

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes December 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 7:31 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, Tim Bodine, Bradley Burke, Dave Dempski, Jason Menegus, Melissa Watters, Joel Schnetzer

Members absent: None

Others present: T. Kaminski Staff, Katrina Campbell, County Counsel; James Watters, Mansfield Township.

Minutes of the meeting held October 18, 2018 were approved on a motion by Mr. Baduini and seconded by Mr. Burke. Chairman Schnetzer & Mr. Dempski abstained. Motion carries.

Executive Minutes of the meeting held October 18, 2018 were approved on a motion by Mr. Baduini and seconded by Mr. Bodine. Chairman Schnetzer & Mr. Dempski abstained. Motion carries.

Correspondence: Chairman Schnetzer noted that Mr. Lavery had sent a letter to Senator Doherty regarding the Alba Vineyards cannon noise complaint in which Mr. Lavery had stated that the jurisdiction lies with the NJ DEP since their Agency issued the permit and regulates and monitors the noise. Ms. Campbell had stated that no response has been received from Senator Doherty.

Public Comment Non-Agenda Items: Chairman Schnetzer opened the comments up to the public on non-agenda items. No comments.

Old Business:

O'Dowd Farms Update

Ms. Campbell stated that Mr. Mylod did appear at her law office on November 1, 2018 with a contract. Ms. Campbell stated that the contract was breached and that it was canceled by the WCADB. Mr. Mylod submitted a new application for the South farm, and a portion of the Franklin parcel on the South farm will be for solar panels. The 20 acres parcel application in Greenwich Township has been withdrawn and will not be for preservation. The contract with Fielder Realty, LLC has been amended and a resolution will be on the Freeholder's Agenda in January on first scheduled regular business meeting date. The auction is expected to take place in February.

PVCA Update

Mr. Burke had stated that he spoke with Susan Payne in November at the convention in Atlantic City. Ms. Payne said that the PVCA response is on hold due to litigation. Ms. Campbell stated that the Attorney General filed lawsuit with Pechiny Plastics.

Water Tower, Washington Township, BL 48 L 78

No new information or response from NJ American Water regarding Brian Smith's letter for Notice of Intent. The Township will be having more hearings and order a title search to see if there are any mine shafts on property as reported by WMFZ Channel 69 article.

New Business:

Resolutions

Certification of Commercial Farm Memorialization Resolution #18-11 – Cronic Farm, BL 45 L 2.01, 111 Esposito Road, Harmony Township, 24.8 acres

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 2017 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, the AR 250 zone, where agriculture is a permitted use in which, as of December 31, 1997 or thereafter, has been a permitted use under the municipal zoning ordinance and is consistent with the municipal master plan.

Mr. Bodine made a motion to justify the Certification of Commercial Farm for the Cronic Farm, owners Theodore & Monique Cronic, BL 45 L 2.01, in Harmony Township. The applicant provided all the required documents for certification. The Board at the last meeting made it contingent upon proof of agricultural use zone and that information was provided with the resolution. Mr. Baduini seconded the motion.

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

LaBarre Family Limited Partnership Resolution #18-12, BL 64 L 1, Knowlton and BL 600 L 2300, Hope, 100.734 acres

SADC Cost Share \$233,702.88 (\$2,320/acre) Warren County Cost Share \$88,645.92 (880/acre), Total Cost \$322,348.80 (\$3,200/acre - CMV). There are no existing structures or ag labor housing units on premises to be preserved. There is one barn and one shed existing on premises, no existing agriculture labor housing on premises, exceptions 1) one non-severable exception of 5 acres on Block 600 Lot 2300, Hope Township for future single family residence and future flexibility restricted to one single family residential unit; 2) One non-severable exception of .4 acres of Block 64 Lot 1, Knowlton Township near pond for all camping related uses such as fishing, parking and picnicking that is leased to Triple Brook Camping; 3) One severable exception of 3.70 acres on Block 64 Lot 1, Knowlton Township around pond for camping related uses such as access, fishing, boating, parking and picnicking that is leased to Triple Brook Camping; no RDSOs allocated, no preexisting non-agriculture uses on premises and no proposed trails. Any easements are to be determined with title search. There are zero acres of prime farmland soil and 69% tillable. The farm is in hay and soybeans.

