

OPEN SPACE ADVISORY COMMITTEE
Regular Meeting Minutes
October 4, 2016
7:00PM

Call to Order

The Regular meeting of Open Space and Agricultural Advisory Committees was called to order at 7:12P.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

Present

Diana Haywood
Phil Lubitz
Sandra McNicol
Karen Hertzog
Heather Haberle

Absent

John Mathieu
Lee Frank

Agricultural Advisory Committee

Present

Richard Dodds
William Pandy

Absent

Cynthia Niciecki
Edward Kralovich

2.

Chairwoman Sandra McNicol noted that there were not enough members for the Agricultural Advisory Committee to participate, therefore the Open Space Advisory Committee will conduct the meeting this evening.

Approval of Minutes

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

Motion and Approval of the September 6, 2016 Meeting Minutes of the Agricultural Advisory Committee

The Open Space Advisory Committee would like to table these minutes until the November meeting when more members from both committees are present.

Correspondence

N/A

Reports

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

Liz Schmid was not present at the meeting. Sandra McNicol reviewed the report for October 2016 from Liz Schmid.

Open Space/Agriculture Advisory Committee October 4, 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 September 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, The Township must enlarge the farmland preservation project area in the farmland preservation element of the Township Master Plan. 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.

3.

2. 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. We can then transfer it back to the Municipal PIG when the boundary issues are resolved, if that is OK with everybody. **The landowner has been in touch with HLT for an application for Federal funds. It has not yet been approved by the HLT board. The State representative has also visited the farm and is positive about the application.**

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. **The landowners have decided to proceed with the process if the second appraisal comes in at or above what the first one came in at. They are having their attorney look at the various forms that they must sign to continue with the process. As of 9/28, they had not returned the forms signed. When they do bring them in, we will have the second appraisal done.**

4.

Richard Dodds noted that they will continue with the sale and they will go into farmland preservation.

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. **When there is a revised agreement, the State will have to review the certification before granting final approval.**

3. **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. **The HLT board has approved this project.**

5. 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 the NJDOT. There is some question about access. The appraiser was out at the property with Lisa Stern from the NJDEP, Jackie Middletown and Richard so we should have a value quote soon. Appraisals are back. The County planning Board has approved a \$51,000 grant for the property. **The Freeholders have now approved the grant. The Township must now make a formal offer to the landowner.**

6. Siano - Block 30 Lots 2 and 2.01 (73.81 acres) - This farm is being done as a County PIG application as the State did not have sufficient funds to do it as a Direct Application. **The landowner has been in contact with HLT to make an application for Federal funding, but has not been approved by the HLT board yet.**

5.

7. 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.

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

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.

6.

NJDEP 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?

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.

New Business

Kingwood Township Trust Account Status

7.

Chairwoman Sandra McNicol stated that she requests that this be put on the agenda each year after the township has paid its debt service to the bond. She noted that with the addition to approximately \$182,000.00 at the end of the year, this will bring the township up to a good number. She feels that they need to be conservative with their spending at this time.

Richard Dodds to Give a Report on the Meeting of the Lower Delaware Wild and Scenic of August 25th

Richard Dodds gave a brief report on a meeting he attended for the Lower Delaware Wild and Scenic on August 25th. He noted that at that meeting he gave a talk on the PennEast Pipeline. He noted that the key things that came out of the meeting is that there has been a lot of surveying in the Lower Delaware area by Joint Toll Bridge Commission, the Delaware Basin Commission, as well as the NJDEP with regard to arsenic in the river. He noted that this is surface water. They are trying to put together a report to see where the gaps are in the testing. These organizations would like to go to the Parks Service for resisting \$2,016.00 that had not been spent, and some \$2,015.00 that hasn't been spent to start the testing process, and then ask for additional funds in 2017. He noted they are interested in doing the absolute baseline along the Delaware River and its tributaries prior to any pipeline going in. He feels that this is good information to have, even if the pipeline does not go in. The Delaware River Basin Commission did a study on the river this year, which showed an increase of coliform.

Richard Dodds noted that they are trying to get more towns to sign on.

Updated Open Space/Farmland Map - New Properties

Chairwoman Sandra McNicol noted that she did not have time to get this ready for this evening, but will get it ready for next month.

Old Business

Sustainable Aquaculture Systems - Update

Chairwoman Sandra McNicol noted that they have been postponing the meetings for various reasons. She stated that when they have their next meeting the Environmental Commission will be there to ask questions.

8.

Horseshoe Bend Park - Update

Richard Dodds noted that there will be a Horse Ride this weekend. They will be riding rain or shine.

He also explained that a Scout named Josh Snyder is working on his Eagle Scout project up on the south side of the Horseshoe Bend Park. He noted that he and his family have been working on a pavilion with a roof and will be donating a metal picnic table. He explained that the Scouts love camping overnight at the park.

There was a brief discussion regarding the speed bumps in the driveway that have slowed things down a bit.

The new bridge on Horseshoe Bend Road was discussed. Chairwoman Sandra McNicol suggested a note be sent to the County regarding the beautiful job they did not the bridge.

PennEast Pipeline - Update

Chairwoman Sandra McNicol noted that there is a rally scheduled this weekend in Regielesville PA to stop the PennEast Pipeline if anyone is interested in attending. She noted that anyone interested should look up HALT for more information.

Public Comment - Privilege of the Floor

Phil Lubitz noted that the Canal Commission has been informed at their last meeting that the NJDEP has stopped with making any plans for Bulls Island during the current administration. He noted that the campground will remained closed.

Adjournment

It was moved by Richard Dodds, seconded by William Pandy and carried to adjourn the meeting at 7:57P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Cynthia Keller
Secretary