

Hunterdon County Agriculture Development Board Meeting
Rt 12 County Complex Building 1 Assembly Room
October 14, 2021 @ 8:00 pm

Members in Attendance:

Dave Bond-Chair
Bob Hoffman-Vice Chair
Susan Blew
Forest Locandro
Gerry Lyness
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
Katherine Fullerton, Supervising Planner
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, 2021, 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: Not Present: Christian Bench, Ted Harwick, Dave Kyle, & Megan Muehlbauer. Forest Locandro arrived 8:30 pm, Gerry Lyness arrived 8:05 pm.

Approval of Minutes:

- **Minutes of the September 9th CADB Meeting** – Liz Schmid made a MOTION to approve, Susan Blew SECONDED. All in favor by Voice Vote. Gerry Lyness ABSTAINED.

Communications and Administrative Business:

- **CADB Staff Update** – Bob stated they currently have 19 applications
 - **Beam farm** (Bethlehem Twp.) - Issued Certified Market Value, landowner asked for a 30-day extension.
 - **Onuschak Farm** (Franklin Twp.) - Hoping to close before the end of the year. In SADC review.
 - **Magnolia Creek Farm** (Franklin Twp.) – On the SADC agenda for Final Cost Share Approval in October.
 - **Grochowicz Farm** (Hampton, Glen Gardner, Bethlehem) – Under final SADC review.
 - **DeSapio Farm** (Kingwood Twp.) - Closed on September 14th.
 - **Kollmer Farm** (Kingwood Twp.) – Closed on September 8th.
 - **Saums Farm** (Readington Twp.) – Under Legal review. Hoping to close this year.

- **Staff Activity**
 - Helping the GIS Department with *Hunterdon Harvest*. It's a free site that any farm in Hunterdon can be listed on. Hoping to get more people on it before they start putting out links.
- **Communications**
 - Readington Township is redoing their Farmland Preservation Plan, they have sent a copy of the draft to review. Union Township is also redoing their plan and has sent a draft copy of the plan for review.
- **Monitoring Update**
 - Kevin stated no updates. He provided monitoring sheets to Bob.

State Agriculture Development Committee (SADC) Updates:

Dave Clapp spoke on behalf of SADC

- Dave stated the next SADC meeting is October 28th, Soil Protection Standards will be the big topic of the meeting. Received estimated appropriations from Treasury. Good news was Corporate Business Tax revenues were up, so they got a little more funding than they were expecting. Funding includes acquisition and stewardship.

Chair Comments:

- Chairman Bond stated that if the public had any comments, they were limited to 5 minutes per person.

Old Business:

- **Monitoring Procedure**
 - Carried to November meeting.

New Business:

- **New Jersey Conservation Foundation (NJCF) request to amend the Hunterdon Agriculture Development Area (ADA) in Tewksbury Twp.** – *Board member Gerry Lyness abstained from the discussion and vote.* Bob stated no one was present from NJCF or the effected landowners.
- Referring to a slide showing a map of the immediate area of the application, Bob stated that a landowner contacted NJCF about interest in preservation, the property is located on the corner of Interstate 78 and County Route 523, one of the prerequisites for preservation is ADA inclusion. The existing, adopted in 2018, ADA stops at the Readington Twp. border. One of the qualifications for inclusion in the ADA is that it's not within a half mile of a developed interchange.
- CADB has in the past added adjacent properties to the ADA, the tradeoff was they joined the ADA and they got preserved in return. An ADA must be a minimum 250 acres, the only way to add this property to an existing ADA was to create a bridge across adjoining properties.
- Referring again to the slide, Bob described where the adjoining properties are and who owns them. Bob contacted all the landowners; letters are in the packets. The principals of 3 of the properties were not available to attend the meeting tonight but called and emailed that they do not want to be included in the ADA. ADA guidelines do not require landowner permission. In this case, we're not looking at the entire county just at a couple specific properties. Bob thinks the Board should give some weight to the input of the property owners.
- It's the responsibility of the CADB to define where the ADA is. All the farms are sufficiently tillable, the Soils rank well enough. Bob stated since they received a letter requesting inclusion in the ADA, he asked Ms. Taylor and Mr. Culton for their input on whether they need a Resolution. Ms. Taylor stated it's not legally necessary to have a Resolution, but you could have one, it would

be helpful. The reason the 3 landowners don't want to be included in the ADA are variable; one is under contract for sale and doesn't want anything to change, others because they may want to develop the land and being in an ADA may diminish the value of the land. If the Board decides to deny the request, the landowner has other avenues to preserve the property. Discussion ensued. Bob Hoffman made a MOTION to Deny the ADA amendment request, John Perehinys SECONDED. Chairman Bond asked for a Roll Call Vote.

