

OPEN SPACE AND AGRICULTURAL ADVISORY COMMITTEES
Regular Meeting Minutes
July 10, 2018
7:00PM

CALL TO ORDER

The Regular Meeting of the Open Space and Agriculture Committees was called to order at 7:10 p.m.

Chairperson, 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 25, 2018 and by telefaxing a copy of the notice to the Express Times on January 10, 2018. A Copy of this notice was also posted in the Kingwood Township Municipal Building on January 10, 2018.

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

Present

Maureen Synchronick
Sandra McNicol
Karen Hertzog
Phil Lubitz
John Mathieu

Absent

Heather Haberle

Agricultural Advisory Committee

Present

William Pandy
Richard Dodds
Cynthia Niciecki
Kimberly Kocsis

Absent

Public Comment – Privilege of the Floor

Bill Millette, Hunterdon County Open Space Administrator/Principal Planner and Ken Logan member of the County Planning Board presented the Hunterdon County Draft Strategic Open Space and Park Plan for 2018.

In 2000 the County created the Open Space Tax in order to manage Parks and Open Space in Hunterdon. At this time the original main goals have been met so the plan is being updated with new goals for the next 15 year period. This plan is still in working stages and the county is currently seeking feedback from the municipalities, partner and non-profit groups. Once the feedback has been received and incorporated into the plan it will then be rolled out to the public.

Two years ago the county started this plan with the help of Maser consulting firm. There are three sections of the plan. Section #3 is of most importance. This defines the county's vision of what it can provide and what should be provided for Open Space and Public Recreation. It does not address other sectors such as non-profit organization, state or municipal level projects.

The goal of the County is to keep preserving: There are currently 8500 acres of park in county control. The county's end goal for this current plan would be 12000 acres. They are looking to preserve acreage that represents inherent features of Hunterdon County such as major river corridors, mountain ranges, etc. The previous plan in 2000 left most of the public recreation use of land to the municipalities. The county only has one park which is Deer Path Park. In this recent study much of the feedback received from focus groups was that the county should look at providing more active use opportunity for county residents.

Mayor, Richard Dodds suggested the county consider reworking fields that are in poor condition such as those at Kingwood Park. The soil at that park doesn't drain well which means those fields are not available for public use throughout much of spring. Reworking existing fields would increase public park use in the county without purchasing more land. Mr. Millette stated that those avenues are being explored. They are working with four grants that they've received but those grants are primarily for open space acquisition. They are working through other grant programs to see if they can be tweaked or for a new grant program for parks.

William Pandey, as chairperson of Agriculture Committee, asked if the county is shifting from preserving farmland. Mr. Millette stated that 30% of the Open Space Trust, which is approximately 2 million dollars per year, is dedicated to the Farmland Preservation Program. The county uses that portion as leverage to pay for the county's cost share when it comes to the state programs. That share is usually 20%.

Phil Lubitz referenced section #7 stating that Kingwood Township did not seem to be included in the Farm Belt area and that Kingwood actually farms more acres than any other municipality in Hunterdon County. Mr. Millette stated that Central Hunterdon County Farm Belt does include Kingwood Township and is also included in preservation priority areas. Mr. Lubitz feels that the western part of the county and specifically Kingwood is being overlooked. Mr. Millette stated

that this presentation is a Parks and Open Space plan and the Farmland Preservation is a different plan. That plan was developed in 2009 and is not slotted for update at this time.

Mr. Lubitz suggested that this Open Space plan needs to address parking for opens space use. Mr. Millette agreed and stated that this has been addressed in the plan. Previously, the county didn't put much focus on access just acquisition. This plan does address improved access and Open Space utilization. The county is planning for the 8500 current acres of Park to be polished up with signage, parking etc.

John Mathieu asked if they are fracturing larger regional parks into smaller parks throughout. Mr. Millette stated that they are looking at carbon copies of Deer Path Park for regional parks with the same amenities. They are also to talking about connectivity and the ability to be able to link up Open Space throughout the county to make a larger park perception. Columbia trail is an example of a park that runs through multiple areas and the county is looking to see how they can expand on parks like that one. Mr. Mathieu stated that if the county wants to duplicate Deer Path Park that Kingwood should be looked at due to the large areas of available land. Mr. Dodds stated that Horseshoe Bend Park is an example of a large recreation area supported by the town, county and the state and is now over 700 acres.

Sandra McNicol asked how the park development plan would address issues such as over buildout and the effects on wildlife. Mr. Millette state that the majority of what the county owns now is dedicated to passive recreation which is considered hiking only in order to preserve the environmental issues. The plan does address management of park area and how it affects wildlife and the environment. The previous policy of managing Open Space was to purchase land and hang on to it and assumed the environment would take care of itself. This plan does address individual management plans for county parks and to implement those plans to better the environmental quality of the parks.

