

## WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

### Meeting Minutes

February 17, 2022

The regular monthly meeting was held virtually by the Department of Land Preservation via Webex. The meeting was called to order by Chairman Schnetzer at 7:33 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, Bradley Burke, Matthew Hood, Rene Mathez, Jason Menegus, Joel Schnetzer, Melissa Watters

Members absent:

Others present: C. Tierney, T. Kaminski Staff, Aaron Culton, Substitute County Counsel; Anthony Sposaro, esq., Arie Van Vugt, Paul Sturbenz, Allamuchy; Jess Symonds, Ferriero Engineering; Jacob Tanis, Elizabeth Sands, Franklin; Timothy Willmott, SADC, Commissioner Ciesla.

**Minutes** of the meeting held on January 22, 2022 were approved on a motion by Mr. Burke and seconded by Mr. Mathez. Motion carries.

**Correspondence:** None

**Public Input (Non-agenda Items):**

**Old Business:**

#### Deed of Easement Compliance

➤ **Plainview Growers Update**

Mr. Tierney stated that there the title issues on the small triangle that was left out of the Division of Premises when Mr. Van Vugt purchased the property and the drainage issues are still outstanding, but that Mr. Van Vugt has made a commitment to resolved these and the details still need to be worked out.

➤ **Kero Update**

Mr. Tierney stated that there were no updates or further information from the landowner. The Township is still pursuing the soil issue themselves.

#### Update to Target List

TLC-NJ still working on the update and should have it ready for March's meeting.

#### Brunkhorst

Mr. Tierney stated that Katrina Campbell will prepare a donation agreement and work with TLC-NJ and the landowner.

#### Krouse vs. Skoog RTF Complaint – White Township

Mr. Tierney had stated that this matter be carried until next month as we are waiting for the resolution for approval from White Township which may resolve matters.

**New Business:**

#### Resolutions

➤ **Amended SSAMP Resolution #22-03 – Star D Farm, LLC, BL 7 L 1 & 1.03, Harmony Township**

Mr. Tierney stated that when the applicant had applied they stated that the setbacks were in the township zoning compliance, but when the plans were submitted to the Township Engineer for permits, the Township Engineer suggested that we clarify that the plan does not meet the general setback requirement for that zone. However, the applicant's Engineer pointed out that there is an exception to that requirement, so that it aligns with the existing buildings and the Township Engineer agreed that it does meet that exception. This needs to be clarified in the resolution for the Township to issue permits. Mr. Burke made a motion to approve the amended resolution with the change that the building meets the setbacks for that zoning in the subparagraph exception for the Township to issue permits. This was seconded by Mr. Hood.

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

➤ **Division of Premises Resolution #22-02 – Oostdyk Preserved Farm, BL 57 L 23, 24, 25, 26, 27.02, Franklin Township**

Mr. Mathez made a motion to approve the Division of Premises resolution on the Oostdyk Farm in Franklin Township which was seconded by Mr. Menegus.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Burke - yes; Mr. Hood – yes; Mr. Mathez – yes; Mr. Menegus – yes; Mrs. Watters – yes. Motion carries.

**Certification of Commercial Farm**

➤ **Drake Farm, BL 201 L 11, BL 203 L 1, Allamuchy Township**

Keith Drake owner of the Drake Farms in Allamuchy Township has applied for a Certification of Commercial Farm on BL 201 L 11 & BL 203 L 1. Mr. Drake has provided to the Board for review, the required documents for farms that are 5 acres or more: (1) Current Farmland Assessment Form showing eligibility for differential property taxation pursuant to the Farmland Assessment Act of 1964 (2) Income from profit or loss from 2020 tax return showing a gross income of over \$2,500 from the sale of agricultural and/or horticultural products (3) Tax Map of subject property location that is in an area as of December 31, 1997 or thereafter where agriculture has been a permitted use under the municipal zoning ordinance and master plan.

Chairman Schnetzer stated that the applicant has supplied the sufficient documentation requested and met the criteria for Certification of Commercial Farm. A motion was made by Mr. Mathez to grant certification to Drake Farm, of Allamuchy Township as a Commercial Farm. Mrs. Watters seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Burke – yes; Mr. Hood – yes; Mr. Mathez – yes; Mr. Menegus- yes; Mrs. Watters – yes.

