

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

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

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

Members present: Tim Bodine, Frank Gibbs, Joe Gourniak, Jason Menegus, Joel Schnetzer, Wendy Willever

Members absent: Lou Baduini

Others present: C. Tierney, T. Kaminski, Staff; Katrina Campbell, Special County Council; Gary Pohorely, SADC

Chairman Schnetzer led the Pledge of Allegiance.

Minutes of the meeting held on August 21, 2014 were approved on a motion by Mr. Bodine and seconded by Mr. Menegus. Mr. Gibbs and Ms. Willever abstained. Motion carries.

Executive Minutes of the meeting held on August 21, 2014 were approved on a motion by Mr. Menegus and seconded by Mr. Bodine. Mr. Gibbs and Ms. Willever abstained. Motion carries.

Correspondence: Noted

Mr. Gourniak joined the meeting and took his position on the Board.

Public Input (Non-agenda Items): None

Old Business: None

New Business:

CADB Application Approval –

- **Unangst – BL 47 L 5, White Twp., approx. 85 gross 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 76.29. There are 71.68 tillable acres used for corn and hay and 9.64 acres of woodland, with Prime Soil consisting of 44.4 acres and 7.22 acres of Statewide soil. There is one dairy barn, one calf pen, one corn crib, and one single family residence with one garage on the premises to be preserved. The landowner is taking a 1 acre non-severable exception area for future SFR. This farm is located in the Highlands Planning Area and in the West project area.

Mr. Bodine made a motion to approve the Oscar Unangst 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
Mr. Menegus – yes; Ms. Willever – yes

Motion carries.

- **Carl & Jennie Crouse – BL 16 L 4, BL 15 L 2 & BL 14 L 35, Washington Twp., approx. 112 gross 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 62.30. There are 76 tillable acres used for corn, 18 acres of cropland pasture, and 14.919 acres of woodland, with Prime Soil consisting of 77.03 acres and 25.97 acres of Statewide soil. There are three barns, one silo and four sheds, and two single family residences with one garage on the premises to be preserved. The landowner is not taking an exception area. There is a Category I Stream, Brass Castle Creek, within 300 feet of the property located on the adjacent AJR preserved farm (currently Horse Sleigh Farm). This farm is located in the Highlands Preservation and Planning Areas and in the Southeast project area.

Block 16 Lot 4 has the Morris Canal running through the property and is identified in the County's 25 Year Plan for acquisition. The Crouse's stated that they would not be interested in having a trail easement on their property because they do not want people walking through their crops. The Warren County Board of Recreation

Commissioners made a motion at their September 9, 2014 meeting to request the CADB except out the Morris Canal Area from farmland preservation so that the possibility of a trail is not forever precluded.

Mr. Tierney explained that the Morris Canal is listed on the State and National Register of Historic Places. He said that the Planning Director confirmed that this property is identified in the County's 25-Year Morris Canal Greenway Plan. He explained that the Board of Recreation is working with the Township of Washington to establish a walking path over the canal from Brass Castle Road, through Meadow Breeze Park, and west to Little Philadelphia Road. The Board discussed at length the cons of a farmer having a trail easement on their property, including the loss of privacy and interference with farming operations. Mr. Tierney explained that this must be weighed against the public benefits to neighboring residents of a trail and likened the benefits to those of public sidewalks.

The Board expressed concern that the landowner would not be compensated through the farmland preservation program for the canal area were it to be excepted out. Mr. Tierney said that this is similar to instances where the County excepts out a road right-of-way for public transportation. Mr. Schnetzer responded that public roads are different than public trails. Mr. Tierney suggested perhaps the trail easement could be purchased, but would not spring into effect until the current landowners convey title. Alternatively, Mrs. Campbell suggested perhaps there was a way to purchase a right-of-first refusal over the excepted area so that the landowners are compensated for that area. Chairman Schnetzer thought the landowner must be agreeable to any solution. The Board would like Mr. Tierney to get in touch with the landowners to discuss these options and that the application be moved forward regardless of the landowner's decision about the proposed trail.

Ms. Willever made a motion to approve the Carl & Jennie Crouse County Farmland Application without requiring the trail area be involuntarily excepted out from the preserved farm premises 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
Mr. Menegus – yes; Ms. Willever – yes

Motion carries.

SADC Direct Purchase Applications

- Hannema Farm - BL 501 L 13.02, BL 502 L 1, Mansfield Twp., approx. 162.73 acres
- Santini/Resnick Farm - BL 99 L 4, Pohatcong Twp., approx. 84 acres
- Santini/Chambers Farm - BL 101 Lot 13, Pohatcong Twp., approx. 73.7 acres

These three farms are in application with the SADC for direct purchase. The SADC would like the CADB to approve of these farmland applications. Mr. Tierney advised the Board that these SADC Direct farms will be funded 100% by the state and that he is very pleased the SADC selected these farms because this funding could have easily gone elsewhere in the state. Mr. Menegus made a motion to support all three farmland applications for preservation. Mr. Gibbs seconded the motion.