Mr. Millette state that the outreach feedback was that the public does like what is currently offered and would like more of it. Additional costs are first in foremost in all discussions regarding improvement of the parks. The county is looking at shared services with municipalities, private partnerships, etc. to offset some of the expected costs.

Mr. Mathieu asked if the county has naturalists on staff because he is concerned that the park development may affect the wooded areas that sustain the level of wildlife currently in the area. Mr. Millette responded that the county does have naturalist on staff and that the park development focus is more about improving and maintaining current trails and not blazing new ones. There is also much land within county that will not be developed. The naturalist on staff are the prime people who direct where the trails can be worked and expanded on and what areas should be left as natural space.

Ms. McNicol asked Ken Logan, Hunterdon County Planning Board Member, if there was anything that could be done to speed up the preservation process for residents. It is an onerous and painful process. Ken stated that there is unfortunately a bureaucratic procedure that's in place and they work with other entities that have their own procedures and regulations. It's currently as streamlined as the county can make it. The county planning board has a checklist of

70 items that need to be completed before land can be purchased. That checklist is required by the state. Ms. McNicol asked if anything could be done to get appraisals completed faster. Mr. Dodds stated that appraisals go to a small department at the state with possibly one person who reviews all of the appraisals to make sure they match current market value.

Mr. Dodds stated he was concerned about the procedure coming out of SADC that allows for only 120 days to submit all costs for technicals once money has been awarded in order to receive the 50% reimbursement. Even with a perfect system there are only so many municipal meetings held over a 120 day period for all necessary approvals. Once reward is given it may take the owner 30 days just to let the township know if they're still interested. Mr. Logan state he will take this feedback to the SADC.

Approval of Minutes

Motion and Approval of the June 5, 2018 Regular Meeting Minutes of the Open Space and Agricultural Advisory Committees

It was moved by Phillip Lubitz, seconded by Richard Dodds and carried to approve the June 5, 2018 Regular Meeting Minutes of the Open Space and Agricultural Advisory Committees.

Roll Call Vote:	Aye	-Syrnick, Hertzog, Lubitz, Pandy, Dodds, Niciecki
	Nay	- None
	Abstain	- McNicol, Mathieu, Kocsis, Mathieu
	Absent	- Haberle

Correspondence

Rowan Buildout Modeler Online

The Buildout Modeler is based around the Township's current zoning and property Nitrate levels. The modeler shows that in order to maintain proper Nitrate levels Kingwood Township should consider limiting buildout to approximately 50 more units.

Mayor, Richard Dodds stated that the Rowan team still have more work to do before this GIS project is completed but suggested that the committee members go online and explore the Buildout Modeler at njmap2.com

Mr. Logan mentioned that Hunterdon County is working with Mr. Lou Jocye from Rowan on his buildout matching the Hunterdon Planning board buildout. The focus needs to be on how to keep the database up to date.

Resignation Acceptance Letter – Ed Kralovich

The Committee reviewed the resignation confirmation letter. They wished Mr. Kralovich well. Mr. Dodds suggested that the committee look to see if there are any community members who would like to sit on the Agriculture Committee.

Seed Phytonutrients Article
Reviewed

Native and Non-Native Plants Workshop
Reviewed

Municipal ROW Letter

SADC sent a letter regarding Agrinova Farm and Stompf Tavern road. Kingwood Township has a ROW on Stompf Tavern Road so the SADC is asking if the Township has any intention of widening the road. If so, we must complete any road projects before the deed restrictions will be placed on the Agrinova property. Once the deed restriction is completed there can be no changes made to the road.

Phil Lubitz stated that at this time the road does not require widening but how do we predict for fifty years from now. Mayor, Richard Dodds will meet with DPW to see if they have any plans to expand/widen Stompf Tavern Road.

If there was a desire to obtain the ROW we would approach the property owners on said road to find out if they are interested in road improvements. We currently have some ROW but the Township needs to decide if we want to extend it. There is a lot of investigating that needs to be done at this time before the township can finalize this decision.