**SSAMP Right to Farm Hearing**

➤ **Plainview Growers, BL 105 L 8, 11 & 12, Allamuchy Township**

Mr. Tierney stated that as a preliminary matter, the Board should verify that this remains a Commercial Farm. The Board had previously certified it as a Commercial Farm and it should take testimony from the applicant that the additional lots that they included, that lots 8, 11 & 12 are farmland assessed and are within the RR zone, which permits agriculture and that they continue to meet the \$2,500 agricultural production requirement. Mr. Culton asked Attorney Sposaro to recertify the applicant for the RTF Hearing by asking a few questions and if the Board feels after the hearing that the Board wants additional submissions after the hearing for documentation would be fine, but for the purpose of tonight's hearing, we can just have Mr. Sposaro recertify it with his client.

Mr. Culton swore in Mr. Arie Van Vugt to give testimony. Mr. Sposaro asked Mr. Van Vugt if he is the owner or does he own or control the three properties that are the subject of this application? Mr. Van Vugt replied, yes. Mr. Sposaro asked if all three properties are farmland assessed. Mr. Van Vugt replied yes. Mr. Sposaro asked Mr. Van Vugt is he has in the past calendar year generated at least \$2,500 in agricultural output from what you grow on that property? Mr. Van Vugt replied, yes. Mr. Sposaro asked to the best of Mr. Van Vugt's knowledge is agriculture permitted use in the zoning district where these properties are located? Mr. Van Vugt replied, yes. Mr. Sposaro asked Mr. Van Vugt, to the best of your knowledge, do you believe that you are operating in accordance with the generally accepted agricultural management practices? Mr. Van Vugt replied, yes. Mr. Sposaro stated that he didn't have any additional questions. He asked Counsel if we wanted paper or backup of the income thresholds, it can be provided, but given the nature of the operation, there is no doubt that the \$2,500 threshold has been satisfied.

Attorney Sposaro gave a summary for SSAMP for construction of greenhouse addition to the properties in question. The buildings in total will be 5.6 acres in total and proposing to merge three lots, Lots 8, 11 and 12. Two are in farmland preservation and one is not, Lot 11. Looking at the zoning requirements for this property, all zoning and bulk standard requirements are satisfied except for the following as far as set back goes, there is a side yard requirement of 100 feet and an existing setback of 100 feet that will not change, but there is a new setback position of 52.8 feet which would be 41+ feet in violation of the side yard set back.

The other deviation from bulk standards is maximum building coverage. The ordinance permits a maximum of 8%. Applicant is proposing 10.1% which is maximum building coverage. Maximum improvement lot coverage, the ordinance permits a maximum of 20% and with the proposed improvements, Applicant is at 14.6% which is significantly less.

There are wetlands that are delineated on the property shown on sheet 2 of 8 done by a qualified professional. The dotted line that is close to the proposed Greenhouse which is hatched identifies what the buffer is from those wetlands. In conversation with the Municipal Engineer, Paul Sterbenz, he thought that a form of LOI was necessary, but Applicant is not sure that it is absolutely necessary given the distance from the proposed improvements to the buffer line. Applicant will defer to the Board's sound judgment on that issue.

The other issue that may of be concern for the Municipality is setback. Complying with the Township's setback ordinance can reduce the agricultural output activity on the farm operation. In the case of this Greenhouse, it takes land out of production. In looking at the proposed greenhouse configuration on Sheet 2 of 8, the proposed greenhouse has been situated in such a way as

to maintain a healthy distance from the wetland buffer line to the left or to the West of the where the Greenhouse is located and that is why it is tucked up so close to the property line to the East. The two buildings, the one that is existing and the one that is proposed will not actually be physically connected. It is very difficult to see, but the triangular or pie shaped piece of property has an access road in fee that goes out to Gibb's Road. And in order to avoid interfering with that means of egress and ingress, and in order to avoid taking of land out of production that otherwise can be placed into production, the building is interrupted there. There is a proposed concrete slab that will separate where the buildings are located and that slab will enable vehicular traffic to traverse the property without having to go inside the Greenhouse and without having to create a new means of ingress and egress.

