

# WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

(908) 453-2650

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## AGENDA

July 15, 2010

7:30 PM

In compliance with Chapter 231 of the Public Laws of 1975, adequate notice of this meeting has been given by forwarding a notice of the date, time and location of the meeting to the Warren County Clerk, THE DAILY RECORD, THE STAR LEDGER, and by posting a copy thereof on the bulletin board in the hall of the Warren County Courthouse and the Department of Land Preservation. In order to assure full public participation, those individuals with disabilities who wish to attend the meeting should submit any requests for special accommodations one week in advance of the meeting.

### Pledge of Allegiance

**Minutes:** Meeting of May 20, 2010  
No Meeting June 17, 2010

**Public Input:** Non-Agenda Items

### Correspondence:

- May 27, 2010 from Assemblyman Erik Peterson re Dual Appraisal Bill
- June 1, 2010 to Susan Craft re Deed of Easement Interpretations
- June 2, 2010 letter re Bohler letter
- June 2, 2010 letter from Susan Craft re Extension for Deed of Easement Interpretations
- June 2, 2010 letter from Susan Craft re Farmland Preservation Funding Availability Update

### Old Business:

- Smith/Rasa Farm update
- Preserved Farmland Inspection Report update
- Response/Comments for rule proposals on auctioning off a farm
- Solar Law Act/Solar Panels summarization (M. Lavery)
- Contradictions to deed of easement report (M. Lavery)

### New Business:

- Request for access easement for Green Acres on Wattles #2
- Horse Sleigh Farm Commercial Certification
- Bohler Farm relocation of house
- Convey Farm Cess Pool/Sewer Issue

### Administrator's Report

Public Input

Adjourn

Next Meeting: August 19, 2010 at 7:30 p.m.

## **WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD**

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### **Meeting Minutes July 15, 2010**

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. Mr. Race led the Pledge of Allegiance.

Members present: George Baldwin, Frank Gibbs, Joe Gourniak, Sam Race, Joel Schnetzer, Mike Toretta

Members absent: Lou Baduini

Others present: R. Resker, T. Kaminski, Staff; Kristina Campbell, Michael Lavery, Special County Counsel; Mim Dunn, NJ Fish & Wildlife, Glenn Miser, Horse Sleigh Farm, LLC, Washington Twp.

**Minutes** of the regular session meeting held on May 20, 2010 were approved on a motion by Mr. Race and seconded by Mr. Baldwin. Motion carries. Mr. Gibbs abstained. No meeting was held on June 17, 2010.

**Public Input (Non-agenda Items): None**

**Correspondence:** Noted

#### **Old Business**

***Smith/Rasa Farm*** – Nothing has moved forward on this, still waiting on DEP.

***Preserved Farmland Inspection Reports Update*** – Mr. Resker went over Ms. Beall's report update on the status of having a Soil Conservation Plan on farms that were in question. The Board asked Ms. Campbell to send a letter to Mr. Babinsky to let him know that that he needs a conservation plan according to the terms of the deed of easement and without one, is in violation of it.

***Response/Comments for rule proposals on auctioning off a farm*** – On a motion by Mr. Race and seconded by Mr. Baldwin, the Board approves the motion to have Ms. Campbell write a resolution and send letter to request additional time to formerly respond to this issue.

***Solar Law Act/Solar Panel Update*** – Ms. Campbell stated that she will lay out some requirements on the subject and have them ready for a future meeting. SADC sent a letter via email stating that the SADC and CADB has no jurisdiction over this matter on non-preserved farms and that those farms would have to seek municipal approval. Mr. Resker would like a speaker to talk to the Board on solar panels. The Board agreed that it would welcome the speaker's discussion on solar panels and Mr. Resker will make arrangements for a meeting in the future.

***Contraindications on the interpretation of the Deed of Easements*** – Ms. Campbell read Mr. Lavery's letter that was sent to the SADC regarding the CADB's position on this matter and the Board was satisfied that the letter was sufficient.

## **New Business**

***Request for Access Easement for Green Acres on Wattles #2*** – Ms. Dunn was present regarding the request for an agricultural access easement on the Wattles #2 farm where currently there is no reasonable access. On a motion by Mr. Gourniak and seconded by Mr. Gibbs, the Board approves a motion to allow for an agricultural access easement on Wattles #2 of approximate width of 20 feet. Be noted that Mr. Baldwin stepped down on this issue.

***Horse Sleigh Farm, LLC, Washington Twp.*** - On a motion by Mr. Race and seconded by Mr. Gibbs the Board approves the motion to certify Horse Sleigh Farm, LLC, Mr. Glenn Misar, owner, as a commercial farm. Mr. Misar stated that he had a denial letter from the township regarding his request to put up a farm stand. All appropriate documents confirming this farm to be operating as a commercial farm have been received.

***Bohler, Franklin Twp.*** – Mr. Bohler is requesting to replace a house on the property to a different location site. Mr. Resker spoke with Mr. Rohr from the SADC and he is satisfied with his request. On a motion by Mr. Race and seconded by Mr. Gibbs, the Board approves a motion to move the house location to the desired location by the property owner as long the present home site is made available for agriculture use. Mr. Toretta abstained.

***Convey Farm, Franklin Twp.*** – Mr. Woolf is buying the Convey farm and it has a cesspool rather than a septic and the septic cannot fit into the exception area. Mr. Woolf is asking for permission to put the septic outside the exception area. Mr. Resker spoke with Mr. Rohr from the SADC and he is okay with his request. On a motion by Mr. Race and seconded by Mr. ~~Baduini~~ Baldwin, the Board approves a motion to allow the septic to be built outside the exception area.

## **Administrator's Report:**

Mr. Resker briefly went over the important matters on the report.

***Kinney*** - On a motion by Mr. Gourniak and seconded by Mr. Race the Board approves the motion to authorize this application to be sent to the SADC for further processing.

On a motion by Mr. Baldwin and seconded by Mr. Gourniak, the Board approves the motion to go into executive session at 8:39 p.m.

Mr. Lavery arrived at the meeting during executive session.

On a motion by Mr. Baldwin and seconded by Mr. Race, the Board approves the motion to come out of executive session. Mr. Lavery stated that the Board came out of Executive Session at 9:01 p.m. where the Millburn appraisals were discussed.

On a motion by Mr. Gourniak and seconded by Mr. Baldwin, the Board approves the motion to go forward on the appraisals for the Millburn property in Greenwich Twp.

Chairman Schnetzer stepped down from his position on the Board and left the meeting room.

On a motion by Mr. Baldwin and seconded by Mr. Toretta, the board went into executive session at 9:02 p.m. to discuss the Schnetzer encroachment.

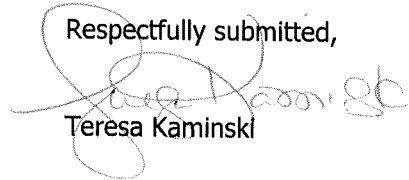
On a motion by Mr. Race and seconded by Mr. Baldwin the Board approved a motion to come out of executive session. Mr. Lavery stated that the Board emerged from executive session at 9:31 where Schnetzer's pending litigation matter was discussed and no official action was taken.

Mr. Schnetzer returned to his position on the Board.

**Public Input:** None

**Adjournment:** On a motion by Mr. Race and seconded by Mr. Baldwin, a motion was made to adjourn the meeting. Motion carries. Chairman Schnetzer adjourned the meeting 9:32 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Teresa Kaminski", written in a cursive style.

Teresa Kaminski