SADC Partner Update

Kimberly Kocsis stated that the Farmland Preservation inspector was recently out to their farm and told her about the deer fencing programs available to farmers. The Farmland Preservation and Farm Service Program both offer funds for deer fencing and farmers can apply to both. Ms. Kocsis believes there is an overall cap of \$50,000/farm and farmers would have to demonstrate that their crops would be negatively affected by the deer population. A second round of deer-fencing grants will be included in FY2019

Reports

Farmland Preservation Report – Liz Schmid

Open Space-Agriculture Advisory Committee July 10, 2018

I am going to list currently active projects and those 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. 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. The family has decided that they wish to make an application for farmland preservation. I am working on doing a municipal PIG application, unless the Township would prefer that the application be a County PIG. The major difference is that the Township would have to pay for technicals up front, with partial reimbursement after closing. I am waiting for an email verifying that they want to do the entire farm and not just two lots. The County and State are questioning if the Township has the money to pay its portion if Federal money is not an option. The formula is a 20% Twp. contribution. The County uses \$7,000/acre as a guide but that is not a firm figure. Many factors can alter what the final certified market value is. The current application is for all 92 acres. At \$7,000/ acre, the Twp. portion would be \$128,800. HLT is willing to try to talk them into Federal funding, but we do not know if that would help. The farm ranked 1st in the County's planting round. The farm has been granted preliminary approval by CADB and is at the state for Green Light approval. No August SADC meeting so still waiting. Owners have decided to try for State Direct Easement Purchase. The farm is pending selection for that program. The farm did not make the cut for the State Direct program this fall. SADC expects this farm to be close to the top of the list for spring round and owners are waiting. This farm has been selected for the State Direct Purchase program. Option agreement will be sent out in the next several weeks. Option Agreements still have not been sent. The property is being appraised. The SADC expects a CMV in May. Appraisals are in review at SADC. Certified Market Value expected by the end of May. An offer will follow. CMV on June SADC agenda. An offer will follow. **The State has e-mailed the CMV offer to the family and has not yet received a response. They will follow up with a phone call this week.**

2. Agrinova (John and Marilyn Schuster) - Block 41, Lot 9 – on Federal Twist Rd. - We were working with the estate of the prior owner to preserve this property, but family issues forced them to sell. As State Direct Easement Purchase does not require any Twp. funding, it would

seem reasonable to support this application. The property has scored highly for the State Direct Program so will hopefully be selected as a priority farm for this program. The farm did not score highly enough to make the cut for the fall round under the State Direct program. The owners are going to hold on to see if they will qualify in the spring. This farm has been selected for the State Direct Easement Purchase program. Option agreement will be sent in the next several weeks. Option agreements still have not been sent. The property is being appraised. The SADC is expecting a CMV in May. The appraisals are in review at SADC. Certified Market Value is expected by the end of May. An offer will follow. CMV on June SADC agenda. An offer will follow. **Although the offer was not what they had hoped for, the owners have accepted the CMV offer. The farm will get final approval at July SADC meeting.**

3. 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. The Option form came back from the landowners attorney with an addendum of two changes. The Township Committee has directed the Twp. Attorney to modify the changes and return it to the landowner's attorney for approval. The modified version was sent back to the landowner's attorney last week. The contract has been returned to the Township Attorney and will be presented to the Mayor for signing. The contract still has not arrived from the Township Attorney. When this happens, we will have the second appraisal done. As cited above, a draft deed for use with Federal funding is being circulated. The 2nd appraiser has been out to the property and we are waiting for his report. The second appraisal has been received and both appraisals are being sent to the State for Certified Market Value. The State requested an update on the first appraisal. This has been done and has been sent to the State. Hopefully this will get a CMV in September and we can proceed. The farm received approved CMV in September and we have a resolution for the farm to continue the process. The landowner is very concerned that they were required to pay for half of the first appraisal. If we are not requiring such a payment from others applying for Municipal PIGs, they would like to be reimbursed on principle. The Township Committee has successfully resolved the appraisal payment issue. Things are now held up while the County decides whether or not it will participate in the preservation. We paid for the appraisals, but if they decide to participate, they will pay for the tile and surveys. They hope to have this resolved very soon and they do not think that because SADC is not having a meeting in November, that this will hold up the process. The Freeholders have agreed to participate in the preservation of this farm with the use of ALE (Federal) funding!!! This is the first time that they have been willing to participate with the new program. It is hoped that they will continue to support farms using Federal funding if there is no other way of achieving preservation. County staff will continue to promote this usage. The farm will go to SADC for final approval this month. Farm received final approval from SADC and details are being worked out for proceeding with title and survey. The County completed title work and RFPs for survey will go out soon. Surveyor has been selected and paperwork being completed to initiate survey. The survey is in progress. The County and State want a conference call or meeting with Twp. attorney to discuss merger details. **The attorney has determined that we need a statement from the owners that they agree to the merger of the lots at closing. HLT is working on that document.** We also need