Mr. Sposaro asked Mr. Van Vugt to tell the Board what he is proposing and why he is proposing regarding the SSAMP application. Mr. Van Vugt stated that is proposing to the 5.6 acre Greenhouse. The main reason is because they are out of growing space. The business has gone very well over the last couple of years and they need to expand just to maintain their customer base. They have been working with contract growers and rental facilities and this is not efficient or easy due to the 30-50 minute drive between these locations. As a company, they felt that they needed the business under one roof just for the efficiencies is the reason for needing the additional greenhouse facility.

Mr. Sposaro asked Mr. Van Vugt how many orchids can be grown in the 5.6 acres of greenhouses. Mr. Van Vugt stated that at one sitting can turn a greenhouse twice a year and generate 600,000 flowers.

Mr. Sposaro asked Mr. Van Vugt if he could add anymore additional testimony and he replied that he felt that Mr. Sposaro covered it all as it was straightforward, but said that it was a necessary build for the company and tried to do everything possible under farmland preservation to make sure that they are in compliance and do not plan on deviated from that. He stated that Mr. Tierney walked through the complex and found that a few little things were corrected.

Mr. Sposaro asked Mr. Van Vugt to explain the circles along the easterly side of the proposed green house on the site plan. Mr. Van Vugt stated that they were 8 water basins that are approximately 30 gallons each which will capture the rain water off the greenhouse and then that water is used for irrigation. The basins are 18 feet tall. The highest peak of the proposed greenhouse is 25-26 feet.

Mr. Sposaro stated that he has no more questions for Mr. Van Vugt.

Mr. Culton stated that the map shows 10 water tanks and asked, is it 8 or 10 for the water tanks? Mr. Van Vugt stated that there were 10. Mr. Sposaro confirmed. Mr. Culton stated that a revised zoning schedule was submitted this afternoon and will the map plan be revised to include that? Mr. Sposaro stated that it will, but need to look at both zoning tables to make sense of it.

Chairman Schnetzer asked Mr. Sposaro is he seeing any amount of concern with the SADC for the soil disturbance on the properties. Page 7 & 8 has a 251 plan from the Soil Conservation District. Mr. Sposaro stated that the answer is rather interesting and have had extended discussions with SADC Staff and conceded to him that they have looked at a number of different farms and tried to identify those farms with their farms where more soil disturbance was permitted and they have identified a few, but have never looked at this farm. They did after Mr. Sposaro brought it to their attention. The conversations were with Chuck Roohr at the SADC and stated they had not checked on this particular farm and that Mr. Van Vugt is a poster child of what farming should be and runs a first class operation. They probably would not openly consent to the application, but will not do anything to stand in his way. Mr. Van Vugt understands that he is taking his chances of the construction if it is approved that the SADC may say that the proposal is in excess of what they ultimately approved. But it is also unclear as the jury is still out on what the SADC may do here and it is equally uncertain as to what those numbers will be. One of the critical issues that the SADC will have to decide is whether they include all properties as a farm management unit and the computation of the amount of soil that can be disturbed. In this case, these are not the only three properties that Mr. Van Vugt owns and that are part of his farm management unit. When those other properties are factored in, he may be well below. The SADC response is that they need to get the standards in place and then will deal with the farm management issue later. The response by the farming community has been nonsense as if it is not done now, it may never be done and can't sit around for action taken.

Chairman Schnetzer asked Mr. Hood if he had any questions regarding the submitted site plan map. Mr. Hood stated that he did not see anything that he thought that was important to bring up and looks good to him.

Mr. Sposaro stated that he forgot to recognize that this is a major development for purposes of storm water management and proposing that these plans be submitted to John Showler who is a PE with the Department of Agriculture for his review to confirm compliance with the storm water regulations and have made Mr. Sterbenz aware of the plan, but not sure of what the Municipality's plan is on that and recognize that the County may not have the resources to deal with that and are prepared to go elsewhere.

