

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

May 18, 2023

The regular monthly meeting was at the Department of Land Preservation offices. 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.

Members present: Tim Bodine, Bradley Burke, Matthew Hood, Rene Mathez, Jason Menegus, Joel Schnetzer, Melissa Watters

Members absent: none

Others present: C. Tierney, T. Kaminski, Staff; Paul Mitchell, County Counsel; Timothy Willmott, SADC.

Minutes of the meeting held on April 20, 2023 were approved on a motion by Mr. Mathez and seconded by Mr. Menegus. Motion carries.

Correspondence: None

Public Input (Non-agenda Items): no comment from public.

Old Business:

Deed of Easement Compliance

➤ **Plainview Growers Update, Allamuchy Township**

Mr. Tierney stated that there was no update.

➤ **Kero Update (Brugler #1), Knowlton Township**

Mr. Tierney stated that there is no update.

New Business:

Oberly, BL 42 L 11, Franklin, BL 20 L 6, Greenwich – add severable exception area

The Board talked about the severable exception change to the application. Mr. Menegus made a motion which was seconded by Mr. Bodine for the updated appraisal and to look into the Township zoning for the one acre severable exception and that there are no issues with Category 1 stream.

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

Discussion on Special Occasion Events process

➤ **Bogyos, BL 56 L 39, Franklin Township Application**

The Board discussed the Special Occasion Events procedure, guidelines and restrictions for preserved farms and discussed the Bogyos application before them. Mrs. Watters made a motion for Mr. Tierney to invite Mr. Bogyos to the July meeting and to also notice the town of the application. This was seconded by Mr. Burke.

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

Administrator's Report:New Applications:*County Applications*

- **Brunkhorst Land Donation** - Mansfield (Approx. 49.83 acres)
- **Carafo** – Mansfield (Approx. 57.50 acres) Appraisals for RFPs out.
- **Sigler** – Franklin (Approx. 173 acres) Mill & farmhouse now an option first for purchasing to be discussed with BORC.
- **Rapid NJ LLC** – Allamuchy (Approx. 92 acres) On hold until attorney discussion regarding business in NJ.

Total Applications: 4 Total Acres: 372.33

Awaiting Green Light Approval: None

Received Green Light Approval:*County Applications*

Total Applications: 0 Total Acres: 0

- **Murray** – Knowlton (Approx. 21 acres)

Total Applications: 1 Total Acres: 21

Non-profit applications

Total Applications: 0 Total Acres: 0

Received CMV & Offer Made:*County Applications*

- **Ullman** – Knowlton Township (Approx. 188 acres) \$6,000 per acre. Contract under attorney review; Sellers' requested significant changes to County purchase agreement. (Fee Simple Purchase)

Total Applications: 1 Total Acres: 188

Municipal Applications

- **Rick Smith Farm** – White (Approx. 25 acres)

Total Applications: 1 Total Acres: 25

Non-profit applications

Total Applications: 0 Total Acres: 0

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

- **Ferri** – Washington Township (Approx. 65 acres) \$4,200 CMV. Second Engineering review letter sent to surveyor and landowner. Engineering and landowner met regarding improvements to field entrance concern.
- **McEvoy #1** – White Township (Approx. 102 acres) CMV \$4,800. Received draft quit claim deed and title company approved as long as deed description is not new one of development easement, but the one from Johnson
- **McEvoy #2** – White Township (Approx. 20 acres) CMV \$5,200. Survey on hold due to other farm title issue

Total Applications: 3 Total Acres: 187

Non-Profit Applications

- **526 Delaware Road** – Hope (Approx. 125 acres) – \$4,950 CMV. Survey underway.

Total Applications: 1 Total Acres: 125

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

- **Anema, Ralph** – Washington Township (Approx. 123 acres) SADC preliminary review. Received title update, sent to surveyor. Contacted surveyor by phone and email regarding revisions, waiting response.

Total Applications: 1 Total Acres: 123

Municipal Applications

- **Hoh** – Knowlton (Approx. 31 acres) CMV \$4,800. Waiting to receive final surveys and prepare for closing.
- **Vass** – Knowlton Twp. (Approx. 100 ac.) CMV \$4,700. Coordinating closing documents. Sent survey to landowners' attorney at his request.

Total Applications: 2 Total Acres: 131

Non-Profit Applications

- **Promised Land (M. Santini)** – Franklin Twp. (Approx. 58 ac.) CMV \$4,650.
- **Stecker** – Harmony Township (Approx. 18.988 acres) CMV \$5,175. Surveyor revising exception area on survey.
- **Kimball** – White Township (Approx. 43 acres) Surveyor moving exception area on survey.

Total Applications: 3 Total Acres: 119.988

Recent Closings:

- **McLain** – Harmony Twp. (Approx. 140 ac.) CMV \$5,700. Closed on 4.27.23!

On hold:

Non-profit applications

- **Shotwell Family Partnership, LP** – Blairstown Township (Approx. 154.5 acres) This property has been sold. TLC-NJ reaching out to new landowner for preservation.
- **Watercress** – Frelinghuysen Township (Approx. 117 acres) This property has been sold. TLC-NJ reaching out to new landowner for preservation.