the Township Committee to pass a resolution of final approval of the farm for preservation. Cindy and Michele were working on copies of such a resolution that should be included with this report. OS/AG should recommend that the Township Committee pass it. In addition to this, other issues have arisen. The Township has sent a form asking NJDOT for any possible additions to their ROW along the Rt. 12 road frontage. That needs to be factored into the amount of land being paid for with farmland preservation funds. We just found out that in cases of lot mergers on a State road, the property owner must have a driveway access permit from NJDOT. The landowners do not have such a permit, and there is a long list of items required to get one. I have sent the County Planning Board Office much of what the State is looking for and have explained it to the landowner. The County will be following up on this while I am gone. The survey on the property has been done and the survey document is being worked on. The landowner is in contact with the surveyor. Both sections of NJDOT have responded and their input was sent to the surveyor. The draft survey has now been distributed to all interested parties and the State reviewer has already come back with questions. Reason has prevailed and NJDOT has decided that the landowners do not need a driveway access permit, which will speed things up. In order to qualify for the ALE money, it is necessary to have one final appraisal based on Federal guidelines. HLT would like the Township to pay for this. We could either do this up front, or have HLT pay for it and then reimburse them. As HLT wants to use one of the original appraisers, as that should save money, it would seem sensible to have them order and pay for the appraisal and then reimburse them. The County and SADC have signed the NRCS grant modification which will allow the use of new ALE rules. **The Township has agreed to reimburse HLT for the third appraisal. The State is still working on the final review. Am sending some of the questions to the Township Attorney as she may need to be involved and was not copied on them.**

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 and there is no formal process in place to change the application. Bid packages for appraisals went out from the County last week. Appraisal has been awarded and County is waiting for the appraisal. The County is waiting for a Certified Market Value from the State. The County has received the CMV, but the offer letter has not yet been sent. The County wants the Twp. to put this farm in the Municipal PIG as the State would hold the easement in case the County does not sign on. State is waiting for Twp. resolution to grant SADC final approval and also an Agreement of Sale. There is a resolution for the Township Committee Meeting this week that should satisfy SADC so that they can grant final approval and we can proceed with the process. SADC has granted final approval and three-way agreement forms have been received by all parties and have been signed. The Township has to put out RFP for bids for title and survey. Due to a death in the family, we are still waiting to receive the signed Agreement of Sale. We have offered to go and pick them up at the family's convenience. On January 2 landowner said he would mail the paperwork to us on the 3rd or 4th. It had not arrived by the 5th. Executed Agreements of Sale were returned to the Township and submitted to the State for final execution. Unfortunately, this property is on the Penn East route and that fact was not considered in the original appraisals. The State is questioning these values and is holding off on fully executing these agreements until the appraisals are reconsidered and the landowner considers how he wishes to proceed. The Township will hold off getting RFPs for title and survey work until the situation is clarified. The State will make a decision on this property value as soon as the property owner decides how he wishes to proceed. The State has not heard from the Feds as to whether or not the pipeline is an issue for them to proceed, and they have not heard anything from the property owner. Still on hold. SADC will be discussing the situation with their Legal Department and Director by April 12th. This has moved to the Attorney General's office due to PennEast condemnation of the land. They are working on the easement. There has been no further information coming out of the AG's office in relation to the condemnation. **Still waiting to see**

if and/or when the State can move forward. Issues with both the AG's office and NCRS.

5. Milford (Block 15, Lot 1) – Owners are applying again for preservation. They had turned down a CMV several years. They applied to the SADC for State Direct Easement purchase and have a quality score above the average for Hunterdon County. Unfortunately the State minimum size for priority farms is 49 acres and alternate farms need to be 36 acres. Is the Township interested in preserving this farm in the Township Municipal Pig with the use of Federal ALE funding which would side-step the above issues. This farm is not a municipal Target Farm, so needs to be made one if we pursue the property. Also, CADB had issues as to the placement of the exception area and the State will probably have the same issue. (The exception area is in the middle of the field, not around the buildings or off to the side, or closer to the road.) This will need to be negotiated. HLT and the State are willing to proceed with this property and HLT believes there will be no problem with getting ALE money and has submitted an application. SADC says that it has no problem with the placement of the exception area due to the other restraints on the site. This would probably be done without CADB participation. If we choose to do this, we need a resolution adding this property to our target farms list. This property appears to be in the BP zone that may cause difficulties with SADC rules. CADB requested that the exception area be made smaller. That, plus new construction and new mapping has increased the impervious coverage on the area to be preserved to 4.5% which exceeds Federal limitations. HLT is working on this. Various mapping attempts have not eliminated the excess impervious coverage issue. The landowners are trying to get some of that area declared best conservation practices and may not be considered impervious. There is also an issue as to where a house could be sited. Landowners do not want to site the house right next to the cow barn where CADB wants it. If the impervious coverage issue is not resolved by Thursday, the farm will not be considered for final approval until next month. Impervious coverage issue still being worked on, but parties are hopeful. Farm has received tentative approval for ALE money, but is dependent on the impervious issue. The State may be questioning the soil classification as much of the soil would only be considered State Wide Importance if it is drained. A new map is on the CADB agenda next week. CADB approved new map with the addition of a connecting driveway. SADC is considering it one exception area. Impervious coverage issue is still being worked out for Federal grant. CADB has not passed a resolution on the final configuration yet so the Township should not