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

Motion carries.

CADB Funding Approval on Farmland Applications

- **Bullock (Yellow Rock Horse Farm) Funding Resolution #14-14, BL 63 L 9, White Twp., approx. 63 (3%) acres** – This farm is located in the Highlands Planning Area and the West Project Area. There are no existing dwellings, structures, agriculture labor housing, RDSO's, or pre-existing non-agricultural uses on premises. There is a one non-severable exception of 2.8 acres for a future single family residence restricted to one unit and possible future non-ag use. The CMV is \$3,900 per acre at an estimated total easement purchase price of \$245,700 out of which the cost share breakdown is as follows: SADC \$2,740/acre and Warren County \$1,160/acre. Mr. Gourniak made a motion to approve the funding on the Bullock (Yellow Rock Horse Farm) and to recommend the estimated funding of the development easement purchase of \$245,700 to the Freeholders for their approval. Mr. Bodine seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes
Mr. Menegus – abstained; Ms. Willever – yes

Motion carries.

- **J&K Smith Farm #1 Funding Resolution #14-15, BL 37, L 17.02, Harmony Twp., approx. 49.85 (3%) acres** – This farm is located in the Highlands Planning Area and the West Project Area. There are no existing dwellings, structures, agriculture labor housing, RDSO's, or pre-existing non-agricultural uses on premises. There is a one non-severable exception of one acre for a future single family residence restricted to one unit. This farm has qualified to receive a Federal Grant, Agricultural Conservation Easement Program (ACEP) via the NJ Conservation Foundation which is expected as 50% of the current easement value of \$2,900 per acre. There is a

maximum impervious surface limitation of 6.67% available for the impervious cover on the lands being preserved outside of the exception area as a requirement to receive the ACEP Grant. The CMV is \$6,000 per acre at an estimated total easement purchase price of \$299,100 out of which the cost share breakdown is as follows: SADC \$3,900/acre, ACEP \$650/acre and Warren County \$1,450/acre. Mr. Gourniak made a motion to approve the funding on the J&K Smith Farm #1 and to recommend the estimated full funding for the development easement purchase of \$299,100 to the Freeholders for their approval. Mr. Bodine seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes

Mr. Menegus – yes; Ms. Willever – yes

Motion carries.

- **J&K Smith Farm #2 Funding Resolution #14-16, BL 37, L 17, Harmony Twp., approx. 53.56 (3%) acres** – This farm is located in the Highlands Planning Area and the West Project Area. There are no existing dwellings, structures, agriculture labor housing, RDSO's, or pre-existing non-agricultural uses on premises. There is a one non-severable exception of one acre for a future single family residence restricted to one unit. This farm has qualified to receive a Federal Grant, Agricultural Conservation Easement Program (ACEP) via the NJ Conservation Foundation which is expected as 50% of the current easement value of \$2,500 per acre. There is a maximum impervious surface limitation of 7% available for the impervious cover on the lands being preserved outside of the exception area as a requirement to receive the ACEP Grant. The CMV is \$5,500 per acre at an estimated total easement purchase price of \$294,580 out of which the cost share breakdown is as follows: SADC \$3,650/acre, ACEP \$600/acre and Warren County \$1,250/acre. Mr. Gourniak made a motion to approve the funding on the J&K Smith Farm #1 and to recommend the estimated full funding for the development easement purchase of \$294,580 to the Freeholders for their approval. Mr. Bodine seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes

Mr. Menegus – yes; Ms. Willever – yes

Motion carries.

Drainage Issues

- **Jim Smith Farms, LLC** – Harmony Twp. The Board discussed the Conservation Plan made by the NRCS to remedy the drainage issue on this preserved farm. Mr. Gibbs made a motion that the CADB and the Dept. of Land Preservation proceed to work with the NRCS and Warren County Soil Conservation District to remedy drainage and soil loss issues on farms within the County and to support the specific proposal of the Conservation Plan made by NRCS on the Jim Smith, LLC farm. Mr. Gourniak seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes

Mr. Menegus – yes; Ms. Willever – yes

Motion carries.

- **McCullough Road Land Development** – Mr. Tierney and the Board looked over the photos that the Road Department had taken of the run off of water and soil that was breaking up the concrete and running onto a neighboring farm. This property is located on a County road and is currently in farmland application with the County. The Board indicated that it will not finish preserving this farm until this soil erosion problem has been addressed and instructed Mr. Tierney to reach out to the landowner regarding the run off and report back next month.