Mr. Sterbenz, Allamuchy Township Engineer and also serving as the acting Zoning Officer for the Township stated that the Township does not have a problem with the plan. The storm water management plan is a major project for storm water

development and is not exempt from Municipal Storm water control ordinance, however, in the Ordinance, it does indicate that for agricultural development that it be sent to either the USDA or the Soil Conservation District. The Township would just ask that the Board, if they decide to approve this matter tonight, that it is indicated as a condition that any filings with Mr. Shalor be also provided with to the Township so that they are aware of the submission and have a copy of that submission. Mr. Sposaro stated that they would provide a copy.

Mr. Sterbenz stated that he was pleased to hear that there is an agreement on condition to merge the lots together and thinks that is the right thing to do and thinks that it helps with zoning ordinance compliance and just wanted to clarify with Mr. Sposaro as to when the lot merger will be accomplished in regards to applying for permits. Mr. Sposaro stated that it would take place if this application is approved and then there is no appeal to it and conditioned to the issuance of any construction permits. Mr. Sposaro will run the proposed deed of merger to Mr. Culton but also provide it to Mr. Sterbenz.

Mr. Sterbenz wanted to know if there were any plumbing fixtures on this greenhouse to necessitate a septic system? Mr. Van Vugt replied no. In 2016 they upgraded all of their infrastructure and all the plumbing. Any infrastructure needed for this greenhouse is already in place. This greenhouse is just a growing facility and will become fully automated with just a few people in the facility and additional employees to be very limited. Mr. Sterbenz asked if employees in this greenhouse will go to a different building to use the bathroom or get water. Mr. Van Vugt replied that the employees would cross the driveway to the main building to use the bathroom and that he could put a water cooler in the proposed facility.

Mr. Sterbenz wanted to clarify the side setback to the salvage yard property. The setback appears to be 40 feet. The tanks between the property line and greenhouse are closer. There is mention of a 58 foot setback. Mr. Sposaro stated that he was reading off of the zoning schedule on the original plans and could be wrong and referred to Jess Symonds from Ferriero Engineering to address the issue.

Mr. Culton swore in Jess Symonds. Mr. Symonds stated that they had a meeting with the applicants this afternoon and they actually need more water storage than what is shown on the plan. Those tanks will be moved to the South side of the building because the gutters run in that direction and the building will be moved slightly towards there and will maintain a 30 foot setback from the rear of the salvage yard. The salvage yard has existing vegetation growth and a fence between the two properties. The salvage yard is North East of the greenhouse and has access to Gibbs Road, noted on Page 3.

Mr. Sterbenz asked Mr. Symonds if they were moving the building 10 feet closer to the property line. Mr. Symonds wants to increase the diameter of the tanks to 38 feet because they need to use 26,000 gallons of water a day to irrigate their greenhouse. There will be 7 days of tanks, 38 feet in diameter which will be screened by the greenhouse on the South side. There is limited area because of the Wetlands Buffer.

Mr. Sposaro asked what will the distance be of the relocated tanks from the Easterly edge of the greenhouse to the property line to the East? Mr. Symonds responded that the setback could be maintained at 40 feet where it is planned, was hoping to move it closer, but if there is a concern, can leave it right at 40 feet.

Mr. Sterbenz stated that looking at the plan, it looks like the building could be slid South West by 20 feet and still be out of the transition area. Is that a possibility and would increase the setback to that property line? Mr. Symonds stated that it could be done as they think that they are going to abandon that detention basin on that side because the gutters of the greenhouses run from North West to South East and just became aware of that so all collected water will be done on the South side of the building. It will collect to the large tanks first, then the overflows will go into the basin and will probably extend the basin further towards Gibb's Road which is an unused portion of the property.

Mr. Sterbenz stated that the wetland line has been delineated by a professional with a 150 foot buffer, but that it has not been verified by the Department of Environmental Protection and Mr. Sposaro responded that was correct. Mr. Sterbenz asked that it would still need to be done before building permits are issued? Mr. Symonds stated that he was not a wetlands expert, but that it was quite clear that where the wetlands are because it is farmed right up to that limit and does not see that line moving at all. He understands that you need an LOI, but does not see that line moving.

Mr. Burke asked for clarification between the wetlands line and the buffer line. Mr. Symonds stated that the 150 foot line is the buffer line. They thought that it would be 50 feet, but according to the Wetlands Consultant, there were some endangered species which is why it is now 150 feet, the maximum buffer, which is conservative.