move forward yet. It would be good for the Township Committee to vote to allow the Township to go for RFPs for appraisals on the property as soon as the CADB passes on it. OS/AG should recommend that the Township Committee do that. The Township also needs to get an option agreement signed by the owners that would commit them to preservation at or above an agreed amount before we do any appraisals. We are working on that. CADB and SADC have given approval to the configuration that CADB required and the Township has received notification of Green Light approval for the farm. We are working on the paperwork for the option agreement. The option agreement requires a dollar amount for easement value. If the CMV comes in below that figure, the landowners can walk away. If it comes in at or above that number, the landowners are required to complete the preservation. The stock number that the County has been using for Kingwood easements is \$7,000/acre. As we have seen, values in the Township have been highly variable. I have consulted with both HLT and the County and neither wish to offer any value. The County is currently reviewing its policy and numbers. What value would the Township be comfortable with, or should we leave the space blank and have the landowners fill it in? **Gave the landowner the option agreement in mid-June and discussed with her the issues of what price to indicate as their acceptable easement value. I suggested that she might want to review it with their attorney. As of Monday AM, we have had no reply. I will contact them this week.**

6. Pine Brook Farm/ Axelrod – Block 28, Lot 18 (71.5 acres) Mayor Dodds completed an application for County Open Space Municipal Grant Program funds for use in preserving part of Pine Brook Farm. HLT has submitted appraisals to Green Acres to get a certified value to formally submit to the landowner. A certified value has been received and it has been presented to the landowner. Forty acres of the adjoining property **Block 28 Lot 16** is being preserved with the Green Acres Direct Purchase program. As of Thursday afternoon, there has been no response from the landowner to the CMV offer. **No Change**

7. Dirt Capital Partners, LLC – Block 4, Lot 3, .5 acres. 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. Bid packages for appraisals went out last week. Franklin piece is moving along. There is a resolution that the Township must pass indicating our support of this preservation project without any financial participation.

The Township committee passed the required resolution. Comments are being worked into the completed draft survey. Pre-closing inspection scheduled for April 13th, so closing is coming soon. Pre-closing inspection done, closing being negotiated. Negotiations ongoing. **No Change**

8. Goeckeler (BI 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. 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. 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. As our ADA issue is still up in the air, I have had the issue of requiring signatures from all landowners to expand an ADA put on the CADB agenda this month. If we can get that changed, then all we have to do is get CADB and SADC to agree to it. As most of you have seen from my e-mail, the State is suggesting adding a ROW along the northern edge of this farm to provide access to the Tea Table Property. This requires discussion as to what type of access and what the Township might want to do about taking over a ROW. Much would depend on ownership of the Tea Table. CADB has rejected the idea of a ROW on the northern edge of this property. The CADB attorney has been researching how their requirement of signatures from all property owners in an ADA was enacted. She will bring her findings to CADB meeting on Thursday and it would seem that all

they have to do is pass another resolution eliminating the requirements. As all members seemed to be of that mind last month, the requirements will go away and all we have to do to change the ADA is have both CADB and SADC agree to the change. This will make life much easier for all. The County has changed its policy on ADA amendment, It is also affected by the Federal Funding deed question. The draft of the proposed deed for use with Federal funding is being circulated for final comments. Hopefully, the County will find this acceptable so that we can continue to preserve farms with this resource. Unfortunately, the State has now questioned whether or not the property is capable of being subdivided because of the grade off of Warsaw road. They have suggested sending out an engineer to see if it is possible. The County seems to be amenable to doing this. I have spoken to the property owner to apprise her of the issue and to verify her suggestions for solution. The Twp. engineer is going to look at the property to see if it is possible to provide alternate access from Warsaw Rd. that would make subdivision possible. This County and the State need a more definitive statement from the Twp. Engineer that access can be provided for subdivision without need of a variance. The Twp. Engineer and Richard have been working on wording. Issue on northern lane and off Warsaw can be addressed with appraisals. The Township Committee will be asked to approve sending Requests for Proposals (RFP) this week for appraisals. The appraisers will be required to respond in time for the Township Committee to review the proposals and select two at their November meeting. The Township Committee has selected appraisers and the process will proceed. The appraiser situation was worked out after it was found that the individual prices for one assumed that he would be doing both appraisals. The appraisals will be done soon. We have received an appraisal from one appraiser and are waiting on the second to then send them on to SADC for a Certified Value. Both surveys are at the State and we are waiting for a Certified Value. We received a draft CMV and have presented it to the owners. They are considering the offer. Have reached out to Twp. Attorney for the most recent Option Agreement to have available if owners agree to the offer. Official CMV after the Governor signs it. The owners have agreed to the CMV and they have signed an option agreement that the Mayor has also signed for the Township. CADB has granted final approval and the Township has to do the same. The Township has to pass a Resolution of Final Approval in order for the process to continue. The OS/AG Committees should recommend that the Township Committee do that. The County is helping the Township with all of the financial figures that must be included. I believe that the resolution should be ready for you at meeting time. The OS/AG Committees should also recommend to the Township Committee that they vote to allow the Township to go out for RFPs for surveyors. RFPs sent out to surveyors. As of Friday, only one surveyor had responded. We

