney stated that the Governor has yet to sign the approved legislation and allocate the funding, but the SADC expects the money to be available in the summer. Mr. Dempski made a

motion to keep competitive funds for O'Dowd and to fund 100% Apple Mountain by County Funding and to seek reimbursement when SADC money is available. Mr. Menegus seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – no; Mr. Burke – yes; Mr. Dempski – yes; Ms. Willever – yes;  
Mr. Menegus – yes.

Motion carries.

**Chapkovich Certification of Commercial Farm, BL 600 L 300, Hope Township Memorialization of Resolution #17-01**

Mr. Baduini made a motion to approve the memorialization of the Certification of Commercial Farm Resolution #17-01 for the SMC Hayfields Farm, owners and operators Scott and Nichole Chapkovich, BL 600 L 300, Hope Township. Mr. Menegus seconded the motion.

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

Motion carries.

**Donaldson Family Farm, L. P., BL 1105.10 L 1, 2.01, 6, 7 & 8, Mansfield Twp. Certification of Commercial Farm**

Lewis Donaldson owns BL 1105.10 L 1, 2.01, 6, 7 & 8 in Mansfield Township and operates under Donaldson Family Farm. 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 2016 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.

Mr. Baduini made a motion to justify the Certification of Commercial Farm for the Donaldson Family Farm, owner Lewis Donaldson, BL 1105.10 L 1, 2.01, 6, 7 & 8 in Mansfield Township. The applicant provided all the required documents for certification. Mr. Burke seconded the motion.

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

Motion carries.

**Bear Creek Properties, LLC, Jeremy DeLuca, BL 1301 L 5 & 5.03, Mansfield Twp. Certification of Commercial Farm**

Joseph DeLuca owns BL 1301 L 5 in Mansfield Township and operates under Bear Creek Properties. 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 2016 FA-1 supplemental form, 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.

Mr. Menegus made a motion to justify the Certification of Commercial Farm for the Bear Creek Properties, owner Joseph DeLuca, BL 1301 L 5 in Mansfield Township. The applicant provided all the required documents for certification. Mr. Baduini seconded the motion.

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

Motion carries.

**Haebler Farm, BL 1603 L 2, Blirstown Twp. Certification of Commercial Farm**

Gary Haebler owns BL 1603 L 2 in Blirstown Township and operates under Haebler Farm. 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 receipts from two sales; (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. There was some discussion over the sale of livestock that was sold and to what was stated on the 2016 FA-1 Form. Mr. Haebler was not present to answer any questions.

Mr. Baduini made a motion to postpone the Certification of Commercial Farm for the Haebler Farm, BL 1603 L 2 in Blirstown Township until next month with condition that Schedule F is provided. Mr. Dempski seconded the motion.

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

Motion carries.

### 2017 Monitoring Report Issues

- Santini (MUNI PIG) BL 107 L 27, Pohatcong Township preserved farm. Warren County Soil Conservation District did the yearly monitoring and took pictures of the piles of soil on the preserved farm which is interpreted in the Deed of Easement as a violation for bringing in or removal of soil on a preserved farm. Mr. Santini stated that it was clean fill and was using it to fill in sink holes and swales. The soil was not tested, but he believes that it is clean. Mr. Santini stated that it has been there for 1 to 1 ½ years. He estimates that it will take 1 year to use it to fill in the swales and sinkholes. The soil is on an area that is not being used for agriculture. Mr. Burke made a motion to stabilize the pile with hay or grass seed. Mr. Dempski seconded the motion.

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

Motion carries.

Mr. Santini stated that he received a letter from the SADC regarding a preserved farm in Greenwich Township that was a SADC direct easement. He presented the letter to the Board members. He stated that people are dumping stuff in the depression. This is not a quarry, but material was used from this depression to fill in Route 57. Mr. Santini is looking for clean fill to fill in the depression. He is not testing the soil. The SADC requires him to work with NRCS on this matter.

**Administrator's Report:** Mr. Tierney went over the report and notified the Board that he is working with Green Acres to acquire the Sigler and Tasevski farm in Franklin Township because it is of interest to the County given the proximity to the canal. Mr. Tierney is interested to see how their appraisals address the Pohatcong Valley Contamination Area. Mr. Menegus stated that he would like the Board of Recreation to work together with the CADB on farms that they are interested in preserving as Open Space because he would like to not see farmed land be turned into grass lands or park land but remain agriculturally active and buy only the canal.

Mr. Schnetzer stated that he would like to see the County Board of Agriculture make a 25 year plan. Mr. Tierney stated that in our Comprehensive Farmland Application Plan, we have a plan for acquisition. Mr. Schnetzer stated that he still would like the Board of Agriculture to get involved.

### New Applications:

#### *County Applications*

- **DeLorenzo** – Blairstown & Knowlton Townships (Approx. 57.07) Checking on tillable acreage. Asked landowner about adding another lot.
- **Haydu** – Harmony Township (Approx. 46 ac.) Not currently on our target list because it is made up of 6 smaller lots. CADB approved MUNI PIG Transfer at last meeting, but Joe Haydu would like it to stay a County PIG and it is on hold.
- **Hoffman-LaRoche** – White (Approx. 93 ac.) On hold pending review of sludge removal letter.
- **Noel** – Franklin Township (Approx. 44 ac.) On hold pending PVCA review.
- **Claeysens** – Liberty Township (Approx. 100 acres) Does not meet minimum eligibility requirements. Landowner stated that more acreage has been cleared. Will require a site visit.

**Total Applications: 5                      Total Acres: 340**

#### *Municipal Applications*

- **The LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 ac.) Need to contact landowners to see if they would want to pursue a County application.

