

OPEN SPACE & AGRICULTURAL ADVISORY COMMITTEES
Regular Meeting Minutes
July 12, 2016
7:00PM

Call to Order

The Regular meeting of Open Space and Agricultural Advisory Committees was called to order at 7:16P.M. Chairwoman Sandra McNicol called the meeting to order and read the following notice requirements.

Notice Requirements

Notification of the time, date and place of this meeting has been published in the Hunterdon County Democrat and Courier News, and has been posted in the Kingwood Township Municipal Building at least 48 hours prior to this meeting and has been filed with the Municipal Clerk.

In order to ensure full public participation in this meeting, all members of these Committees, and also members of the public are requested to speak only when recognized by the Chair, so that there is no simultaneous discussion or over-talk, and all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

Roll Call

Open Space Advisory Committee

<u>Present</u>	<u>Absent</u>
Diana Haywood	Phil Lubitz
Sandra McNicol	Lee Frank
Karen Hertzog	Heather Haberle
John Mathieu	

Agricultural Advisory Committee

<u>Present</u>	<u>Absent</u>
Richard Dodds	
Ed Kralovich	
William Pandy	
Susan Goeckeler	

Approval of Minutes

Motion and Approval of the June 7, 2016 Meeting Minutes of the Open Space/Agricultural Advisory Committees

3.

Animal Waste Management Plans

Reviewed earlier.

ANJEC Article - Guiding the Way to Open Spaces

Chairwoman Sandra McNicol reviewed the article. She noted that this is for everyone's information.

Article - Open Space and Farmland Bill Passes

Chairwoman Sandra McNicol reviewed the article. She noted this is from the New Jersey Conservation Foundation.

Reports

Farmland Preservation - Liz Schmid (Report for July, 2016)

Liz Schmid was absent this evening.

Chairwoman Sandra McNicol read aloud the Ag report for July 2016:

Open Space/Agriculture Advisory Committee

July 12, 2016

I am going to list the projects that have had some type of change since last month first. I will then list the farms that are still on the radar, but have not moved along significantly since last month. Changes from June are in bold face type.

1. **Goeckeler (Bl 30, Lot 6 - 46.9 acres on Warsaw Rd) - As Green Acres has run out of money for this project, the owners would like to pursue a farmland preservation application. In order to do this, it will be necessary for the Township to enlarge the farmland preservation project area in the farmland preservation element of the Township Master Plan. This would also be true for the Varela farm, which is in the same general area. The farm is a horse farm with some fields in hay production. There is a covered, as well as open riding ring and two barns in addition to the house. The soils are approximately 33% prime and 40% of statewide importance. There do not seem to be any wetlands of note, but the front of the property is very steep (with poor soils in that area).**

4.

The property almost abuts the Tea Table property and the owners keep a wide access path mowed for use by the fire company when hikers set fires at the Tea Table.

2. The owners are aware that an application for Federal funding will be necessary to complete a preservation project.
3. Susan may have to step down from the Ag committee if the application proceeds. Does the Ag Committee wish to pursue this application? If so do we want to eventually turn it into a municipal PIG? (I would try to have the County do the original appraisals and we would do the survey and title work and the 60% State match would come from our funds).

2. Varela (Bl 33 Lot 12 - 63 acres, Bl 32 Lots 5 - 11 acres and 6 - 16 acres) on Barbertown-Idell Rd. This is a complicated estate situation with squabbling heirs. The heir that lives on the property wants to preserve so that she can keep the farm together as a farm. Others just want money out of it. They are presently getting a new appraisal on the property to see what is the realistic value in the current market. The State has no funds available for direct purchase and is sending pending applications to the Counties. Heir on the property wants to put in an application for consideration in the Harvest Round (fall). She will also have to apply for Federal funding to cover municipal costs. They have chosen to have the property appraised for easement value as well as sales value to better help in decision making. **The heir on the property reports that the executrix is willing to turn the property over to her right away if she is approved for preservation.** I have sent her a detailed e-mail outlining the steps that are involved in the preservation process and that nothing is guaranteed up front. I also suggested that the process could take a year or more from the September application deadline. She has my e-mail address and my phone # on LI. I have not heard anything from her since my e-mail just before I left in June.

3. Block 30, Lot 2.01 - 31 acres on Warsaw Rd. - This property was for sale and the County has indicated that a new owner is interested in preserving the land.