Mr. Sterbenz addressed the Board on the wetlands location issue that the Township has been requiring all applicants on land development to verify their wetlands to a letter of interpretation and they are not picking on Mr. Van Vugt in any way as they are also asking other people to address this. If Board approval, this will end up at the Town for a building permit.

Mr. Sposaro was trying to be sensitive to his client's timing and the Township's timing. Mr. Van Vugt wanted to know what kind of timing it would take to get that delineated again? Mr. Van Vugt stated that they are struggling with trucking, freight and orders that timing is such an issue on his project and wondered how much longer that it would take.

Mr. Sterbenz stated that the State doesn't have any time frame on preparing a wetlands delineation or expediting LOI's which is frustrating to the applicants. One of the advantages is the conservative 150 foot buffer on the plan and that the State would need to verify the width and that was a potential benefit.

Chairman Schnetzer asked if Mr. Sterbenz had any other comments or questions. He commented that he thinks that the Plain View Growers team has answered everything right now. As he understands it, the Town copied on the submission to John Showler, on the deed of merger which will take place before a building permit is issued, and there will be a plan change to move the tanks to the South side of the building and the building will be slid another 20 feet to the South West side almost touching the transitional line effectively creating about a 60 foot setback instead of 40 foot setback shown on the plan. Mr. Sterbenz ask that the Board incorporate these changes into any of their actions taken tonight and thanks the Board to listening to Allamuchy Township.

Chairman Schnetzer opened up to the Board for questioning.

Mr. Menegus asked Mr. Tierney how the impervious coverage works with the preserved farmland. Mr. Tierney stated that there currently was no set numerical limitation on soil disturbance on a preserved farm. The SADC has informally proposed rules and is in the process of formally proposing those rules, going through the administrative rule making process for that, but at present, there is no current numerical limitation. The best guidance is the Quaker Valley Farms case in Hunterdon, which is a bit vague and subject to interpretation and the guidance that the County receives from SADC staff. With Federal funding there is a determined numerical percentage for impervious surface coverage in the Deed of Easement, but not for farms preserved without that funding and not for this case. The figures that the SADC is proposing has a few nuances to it and they are still subject to change, but the upper limit that they were looking at is 15%, and most cases a 12% limitation. Mr. Tierney is not sure if the SADC will consider other land owned by the owner or just the preserved farm which might be part of that farm management unit. The deed of merger was to address the Township's limited impervious coverage. There may be a grandfathering of the SADC proposed rules regarding soil disturbance or coverage on a preserved farm basis. Preserved Lot 8 may benefit from the grandfathering. The adjoining preserved Lot 12 currently does not have much, if any, coverage and with the addition, it would still be a small percentage. Mr. Tierney is not sure, for the landowner's edification, if merging those together might become a problem depending upon how the SADC rules are written. Mr. Sposaro stated that he does not think that it will be a problem as Lot 11, 12.6 acres is not preserved but has been active discussion with the SADC as preserving that by donating the development rights to the SADC. Mr. Van Vugt stated that the approximate size of his total land holdings are 340 total acres and 60 acres of those are not preserved on the North side of Lot 8.

Mr. Burke asked if they were contiguous acres and Mr. Van Vugt replied that they were not, only the properties that are presented tonight as Gibbs Road is in the middle of the properties.

Mr. Menegus asked if there was an exception area on this property or was there an exception area on this property when it was preserved? Mr. Van Vugt stated that he did not know.

Mr. Menegus wanted to know who approves the merger of farmland preserved lots, is it at the SADC level? Mr. Tierney stated that there were no formal SADC rules for merging lots, as they have with the Division of Premises. Mr. Sposaro confirmed that there was nothing in the Deed of Easement that addresses the merger issue. Mr. Tierney stated that the farms that were merged together were originally part of one large preservation (Gibbs) that was later divided several times.