Mr. Baduini made the motion to support the Warren County Cost Share amount for the preservation funding on this CPIG farm and Resolution #18-12 as presented to make a recommendation to the Freeholders which was seconded by Mr. Burke.

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

Division of Premises application for CADB Approval

• **Landis, BL 105 L 12, 63.18 acres & BL 202 L 1, 36.28 acres, Allamuchy**

Ms. Campbell stated that this application was presented before to us and the SADC, but the SADC was not satisfied with the application because there was not a buyer. The property went out to auction and a buyer, J & T Van Vught Farms has been secured. The agricultural purpose for the division is to make the North portion (BL 202 L 1) more affordable and more manageable for Mr. Landis's nephew to farm. The South portion (BL 105 L 12) will be sold to adjoining farm operation, J & T Van Vught Farms, sons of Arie Van Vught, which is associated with the adjoining preserved farm operation, BL 105 L 8, which was also originally the James C. Gibbs farm preserved in 1993 and was also previously divided from original preserved unit. The South portion's intended use is for field production of pumpkins, cauliflower, broccoli, and hay. It is 97.66% tillable, consists of 71.87% prime soil, has one agriculture labor house, ag buildings, septic system, and a shared water service with Block 202 Lot 1. J & T Van Vught Farms has agreed to install a new well in their purchase contract on BL 105 L 12. The North portion will continue in a similar manner with grain crops, hay, and the raising and selling of goats and poultry products. Mr. Landis will transition this farm to his nephew. It is 80.89% tillable and consist of 35.26% prime soil, has its own single family residence, ag buildings, septic system and well. The application for division of premises has been determined to be viable for both parcels and all required documents have been completed and submitted. The SADC has approved this application at its December 6, 2018 meeting and a Division of Premises Resolution recording is contingent upon the WCADB approving the application. The SADC will then send its resolution for recording with the Warren County Clerk after they receive notification of this Board's approval.

• **Landis, BL 105 L 12 & BL 202 L 1, Allamuchy, Division of Premises Resolution #18-13**

Mr. Menegus made a motion to approve the Division of Premises Resolution #18-13 as presented for the Landis preserved farm, BL 105 L 12 and BL 202 L 1, in Allamuchy Township and it has been determined to be viable for both parcels and all required documents have been completed and submitted. Mr. Baduini seconded the motion.

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

CPIG Application for Green Light Approval

Stampone, Block 41 Lot 10, Knowlton Township, approximately 38.43 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 53.35. There are a total of approximately 38.43 gross acres, 26.46 tillable acres used for corn for grain, 2.69 acres of woodland. There are 0 acres of Prime soil and 0 acres of Statewide soils, but the property has .687 Unique soils. There is one structure on the premises to be preserved, a trailer with no living opportunity. There is a 3.5 acres non-severable exception area on the property around existing dilapidated single family residence and barn outbuildings. The application is located in the North Project Area. Mr. Menegus made a motion to approve the application as presented and to send to the SADC for Green Light Approval. Mr. Burke seconded the motion.

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

SADC Municipal & County PIG Rule Amendment Proposal

Ms. Kaminski stated that Mr. Tierney had no comment. Ms. Kaminski had informed the Board that there were changes to some of the terminology and ranking for applications and the changes for the annual application were already being supplied by the last update to the Comprehensive Farmland Preservation Plan done by TLC-NJ. Mr. Menegus had stated that the MUNI PIG funding will now be competitive like the CPIGs. Chairman Schnetzer stated that if anyone had any comments to contact Mr. Tierney before January 15, 2019.

Administrator's Report: Chairman Schnetzer asked to the Board to address any questions or concerns to Ms. Kaminski. Mr. Menegus had asked why Ralph Anema's CMV was so low. The Board had a discussion over the decrease in development easement due to the Highlands restrictions. Ms. Kaminski had stated that she spoke to several appraisers and they have had a hard time finding comparable sales in the area because of little movement.

