

Hunterdon County Agriculture Development Board Meeting
Rt 12 County Complex Building 1 Assembly Room
February 10, 2022 @ 8:00 pm

Members in Attendance:

Dave Bond-Chair
Bob Hoffman-Vice Chair
Christian Bench
Susan Blew
Bill Bowlby
Dave Kyle
Forest Locandro
John Perehinys
Marc Phillips
Liz Schmid (*Via Phone*)

CADB Staff Present:

Shana Taylor, Esq. County Counsel
Aaron Culton, Esq., Asst County Counsel
Bob Hornby, CADB Administrator
Carrie Fellows, Director, Planning
Katherine Fullerton, Supervising Planner
Megan Muehlbauer (NJAES)
Kevin Milz (HCSCD)

This meeting was held in person with respect to Public Health guidelines.

Open Public Meeting Act:

Chairman Bond opened the meeting at 8:00 p.m. and read the Open Public Meeting Act:

"This meeting is being held in accordance with the provisions of the Open Public Meeting Act. Adequate notice has been provided by prominently posting and maintaining so posted throughout the year on the first floor of the County Administration Building, Main St., Flemington, New Jersey a public place reserved for such announcements, and by mailing on or before January 15, 2022, to The Hunterdon Democrat, Star Ledger, The Trenton Times, The Courier News and The Express Times newspapers, and TAP Into it newspaper and designated by the Hunterdon County Agriculture Development Board to receive such notices, and by filing with the Hunterdon County Clerk a schedule of the times and dates of such meetings."

Pledge of Allegiance:

Roll Call: Forest Locandro & John Perehinys arrived at 8:10 pm.

Approval of Minutes:

- **Minutes of the January 13th CADB Meeting** – Liz Schmid made a MOTION to approve, Bill Bowlby SECONDED. All in favor by Voice Vote. Forest Locandro ABSTAINED.

Communications and Administrative Business:

- **CADB Staff Update** – Katherine Fullerton: Hunterdon County received a letter from the State Agriculture Development Committee (SADC) dated January 18, 2022 stating that Hunterdon County has received \$2 million FY22 Base Grant; the available Planning Incentive Grant (PIG) balance for Farmland Preservation is now a little over \$3.5 million. Also received a letter from NJRC&D regarding a program for renewable energy assessments on farms and rural businesses. There are 11 active preservation applications; 3 are Direct Easements, 5 are County PIGs, 3 are Municipal PIGs.
 - **Barnes Farm** (Kingwood Twp.) –Sent to SADC for Green Light review.
 - **Onuschak Farm** (Franklin Twp.) – Working with landowner to close.
 - **Magnolia Creek Farm** (Franklin Twp.) – Survey is under review at SADC, it was approved by County Engineering and GIS
 - **Rolph Farm** (Holland Twp.) – Working with the landowner to close.

- **Staff Activity**
 - ACEP-ALE Entity Agreement (2018 Farm Bill Federal funding) with Hunterdon Land Trust.
 - Bob is working with the 579 Trail and Hunterdon Harvest programs; they are promoting now for the spring.
 - Outreach for new preservation applications.
 - Response to Right to Farm inquiries
- **Comprehensive Farmland Preservation Plan Update**
 - Kick off meeting was held via Zoom on January 16th with SADC.
 - Staff has been meeting with Barbara Davis (The Land Conservancy of NJ) to discuss a possible Breakfast Talk as a public meeting, maybe in late April or early May.
 - Proposal for the April 14th CADB meeting to include a public meeting/workshop for the Farmland Preservation Plan. Staff supplied the Board with the 2008 Farmland Preservation Plan to review and mark up with any changes for the new plan.
 - Next subcommittee meeting is February 28th at noon via Zoom.
- **Monitoring Update**
 - Kevin Milz stated there were another 21 farms visited since January, 131 of 318 complete. No issues to report. Encouraging all landowners and farm operators to keep Conservation Plans current.

State Agriculture Development Committee (SADC) Updates:

Dave Clapp spoke on behalf of SADC

- Still in the process of working on the Soil Protection Standards. The plan is to have the subcommittee review in the next few months with an agenda item to follow.
- The Legislature has approved a Deer Fence grant program for non-preserved farms via the State Department of Agriculture, this is not being run through the SADC.
- SADC is hiring another Regional Acquisition Manager.
- Dave took questions from the Board.

Chair Comments:

- Glad to see a good turnout at this meeting.

Old Business:

- None at this time.

New Business:

- **Resolution 2022-03: Grochowicz House Replacement & Relocation** – Bethlehem Block 44 Lot 6:
 - Katherine referred to a letter from Brian Grochowicz regarding his request to relocate his house.
 - It is a preserved farm. He would like to take down the existing house and build a new house ~100 ft to the side.
 - There was a site visit by Bob, Katherine, Dave Kyle, and Christen Bench on February 8. Tim Willmott from SADC also attended.
 - Brian Grochowicz stated that the cost to renovate the existing house will exceed the replacement cost. The new house will be right next to it, they are trying to stay within 300 ft. of the existing house to limit utility relocation.
 - The house will be a single-story ranch, 4 bedroom 2 bathrooms.

- Bob Hoffman asked about the site visit. Dave Kyle stated that the property has a bunch of dilapidated buildings and an old farmhouse. Doesn't seem to be anything special architecturally, seems like a reasonable request.
- County Counsel Aaron Culton gave some background on the application.
- The Deed of Easement (DOE) requires this application to the Board. There is no exception area on this property. The DOE reads that he can construct a residential building anywhere on the premises to replace any single-family residential building in existence at the time of conveyance of the DOE, but only with the approval of the Grantee (Hunterdon County) and the committee (SADC).
- There are no strict guidelines for this type of application, it's the Board's responsibility to determine if they feel it's appropriate; where he's putting it, what he is replacing, etc. The site visit gave the Board perspective of what's being done. The Board is reviewing it and if they grant approval the applicant has to go before the SADC and make the same application for approval.
- Liz Schmid made a MOTION to approve the replacement of the house, John Pehinys SECONDED. All in favor by voice vote.