Mr. Menegus wanted to know if all the topsoil was going to be removed prior to the construction and are there footers, concrete or gravel being put down for the building. Mr. Van Vugt stated that the topsoil will be stripped that there is enough fill there as stated by Joe Kozalski. There is enough there to do the actual construction site. There will be concrete footing, the spacings are 42 feet wide by 12 feet. The only other concrete to be in the greenhouse besides the footings are a 21 foot wide aisle around the perimeter inside the greenhouse, the rest of the growing floor will have no concrete at all. The greenhouse will operate on an ebb and flood system where the water will come out of the ground, water the plants from underneath and then drain. It is a Dutch system called ebb and flood. When the plants call for water, the entire 5 acres will flood and seeps back into the piping system to the tank and recycles the fertilized water according to what is needed. There will be smaller basins inside the greenhouse that will hold that water. Mr. Burke asked if there would be an impermeable surface that hold the water in the floor for the plants. Mr. Van Vugt explained that it was like a weed mat, a porous polyester cover. The water comes through the system and permeates through that cloth, the potted plants are sitting on that cloth, it absorbs what it needs and then gets drained back and none gets drained into the soil.

Mr. Menegus wanted to know how thick the top soil is and what is to be done with it. Mr. Van Vugt stated that he was going to stock pile the top soil on the farm and use the fill from there to level it out. Mr. Symonds said that there was a variation of the soil that runs from 12 inches to 24 inches of top soil going further down the field in a down gradient. The top soil will be stock piled temporarily and then will return to the slopes and the basins and around the building. The excess top soil will be spread in the farm fields and within the wetlands transition area which they are allowed to do regarding the farming process. No top soil will be removed from the property, it will all be returned. There is an impervious mat under the greenhouse using approximately 10,000 gallons a day at the greenhouse returned to the pump tanks in the building that will be reused and added to the outside tanks to collect the rain water.

Mr. Menegus asked how much fill will the site be raised up after the top soil is removed. Mr. Symonds stated that the proposed greenhouse is almost exactly the same level as the existing greenhouse. The top of the site is elevation 340 so will only be cutting a little bit off. They will be removing some of the material from the detention basin which will be used to fill the lower areas of the greenhouse. It is basically a balanced site right now and the excess will be redistributed to the farm fields.

Mr. Mathez stated that he was a little uneasy about preempting the Township Ordinance for coverage. It is 25% more than the 8% allowed by the ordinance and asked Mr. Sterbenz if he sees that as an issue with the Township's Land Use Board that they may be concerned about. Mr. Sterbenz stated that the building coverage is as big of an issue as the overall coverage. The overall coverage is well less than 20%, but this project is 14.6%. The Township is very concerned about keeping the rural environment on the North end of Town. It is an area of 10 acre lot and there are a lot of agricultural property and want to keep that character going. It is the more important of the two coverages. With this type of development for greenhouse, there will be a greater percentage of building coverage out of the overall coverage on this type of development as you normally would have for a strip mall for example, because you would need all the parking.

Mr. Menegus proposed that 30 years from now, if the greenhouse would to be torn down to put back into a field, how much work would that be for removing the concrete and other structures? Mr. Van Vugt stated that one option is deconstructing the greenhouse but the rest is anchor pins in a 3 feet by 4 feet concrete hole. This is different concept than what was done in the past, where the entire facility was concreted. Mr. Hood stated that the top soil would still have to be redistributed which is now spread all over the adjacent field. Mr. Van Vugt stated that he did not think that it would be an issue.

Mr. Hood asked if the only other access point to the greenhouse is the concrete slab on the North side of the building. Mr. Van Vugt replied yes and that there were no other access points to the building, but that there will be fire escape doors available, but does not need any other access besides that pad.

Mr. Mathez asked what the land use is in the Lot with the setback that isn't enough, where the tanks are shown now. Mr. Van Vugt replied junk yard.

Chairman Schnetzer wanted to confirm a few things with Mr. Sterbenz, Mr. Sposaro, and Mr. Culton. Storm water management to be done by John Showler which was confirmed by Mr. Sposaro. Chairman Schnetzer asked the Mr. Culton if the Board were to approve, does the Board need to address the Wetlands LOI and Mr. Culton stated that it was the Board's prerogative to make it a condition or waive it but heard the Township's position that it should be acquired as part of the process. The applicant is seeking the relief to not have to do it. Mr. Sposaro stated that the Board may have a right to waive it but that it cannot force the Municipality to balk at issuing construction permits until an LOI is provided. Mr. Culton stated that the SADC had expressed some concerns that the applicant's compliance with the Deed of Easement being that the last approval for this applicant was conditioned upon the satisfaction of the SADC that he is in compliance with the Deed of Easement and believes that that condition is still open on that particular resolution and the Board should include that in this determination as well. Mr. Sposaro stated that there was no objection to carrying that condition forward.