5.

The piece is not large enough for CADB approval, but the sale may have included Lot 2, which would solve that problem. The land seems to be similar to the adjoining Goeckeler property and is in field crops and has an air strip.

My conversation with the County on this one was very confusing as they seemed to be confusing this farm with Goeckeler, but had a totally different name associated with it.

4. Dalrymple - Block 6 lots 26 (33.4 acres) and 26.01(18.55 acres) - The landowners have completed an application for the Municipal PIG program and it has been approved for Federal funding. CADB has given preliminary approval, as has SADC. The Township Committee has passed a resolution requesting that the State add this farm to our targeted farm list. The landowners have agreed to partially pay for one appraisal to see if easement value will be acceptable to them. The Township has chosen an appraiser from the proposals submitted. Things have been complicated by the CADBs refusal to accept the SADC proposal to use Federal language to prohibit selling the two lots separately, without actually merging the lots. They continue to insist that the lots be merged before preservation. **The SADC developed new appraisal form that allows for the appraisal of the properties as one lot without actually being merged. That way the landowners will be able to have the properties appraised and they can make a decision about whether the money is enough to follow through with preservation before they have to spend money on merging the properties. In any case, the properties would have to be merged before the preservation closes. We have sent this form to the appraiser and are waiting for the results.**

5. Hudson Grant Group - Block 40, Lot 19) - HLT has made an application for County Open Space funds for this vertical property. Other funding would come from DEP. There is some question about access. The appraiser was out at the property with Lisa Stern from the DEP, Jackie Middletown and Richard so we should have a value quote soon.

6. Perrotti - (Block 23 Lot 11) - This farm has closed with the State and is now a preserved farm!!

6.

7. Maritan - (Bl 33 Lot 25), 104.71 acres - Richard has had discussions with Jackie Middleton at HLT about possible use of new Green Acres money for this property. After Richard and Tom from HLT walked the property it was decided that the property should be cleaned up before appraisals are done. Jackie will be working with the family to do this, but the family has been told that there is no money available now.

This lot has been put on the market.

8. Tranquility Farms LP - Block 5, Lot 1.01 - **No Change** -For financial reasons, this farm is not eligible for Federal funds so County and Municipal PIGs were not feasible. SADC has approved the farm for State Direct Easement purchase. The owners have accepted the certified value and the Township has sent a letter of support. It should have received final approval from the State last week, and the surveying, etc. will proceed.

9. Milford - (Block 9, Lots 26 (13 acres) and 17 (62 acres)- **No Change**- The family is interested in acquiring property across Slacktown Road from other property that they own. They would need preservation money in order to make this happen. We have advised them of the tight money situation at the State and the Township, and about the need to use Federal money (ALE) to cover Township portion of any preservation. We discussed the constraints of being near a C-1 stream and having woods on the property and how it might affect appraisal values. We also discussed how CADB might look at the property. We suggested that if they wish to pursue the preservation they might want to do it with a strict contingency contract with the present owner. They are planning to talk with the realtor. We have heard nothing back.

10. DeSapio property on Ridge Road - Block 5, Lot 6 - **No Change**- (69.54 acres known as the Brown Farm) has gone to the County for a County PIG application as the State is out of Direct money. The County is going to the landowner to see if he is willing to make an application for Federal money that will cover our share of the preservation. The County is also suggesting that the application be carried in the County program through the appraisals and final approval and then be transferred to a Municipal PIG for the survey.

7.

This would allow Kingwood funds being held at the State to be used for the State 60% as the County is about tapped out of State money.

11. Zander- (Block 5, Lot 3 - **No Change**. Closing is waiting on the survey and County Counsel. Kingwood funds are in place.

12. Dirt Capital Partners, LLC - Block 4, Lot 3, .5 acres. No Change. This is the corner of a farm in Franklin for which Dirt Capital Partners is trying to recoup some money. Kingwood's share of a preservation would be in the area of \$700.

13. One Lowell Realty inc. (Lipka) - Bl 17, lot 14 (30.89 acres) - No Change - Flag lot on Barbertown-Point Breeze Rd.- The owner of this property just wants to get rid of it and is willing to donate the property. There are wetlands on the property and an open lien from DEP. He (or maybe his estate) does not want to or cannot pay the lien off. DEP says the lien consists of a \$12,000 fine and a \$6,000 penalty for not having complied with an administrative order. The fine was for placing fill and cut vegetation into wetlands and wetland transition areas. The fine and penalty stay with the offending owner, but DEP would require the situation to be remediated. HLT has no interest in the property. It is not near any other preserved land. Does the Township have any interest?

