

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

**Meeting Minutes
September 20, 2018**

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.

Chairman Schnetzer led the Pledge of Allegiance.

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

Members absent: Tim Bodine

Others present: C. Tierney, T. Kaminski Staff, Katrina Campbell, County Counsel; Rene Mathez, Bob McNinch, Knowlton Township; Jim Watters, Mansfield Township; Freeholder Rick Gardner.

Katrina Campbell swore in Melissa Watters as the new member of the Board. Ms. Watters took her position on the Board.

Minutes of the meeting held August 16, 2018 were approved on a motion by Mr. Baduini and seconded by Mr. Menegus. Motion carries.

Correspondence: Noted

Public Comment Non-Agenda Items: Chairman Schnetzer open the comments up to the public. No comments.

Old Business:

O'Dowd Farms Remediation Status

Mr. Tierney stated that the remediation has been completed and the testing was under the threshold. The final report will be sent to the DEP for their approval. The anticipated auction date is January or February of 2019. Mr. Tierney to provide associated costs regarding clean up to Board at next meeting.

PVCA Update

Mr. Tierney stated that he is still waiting for the SADC's review and feedback.

Water Tower, Washington Township, BL 48 L 78

Mr. Tierney stated that Steve Bruder has discussed this with Brian Smith and is preparing a letter to NJ American Water that they are not exempt and the SADC and CADB are still required to notice and the SADC & CADB are to determine if they are exempt.

New Business:

Resolutions

SSAMP Resolution #18-09 – New Village Farms, Santini, BL 39 L 6.03, Franklin Township, 12 acres

Mr. Baduini made a motion to memorialize the Site Specific Agricultural Management Practice Resolution for New Village Farms, owner Robert Santini, BL 39 L 6.03 in Franklin Township. Mr. Dempski seconded the motion.

Roll Call: Mr. Schnetzer – abstain; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Mrs. Watters – abstain; Mr. Menegus – yes.

Motion carries.

Applications

- Stampone Farm, BL 41 L 10, Knowlton Township, 38.4 acres

Mr. Tierney explained that there is limited local trust funds but Knowlton Township has a \$500,00 Grant from SADC for their Municipal PIG Program. Mr. Tierney proposed that the County could utilize the MUNI PIG Grant and provide approximately 40% of the cost-share. MUNI PIGs are normally approximately 60% cost-share, Township 20% and County 20%. The County would be covering the Township's cost share. The Township will be willing to provide 50% cost share for the appraisals and the survey costs. Chairman Schnetzer made a motion to approve the Stampone Farm, BL 41 L 10, Knowlton Township as a County application while utilizing Knowlton Township's SADC MUNI PIG Grant funds with the County's cost-share approximately 40% and Knowlton Township participating in 50% cost-share of the appraisals and survey costs. Mr. Baduini seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Mrs. Watters – yes; Mr. Menegus – yes.
Motion carries.

- Washington Acres LTD Partnership, BL 66 L 20.03, Washington Township, 16.88 acres

Washington Township does not have a MUNI PIG Program and the landowner has petitioned the Board to see if they would be interested in taking this farm on as a County application and waiving their 40 acre threshold on this application. The application is located on South Lincoln Avenue and adjacent to the preserved Pineyhill Farm and the Ralph Anema SADC application. It has 11.5 tillable acres, 100% Prime Soils. The zoning is HC or GC zone with a minimum of 3 acres. Mr. Menegus made a motion which was seconded by Mr. Dempski.

Roll Call: Mr. Schnetzer – yes; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Mrs. Watters – yes; Mr. Menegus – yes.
Motion carries.

- Apple Mountain Recreation (Matthews), BL 16 L 23, White Township, 65 acres

Mr. Tierney stated that Tim Matthews had acquired the property from Apple Mountain Recreation before it became preserved. Legislation states that he is not eligible to get the CMV 2004 zoning of \$3,900/acre because of the owner transfer. The current zoning is \$2,000/acre. The County contract was with the former owners and if the preservation was forfeited, then Apple Mountain Recreation would have to reimburse the County the cost of the title, survey and lawyer fees. The Board discussed possible other sources of funding, but that the land would be appraised as current value. The driveway issue has still not been resolved as the County Engineering Department still did not receive what was needed so there is no permissible driveway. Freeholder Gardner noted that the properties located in the Highlands in the County are seeing low land values as a result of the Highlands Act. Mr. Burke made a motion to put this application on hold until the outstanding driveway issue is resolved, and not to carry the Highlands Dual Appraisal CMV of \$3,900 and to not go above the current zoning value of \$2,000/acre for preservation as the SADC will not cost share above that amount. Mr. Baduini seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Mrs. Watters – yes; Mr. Menegus – yes.
Motion carries.