Chairman Schnetzer opened it up to the public, but there were no comments or questions.

Mr. Mathez made the motion for Plainview Growers, LLC to approve the construction of additional greenhouse on property with the following conditions 1) approval of storm water management design submitted to John Showler; 2) the Wetlands LOI compliance; 3) the Deed of Easement compliance carried from Resolution #21-08 dated September 16, 2021 ; 4) shifting the greenhouse 20 feet and relocating the water basins; 5) updated plans with zoning table consistency and location of greenhouse; and 6) filing deed of merged lots copied to CADB and Township before issuance of construction permit. Mr. Sterbenz to be copied on any proposals to State. Mr. Sterbenz requested that the Township get a draft copy of the SSAMP Resolution. Mr. Menegus seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Burke – yes; Mr. Hood – yes; Mr. Mathez – yes;  
Mr. Menegus- yes; Mrs. Watters – yes. Motion carries.

**Administrator's Report:** Mr. Tierney stated that Thompsen is closing next week and they are working with the SADC to close the Riggs farm soon and also that Haydu is set to close soon and are resolving some issues on Dykstra.

New Applications:

*None at this time*

Awaiting Green Light Approval:

*County Applications*

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

Received Green Light Approval:

*County Applications*

- **Ferri** – Washington Township (Approx. 65 acres) Landowner accepted CMV offer. Contract sent out.
- **McEvoy #1** – White Township (Approx. 102 acres) Appraisals received. Sent to SADC for CMV.

**Total Applications: 2                      Total Acres: 167**

*Municipal Applications*

- **Hoh** – Knowlton (Approx. 31 acres) Received Green Light Review Letter.
- **Rick Smith Farm** – White (Approx. 25 acres)

**Total Applications: 2                      Total Acres: 56**

*Non-profit applications*

- **Shotwell Family Partnership, LP** – Blairstown Township (Approx. 154.5 acres)
- **Silver Pine Farm, LLC** – Frelinghuysen Township (Approx. 33.23 acres)
- **Watercross** – Frelinghuysen Township (Approx. 117 acres)

**Total Applications: 3                      Total Acres: 304.73**

Received CMV & Offer Made:

*County Applications*

- **McEvoy #2** – White Township (Approx. 20 acres) \$5,200. Received SADC final approval on 12/2. SADC staff requested another confirmation from landowner regarding exception area being located in wetlands buffer area.

**Total Applications: 1                      Total Acres: 20**

*SADC applications*

- **Gardner** – Franklin Township (Approx. 91.5 acres)

**Total Applications: 1                      Total Acres: 91.5**

*Non-profit applications*

- **Giordano** – Frelinghuysen Township (Approx. 33.98 acres) CMV \$4,000. Received contract.
- **Mt. View Farms** – Franklin Township (Approx. 55.30 acres) \$4,250 CMV.
- **Santini Home Farm** – Franklin Township (Approx. 39.905 acres) \$4,750 CMV.
- **Stecker** – Harmony Township (Approx. 18.988 acres) \$5,175 CMV

**Total Applications: 4                      Total Acres: 148.173**

Under Contract (Title Search & Survey):

*County Applications*

- **Anema, Ralph** – Washington Township (Approx. 123 acres) Landowner proceeding with Township to subdivide 6 acres severable exception. Received signed contract. Survey underway. Landowner did not apply for subdivision yet.

**Total Applications: 1                      Total Acres: 123**

*Municipal Applications*

- **Gugel** – Hope Township (Approx. 48.5 acres) CMV \$4,000.

- **Vass** – Knowlton Twp. (Approx. 100 ac.) CMV \$4,700. Landowner confirmed location of exception area to 3.3 acres. Received contract. Surveyor working on reaching Engineering compliance on survey.

