

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

September 19, 2019

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.

Chairman Schnetzer led the Pledge of Allegiance.

Members present: Lou Baduini, Bradley Burke, Jason Menegus, Joel Schnetzer, Melissa Watters

Members absent: Tim Bodine, Dave Dempski

Others present: T. Kaminski, C. Tierney, Staff; Steve Gruenberg, Substitute County Counsel; Joan Schneiber and husband, White Township; Richard Anderson, Hardwick Township.

Minutes of the meeting held on July 25, 2019 were approved on a motion by Mr. Baduini and seconded by Mr. Burke.

Executive Minutes of the meeting held on July 25, 2019 were approved on a motion by Mr. Baduini and seconded by Mr. Burke. Motion carries.

Correspondence: Noted

Public Input (Non-agenda Items):

Jaindl Farm in White Township

Mr. Gruenberg stepped down during this discussion as he has a conflict.

Joan Schneiber, a member of the group "Citizens for Sustainable Development" and farm owner from White Township, stated that a member of the NJ Farm Bureau approached the Warren County Board of Agriculture regarding preservation for the "Jaindl" property in White Township which is farmland that was recently purchased by a development company to build warehouses on 600 acres. Chairman Schnetzer had stated that the farmland preservation program was voluntary and that the only way this farm could be preserved is if the Jaindl Company, the owner, was willing to preserve it. Ms. Schneiber stated that she has circulated a petition with 3,000 signatures to change the zoning from Light Industrial to Residential 1. Mr. Tierney stated that outreach letters were sent to former owners, Talen Energy, and that the SADC had also tried reaching the landowner as well as NJ DEP Green Acres, but nobody received a response. Mr. Tierney had stated that there was nothing formal from White Township indicating to the Freeholders that they would like to preserve the property in question.

Mr. Burke stated that at the County Board of Agriculture meeting the previous night, they proposed to send letters to all municipalities, the Freeholders, and State representatives regarding the need to protect and preserve farmland.

Chairman Schnetzer stated that he would personally like to see it preserved and had approached the Freeholders in 2002 stating that 75% of the Open Space tax should be for preserving farms and that targeting the farms should be the first priority before then distributing money to Open Space and MCCTFC. Chairman Schnetzer had stated that the Citizens for Sustainable Development group may try to reach out to Mr. Jaindl directly. Mr. Menegus had suggested contacting Trust for Public Land or NJ Conservation Foundation.

Chairman Schnetzer had stated that there might be a partial 50% preservation on the property. Ms. Schneiber had stated that Jaindl was now talking about only a 35% coverage of warehouses and a possible recreation area along the river. There is a 300 foot buffer for building because of the Category I stream in the back of the property.

Ms. Schneiber had stated that the Freeholders are starting an impact study of how the warehouses are affecting the County and is being supported by the NJ Highlands Council. Ms. Schneiber had stated that White Township has drafted a plan to rezone that portion back to residential and in regards to changing the zoning, there has been no application submitted by Mr. Jaindl for the proposed warehouse on the 600 acres and she said that the Township can change it whenever they want. Mr. Menegus had stated that another option would be for White Township to opt into the preservation area restrictions through Highlands Council Plan Conformance.

Mr. Burke had stated that the amount paid for farmland preservation would not interest the landowner, and suggested contacting conservation groups to back effort.

Mr. Menegus stated that it could be preserved through a bond and that the preservation tax should go back up to .06 cents for funding to preserve the proposed warehouse property.

Mr. Menegus had stated that Route 519 would probably turn into a 4-lane highway to support the truck traffic for the warehouses and would already add to the increase of the traffic accidents on the road. Ms. Schneider stated that the cost to the County for a 4-lane highway on Route 519 would be astronomical.

Chairman Schnetzer had closed the comment period for public comment on non-agenda items.

Old Business:

Campbell Foundry Farm, BL 5200 L 1100, Hope Township, possible DOE violation

Mr. Tierney stated that he contacted Terry Urfer of Hope Township and that the matter was currently under investigation by the NJ DEP and that we were awaiting their findings and would share with the Board when the findings were reported.

New Business:

Certification of Commercial Farm - Anderson Farm, Richard Anderson, BL 1103 L 9 & BL 1104 L 6 & 7, Hardwick Township

Richard Anderson owns BL 1103 L 9 and BL 1104 L 6 & 7 in Hardwick Township. This application meets the part of the eligibility criteria for Certification of a Commercial Farm by being five or more acres, and 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. Anderson had supplied to the Board the requested documents regarding the Certification from the Department letter of June 21, 2019 which were the following: 1) letter from current Forester that all activity required on the plan was completed this year and that 12 cords were removed with removal dates indicated for same; 2) Activity Map and Forest Stand Map from the Current Plan; 3) a letter from his accountant verifying that the 2018 Schedule F submitted to the Board is the actual document filed with the IRS or a copy of an extension request. Mr. Tierney had stated that all items requested were met and that he had called the Forester, Andrew Bennet regarding the language in the letter. Mr. Bennet had stated that 12 cords were removed from the property at a value of \$2,700 in 2018 and that regular thinning was part of the Forest Management Plan. There was storm damage tree clearing and when added to the thinning, the property is producing 12 cords of wood.