Total Applications: 2 Total Acres: 271.5

Pohatcong Contamination Area Projects:

Seeking Highlands Council Open Space Funding cost-share

- **Myers/Toretta #1** – Franklin Township (Approx. 38 acres) Landowner deciding what to do with application.
- **Oberly** – Franklin/Greenwich (Approx. 96 ac.) Revised contract sent to Mr. Russo, landowner's attorney. County Counsel and Mr. Russo working on contract. Adding severable exception area around house and buildings. On CADB Agenda for approval. Ordered updated appraisal.
- **Santini (O'Dowd South)** – Franklin & Greenwich Township – (Approx. 132 ac.) Received final survey deliverables. Coordinating for closing.

Total Applications: 3 Total Acres: 266

2023 Closings YTD: 4 farms.

Program Totals: 330 farms totaling 28,741.3380 acres

Chairman Schnetzer left the meeting at this time after stating that Mr. Sposaro had represented him a real estate transaction back in March. Chairman Schnetzer stated for the record that he has since informed Mr. Sposaro that he will no longer retain his services. Mr. Sposaro represents Wild Honey Rose Farm in Blairstown and also Hope Township for Montalvo in which Chairman Schnetzer is conflicted out. Chairman Schnetzer stated that if Mr. Sposaro comes before the Board in the future for another matter, he does not plan to recuse himself. Vice-Chairman Mathez took over the meeting.

Certification of Commercial Farm

➤ **Wild Honey Rose, BL 1301 L 1.07, Blairstown**

Mr. Tierney stated that there was no income from crops or livestock indicated on their 2023 FA-1 Form. They did not submit a 2022 Schedule F with their application. The farm was purchased in March 2022. There were hand written cash receipts from July 4, 2022 to October 1, 2022 totaling \$2,894.83. Of the 10 cash receipts, 6 are for the sale of 2 lambs, 1 sheep, 2 goats, 4 quails, and 9 ducks totaling \$1,712.1. Three of the 6 animal sales receipts totaling \$1,025 are made to a Zamfir Salaman, same last name as one of the landowners. The remaining 4 cash receipts total \$1,173.83 which equates to approximately 82 pounds of fresh and dried herbs sold. On the 2023 FA-1 Form, Section

2 lists 2 acres devoted to cropland harvest on line 1, 4.275 acres devoted to cropland pastured on line 2, and 4 acres devoted to non-appurtenant woodland on Line 4, showing a total of 10.275 acres devoted to agricultural or horticultural use. On lines 8, 9, 10, and 11 in Section 2 of the Applicants 2023 FA-1 indicates there is no land on the Property which is not actively devoted to agriculture. However, Section 3 of the Applicant's FA-1 lists no current year farming activity and indicates no acreage is devoted to crops, livestock, woodland products, or other agricultural or horticultural products. On the Supplemental Farmland Assessment Gross Sales Form signed by owners/operators on July 25, 2022 and marked received by the municipality on July 26, 2022, Section 2 'Gross Sales' lists under livestock 2 lambs for \$500, 1 sheep for \$450, and 5 ducks for \$125 (but indicating no acreage) amounting to \$1,075.00 total income received and anticipated for the current year. Applicant did not provide a 2022 Schedule F (form 1040) which is used to report farm income and expenses as their attorney stated that they have not yet filed and will supply one when return is filed.

The Applicant did not provide any receipts for the purchase of the animals, animal feed, seed, fertilizer, or other expenses normally incurred for such agricultural activities.

A site visit was conducted by Mr. Tierney and Mr. Mathez on Monday, May 15, 2023 where the applicants and their attorney were present. Photos of the property were taken by Mr. Tierney and provided to the Board. Mr. Tierney and Mr. Mathez observed a row of about 10 four-foot by four-foot containers where the Applicants indicated they grew herbs. Neither Mr. Tierney nor Mr. Mathez observed 2 acres of cropland harvested, 4.275 acres cropland pastured, or 4.0 acres of woodland being managed for forest products during the visit. Neither Mr. Tierney nor Mr. Mathez observed any livestock, poultry, or other farm animals being raised on the Property during the visit aside from what appeared to be one metal dog pen/run, and neither Mr. Tierney nor Mr. Mathez observed any fenced or otherwise secured area/pasture where livestock could have been raised last year.

Mr. Tierney and Mr. Mathez observed additional areas around the property where Applicants are creating/preparing new growing beds where they intend to grow more herbs, but these areas were not in herb production last year or during the visit. There were raised beds and garden beds that they were preparing for the future. There was a 1 ½ acre meadow that had mugwort and weeds where the applicant said that they plan to put goats, but this area was not in pasture or production last year or during the visit.

Mr. Bodine made a motion to deny the certification which was seconded by Mr. Hood.

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

Public Comment – none

SADC

Mr. Willmott stated that the Soil Protection Standard Policy is at the Governor's office for review. In June there will be a formal comment period for 60 days. The SADC made modifications to the AMP for fruit trees, vegetables and fencing based on a Rutgers update. There was also an update regarding composting and livestock mortality use by Rutgers as well.

Adjournment: A motion for adjournment was made by Mrs. Watters and seconded by Mr. Bodine. Motion carries. Chairman Schnetzer adjourned the meeting at 9:16 p.m.

Respectfully submitted,



Teresa Kaminski