have requested that the Township Engineer indicate to the surveyor whether or not the Township will require any further ROW along Warsaw road (any further easements would not get preservation money, but would get ROW money from the Township). The County and SADC have signed the NRCS grant modification making the use of the ALE grants possible. **Draft survey has been completed and supplied to all interested parties. Township Engineer will coordinate.**

9. Jakelsky Estate (Adam Jr., Victoria and Darlene) – Block 22, Lot 20, 109.5 acres on Kingwood-Locktown Rd. It has wetland issues. There is an application at the SADC for State Direct on this, but it will have to wait until next year. SADC staff is not sure that these properties will fly as State Direct because of wetland issues and may pass them off to the County or the Township. If the Township is interested in pursuing this property in the municipal PIG, we would have to add it to our list of Target Farms. Do you wish to do this? We would need to add this to the Township Target List with a resolution. The Family has again been in touch with the State re: preservation. They are trying to settle the estate. The County would definitely have trouble with the wetland issues. I do not know how it would be ranked for ALE money, but wetlands could be an issue there also. In the Blueprint Model system, it is more highly rated as Green Space Priority and Fresh Water Priority. SADC will again consider this property in their next Direct Easement Purchase round (probably July). The next Federal money round isn't until the fall. As the Twp. cannot do this property without Federal **money**, we should wait until we are sure it qualifies before proceeding. **The State is about to award contracts for appraisals. Proceeding as State Direct farm.**

Adam and Beth Jakelsky – Block 22, Lot 14 – 64 acres - possibly landlocked. State only interested if it has legal access. It also has a challenging percentage of wetlands. While this contiguous lot is not included in the application, it has more farmland in cultivation so that much of the significant wetland area is being considered Agriculturally Modified. No change.

10. O'Donnell – Block 38 Lots 17, 18 and 19.01, 259 County Route 519, 131, 1.1 and 19 acres respectively. The farmer for this property said that the owner might be interested in preservation . This property is not a municipal Target Farm. It is a County Target Farm, but is not in the ADA. The Township tried to interest this owner in preservation years ago, but after many emails

he dropped off the radar. He is a frequent traveler. The State has had some communication with the property owner and is hoping for a meeting with him when he comes to New Jersey in a month or so. He is talking about selling the property. An SADC representative has met with the landowner and reports that he scoffs about provisions and compensation for preservation. He is ultimately interested in selling the farm. If he is unable to do this at his price, he may be more amenable to considering preservation. This is the same place we were at with him many years ago. **No Change.**

11. Haring (Bl 12, Lot 33.01) 58 acres - Rt. 519 – No Change - This property is now on the market for \$525,000. The realtor involved with the property contacted HLT to see if there is interest in open space or farmland preservation. I have tried to contact the realtor and am awaiting a call back. The landowners have approached the State for State Direct easement Purchase. The State is looking for comments from the Township in relation to the access on the stem and between fields. There are still major issues for development of this property and the State is not sure how values will come out. Property owner must get a wetland determination that shows that the lot is developable in order to move forward. **An option agreement was sent to the land owners but they have not yet responded. State also needs a deed transferring the farm to Lucus and Mary Lou.**

OTHER ISSUES

Although we select farms to pursue, the State does not consider those for funding until we have commitments from those owners. At that time we can request additional funds from the competitive pool. Larger pieces are better. I will need to actively pursue properties with everybody's understanding that the preservations are dependent on receiving State and Federal funding.

The CADB changed their ADA regulations so that it is easier to change the Area. However, it is they who do all the work. We ask them to do it. We may have to ask them to do it in the fall with their annual update. The County is adding appropriate farms to our ADA. (for the most part) from After Twp. gave input on properties in the ADA, and changes were made, Mayor Dodds sent more suggestions for subtractions to the County. They are working on these

with the Mayor. I am copying the County rationale for their decisions (“1. Regarding the undersized lots- I removed them the edges of the ADA but if they were more in the middle, they were kept or added in (for the most part). The CADB prefers a contiguous layer when possible to in order to avoid swiss cheese coverage I filled in where I could. This layer was OLD and I often couldn’t tell why something was or was not so there were a lot of judgement calls. I will note that along Rt 12 there is a cluster of undersized parcels removed, this is partially due to the zoning there. It appeared to cut some of the larger parcels in half so I left them in, but the smaller lots were They probably could have been left in but it was a judgement call. The year or so that I have been working on this has taught me that it is impossible to prescribe the same methodology across the entire county.