Soil Disturbance on a Preserved Farm

Brugler #1 & #2 Farms (John Kero), BL 29 L 1 & 1.01, Knowlton Township, approx. 80 acres

Mr. Tierney stated that the landowner had an agreement with The Nature Conservancy for access to their River project and that in exchange, the landowner was to receive soil material from the project. Mr. Tierney had spoken to Mr. Kero, but Mr. Kero was not certain how the material would ultimately be used for an agricultural purpose. Mr. Tierney explained to Mr. Kero that the SADC had the right of enforcement for violations of the deed of easement with accepting material onto the preserved farm and that Mr. Kero should obtain SADC approval before doing so. Chuck Roohr from the SADC subsequently spoke with Mr. Kero and explained that in order to accept the material he would need to first obtain a Conservation Plan from NRCS and have the proposed activity incorporated into the plan. To expedite completion of a plan, Mr. Kero could hire an independent technician for a fee to do same work and TNC offered to put Mr. Kero in touch with such a professional. Alternatively, from a farmland preservation perspective, Mr. Kero could deposit the soil on two lots that he owns which are not preserved but would still need to obtain any other necessary permits or approvals. Mr. Tierney stated that Mr. Kero is working with the Warren County Soil Conservation District and Warren County Engineering Department on other issues. The Nature Conservancy's contractor for the dam removal project created a temporary access lane over the preserved farm, but that has since been restored and seeded. The SADC has no apparent concern with that area.

Ms. Campbell explained to the Board that soil being deposited on a preserved farm and implemented per an NRCS plan for an agricultural use would then be considered by the SADC as allowable depending upon their review of the plan.

Mr. Tierney stated that this was brought to the Board's attention because the landowner has misconstrued communications and misrepresented the facts.

Administrator's Report: Mr. Tierney went over the report and stated that the Skip Smith Farm#2 would be closing tomorrow.

New Applications:

County Applications

- **Noel** – Franklin Township (Approx. 44 ac.) On hold pending SADC PVCA review. Submitted application to Highlands Open Space Grant Program.
- **Pear Tree Realty** – Franklin Township (Approx. 62 ac.) On hold pending SADC PVCA review. Submitted application to Highlands Open Space Grant Program.
- **Pereira** – Franklin Township (Approx. 30 ac.) On hold pending SADC PVCA review. Submitted application to Highlands Open Space Grant Program.

Total Applications: 3 Total Acres: 136

Municipal Applications

Total Applications: 0 Total Acres: 0

*Non-Profit Applications***Deer Haven Farm** – Frelinghuysen Township (Approx. 15 ac.)**Pipers Hill Farm** – Washington Township (Approx. 27 ac.)**Total Applications: 2 Total Acres: 42**Awaiting Green Light Approval:*County Applications*▪ **Beatty North** – Greenwich (Approx. 86 ac.)▪ **Beatty South** – Greenwich (Approx. 57 ac.)**Total Applications: 2 Total Acres: 143**Received Green Light Approval:*County Applications*▪ **Anema, Kris** – Washington (Approx. 20 ac.) Appraisals underway.▪ **Dykstra** – Mansfield Township (Approx. 209 ac.) SADC CMV for September Meeting.▪ **LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 ac.) SADC CMV for September Meeting.▪ **Hoffman-LaRoche** – White (Approx. 93 ac.) Appraisals underway.▪ **Route 57 Partnership** – Franklin Township (Approx. 70 ac.) Freeholder resolution expected on 9/12/18 for appraisals.**Total Applications: 5 Total Acres: 499***Municipal Applications*▪ **Kitchen** – Knowlton (Approx. 28 ac.)**Total Applications: 1 Total Acres: 28***Non-Profit Applications*▪ **Heeres** – Harmony Twp. (Approx. 67 ac.) CMV \$3,800. Landowner accepted offer. Contract out for signatures.▪ **Hensler** – White Twp. (Approx. 40 ac.) CMV \$3,700. Landowner accepted offer. Contract out for signatures.▪ **Total Applications: 2 Total Acres: 107***State Applications*▪ **Anema, Ralph** – Washington (Approx. 115 ac.) Appraisals underway.▪ **Total Applications: 1 Total Acres: 115**Received CMV & Offer Made:*County Applications*▪ **Haydu** – Harmony Township (Approx. 46 ac.) CMV \$4,900. Received signed CMV letter; sent contract out.**Total Applications: 1 Total Acres: 46**Under Contract (Title Search & Survey):*County Applications*▪ **Shandor** – Harmony Township (Approx. 100 ac.) CMV \$3,100. Received signed contract. RFP's out for survey & title work ordered.▪ **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 ac.) CMV \$4,600. Subdivision resolution received. Inspection performed. Highlands Application has been submitted.▪ **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. Highlands Application has been submitted.**Total Applications: 3 Total Acres: 218***Municipal Applications*▪ **Mazza** – Knowlton (Approx. 21 ac.) CMV \$4,850. Received signed contract.▪ **Nonnenmacher #1** – Blairstown (Approx. 106 ac.) CMV \$3,100. Survey underway. Ordered Title Search.▪ **Nonnenmacher #2** – Blairstown (Approx. 17 ac.) CMV \$5,000. Survey underway. Ordered Title Search.**Total Applications: 3 Total Acres: 144***Non-Profit Applications*▪ **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 ac.) CMV \$4,000. Survey underway.**Total Applications: 1 Total Acres: 251**Waiting to Close (Final Legal Review):*County Applications*▪ **Apple Mountain** – White Twp. (Approx. 65 ac.) CMV \$3,900/\$2,000. Tim Matthews purchased property. Need new deed.▪ **Unangst** – White Twp. (Approx. 85 ac.) CMV \$3,625. Inspection performed. Estate issues being worked out.**Total Applications: 2 Total Acres: 150***Municipal Applications*