**Total Applications: 1                      Total Acres: 107**

#### *Non-Profit Applications*

- **Heeres** – Harmony Twp. (Approx. 67 ac.)
- **Hensler** – White Twp. (Approx. 40 ac.)
- **Total Applications: 2                      Total Acres: 107**

### Awaiting Green Light Approval:

#### *County Applications*

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

#### *Municipal Applications*

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

### Received Green Light Approval:

#### *County Applications*

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

#### *Municipal Applications*

- **DeBoer** – White Twp. (Approx. 56 ac.) Received appraisals.
- **Conti** – Knowlton (Approx. 280 ac.)

- **New Village Road, LLC** – Greenwich (Approx. 253 ac.)  
**Total Applications: 3      Total Acres: 589**

Preliminary Approval:

*Non-Profit Applications*

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 ac.) Received appraisals.
- **Shoemaker I** – White Twp. (Approx. 115 ac.)
- **Shoemaker II** – White Twp. (Approx. 12 ac.)
- **Tjalma II** – Harmony Twp. (Approx. 61 ac.)
- **Tjalma III** – Harmony Twp. (Approx. 36 ac.)  
**Total Applications: 5      Total Acres: 475**

Received CMV & Offer Made:

*County Applications*

- **O'Dowd (Water St.)** – Greenwich (Approx. 20 ac.) CMV \$4,500. Appraisals sent to Mylod for review.  
**Total Applications: 1      Total Acres: 20**

*Municipal Applications*

- **Buckaloo View (Maertens)** – Hope Twp. (Approx. 22 ac.) CMV \$4,200. SADC Final Approval.
- **Nonnenmacher #1** – Blairstown (Approx. 106 ac.) CMV \$3,100. Offer made to landowner. Applied for Federal funding.
- **Nonnenmacher #2** – Blairstown (Approx. 17 ac.) CMV \$5,000. Offer made to landowner. Applied for Federal funding.
- **Pittenger (Dark Moon)** – Frelinghuysen (Approx. 92 ac.) CMV \$3,700. Received Highlands Grant.  
**Total Applications: 4      Total Acres: 237**

Under Contract (Title Search & Survey):

*County Applications*

- **Apple Mountain** – White Twp. (Approx. 65 ac.) CMV \$3,900. Received draft survey. Engineering office has issue with driveway.
- **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 ac.) CMV \$3,500. Title search ordered. Survey submitted to Engineering Dept. for comments.
- **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 ac.) Revised \$7,800. Received revised signed contract. Title search ordered. Survey submitted to Engineering Dept. for comments.
- **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 ac.) Provided revised CMV to landowner. Fee simple draft survey received.
- **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 ac.) CMV \$4,600. Subdivision resolution received. Inspection performed.
- **Smith, John & Jean #2** – Harmony (Approx. 36 ac.) CMV \$6,000. Subdivision resolution received. Highlands Council has issue with exemption on this property, trying to get a waiver for the HPAA permits. Inspection performed.  
**Total Applications: 6      Total Acres: 480**

*State Applications*

- **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 ac.) CMV \$4,400. Surveys received. County and DOT have concerns regarding easement.
- **Santini/Chambers** – Pohatcong Twp. (Approx. 56 ac.) CMV \$3,000. Surveys received.  
**Total Applications: 2      Total Acres: 140**

*Municipal Applications*

- **Murphy Farm** – Frelinghuysen Twp. (Approx. 206 ac.) CMV \$4,800. Received township funding approval. Received draft survey.  
**Total Applications: 1      Total Acres: 206**

Waiting to Close (Final Legal Review):

*County Applications*

- **Unangst** – White Twp. (Approx. 85 ac.) CMV \$3,625. Inspection performed. Estate issues being worked out.  
**Total Applications: 1      Total Acres: 85**

*Municipal Applications*

- **Ardia (High Acres) Farm** – Blairstown Twp. (Approx. 121 ac.) CMV \$4,800.  
**Total Applications: 1      Total Acres: 121**

*Non-profit Applications*

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

Recent Closings:

- **Rothman (Oxbow Acres)** – White Twp. (Approx. 48 ac.) – CMV \$4,000.

Pohatcong Contamination Area Projects:

SADC restrictions and conditions for appraisals:

- **Hart Farm #1** – Franklin Twp. (Approx. 113 acres) Applied for Federal funding. Received appraisals. Landowner stated not enough money, but is reviewing options. Awaiting SADC/DEP response regarding groundwater.
- **Hart Farm #2** – Franklin Twp. (Approx. 267 acres) Applied for Federal funding. Received appraisals. Landowner stated not enough money, but is reviewing options. Awaiting SADC/DEP response regarding groundwater.

Received CMV & Offer Made:

- **Crouse, Carl** – Washington Twp. (Approx. 90 ac.) Estimated CMV \$6,244 removal of two lots. Applied for Federal funding. Awaiting SADC/DEP response regarding groundwater.

Under Contract (Title Search & Survey):

- **Smith, Skip #2** – Franklin Twp. (Approx. 22 ac.) CMV \$5,500. Applied for Federal funding. Awaiting SADC/DEP response regarding groundwater.

**Total Applications: 4                      Total Acres: 492**

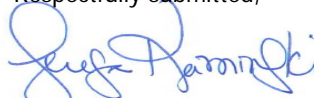
2017 Closings YTD: 8 farms totaling 556 acres

Program Totals: 271 farms totaling 24,152 acres

**Public Comment** – none

**Adjournment:** A motion for adjournment was made by Mr. Baduini and seconded by Mr. Menegus. Motion carries. Chairman Schnetzer adjourned the meeting at 9:29 pm.

Respectfully submitted,



Teresa Kaminski