2) Apologies for the color quality. I did notice that scanning it in definitely impacts the color quality. I did try a bunch of different combinations and these colors seemed to show it the best. I’ve attached two other maps, hopefully these help you to see the changes more clearly.

3) I tended to approach open space on a case by case basis and erred to keep parcels with farmed portions in. Of the three parks you mention for removals, I would say that Horseshoe bend makes the most sense to remove while also maintaining continuity of the layer. I can certainly make the recommendation if you’d like (or Liz can). However, I am hesitant to remove the parks in the middle of the layer without making more of an attempt to remove all the open space, then I should probably do that for all the municipalities. I am afraid that doing that may “swiss cheese” the layer too much though I will certainly respect your suggestion if you feel it is warranted. The CADB is hesitant to remove areas so I am trying to focus more on areas that are undeniably not farmland this time around.”)

I am also attaching the County maps and Richard’s suggestions at the end of the report. He can best explain them.

The various farms in item 11 require a Township resolution asking that the farms be added to our Target Farm List. Please make specific recommendations to the Township Committee. The Township committee passed a resolution requesting the farm list that was recommended be added to the Township Target Farm list, and this was passed on to the County and the State.

12. The Township needs to pass a resolution adding the other farms suggested by SADC to our target farms list. They are:

- **880 State Highway 12 LLC – Block 18, Lot 2, 900 State Highway 12, 149 acres.**
- **Grom – Block 18 Lot 3, 103 Fitzer Rd., 104+ acres**
- **Vrturic – Block 20 Lot 8, 127-219 Thatcher Rd., 116 acres**
- **Kleinhans – Block 21 Lot 4, Locktown Rd., 88 acres**
- **Kleinhans – Block 21 Lot 4, Locktown Rd., 88 acres**

In the South side of the Township, there are:

- **Ecker – Block 26, Lot 24, on Featherbed Rd. - Located between the preserved Rozansky and DeCroce farms. Estate situation. Some wetlands but farmable. If the Township is interested, it must be included in a resolution to add to Township Target Farm list.**

I do not believe that the Committee decided this last month. Do we want to add them to our Target Farm List so that we can pursue them?

13. Siano – Block 30 Lots 8. 2 and 2.01 (73.81 acres) - No Change - This farm is being done as a County PIG application as the State did not have sufficient funds to do it as a State 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. That issue must be resolved to proceed. 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. The landowner failed to complete the paper work required to apply for Federal funding so will have to wait for the next round to make an application. She also failed to sign the form required to change the ADA, but hopefully that will no longer be an issue. There has been no further contact. Landowner is still interested in preservation and thought that it was progressing. It was not due to failure to sign necessary paperwork for the ALE program. The County is following up on this as they appear to be the most appropriate players. The County has not yet followed up.

14. Pinkerton - (Block 14, lot 12 – 42.7 acres) on Rt 29, adjacent to Wydner, Augustine and [Frenchtown](#) Preserve. **No Change -** Landowner contacted the State about preserving this property. As the piece is small and the State does not have any money to do direct purchases at this time, they contacted me and the County and HLT. This landowner had put in an application a number of years ago and then withdrew it after Frenchtown

Preserve (which he was farming) was completed with Green Acre money. I informed all parties that I was not necessarily the best person to approach the landowner. Jackie from HLT felt that she also was regarded as a tree hugger. The County and State are trying to set up a meeting with the landowner at the end of the week. I will attend if the parties think I will be a benefit, not an impediment. It would be nice to fill in that piece of the Rt. 29 corridor. The State was unable to slip this into their small amount of leftover Direct Easement money, so it will have to be done either by County or Township. The State was wondering if the Township would have any money to put in to pay the municipal share. The landowner has not replied to State inquiries regarding application for Federal funding.

15. Mattison -- (Block 21, Lots 1.01, 1.02, 1.03 and Block 21.01, lot 2) on Rt. 12 and Whiskey Lane – **No Change**. Owner is interested in selling into preservation but only NJCF has any interest and would need other money to complete a sale. Found out that Franklin, with help from NJ Conservation Foundation is preserving a property very close to this property. I called them to see if they would have any interest. They would need money from other sources. After checking with HLT, it was decided to wait until the Franklin piece is completed before pursuing this property.