Mr. Baduini made a motion to approve the Certification of Commercial Farm for Richard Anderson, BL 1103 L 9 & BL 1104 L 6 & 7, Hardwick Township which was seconded by Mr. Menegus.

Roll Call: Mr. Schnetzer – yes; Mr. Baduini – yes; Mr. Burke – yes; Ms. Watters – yes; Mr. Menegus – yes. Motion Carries.

CPIG Application for approval and to send to SADC for Green Light

Garrison, BL 38 L 2, Harmony, approx. 130 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 73.15. There are approximately 130 gross acres, 126 tillable acres of corn used for grain, woodland of 5.5 acres. There are 114 acres of Prime soil and 15.5 acres of Statewide soil. There are no structures on the premises to be preserved and an there is an exception area of .84 acres around a single family residence and barns, silos and outbuildings. No no-ag use on the premises. The application is located in the West Project Area and the Highlands Planning Area. There is a 30' wide drainage easement and an easement on the east side of the property for the Merrill Creek Owners Group.

Mr. Baduini made a motion to approve the Garrison farmland application and to forward this to the SADC for Green Light Approval. Mr. Menegus seconded the motion.

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

Preservation Options for Landowner of "Jaindl Farm" in White Township

Mr. Tierney had stated that the NJDEP is interested in a portion of the property and possible funding partners for preserving the land would also include the SADC and the Highlands Council.

Vehicle Restrictions for Farm Trucks in Greenwich Township

Dave Slack had sent some information regarding weight restrictions in Greenwich Township to Mr. Tierney after he received a ticket for one of his trucks leaving his farm hauling grain on Route 173. There has been a weight restriction imposed by the State on Rt. 173, but no signs are posted regarding the restriction. Chairman Schnetzer, Mr. Tierney and Mr. Gruenberg all concur that this is a Health, Safety and Welfare issue and that the CADB does not have jurisdiction over the matter. The Board felt that it has to find a way to protect the farmers and perhaps inviting some Chiefs of Township Police to the meeting may help.

CADB-BORC

Mr. Menegus had stated that he had reached out to some of the Board of Recreation Commissioners in regards to working together on preserving farms with Morris Canal trails and possibly having a joint meeting between CADB and the BORC. Mr. Gruenberg stated that it was better to form a sub-committee between some members of the Board with 2-3 members from each. Chairman Schnetzer

and Jason Menegus are interested in representing the CADB and Mr. Baduini stated that he would like to be an alternate, and the Board also appointed Dave Dempski as an alternate.

Closing Public Comment: none

Quest Environmental

Instead of going into Executive Session, Mr. Tierney stated that Mr. Lavery was working on minor revisions to the agreement with Quest for the \$7,000 settlement offer and that there was no need to go into the Executive Session unless the Board wanted to discuss the matter and the Board chose not to.

Administrator's Report: Mr. Tierney went over the report with the Board members.

County Applications

- **Garrison** – Franklin (Approx. 130 ac.)
- Total Applications: 1 Total Acres: 130**

Municipal Applications

- **Brook Hollow Winery** – Knowlton (Approx. 16 ac.)
 - **McLain** – Harmony (Approx. 140 ac.)
- Total Applications: 2 Total Acres: 156**

Awaiting Green Light Approval:

Non-Profit Applications

- **Hidden Woods Farm (Rogers)** – Frelinghuysen (Approx. 107 ac.)
 - **Kimball** – White (Approx. 45 ac.)
 - **Navesink Roots** – Hardwick (Approx. 24 ac.)
 - **Promised Land** – Franklin (Approx. 58 ac.)
 - **River Hollow Farms** – Washington (Approx. 60 ac.)
- Total Applications: 5 Total Acres: 294**

Received Green Light Approval:

County Applications

- **Khan** – Hardwick Township (Approx. 75 ac.) Corrected exception area. Appraisals underway.
- Total Applications: 1 Total Acres: 75**

Municipal Applications

- **Dokie's Acres** - White Township (Approx. 43 ac.) Appraisals underway.
- Total Applications: 1 Total Acres: 43**

Non-Profit Applications

Total Applications: 0 Total Acres: 0

State Applications

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

Received CMV & Offer Made:

County Applications

- **Dykstra** – Mansfield Township (Approx. 209 ac.) CMV \$2,600. Landowner withdrawing application and will reapply.

