

AGRICULTURAL ADVISORY COMMITTEE
Regular Meeting Minutes
September 6, 2016
7:00PM

Call to Order

Chairwoman Sandra McNicol of the Open Space Advisory Committee noted that there were not enough members present on the Open Space Advisory Committee for those members to vote.

The Regular meeting of the Agricultural Advisory Committee meeting was called to order at 7:21P.M. Chairman William Pandy 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

Present

Sandra McNicol
Diana Haywood
Phil Lubitz

Absent

John Mathieu
Lee Frank
Karen Hertzog
Heather Haberle

Agricultural Advisory Committee

Present

Richard Dodds
William Pandy
Cynthia Niciecki

Absent

Susan Goeckeler
Edward Kralovich

2.

Approval of Minutes

Motion and Approval of the July 12, 2016 Meeting Minutes of the Open Space/Agricultural Advisory Committees

The Committee decided to table the approval of the July 12, 2016 Meeting Minutes until the October meeting when more members will be present.

Correspondence

Letter from the NJ SADC - Re: New Publication Available: "The Right to Farm Act in New Jersey"

Chairman William Pandy reviewed.

News letter from NJ SADC - Cooperative Extension

The Agricultural Advisory Committee reviewed.

News letter from NJ SADC - NJ Agricultural Mediation Program

The Agricultural Advisory Committee reviewed.

News letter from NJ SADC - NJ Right to Farm Act

The Agricultural Advisory Committee reviewed.

Letter from the NJ State Agriculture Development Committee to William Pandy

Chairman William Pandy reviewed the letter he received from the NJ State Agriculture Development Committee. He explained that the NJSADC would like information from the homeowners. They are asking to collect and convey any specific information or concerns that the homeowners may have regarding the proposed PennEast Pipeline.

Cynthia Niciecki noted she received a similar letter. She noted that she wrote a letter to Susan Payne, Executive Director of the SADC with her requests and concerns since her property is preserved.

3.

Chairman William Pandy noted that they have been in contact with HALT. He explained, if need be he and his family will be hiring a lawyer.

There was a lengthy discussion regarding the PennEast Pipeline and preserved properties, imminent domain and what may or may not happen in the future.

Reports

Farmland Preservation - Liz Schmid (Report for September, 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 May are in bold face type.

1. **Goeckeler** (Bl 30, Lot 6) - 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 located on Warsaw Rd. **The Township will also have to amend its Agricultural Development Area with the County and the State. It is possible that this can be done by resolution. I am checking with the County and the State. At the moment there seems to be some confusion as to exactly where the line for our ADA is at this time, and where the line for the Farmland Preservation Project Area is in the northern part of the Township. What is on maps and what is in legislation seem to conflict. Because of these area issues which must be remedied in order for the application to proceed with the State, and because the farm is in the County ADA, and will be added to their Target Farm List, the County has said that they will include this farm in the County Pig fall round so that there is no hold up.**

4.

We can then transfer it back to the Municipal PIG when the boundary issues are resolved, if that is OK with everybody. A further complication is that this farm is owned by an Ag Committee member. She must resign from the Committee in order for this to progress.

2. 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. SADC is trying to be helpful by developing some sort of new appraisal form that would allow for the appraisal of the properties as one lot without actually being merged. That way the landowners would be able to have the properties appraised and they could 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 are waiting on the new appraisal form before we proceed. **The single appraisal has been completed but the \$ value is below what the landowners were expecting. The landowners had not received their copy of the appraisal as of last week and need to think about whether they want to continue with the process.**

3. Tranquility Farms LP - Block 5, Lot 1.01 - 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. **There are now contract issues with PennEast. These are being worked on.**

5.

4. Perrotti - (Block 23 Lot 11) - **No Change** - The family has accepted the certified value offered by the State (despite issues with the solar company). The State has awarded title and survey contracts and expects to be able to close soon without the use of any Federal funding. The Township Committee has passed a resolution in support of the preservation of this farm. Unfortunately, the PennEast pipeline runs through this farm.

5. DeSapio properties on Ridge Road - Block 6, Lots 12 and 13.01 have closed and are now preserved.

Block 5, Lot 6 (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. 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. **The landowner has agreed to apply for Federal funding (ALE) so that the application can be fully funded.**

6. Zander- (Block 5, Lot 3)- Closing is waiting on the survey and County Counsel. Kingwood funds are in place. **Still waiting on changes SADC wanted on the survey.**

7. 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 the realistic value is 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.

6.

The property has been appraised but the family has not yet made any decisions on what they wish to do.

8. Hudson Grant Group - Block 40, Lot 19) - HLT is making 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. Appraisals are back. The County has approved a \$51,000 + grant for the preservation of this property.

9. 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.

10. 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.

11. 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.

7.

HLT has no interest in the property. It is not near any other preserved land. Does the Township have any interest?

12. **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 to 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.

13. **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. **Property is now on the market.**

14. **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.

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

16. **Is it OK with everyone that I send the County the same letter that we sent last year saying that the Township is interested in continuing to do farmland preservation? Also, can I start working on the annual up-date to the State which will add the properties that we spoke of to the target farm list?**

8.

Richard Dodds brought up all the properties to view over the projector for the members.

Everyone thanked Liz Schmid for her monthly report.

New Business

Updated Maps - Open Space, Preserved Farms for Kingwood Township

Richard Dodds brought up the maps on the projector for everyone to review.

Old Business

Sustainable Aquaculture Systems Update

Diana Haywood noted there will be a hearing at Franklin Township in the near future and she asked everyone to keep an eye out to see when it is advertised.

Horseshoe Bend Park - Update

Richard Dodds explained on October 8, 2016 there will be a horse event. He explained that the Hunting Season will begin on September 10th, 2016. He noted that the township had a lottery and all the hunters were chosen. A meeting to train the hunters regarding hunting the properties and to sign everyone up will be taken place on Friday, September 9th, 2016 at 7:00P.M.

PennEast Pipeline - Update

Sandra McNicol brought up a subject that was discussed at last month's Open Space and Ag Committee Meeting regarding a Historical Committee. There was a brief discussion and a suggestion for the need to get information regarding historical sites, and how they will be effected with the PennEast Pipeline.

Richard Dodds noted that the comment period deadline is September 12, 2016 to be sent to FERC regarding the PennEast Pipeline. He encouraged everyone to send in their comments.

Public Comment - Privilege of the Floor

No public comments.

Adjournment

It was moved by Richard Dodds, seconded by Cynthia Niciecki and carried to adjourn the meeting at 9:02P.M. **All** voted **Aye** on **Roll Call Vote**. Respectfully submitted, Cynthia Keller