16. 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. The State has suggested if the property qualifies for Federal funding, the Twp. could do a municipal PIG on it and by-pass the County as the Federal money would cover both municipal and County share. The State would then hold the easement on the property. I did not think that the Twp. was interested in this option, but am running it by you. The State has suggested that the owners might be interested in an NRCS program that would preserve all or part of the property as disturbed wetlands and help finance restoration of the preserved area. WE can explore this with the owners after NRCS does preliminary checking to make sure that the property is appropriate. NRCS has found the property to be appropriate and they suggest that the landowners see them to see if they qualify for the program, and to explain the arcane details. If they do not, NRCS may have other suggestions. The owners have again

approached the HLT and the State about farmland preservation and want to know if the Township is interested. Neighboring lots (Vastola) Bl 33 lot 1, 248 Barbertown Idell Rd is currently for sale. It is 39+ acres. It also abuts Varela. If the same party bought Maritan and this parcel, there is increased road frontage for better access and probably increased ability to develop. Lot 1.08 (17+ acres, 256 Barbertown Idell Rd) is also for sale. It abuts both Varela and Vastola and would provide even more road frontage from a different angle. The marketing is noting the availability of the other lots. SADC is suggesting that the Township could preserve this property as farmland in the Municipal PIG using Federal (ALE or similar) money. This would by-pass the CADB's rejection of the property. The farmland regulations in relation to cleaning up things like farm dumps are much more lenient than those of Green Acres. HLT is applying for the ALE money. **No Change.** I need to work on this. **HLT does not want to work on the ALE money for this until we close Dalrymple and Goeckeler.**

17. Kenney – Block 27 Lot 6 (20.77 acres) – No Change - Landowner called the SADC staff to inquire about preserving this lot. He had preserved his other lots a number of years. He had contacted me a few years ago but I discouraged him as the lot appeared to be more than 50% wooded which would make it ineligible for preservation. The lot also has significant wetland areas. State staff believes that the land is more than 50% tillable so should qualify for preservation. The Ag. Committee did not seem to have an interest in preserving this piece at last month's meeting. It would be a long shot, but maybe this would qualify for the WRE program also. NRCS is doing preliminary checking.

18. Smiley – B 26, Lot 17 – Kingwood Locktown Rd (25.98 acres) This property is partially farmed and partially wooded. It adjoins the preserved DeCrocce farm to the south. The message was that she wishes to create a preserve on her property. Committees expressed no interest. **No Change**

19. 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.

20. 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 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?

21. 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.

22. 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 committee reviewed the report.

Maureen Synchron reported that the Township Committee voted to reimburse the Hunterdon Land Trust for the cost of recent property appraisals but the cost of the appraisals is unknown at this time. Hunterdon Land Trust expects to receive the invoice within 30 days and forward that information to us.

Hunterdon July Closing Stats

Reviewed

New Business

John Mathieu recommended that we try to get a younger person to fill the vacant seat on the Agriculture Committee. Philip Lubitz suggested we use the tax assessor's farmland assessment list to identify farm owners who might be interested.

Old Business

Farmland Lease Update

Maureen Synchronick made suggestions regarding wording in sections "D" and "N" on the Farmland Lease. Mayor, Richard Dodds will incorporate the recommended changes and send a final draft to the Township lawyer for review.

Penn East Pipeline – Update

NBC NY news showing a program on this topic this evening 7/10/18

Public Comments

Richard Dodds stated that there will be a Mile a Minute weed meeting at Horseshoe Bend Park on 7/11/18. Sandra McNicol stated that a particular species of Beetle has been released at the park to help eat the weeds. Round up does not harm the Beetles so both processes will likely be applied.

Mr. Dodd discussed the Hunterdon Fall Festival being held at the Horseshoe Bend Park on October 13, 2018. There will be many events, food vendors, River Horse Ale beer garden and music. All hunters will be informed that hunting will not be permitted at the park on this day.

Mr. Dodds stated that he had a phone conversation with the State Assistant Director of Parks and Forestry. They would like to turn the old Trap Rock Quarry, just north of the Byram Community on Rt.29, into a parking area but they had concerns about paving. Mr. Dodds told them that paving would not be necessary and the area can be left as grass. Port-a-johns will need to be supplied. Sandra McNicol expressed concern that the population should be limited. This is a wild and scenic corridor and we currently have a lot of motor boat traffic. Mr. Dodds stated the State does not have enough staff/rangers to patrol this park which would make enforcement regarding numbers of visitors very difficult. There are 7 miles of park located in Kingwood with only 50 parking spaces and the Township has had 200 cars come out. When the small existing parking areas are filled to capacity people who are turned away just park along Rt.29. Kingwood is in communication with the State and has let them know that this is a serious problem that needs to be addressed soon.

Adjournment

It was moved by John Mathieu and seconded by Richard Dodds to adjourn the meeting at 9:07 P.M. **All voted Aye on Roll Call Vote.**

Respectfully submitted,

Michele Tipton-Walters
Secretary