Roes Island Wetland Mitigation and Riparian Compensation Project – BL 29 L 3, Independence Twp., BL 1 L 34, Liberty Twp. Based on correspondence received from Mr. Wayne Jarvis, the landowner's property has been approved by the state for a wetlands mitigation project. This would take the farmland out of agriculture production and return it to wetlands. This matter was brought to the Board's attention by a Mr. Wayne Jarvis, who is a landowner of an adjacent property to BL 1 L 34 in Liberty Township. There is a concern among neighbors of large mosquito growth on the property if it is returned to wetlands. Mr. Tierney said he was advised that the Warren County Mosquito Commission will be sending a letter of concern to the landowner. The Board discussed the project and what if any jurisdiction they would have over this matter with Mr. Tierney. They decided to table it for the October meeting after more information is sought by Mr. Tierney.

Annual CPIG Application – The Land Conservancy of NJ (TLC-NJ) has submitted a proposal of \$3,000 to prepare the FY2016 PIG Application for Warren County. Mr. Tierney stated that the Conservancy has prepared the annual application in years past and recommended approval. Mr. Bodine made a motion to approve an agreement with TLC-NJ to do the County's annual CPIG plan application. Mr. Gibbs seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Gibbs – yes; Mr. Gourniak – yes

Mr. Menegus – yes; Ms. Willever – yes

Motion carries.

Pohatcong Twp. MUNI PIG Letter – Pohatcong is submitting a MUNI PIG Application this year to receive funding from the state for the EIA property, BL 93 L 4 & 5. This property is outside the County and Pohatcong ADA. The County would need to change their Agricultural Development Area (ADA) for the township to change theirs as well. Mr. Gourniak made a motion to approve TLC-NJ to potentially change the ADA for this addition. The cost would be \$500. Mr. Gibbs seconded the motion.

Mr. Tierney stated that the County would first have to have a hearing on the change of the ADA before any changes could be made.

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

Motion carries.

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

New Applications:

- **Crouse, Dale & Pamela (#1)** – Harmony Twp. (Approx. 54 acres) SADC requested info re sludge.
 - **Crouse, Dale & Pamela (#2)** – Harmony Twp. (Approx. 17 acres) SADC requested info re sludge.
 - **Shoemaker** – White Twp. (Approx. 81 acres) – Need more info; applicant may subdivide.
- Total Applications: 3 Total Acres: 71**

CADB Approval:

- **Crouse, Carl** – Washington Twp. (Approx. 120 acres)
 - **Unangst** – White Twp. (Approx. 85 acres)
- Total Applications: 2 Total Acres: 205**

Awaiting Green Light Approval:

County Applications

- **715 Harmony Station Rd. (Crouse, Rich)** – Harmony Twp. (Approx. 108 acres) SADC requested DEP info.
 - **Bartha** – White/Oxford Twps. (Approx. 52 acres) Two lots outside ADA. SADC requested more income verification.
 - **Barton #1** – Mansfield/Independence Twps. (Approx. 43 acres) SADC requested change on exception configuration.
 - **Jones, Mitchell** – Franklin/Harmony Twps. (Approx. 28 acres) Landowner checking on location of exception area.
 - **Klimas** – Independence/Mansfield Twp. (Approx. 174 acres) Two lots outside of ADA.
 - **Meadows at Mansfield** – Mansfield Twp. (Approx. 124 acres) Application on hold until appeal is resolved.
 - **RLL Enterprises, Inc.** – Franklin Twp. (Approx. 51 acres) Applicant compiling information for subdivision approvals.
 - **Sigler, Carl** – Franklin Twp. (Approx. 174 acres)
 - **Smith, Skip #1** – Franklin Twp. (Approx. 21 acres) Application does not qualify for highlands dual appraisal; unclear whether lots created through will be buildable under highlands act.
 - **Tasevski** – Franklin Twp. (Approx. 88 acres)
- Total Applications: 10 Total Acres: 863**

Municipal Applications

- **Rothman (Oxbow Acres)** – White Twp. MUNI PIG (Approx. 57 acres)
- Total Applications: 1 Total Acres: 57**

State Applications

- **Hannema** – SADC Direct - Mansfield Twp. (Approx. 164 acres)
 - **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 acres)
 - **Santini/Chambers** – Pohatcong Twp. (Approx. 56 acres)
- Total Applications: 3 Total Acres: 301**

Active Projects:

State Applications

- **Kleindienst** – Frelinghuysen Twp. & Stillwater Twp., Sussex County (Approx. 130 acres, 45 acres in Warren) Sent out for Federal appraisal review. Expected closing in October.
 - **Oberly, Jack** – Pohatcong/Alpha (Approx. 92 acres) Application switched to SADC Direct.
 - **Santini** – Lopatcong/Greenwich Twp. (Approx. 105 acres) Landowner accepted SADC's offer.
- Total Applications: 3 Total Acres: 242**

