

Hunterdon County Agriculture Development Board Meeting

January 14, 2021 @ 8:00 pm

Via Telephone

Members via Phone:

Dave Bond-Chair
Bob Hoffman-Vice Chair
Christian Bench
David Kyle
John Perehinys
Marc Phillips
Liz Schmid
Kevin Milz

CADB Staff via Phone:

Shana Taylor, Esq. County Counsel
Aaron Culton, Esq., Asst. County Counsel
Bob Hornby, CADB Administrator

Open Public Meeting Act:

This meeting was held telephonically at (877) 658-5107. Instructions were posted at the CADB website prior to the meeting that when prompted for a passcode, enter 444103 then press #. Agenda and graphics were also posted for public reference.

County Counsel Shana Taylor 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 December 24, 2020, 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: Absent- Susan Blew, Ted Harwick, Forest Locandro, Gerry Lyness, Megan Muehlbauer

Report of the Nominating Committee:

- Election of the 2021 Officers; Chair & Vice-Chair. Dave Kyle stated that he visited with Dave Bond and he agreed to accept another term as Chair. Dave reported that Susan Blew spoke with Bob Hoffman and he agreed to accept another term as Vice-Chair.
 - Liz Schmid made MOTION to elect Bob Hoffman as 2021 CADB Vice-Chair, Marc Phillips SECONDED. Counsel asked for a roll call vote

*ROLL CALL**MOVED**SECONDED**AYES**NAYS**ABSTAIN**ABSENT*

David Bond, Chair			<i>X</i>			
Robert Hoffman. Jr., Vice Chair			<i>X</i>			
Susan Blew						<i>X</i>
Marc Phillips		<i>X</i>	<i>X</i>			
John Pehinys			<i>X</i>			
Gerry Lyness						<i>X</i>
Christian Bench			<i>X</i>			
Dave Kyle			<i>X</i>			
Liz Schmid	<i>X</i>		<i>X</i>			
Ted Harwick						<i>X</i>
Forest Locandro						<i>X</i>

7 IN FAVOR, 4 ABSENT, MOTION CARRIED

- Liz Schmid made MOTION to elect Dave Bond as 2021 CADB Chair, Christian Bench SECONDED. Counsel asked for a Roll Call vote.

*ROLL CALL**MOVED**SECONDED**AYES**NAYS**ABSTAIN**ABSENT*

David Bond, Chair			<i>X</i>			
Robert Hoffman. Jr., Vice Chair			<i>X</i>			
Susan Blew						<i>X</i>
Marc Phillips			<i>X</i>			
John Pehinys			<i>X</i>			
Gerry Lyness						<i>X</i>
Christian Bench		<i>X</i>	<i>X</i>			
Dave Kyle			<i>X</i>			
Liz Schmid	<i>X</i>		<i>X</i>			
Ted Harwick						<i>X</i>
Forest Locandro						<i>X</i>

7 IN FAVOR, 4 ABSENT, MOTION CARRIED

- Meeting was turned over to Chairman Bond.

Designation of Newspapers to Carry Public Notices and advertisements

- Liz Schmid made a MOTION for the following Newspapers to carry Public Notices and Advertisements: The Hunterdon Democrat, Star Ledger, Trenton Times, Courier News, Express Times, and TAPinto (online). Bob Hoffman SECONDED. All in favor by Voice Vote.

Approval of 2021 Meeting Dates:

- Liz Schmid made a MOTION to approve the 2021 meeting dates listed below. Dave Kyle SECONDED. All in favor by Voice Vote.

2nd Thursday at 8PM, Rt 12 County Complex Building #1

January 14	May 13	September 9
February 11	June 10	October 14
March 11	July 8	**November 10
April 8	August 12*	December 9

*August date is reservation only, CADB does not normally hold a meeting in the month of August

** November Meeting is on a Wednesday due to the Veterans Day Holiday.

Approval of Minutes

- Liz Schmid made a MOTION to approve the December 10, 2020 minutes. Christian Bench SECONDED. All in favor by Voice Vote.

Communications and Administrative Business:

- **CADB Staff update** –Liz Schmid, Marc Phillips, and John Perehynys have all accepted appointments to serve on the Board for another 4-year term.
- 2020: 8 projects closed; 5 County Planning Incentive Grants (PIG), 1 Municipal PIG, and 2 Direct Easements encompassing 508 acres. Hunterdon now has preserved 453 farms for a total of 34,550 acres. There were 2 new applications in 2020.
- 31 active applications: 9 Direct Easements, 12 County PIG, and 10 Municipal PIG.
 - **Kappus** (Alexandra, Twp.) – There is a County Culvert, working with County Counsel to correct the Deed before that can go to closing. Should close shortly.
 - **Thomas** (Ease Amwell Twp.) – Bohren and Bohren will start the survey soon.
 - **Magnolia Creek** (Franklin Twp.) – Both appraisals have been received and are at SADC for review
 - **Onuschak** (Franklin Twp.) – Survey will begin soon by Bohren and Bohren.
 - **Grochowicz** (Hampton, Glen Gardner, Bethlehem) – Spoke last month about how they are going to fund this as a typical County PIG. Has attended several meetings with Hampton Borough, Glen Gardner Borough and Bethlehem Twp. All have passed cost share resolutions. Hopes it will be on the BOCC January 19th agenda and the SADC March 25th agenda.
 - **Silva** (Holland Twp.) – In closing review at SADC.
 - **DeSapio** (Kingwood Twp.) – Survey in process by Bohren and Bohren.
 - **Saums** (Readington Twp.) – SADC released the value of it, Readington Twp. is reviewing.
- SADC received an application for a Direct Easement in Kingwood Twp. It is on the corner of Kingwood Locktown Rd and Hammer Rd. ~153 acres.
- Bob received a letter of support from Delaware Twp. for the County to take the assignment of the Deed for the Curtis property (Resolution 2021-01).

- Received a letter from the landowner about the building they approved on the Verdi farm in the fall, they would like to do more with their hops operation. Bob is reviewing details with SADC about what is allowed under the easement. Comes down to Paragraph 2 of the easement, what are agricultural uses, and whether beer is an agricultural product. AJ Verdi, owner of the property, and his partner Justin were on the phone. AJ stated have been growing hops for 5 years, currently in the process of upping their production to include the final steps of processing and making beer on the farm using hops and other ingredients that are grown on the farm. Currently working on the deliverable with Bob, SADC, and a little bit with Readington Twp. If any Board members are interested in visiting the farm, email Bob and he will set up a time. If there are questions before more concrete deliverables are available, they can forward those to Bob as well.
- **Monitoring Update** – Kevin Milz stated he is at the halfway mark in inspections. Due to the SADC Monitoring site being down for part of the fall he is still updating the electronic forms.

SADC Updates: *Bob spoke on behalf of SADC*

- Bob stated he submitted the annual PIG application due December 15th. No major changes.
- SADC is still meeting via phone. At the December 3rd meeting they discussed the impact of utility scale solar on farmland and warehouse pressure. The appraisal process for farmland is focused on residential use; should greater emphasis be given to commercial use of farmland, including utility scale solar or warehouse pressure.
- Bill S1245 was approved in the House that would include Equine labor housing as a Right to Farm AMP. That has been charged to the SADC to develop under the Right to Farm framework.

Chair Comments:

- Thank you for appointing me again. I'll do my best. Remember if you have any problems or issues don't hesitate to come to me. Wants everyone to participate during the meetings.

Old Business:

- None at this time

New Business:

- **Resolution 2021-01: Assignment of Deed, Curtis Farm**, Delaware Township Block 31 Lot 5 from New Jersey Conservation Foundation (NJCF) to Hunterdon County.
 - Bob stated that the farm is ~50 acres located in the Rosemont Valley. It is being preserved using standard SADC easement, funded 50% through SADC and 50% through an Open Space Grant. NJCF has requested Hunterdon County take the deed immediately after closing. Hunterdon has multiple easements surrounding the farm. It will be under the County Monitoring program. Representative Marie Miller from NJCF fielded questions from Board members. This will be treated the same as any other preserved farm in the County. NJCF representative stated that it will close in February, the appropriations just got signed by the Governor, preliminary survey has been sent out for review, title search is current, hoping to close in February once everything has been approved. Liz Schmid made a MOTION to approve Assignment of Curtis farm Deed, Christian Bench SECONDED. Chairman Bond asked for a Roll Call vote.

David Bond, Chair			X			
Robert Hoffman, Jr., Vice Chair			X			
Susan Blew						X
Marc Phillips			X			
John Perehinys			X			
Gerry Lyness						X
Christian Bench		X	X			
Dave Kyle			X			
Liz Schmid	X		X			
Ted Harwick						X
Forest Locandro						X

7 IN FAVOR, 4 ABSENT, MOTION CARRIED

Right To Farm Matters:

- SSAMP Hearing-
 - **Beneduce Vineyards (Alexandria Block 21 Lot 41.31) No testimony will be heard. A Special Meeting will be held on a date to be announced.**
 - Counsel called for a motion to open Public Hearing on Beneduce Vineyard, Liz Schmid made a MOTION to Open, Bob Hoffman SECONDED. Roll Call Vote
 - Counsel called for a motion to close and carry the Public Hearing until the next CADB meeting on February 11, 2021. Liz Schmid made a MOTION to close and carry until next CADB Meeting, Dave Kyle SECONDED. All in Favor by voice vote.