New Applications:

County Applications

- **Noel** – Franklin Township (Approx. 44 ac.) On hold pending SADC PVCA review. Submitted application to Highlands Open Space Grant Program.
 - **O'Dowd South** – Franklin & Greenwich Township – (Approx. 93 ac.) On hold pending SADC PVCA review.
 - **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.
 - **Stampone** – Knowlton Township (Approx. 38 ac.) Completed site visit. On CADB Agenda for CPIG approval & to send to SADC.
- Total Applications: 5 Total Acres: 267**

Municipal Applications

Total Applications: 0 Total Acres: 0

Awaiting Green Light Approval:

Total Applications: 0 Total Acres: 0

Received Green Light Approval:

County Applications

- **Beatty North** – Greenwich (Approx. 86 ac.) Appraisal contracts awarded. Appraisals underway.
 - **Beatty South** – Greenwich (Approx. 57 ac.) Appraisal contracts awarded. Appraisals underway.
 - **Hoffman-LaRoche** – White (Approx. 93 ac.) Sent appraisals to SADC for CMV.
 - **Route 57 Partnership** – Franklin Township (Approx. 70 ac.) Sent appraisals to SADC for CMV.
- Total Applications: Total Acres: 306**

Municipal Applications

- **Dokie's Acres** - White Township (Approx. 43 ac.)
 - **Kitchen** – Knowlton (Approx. 28 ac.)
- Total Applications: 2 Total Acres: 71**

Non-Profit Applications

- **Deer Haven Farm** – Frelinghuysen Township (Approx. 15 ac.) Received appraisals.
 - **Pipers Hill Farm** – Washington Township (Approx. 27 ac.) Received appraisals.
- Total Applications: 2 Total Acres: 42**

State Applications

- **Anema, Ralph** – Washington (Approx. 115 ac.) CMV \$2,800. Rejected offer.
- Total Applications: 1 Total Acres: 115**

Received CMV & Offer Made:

County Applications

- **Anema, Kris** – Washington (Approx. 20 ac.) Offer letter sent out.
 - **Dykstra** – Mansfield Township (Approx. 209 ac.) CMV \$2,600. Corey met with landowner to discuss offer.
- Total Applications: 2 Total Acres: 229**

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

- **LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 ac.) CMV \$3,200. Received signed contract. On CADB Agenda for funding approval.
- **Haydu** – Harmony Township (Approx. 46 ac.) CMV \$4,900. Received signed contract. Title search done and survey underway.
- **Shandor** – Harmony Township (Approx. 100 ac.) CMV \$3,100. Received signed contract. Survey underway & 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 approved.
- **Smith, John & Jean #2** – Harmony (Approx. 36 ac.) CMV \$6,000. Subdivision resolution received. Highlands Application has been approved.

Total Applications: 5 Total Acres: 371

Municipal Applications

- **Mazza** – Knowlton (Approx. 21 ac.) CMV \$4,850. Received signed contract. Survey underway and ordered title search.
- **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

- **Heeres** – Harmony Twp. (Approx. 67 ac.) CMV \$3,800. Landowner accepted offer. Received signed contract this week. RFP's out for survey and ordered title.
- **Hensler** – White Twp. (Approx. 40 ac.) CMV \$3,700. Landowner accepted offer. Received signed contract this week. RFP's out for survey and ordered title.

Total Applications: 2 Total Acres: 107

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

- **Apple Mountain**– White Twp. (Approx. 65 ac.) CMV \$3,900/\$2,000. Contract purchaser unwilling to close at reduced amount.
- **Unangst** – White Twp. (Approx. 85 ac.) CMV \$3,625. Inspection performed. Estate issues being worked out, but may be close to tying up issues and closing soon

Total Applications: 2 Total Acres: 150

Municipal Applications

Total Applications: 0 Total Acres: 0

Non-Profit Applications

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 ac.) CMV \$4,000. SADC Preliminary Review.
- **Shoemaker I** – White Twp. (Approx. 115 ac.) CMV rcvd (\$5,650) SADC Preliminary Review. Engineering department reviewing survey.
- **Shoemaker II** - White Twp. (Approx. 12 ac.) CMV \$5,000. SADC Preliminary Review. Engineering department reviewing survey.
- **Tjalma II** – Harmony Twp. (Approx. 61 ac.) CMV rcvd (\$4,900) Survey underway. Engineering department reviewing survey.

Total Applications: 4 Total Acres: 439

Recent Closings:

- **None.**

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.

Under Contract (Title Search & Survey):

- **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. Engineering made request for changes on survey.

Total Applications: 6

Total Acres: 643

2018 Closings YTD: 9 farms totaling 885.31 acres

Program Totals: 284 farms totaling 25,302.88 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. Bodine. Motion carries. Chairman Schnetzer adjourned the meeting at 8:07 pm.

Respectfully submitted,



Teresa Kaminski