- **DeBoer** – White Twp. (Approx. 56 ac.) CMV \$5,100. Grant Agreement received; note needed on survey per Engineering.
Total Applications: 1 Total Acres: 56

Non-Profit Applications

- **Shoemaker I** – White Twp. (Approx. 115 ac.) CMV rcvd (\$5,650) Survey underway.
- **Shoemaker II** - White Twp. (Approx. 12 ac.) CMV \$5,000. Survey underway.
- **Tjalma II** – Harmony Twp. (Approx. 61 ac.) CMV rcvd (\$4,900) Survey underway. Engineering department reviewing survey.
Total Applications: 3 Total Acres: 188

Recent Closings:

- **Pittenger (Dark Moon)** – Frelinghuysen (Approx. 92 ac.) Closed on August 29, 2018!

Pohatcong Contamination Area Projects:

SADC restrictions and conditions for appraisals:

- **Hart Farm #1** – Franklin Twp. (Approx. 113 acres) Landowner stated revised SADC value not enough, but is reviewing options. Awaiting valuation analysis. Federal Appraisal of \$2,325/ac. being reviewed.
- **Hart Farm #2** – Franklin Twp. (Approx. 267 acres) Landowner stated revised SADC value not enough, but is reviewing options. Awaiting valuation analysis. Federal Appraisal of \$3,750/ac. being reviewed.
- **Myers/Toretta #1**– Franklin Township (Approx. 38 acres) Applicant wants to do an agricultural lot line adjustment and submit the portion of the parcel that is not in the PVCA for preservation. Submitted application to Highlands Open Space Grant Program.
- **Myers/Toretta #2** – Franklin Township (Approx. 48 acres) Submitted application to Highlands Open Space Grant Program.
- **Tasevski** – Franklin Twp. (Approx. 87 ac.) Submitted application to Highlands Open Space Grant Program.

Received CMV & Offer Made:

- **Crouse, Jennie** – Washington Twp. (Approx. 90 ac.) Landowner accepted offer of \$4,700 for development easement and Highlands Open Space Grant is matching up to 50%. Draft survey received.

Under Contract (Title Search & Survey):

- **Smith, Skip #2** – Franklin Twp. (Approx. 22 ac.) CMV \$5,500. Awaiting valuation analysis. Federal Appraisal of \$4,500/ac. being reviewed. Landowner accepted Highlands Open Space Grant matching up to 50%. Closing documents have been sent to landowners for signatures. Expected to close soon.

Total Applications: 7 Total Acres: 665

2018 Closings YTD: 7 farms totaling 811.1105 acres

Program Totals: 282 farms totaling 25,229 acres

Public Comment – Chairman Schnetzer noted that no one was in the audience to open it up for public comment.

Adjournment: A motion for adjournment was made by Mr. Baduini and seconded by Mr. Menegus. Motion carries. Chairman Schnetzer adjourned the meeting at 8:41 pm.

Respectfully submitted,

Teresa Kaminski