14. Felix II - (Block 12 Lot 1) - **No Change -** A township resident has contacted me about the possibility of purchasing and preserving this farm. The purchase is dependent on the ability to preserve. In speaking with the interested purchaser, it became clear that possible preservation funding may not be sufficient to purchase the farm. We discussed the need for them to discuss specifics with the owner. I spoke with SADC and HLT to see if they had any creative ideas as to how this could be worked out. No one has come up with any new ideas. I will continue to stay in touch.

15. Mattison - No change- (Block 21, Lots 1.01, 1.02, 1.03 and Block 21.01, lot 2) on Rt. 12 and Whiskey Lane - Owner is interested in selling into preservation but only NJCF has any interest and would need other money to complete a sale.

16. Perrotti - No Change - Block 7 Lot 14.10 - 52 acres on Oak Grove Road, adjacent on the south side to the preserved DeSapio farm.

8.

The owner is looking for the most profitable way to proceed with his investment property. He has 4 approved lots ready to build on when the economy picks up. He is in no rush to do anything. He was really just doing research on how much he could get for preservation when he called the State. He would ideally like to get \$15,000/acre for the easement.

If the Varela heirs cannot agree on preservation and insist on selling the property outright, the 63 acre piece is adjacent to the Maritan property (on the west side). If someone bought them both, they would be gaining a lot of road frontage and maybe ways to develop the two properties together. I have not looked at the wetlands maps yet, so it may not be too bad. Just a thought.

The Committees reviewed several of the properties on the overhead projector.

Siano Farm - Made an Application through the County Pig Program to Preserve the Farm for Block 30, Lots 2 and 2.01

Liz Schmid provided this message late in the day today, and Chairwoman Sandra McNicol read aloud the e-mail message regarding the Siano property.

This is an update on Block 30, Lots 2 and 2.01 that was in my report.

Sandy Siano has put in a farmland preservation application in the County PIG for Block 30, Lots 2 and 2.01. There appears to be no new owner on the property as previously stated in the confused communication I had with the County last week. I am assuming that the County has advised her that an application for Federal funding will be necessary to complete a preservation project. This property is adjacent to the Goeckeler property and will have to be included in an expansion of the Township Project Area in the farmland preservation element of the Master Plan.

Amending Comprehensive - Farmland Preservation Plan Project Area Map

Chairwoman Sandra McNicol reviewed the Farmland Preservation Plan Project Area Map. This was brought up on the overhead projector for the Committees to review. She noted that there needs to be an adjustment to this map.

9.

It was moved by William Pandy, seconded by Cynthia Niciecki and carried to approve to recommend to the Township Committee to amend the Comprehensive Preserved Farmland, Targeted Farms and Project Area Map and to include Warsaw Road and surrounding properties.

Roll Call Vote:	Aye	- Dodds, Pandy, Niciecki, Kralovich
	Nay	- None
	Abstain	- Goeckeler
	Absent	- None

Soil Maps for Goeckeler Block 30, Lot 6

Agricultural Advisory Member, Susan Goeckeler recused herself from the meeting at this time.

The Committees reviewed the property on the overhead projector. The Committees reviewed the soil map and other correspondence provide by Liz Schmid. Chairwoman Sandra McNicol read aloud the portion of Liz Schmid's report regarding the Goeckeler property.

Chairwoman Sandra McNicol asked if the members were interested in pursuing the preservation of the Goeckeler property.

It was moved by William Pandy, seconded by Edward Kralovich and carried to send a letter to the Township Committee requesting that the township consider the support and to pursue the preservation of the Goeckeler, Block 30, Lot 6 property.

Roll Call Vote:	Aye	- Dodds, Pandy, Niciecki, Kralovich
	Nay	- None
	Abstain	- None
	Absent	- Goeckeler

Susan Goeckeler has returned to the meeting at this time.

**Soil Maps of Varela Property Bl 33, Lot 12, Bl 32, Lots 5,6,-
Barbertown Idell Road**

The Committees discussed the grounds at the Varela property. A map was reviewed over the overhead projector.

10.