County Applications

- **Barton #2** – Mansfield/Liberty Twps. (Approx. 70 acres) Waiting for Barton #1 to appraise together
- **Barton #3** – Mansfield/Liberty Twps. (Approx. 28 acres) Waiting for Barton #1 to appraise together
- **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.
- **Bullock (Yellow Rock Horse Farm)** – White Twp. (Approx. 64 acres) CMV \$3,900. Request CADB Funding Approval.
- **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 acres) RFP's out on appraisals.
- **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 acres) RFP's out on appraisals.
- **Cericola Farm #1** – Franklin Twp. (Approx. 182 acres) CMV \$6,200. Sent contracts to landowner.
- **Cericola Farm #2** – Franklin Twp. (Approx. 31.5 acres) \$6,000. Sent contracts to landowner.
- **Cooke** – Hope & Frelinghuysen Twp. (Approx. 59 acre County-PIG) FRPP reviewing file.
- **Czar Farm** – Pohatcong Twp. (Approx. 94 acres) Final Inspection performed. Waiting to close.
- **Kinney Estate** – Blairstown/Knowlton Twps. (Approx. 34 acres) Appraisals underway.
- **McCullough** – Washington Twp. (Approx. 44 acres) Survey underway. FRPP appraisal sent for NRCS review.
- **O'Dowd Farm (East) #2** – Greenwich & Franklin Twps. (Approx. 94 acres) Appraisals sent to SADC for CMV.
- **O'Dowd Farm (West) #1** – Greenwich Twp. (Approx. 113 acres) Appraisals sent to SADC for CMV.
- **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 acres) Appraisals sent to SADC for CMV.
- **Race, Sam & Jean** – White Twp. (Approx. 85 acres) Appraisals sent to SADC for CMV.
- **Santini, R&S** – Harmony Twp. (Approx. 71 acres) CMV \$2,000. Offer letter sent to landowner.
- **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 acres) Appraisals underway.
- **Smith, John & Jean #2** – Harmony (Approx. 36 acres) Appraisals underway.
- **Smith Farm #1, J&K** – Harmony Twp. (Approx. 49 acres) CMV \$6,000. Request CADB Funding Approval.
- **Smith Farm #2, J&K** – Harmony Twp. (Approx. 53 acres) CMV \$5,500. Request CADB Funding Approval.
- **Smith, Skip #2** – Franklin Twp. (Approx. 22 acres) RFP's out for appraisals.
- **Thompson Farm** – White Twp. (Approx. 38 acres) RFP's out for appraisals.

Total Applications: 23 Total Acres: 1531

Municipal Applications

- **Apgar Cider Press** – Harmony (Approx. 19 acres - Muni PIG) CMV \$7,000. Survey underway.
- **Al-Ruby Farm** (Waters & Schanzlin) – Harmony Twp. (Approx. 27 acres – Muni PIG) CMV \$7,000. In legal review.
- **Anderson** – Knowlton Twp. Muni-PIG (Approx. 119 acres) CMV \$5,200. Received SADC Final Approval.
- **Farley Acres (Stern)** – Harmony Twp. (Approx. 108 acres - Muni PIG) CMV \$5,600. Survey underway.
- **Myers/Toretta** – Franklin Twp. Muni-PIG (Approx. 48 acres) Issue with water; possible lot addition to app.
- **Schanzlin** – Harmony Twp. (Approx. 87 acres - Muni PIG) CMV \$6,000. In legal review.
- **Paternostro** – Greenwich Twp. MUNI PIG (Approx. 40 acres) Appraisals sent to SADC for CMV.
- **Twin Brook Farm** – White Twp. MUNI PIG (Approx. 22 acres) Appraisals underway.
- **Walburn Farm** – White Twp., (Approx. 28 acres – Muni-PIG) CMV \$5,900; In legal review.

Total Applications: 9 Total Acres: 498

Non-profit Applications

- **K-J Farm** – Harmony Twp., Non-Profit (Approx. 104.72 acres) \$3,175 CMV. Received contract.
- **Star D Farm** – Harmony Twp., Non-Profit (Approx. 46.74 acres) \$6,900 CMV. Received contract.

Total Applications: 2 Total Acres: 152

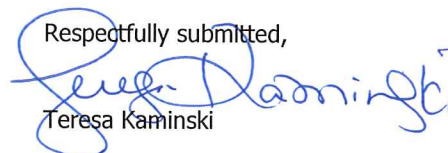
Closings:

- **Beaver Brook Farm** – Hope Twp. (Approx. 137 acres) CMV \$3,979; Closed on 9/9/14!

Public Comment – None

Adjournment: A motion for adjournment was made by Mr. Gourniak and seconded by Mr. Bodine. Motion carries. Chairman Schnetzer adjourned the meeting at 9:15 pm.

Respectfully submitted,



Teresa Kaminski