

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

Call to Order

The Regular meeting of Open Space and Agricultural Advisory Committees was called to order at 7:25P.M. Chairwoman Sandra McNicol called the meeting to order and read the following notice requirements.

Notice Requirements

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Hunterdon Democrat and Courier News on January 14, 2016 and by telefaxing a copy of the notice to the Express Times on January 6, 2016. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 6, 2016.

In order to ensure full public participation in this meeting, all members of this Committee, 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 further, 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>
Sandra McNicol	John Mathieu
Phil Lubitz	Lee Frank
Diana Haywood	Karen Hertzog
	Heather Haberle

There were not enough members on the Open Space Advisory Committee to participate in the meeting. The Open Space Advisory Committee stayed and participated, but did not vote on anything during the meeting.

Agricultural Advisory Committee

<u>Present</u>	<u>Absent</u>
Richard Dodds	
William Pandy	
Cynthia Niciecki	
Edward Kralovich	

2.

Approval of Minutes

Motion and Approval of the November 1, 2016 Meeting Minutes of the Open Space Advisory Committee Meeting

There were not enough members to approve the Open Space Advisory Committee Meeting Minutes. These minutes will be tabled until next month for approval.

Correspondence

Article – From the NJCF – Newly Preserved Delaware Twp. Parcel Protects Water and Views

Chairwoman Sandra McNicol reviewed the article.

Article - Fresh Water Wetland Mitigation Fund

Chairwoman Sandra McNicol reviewed the article. She noted that the Environmental Commission received this article and feels that it may be a good program for a potential funding source for local restoration projects.

Reports

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

Open Space/Agriculture Advisory Committee

December 6, 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 November 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's 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. 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.

3.

We now have a copy of the map of the Ag Development Area and the PIG Project Area as it is understood by the State, so we should work with that. HLT has submitted an application for federal funding for this farm without the County . SADC and NRCS are reported close to agreeing on minimum deed terms. After that is achieved, CADB staff will approach the Freeholders to approve farms in the pipeline requiring federal funding, which they have been unwilling to do to this point.

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. The attorney raised further questions that we have attempted to address and referred him to County Counsel for further clarification. We have also provided them with the County forms that may be more beneficial to use. **The attorney seemed to be satisfied with the information provided, but we have not heard from the landowner about signing a contract or option. As with Goeckeler, there is also the issue of County approval of the terms of the Federal program.**

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. The State has given a revised certified value (it was the same) and SADC granted final approval last week. They are now going out for survey and title work. .

4.

4. **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.

The landowner returned paperwork for application for Federal funds and HLT has submitted an application. Again, this application will be hanging on the County approval of the terms of the Federal money. The State is on hold, waiting for CADB to submit its annual update, including this farm on their target list. **HLT is requesting that Kingwood add this farm to our PIG Target farm list as there are many issues with the County, and it would be easier to do it as a Municipal PIG – except that it requires us to expand our Project Area in another place.**

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 NJDEP. There is some question about access. The appraiser was out at the property with Lisa Stern from the DEP, Jackie Middletown and Richard Dodds 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. **An offer letter has gone out, but I am unaware if it has been returned. Richard Dodds gave a brief update on this property and the HLT.**

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 **as she may be selling off a lot before preservation. This farm is also affected by not having County approval of Federal money terms at this time. It may also have to be held over until next year.**

7. Smiley – B 26, Lot 17 – Kingwood Locktown Rd (25.98 acres) – Landowner and I have been playing phone tag. This property is partially farmed and partially wooded. It adjoins the preserved DeCroce farm to the south. The message was that she wishes to create a preserve on her property. I will continue to try to reach her.

OTHER ISSUES

In order for the State and the County to consider farms for a Municipal PIG application it must be within our Agriculture Development Area. As of now, Siano and Goeckeler are not within that area.

5.

We need signatures from every property owner that is to be included in the expanded area. We have signatures from Goeckeler, but not from Siano at this point. If we expand for DeSapio, we will need signatures up in that area also. What is truly perplexing is that the State has the Township ADA as delineated and the County has the entire Township within the ADA. ????? I am trying to track that down.