**Total Applications: 2            Total Acres: 148.5**

*Non-Profit Applications*

- **Campgaw Farm** – Hope/Blairstown Townships (Approx. 135.54 acres) Received title work.
- **Kimball** – White Twp. (Approx. 45 ac.) CMV \$4,200. TLC-NJ has signed contract, draft survey and title. Sent draft survey and title to Engineering for their review. Waiting to receive from surveyor Engineering's requested revisions.
- **Promised Land (M. Santini)** – Franklin Twp. (Approx. 58 ac.) CMV \$4,650. Received title and survey.

**Total Applications: 3            Total Acres: 238.54**

*SADC applications*

- **Moyer** – Pohatcong Township (Approx. 128.3 acres)

**Total Applications: 1            Total Acres: 128.3**

Waiting to Close (Final Legal Review):

*County Applications*

- **Beatty South** – Greenwich Twp. (Approx. 57 ac.) CMV \$9,500. Mrs. Beatty has died, estate being settled.
- **Beatty North** – Greenwich Twp. (Approx. 86 ac.) CMV \$8,800. Mrs. Beatty has died, estate being settled.
- **Dykstra** – Mansfield Twp. (Approx. 209 ac.) CMV \$3,900. Received completed survey revisions and sent to SADC.
- **Haydu** – Harmony Twp. (Approx. 46 ac.) CMV \$4,900. Waiting to close.
- **Khan (7 Old Orchard Road)** – Hardwick Twp. (Approx. 75 ac.) CMV \$3,400. Hardwick Township to cost-share at \$600/acre.

**Total Applications: 5            Total Acres: 473**

*Municipal Applications*

- **Dokie's Acres (Thompson)** – White Twp. (Approx. 43 ac.) CMV \$6,000. SADC payment documents received.
- **McLain** – Harmony Twp. (Approx. 140 ac.) CMV \$5,700. On hold pending resolution of erosion issue with SADC.

**Total Applications: 2            Total Acres: 183**

*SADC applications*

- **Riggs** – Franklin Township (Approx. 34 acres)
- **Shen** – Mansfield Township (Approx. 222 acres) Coordinating with SADC, County Engineering, and County Counsel to facilitate drainage easements requested by Engineering.

**Total Applications: 2            Total Acres: 256**

Recent Closings:

- **None**

Pohatcong Contamination Area Projects:

*Seeking Highlands Council Open Space Funding cost-share*

- **Pear Tree Realty** – Franklin Township (Approx. 62 ac.) Waiting for update to title to move forward to close. BCC approved 100% County funding.
- **Pereira** – Franklin Township (Approx. 30 ac.) Waiting for update to title to move forward to close. BCC approved 100% County funding.
- **Myers/Toretta #1** – Franklin Township (Approx. 38 acres) Waiting for update to title to move forward to close. BCC approved 100% County funding.
- **Noel** – Franklin Township (Approx. 44 ac.) Waiting for update to title to move forward to close. BCC approved 100% County funding.
- **Oberly** – Franklin/Greenwich (Approx. 96 ac.) Received appraisals. CADB recommended 100% County funding. Sent out offer letter.
- **Santini (O'Dowd South)** – Franklin & Greenwich Township – (Approx. 132 ac.) CADB Recommended 100% County funding. Waiting for applicant to sign application and other documents for updated appraisals to determine development easement value.

**Total Applications: 6            Total Acres: 402**

2021 Closings YTD: 12 farms totaling 856 acres

Program Totals: 313 farms totaling 27,277.6944 acres

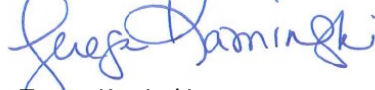


**Public Comment – none****SADC Update**

Mr. Willmott stated that the SADC is currently drafting rules for standards on Soil Protection and then it will go to the subcommittee for review then go to review with the full committee then for a public meeting and discussion. They are still writing up the language for the rules. There are soil and water and cost-share grants for funding and also deer fencing.

**Adjournment:** A motion for adjournment was made by Mr. Mathez and seconded by Mr. Burke. Motion carries. Chairman Schnetzer adjourned the meeting at 8:53 pm.

Respectfully submitted,



Teresa Kaminski