Total Applications: 1 Total Acres: 209

Municipal Applications

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

Non-Profit Applications

- **Deer Haven Farm** – Frelinghuysen Township (Approx. 15 ac.) CMV \$5,600.
 - **Pipers Hill Farm** – Washington Township (Approx. 27 ac.) CMV \$5,500.
- Total Applications: 2 Total Acres: 42**

Under Contract (Title Search & Survey):*County Applications*

- **Beatty North** – Greenwich Township (Approx. 86 ac.) Received signed contract; survey underway.
 - **Beatty South** – Greenwich Township (Approx. 57 ac.) Received signed contract; survey underway.
 - **Haydu** – Harmony Township (Approx. 46 ac.) CMV \$4,900. Title search done & received draft survey, waiting for Engineering Dept. to review survey.
 - **Hoffman-LaRoche** – White (Approx. 93 ac.) CMV \$5,100. Received signed contract; survey underway.
 - **Route 57 Partnership** – Franklin Township (Approx. 70 ac.) CMV \$3,200. Received signed contract; survey underway.
 - **Smith, John & Jean #1** – Harmony/White Twps. (Approx. 82 ac.) CMV \$4,600. Subdivision resolution received. Inspection performed. Highlands Application has been approved.
 - **Smith, John & Jean #2** – Harmony (Approx. 36 ac.) CMV \$6,000. Subdivision resolution received. Highlands Application has been approved.
 - **Stampone** – Knowlton Township (Approx. 38 ac.) Received signed contract. Survey contract on 9/25/19 BCF Agenda.
- Total Applications: 8 Total Acres: 508**

Municipal Applications

- **Kitchen** – Knowlton Township (Approx. 28 ac.) CMV \$5,100. Received signed contract.
- Total Applications: 1 Total Acres: 28**

Non-Profit Applications

- **Heeres** – Harmony Township (Approx. 67 ac.) CMV \$3,800. Waiting for survey letter to be reviewed by County Engineer.
- Total Applications: 1 Total Acres: 67**

Waiting to Close (Final Legal Review):*County Applications*

- **Anema, Kris** – Washington Township (Approx. 20 ac.) CMV \$4,000. Received final survey.
 - **LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 ac.) CMV \$3,200. Draft Survey completed. Engineering review letter sent to surveyor. Under SADC review.
 - **Shandor** – Harmony Township (Approx. 100 ac.) CMV \$3,100. Survey completed. Waiting for SADC to review.
- Total Applications: 3 Total Acres: 227**

Municipal Applications

- **Mazza** – Knowlton (Approx. 21 ac.) CMV \$4,850. Survey completed. SADC preliminary review. Engineering Dept. responded review N/A. Trying to subordinate mortgage.
- Total Applications: 1 Total Acres: 21**

Non-Profit Applications

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 ac.) CMV \$4,000. Survey completed. SADC Preliminary Review. One landowner passed away.
- Total Applications: 1 Total Acres: 251**

Recent Closings:

- **Hensler** – White Twp. (Approx. 40 ac.) CMV \$3,700. Closed on 8/28/19!
 - **Nonnenmacher #1** – Blairstown (Approx. 106 ac.) CMV \$3,100. Closed on 9/4/19!
 - **Nonnenmacher #2** – Blairstown (Approx. 17 ac.) CMV \$5,000. Closed on 9/4/19!
- Total Farms: 3 Total Acres: 163**

Pohatcong Contamination Area Projects:*Seeking Highlands Council Open Space Funding cost-share*

- **Hart Farm #1** – Franklin Twp. (Approx. 113 acres) Fully executed contract. Received 50% matching Highlands Grant. Draft survey sent to Engineering Dept. for review. Landowner to address encroachments.
- **Hart Farm #2** – Franklin Twp. (Approx. 267 acres) Fully executed contract. Received 50% matching Highlands Grant. Draft survey sent to Engineering Dept. for review. Landowner to address encroachments.
- **Pear Tree Realty** – Franklin Township (Approx. 62 ac.) Received up to 50% matching Highlands Grant. Fully executed contract. Putting RFP's out for survey work.
- **Pereira** – Franklin Township (Approx. 30 ac.) Received up to 50% matching Highlands Grant. Fully executed contract. Putting RFP's out for survey work.
- **Myers/Toretta #1** – Franklin Township (Approx. 38 acres) Received up to 50% matching Highlands Grant. Received signed offer letter. Fully executed contract. Survey contract to be awarded on 9/25/19.
- **Myers/Toretta #2** – Franklin Township (Approx. 48 acres) Received up to 50% matching Highlands Grant. Received signed offer letter. Fully executed contract. Survey contract to be awarded on 9/25/19.

- **Noel** – Franklin Township (Approx. 44 ac.) Received 50% matching Highlands Grant. Landowners reviewing offer with their attorney. Waiting for signed contract by landowners.
- **Oberly** – Franklin/Greenwich (Approx. 96 ac.) Applied for Highlands Grant. Inspected by HC staff.
- **O’Dowd South** – Franklin & Greenwich Township – (Approx. 93 ac.) Applied for Highlands Grant. Inspected by HC staff.
- **Tasevski** – Franklin Twp. (Approx. 87 ac.) Received 50% matching Highlands Grant that expires 2/19/20. Offer rejected by landowner.

Total Applications: 10

Total Acres: 878

2019 Closings YTD: 8 farms totaling 493 acres

Program Totals: 293 farms totaling 25,813 acres

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

Respectfully submitted,



Teresa Kaminski