Public Comment:

- Board member stated that East Amwell is developing something called a Farm Project. It is a joint meeting between the Township Committee and the Planning Board on January 28th to discuss current development trends of Amwell Valley and Ag districts, and the changing nature of farming and potential incentives. Bob stated that the meeting will be recorded, and he will send a link to anyone who is interested.

Adjournment

- MOTION for adjournment made by Liz Schmid, Bob Hoffman SECONDED. All in favor, Meeting Adjourned at 8:40 PM

STATE OF NEW JERSEY

HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD

RESOLUTION 2021-01

APPROVAL FOR NON-PROFIT PROGRAM DEED OF EASEMENT ASSIGNMENT TO COUNTY

Curtis Farm

WHEREAS, the New Jersey Conservation Foundation (NJCF) has applied for a cost sharing grant through the State Agriculture Development Committee (SADC) Non-Profit Grant Program and Hunterdon County Open Space Non-Profit Grant program for the proposed acquisition of a Development Easement on the property known as the Curtis Farm, owned by Richard and Michael Curtis, located at 780 Rosemont Ringoes Road, Stockton, NJ and designated on the County tax map as Block 31, Lot 5 in the Township of Delaware, County of Hunterdon, State of New Jersey; and

WHEREAS, the SADC certified the fair market value of the development easement pursuant to N.J.A.C. 2:76-7.14 which was accepted by the landowner. The cost sharing for the acquisition of the development easement is to be covered in full by a combination of grants; and

WHEREAS, the Hunterdon County Agriculture Development Board (CADB) received a letter from New Jersey Conservation Foundation requesting that the County hold the deed of easement for the farm due the proximity to other County-held easements; and

WHEREAS, the County of Hunterdon may be assigned enforcement of a development easement in accordance with the State Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et. seq., the Non-Profit Acquisition Program, N.J.A.C. 2:76-13 et seq, and the regulations thereunder and the County has a history of holding easements where appropriate and the County holds easements adjacent to the Curtis Farm and extensive easements in the region;

NOW, THEREFORE, BE IT RESOLVED, that the Hunterdon County Agriculture Development Board recommends approval for the proposed assignment of a Development Easement on the property owned by Richard and Michael Curtis, located at 780 Rosemont Ringoes Road, Stockton, NJ and designated on the County tax map as Block 31, Lot 5 in the Township of Delaware, County of Hunterdon, State of New Jersey, approximately 63.2 acres pursuant to the Nonprofit Program application, subject to the conveyance of a development easement which shall provide for the following:

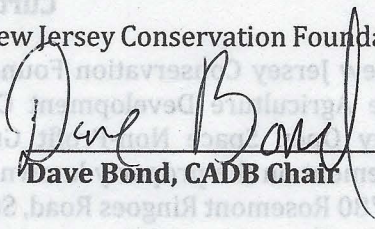
1. One existing residence in the exception area.
2. No existing agricultural labor housing units on the Premises.
3. No RDSOs allocated.
4. No pre-existing nonagricultural uses on the Premises.
5. Exception(s): One, approximately 3.7-acre non-severable exception area encompassing the farm infrastructure and one single-family residential unit.
6. Agricultural use(s): At the time of application the farm was in field crop production.
7. The conveyance of a Restrictive Covenant providing for an annual mowing of the property.
8. The conveyance of any and all proposed County rights-of-way from the owners of the fee simple title to the property as indicated by the office of the Hunterdon County Engineer.
9. If there are any other restrictive covenants, NJCF must appear before this Board prior to closing for a determination whether the restrictive covenants are acceptable. If the restrictive covenants are not deemed acceptable by the CADB and SADC, they must be released in their

entirety.

BE IT FURTHER RESOLVED, the CADB shall forward this Resolution to the Hunterdon County Board of County Commissioners recommending that the Board provide authorization for the proposed assignment of a Development Easement. Assignment of the Deed of Easement and Restrictive Covenant will take place after closing.

A copy of this Resolution shall be forwarded to the New Jersey Conservation Foundation and the State Agriculture Development Committee.

Adopted January 14, 2021


Dave Bond, CADB Chair



Curtis Farm
780 Rosemont Ringoes Rd.
Delaware Twp.
Block 31 Lot 5

Sayles Farm
Preserved
County EP 2000

Plescher Farm
Preserved
County EP 1986

Statewide Soils

3.7 acre
Non-Severable
Exception Area

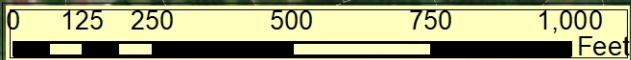
NJCF
Open Space

63.2 Total acres
3.7 acre Exception Area
59.5 Preserved acres
52.4 acres Tillable (88%)
3.7 acres Prime Soils (6%)
55.8 acres Statewide (94%)

Prime
Soils

Ontario Limited
Preserved
SADC EP 2000

RMH 12/18/20



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community