Chairwoman Sandra McNicol read aloud the portion of Liz Schmid's report regarding the Varela property.

It was moved by Cynthia Niciecki, seconded by William Pandy and carried to send a letter to the Township Committee recommending that the township add the Varela Property Block 33, Lot 12 and Block 32, Lots 5 and 6 to the list of targeted preserved farms.

Roll Call Vote:	Aye	- Dodds, Pandy, Niciecki Kralovich, Goeckeler
	Nay	- None
	Abstain	- None
	Absent	- None

New Business

Press Release - HC Department of Planning and Economic Development & Land Use "Your In Put Can Shape the Future of HC Parks and Open Space - Share your Thoughts Survey-
www.hunterdonsurvey.org/open

Chairwoman Sandra McNicol reviewed the press release. She encouraged everyone to go to the website link and share your thoughts and to fill out the survey.

Richard Dodds gave a brief review of the survey and asked everyone to fill it out.

Old Business

Sustainable Aquaculture Systems Update

Chairwoman Sandra McNicol noted that several members of the Environmental Commission attended the meeting of June 8th, 2016 at Franklin Township's land use board. She gave a brief review of what occurred at the meeting. She noted that Kingwood Township's Planning Board Attorney, David Pierce was also present at the meeting and requested a transcript of that meeting.

Chairwoman Sandra McNicol noted that the Environmental Commission has been not only concerned about how much water the Sustainable Aquaculture Systems will be using, but they have also reviewed recent findings of the amounts of water taken out of the ground from MEL.

11.

John Mathieu explained that in the past, MEL would come before the Planning Board and give a report on how much water they used, and the interference in wells. He suggested that the township should invite MEL to come again before the Planning Board.

Chairwoman Sandra McNicol stated that she will recommend this to the Environmental Commission and then they can recommend to the Township Committee that the issue with the MEL wells should go to the Planning Board.

Horseshoe Bend Park - Update

Richard Dodds stated on July 30th they will be working on a trail at the Kirklin property, which is within Horseshoe Bend Park. They will be starting at 9:00a.m. and they can use any help from those that would like to volunteer.

Resolution No. 2016 -83 - Authorize Hunting & Lottery on Twp. Properties

Chairwoman Sandra McNicol reviewed the resolution that was adopted by the Township Committee. Cynthia Niciecki asked when it was passed and expressed that she was against the idea of hunting on the Church property, which is now (Horseshoe Bend East). She noted that she expressed her feelings at the last Open Space Meeting that she was not in favor of the idea of hunting on that property. She feels that it is a sanctuary and that there was never any hunting allowed on the property. She feels that the animals need a place to go and feel safe. Sandra McNicol explained that the Environmental Commission recommended there be hunting on the township properties, and also to include the Church (Horseshoe Bend East) property. A request was sent to the Township Committee and the resolution was adopted on July 7th, 2016.

Cynthia Niciecki noted she would like to send an article regarding the "Sanctuary" to the Open Space/Ag Committees, the Parks and Recreation Committee and the Township Committee. She will send this article to Secretary Keller to send to everyone.

PennEast Pipeline - Update

Historic Site Discussion

12.

Chairwoman Sandra McNicol talked about the Historical Map she has provided this evening, which included historical sites in the township that will be effected along the Penn East Pipelines route.

The historical map was reviewed over the overhead projector. Chairwoman Sandra McNicol explained that Delaware Township has done a Historic Properties Designation Status report, which is another tool to submit to the PennEast Pipeline. She noted they would like others to look at it and give them addition information. She explained the reasons she has brought this map tonight to review. She noted that Delaware Township would like more information on Barbertown, because this town has a lot of history. It was recommended to contact the historian for Kingwood Township, Sal DeSapio.

William Pandy feels that the route for the PennEast Pipeline will change again and again. He gave a brief update on what went on in court regarding the land owner's complaints regarding the PennEast Pipeline representatives trespassing on properties. Richard Dodds noted that he will contact Delaware Twp. regarding marking up their historical sites on the map. Chairwoman Sandra McNicol feels that all the sites need to be investigated.

REMINDER - NEXT MONTH - NO MEETING IN AUGUST

See you in September on the 6th at 7:00P.M.

Adjournment

It was moved by Richard Dodds, seconded by William Pandy and carried to adjourn the meeting at 9:25P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Cynthia Keller
Secretary