A resolution to expand the PIG Project area would also be good.

8. Varela (Bl 33 Lot 12 – 63 acres, Bl 32 Lots 5 – 11 acres and 6 – 16 acres) on Barbertown-Idell Rd. – No Change – The family is trying to decide what to do. 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.

The 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 for them to discuss specifics with the owner. I spoke with SADC and the 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 - **No Change** - 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.

The Advisory Members thanked Liz Schmid for her monthly report and maps.

New Business

Approval for Budget Request amount for 2017

It was moved by William Pandy, seconded by Edward Kralovich and carried to approve to request the Amount of \$500.00 for the 2017 Agricultural Committee Budget.

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

7.

Press Release on Preserved Properties 2006-2016 (Discussion)

Sandra McNicol noted that other townships have published information on their preserved properties. She feels that a press release should be published in the paper regarding the preserved properties in Kingwood Township from 2006 – 2016.

The Advisory Members had a long discussion regarding preserving farms in Kingwood Township. Some of the members feel part of Kingwood would be pleased with a press release and some may not. Chairman William Pandy feels that the Township is preserving now for 2050.

Preserved Farms List

The Advisory Members reviewed the full list of preserved farms for Kingwood Township. Everyone thanked Liz Schmid for getting the list together.

Schedule Reorganization Meeting Date for 2017 – First Tuesday of January 2017 – Tuesday, January 3rd, 2017 The Township Committee will be Meeting for Reorganization Mtg. Recommendation to Schedule Reorganization Meeting for Open Space and Ag – Second Tuesday of the Month, January 10, 2017 at 7:00P.M.

The Advisory Members all agreed to have the Open Space and Agricultural Advisory Committees Reorganization Meeting on the second Tuesday of the month, which is January 10, 2017 at 7:00P.M.

Banking Open Space County Funds

Resolution No. 2016 – 122 Hunterdon County Municipal Grant Program Allocation

Richard Dodds noted in the past the township has adopted a resolution by including the amount the County had banked for that year, it also included a certain amount and also a block and lot. It has been determined that it is not necessary to list these items. He noted after speaking to the Hunterdon County Planning Board Director, the township is only required to adopt a resolution requesting any unallocated funds for the township for 2017. He noted the township currently has \$54,990.00 banked in County Open Space Funds and that Resolution No. 2016 – 122 was adopted on December 1, 2016 by the Township Committee.

Old Business

Revised Preserved Property Map/Public Open Space/Preserved Farm Map

Richard Dodds reviewed the revised map, but explained he will send everyone a completed updated map.

8.

Sustainable Aquaculture Systems Update

Diana Haywood gave an update of the Sustainable Aquaculture Systems. She noted that they are looking to have a waiver for their well testing. They also recently produced an additional 60 page document, which will take the township time to review. The township's Planning Board Attorney, David Pierce is looking to request time to review all the new information, before the Franklin Twp. Land Use Board makes their decision.

Horseshoe Bend Park – Update

Richard Dodds noted that it is hunting season at this time. He stated everyone should wear orange when entering and walking through the Horseshoe Bend park.

Copy of Memo to Township Committee from Last Month

Sandra McNicol reviewed.

PennEast Pipeline – Update

Sandra McNicol noted she attended a meeting in Lambertville on arsenic. She gave a brief review of what was discussed. She noted it was very informative.

Richard Dodds gave a brief update on the Lower Delaware and Wild Scenic and what was discussed at their recent meeting.

Sandra McNicol wanted to thank Diana Haywood for her service for being on the Open Space Advisory Committee, and she hopes Diana comes back to be a citizen member and continue to volunteer.

Public Comment – Privilege of the Floor

There were no public comments this evening.

Adjournment

It was moved by William Pandy, seconded by Cynthia Niciecki and carried to adjourn the meeting at 9:00P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Cynthia Keller
Secretary