Right To Farm Matters:

- **Hearing: Serrani Farm** – Clinton Township Block 16 Lots 70, 71 & 72 – County Counsel stated that this matter has been delayed. Any further hearings will be noticed.

Public Comment:

- **Daniel Herr (Clinton Township):** Update on the ongoing problem with his neighbors encroaching and trespassing on his preserved family farm and of the difficulty trying to resolve the situation. Says he is making progress now. Bob emailed him about a Bill introduced in the Legislature to enhance the Trespass law for farmers.

Adjournment:

- MOTION to Adjourn made by Bob Hoffman, Liz Schmid SECONDED. All in favor, Meeting Adjourned at 8:20 PM.

Respectfully submitted,

Bob Hornby, CADB Administrator

Prepared with the assistance of Colleen Runge, Planning Department Clerk

STATE OF NEW JERSEY

HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD

RESOLUTION 2022-03

House Relocation

Block 44 Lot 6, Township of Bethlehem, County of Hunterdon

WHEREAS:

1. By Assignment of Deed of Easement from Township to County dated November 16, 2004, the County of Hunterdon acquired a development easement from the Township of Bethlehem referencing the original owner of record as George Bunting, with an address of 21 Pheasant Ridge Ln., also known as Block 44, Lot 6, Township of Bethlehem, County of Hunterdon, pursuant to the State Agriculture Retention and Development Act. The Assignment of the Deed of Easement was recorded by the Hunterdon County Clerk on January 3, 2005, in Deed Book 2111, Page 748, encompassing 119.8985 preserved acres with no exception area.
2. The development easement was originally recorded as a Deed of Easement on August 10, 2001 in the Hunterdon County Clerk's Office, in Deed Book 2016, Page 262 between George Bunting and the Township of Bethlehem.
3. On January 17, 2022 the current property owners, Brian and Sabrina Grochowicz, filed a preliminary request to construct a new residential unit with the Hunterdon County Agriculture Development Board ("CADB"). The request for construction was made pursuant to Paragraph 14 section ii of the Deed of Easement.
4. Paragraph 14 of the Deed of Easement states that the "*Grantor may construct any new buildings for agricultural purposes. The construction of any new buildings for residential use, regardless of its purpose, shall be prohibited, except as follows:...(ii) To construct a residential building anywhere on the Premises to replace any single family residential building in existence at the time of conveyance of this Deed of Easement but only with the approval of the Grantee and Committee.*"
5. Paragraph 13 of the Deed of Easement states "*At the time of this conveyance, Grantor has one (1) existing single family residential building on the Premises.*"
6. The survey accompanying the preservation, prepared by Maser Consulting, certified by the involved parties, and dated July 23, 2004, shows one (1) two-story frame single family residential farmhouse, shed, and frame barn.
7. The applicant has requested permission to construct a new house and septic slightly to the east of the existing house to be accessed via a short driveway extension.

8. The applicant has proposed the removal of existing house upon completion of the new house to satisfy the easement allowance for replacement of existing houses.
9. The application specifies a one-story 3,000 square foot home connected via a breezeway to an oversize two car garage. A modern septic system will also be constructed, and the existing seepage system remediated. All construction is subject to municipal ordinance and health code. Construction may be completed in phases.
10. On February 8, 2022, CADB Members Christian Bench and Dave Kyle, CADB Administrator Bob Hornby, and State Agriculture Development Committee (SADC) Stewardship Manager Timothy Willmott accompanied the landowners on a site visit and confirmed the locations of the existing house and proposed future house.
11. At its February 10, 2022 meeting the CADB heard supporting testimony from the applicant and entertained comments from the public.

NOW, THEREFORE, BE IT RESOLVED THAT THE HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD, AFTER HEARING THE TESTIMONY OF THE APPLICANT, AND NO OBJECTION TO THE APPLICATION HAVING BEEN MADE BY THE TOWNSHIP, AND CONSIDERING THE COMMENTS BY OTHER PARTIES, MAKES THE FOLLOWING FINDINGS:

1. The CADB approves the construction of a single-story approximately 3,000 square foot residence with attached 2-car garage to replace a single-family residential dwelling unit in existence at the time of conveyance of the Deed of Easement.
2. This approval is subject to SADC approval; State and Municipal codes; rules, regulations, permits, and approvals for the proposed plans and construction of a new residence.
3. This determination shall be forwarded to the State Agriculture Development Committee within thirty (30) days.
4. Any person aggrieved by this decision may appeal to the State Agriculture Development Committee.

HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD



David Bond, Chairman

February 10, 2022



Grochowicz Farm
Preserved as "Bunting"
119.7 acres
No Exception Area
21 Pheasant Ridge Rd.
Bethlehem Twp.
Block 44 Lot 6
Highlands
Preservation Area

Bartnett Farm
Preserved 2011
SADC EP

CHARLESTOWN RD
PHEASANT RUN

DONEHOLLOW LA

Existing
Driveway

Farm
Complex

KALANFER RD

BOG MEADOW LA

BLACK BROOK RD

RMH 1/28/22

0 225 450 900 1,350 1,800 Feet



Grochowicz Farm
Preserved as "Bunting" 2004
21 Pheasant Ridge Rd.
Bethlehem Twp.
Block 44 Lot 6
Highlands
Preservation Area

PHEASANT RUN

PROPOSED
Septic
Location

Existing
Driveway

EXISTING
House
to be Removed

PROPOSED
House
Location

RMH 1/28/22