	ROLL CALL	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
David Bond, Chair				X			
Robert Hoffman, Jr., Vice Chair	X			X			
Susan Blew				X			
Marc Phillips				X			
John Perehinys			X	X			
Dave Kyle							X
Liz Schmid				X			
Ted Harwick							X
Gerry Lyness						X	
Christian Bench							X
Forest Locandro							X

6 IN FAVOR, 4 ABSENT, 1 ABSTENTION

- Ms. Taylor asked Bob if he could work with the landowner and help them with other avenues of preservation.
- Resolution 2021-08: Term Program Enrollment: Phillips Farm, Holland Twp. Block 26 Lot 20** – *Marc Phillips recused himself as a Board Member but can present or comment on his application if he wishes.* Bob stated that Marc has applied for the 8-year Term Program. It is a 19 ½ acre property, 96% Prime Soil, 4% Statewide, 95% tillable, no residential usage, next to a Preserved farm, and has a powerline easement bisecting the property with 2 towers, completely farmed within the easement except beneath the towers. Bob walked the property on October 13th. The main interest is to apply for irrigation cost share funding; they currently pump directly off the Delaware River for irrigation, they are having problems with silting in the pumps, variable water levels, plus it adds a lot of labor. Hoping for the 8-year term program and then speak with the SADC about any irrigation funding or conservation practices that they could go ahead with. Mr. Culton asked Bob if the farm meets all the criteria set forth by the SADC for enrollment in this program? Yes, we require that it must be at least 50% tillable, has to be within the ADA, and actively farmed. Chairman Bond ask for a MOTION, Liz Schmid made a MOTION to approve Resolution 2021-08: Phillips Term Enrollment, Susan Blew SECONDED.

*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>	<i>X</i>			
Marc Phillips					<i>X</i>	
John Perehinys			<i>X</i>			
Dave Kyle			<i>X</i>			
Liz Schmid	<i>X</i>					<i>X</i>
Ted Harwick						<i>X</i>
Gerry Lyness			<i>X</i>			
Christian Bench						<i>X</i>
Forest Locandro						<i>X</i>

6 IN FAVOR, 4 ABSENT, 1 ABSTENTION

Right To Farm Matters:

- **Resolution 2021-09- Beneduce Vineyards (Alexandria Block 21 Lot 41.31)** – Mr. Culton stated he is preparing the written Resolution to memorialize the findings of the Board; it will be ready by the next meeting November 10th. He will provide it to the Board before the meeting so they have time to read it.

Public Comment:

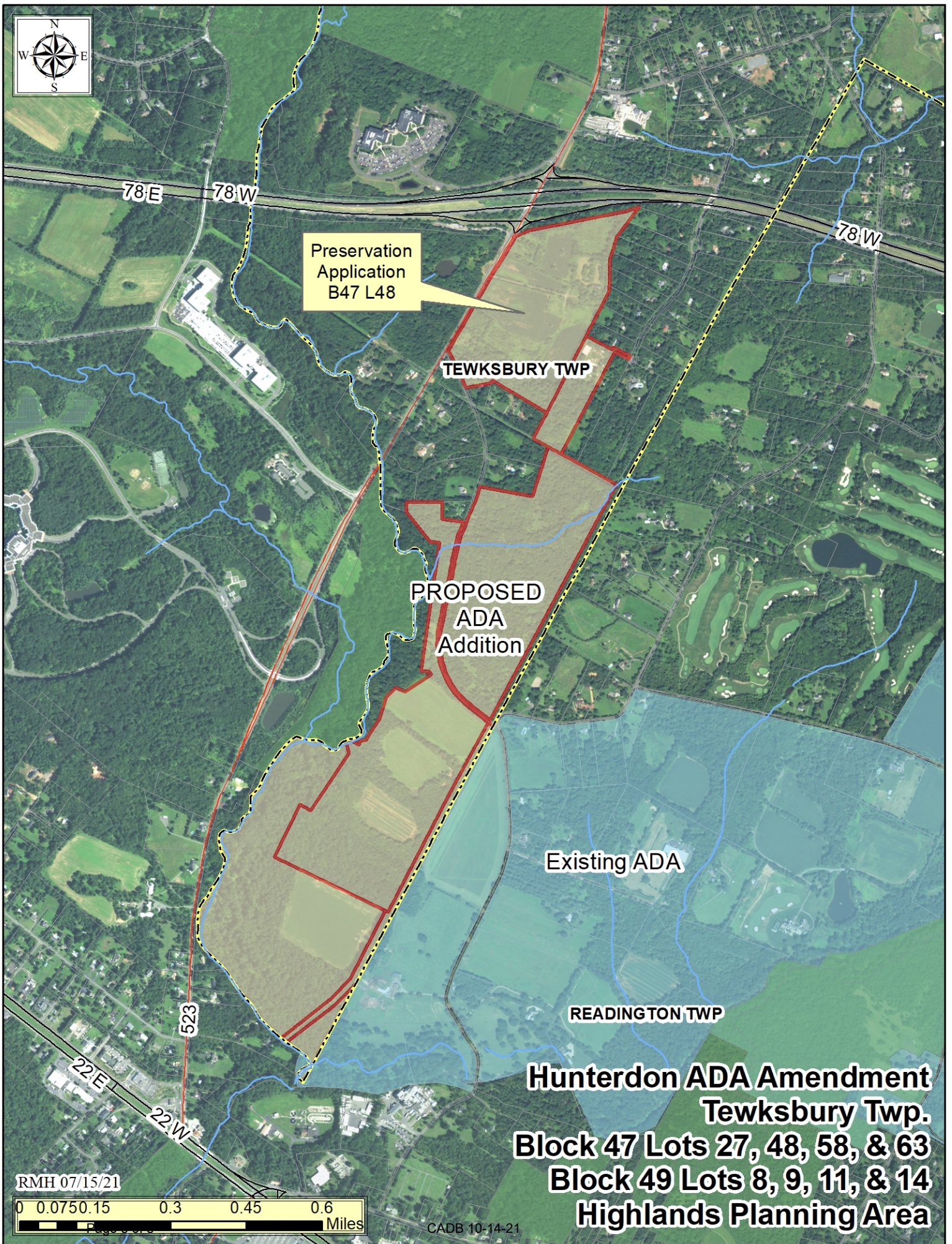
- **Daniel Herr** has a preserved farm with an easement held by the SADC in Clinton Twp. Talked about neighbors encroaching and trespassing on his farm and of the difficulty trying to resolve the situation.

Adjournment: MOTION to Adjourn made by Bob Hoffman, John Perehinys SECONDED. All in favor, Meeting Adjourned at 8:45 PM.

Respectfully submitted,

Bob Hornby, CADB Administrator

Prepared with the assistance of Colleen Runge, Planning Department Clerk



Preservation
Application
B47 L48

TEWKSBURY TWP

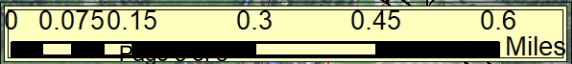
PROPOSED
ADA
Addition

Existing ADA

READINGTON TWP

**Hunterdon ADA Amendment
Tewksbury Twp.
Block 47 Lots 27, 48, 58, & 63
Block 49 Lots 8, 9, 11, & 14
Highlands Planning Area**

RMH 07/15/21



CADB 10-14-21

HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD

RESOLUTION 2021-08

TO CREATE A FARMLAND PRESERVATION PROGRAM

WHEREAS, Marc Phillips, hereinafter "Owner", is the record owner of Block 26 , Lot 20, in Holland Township, Hunterdon County, by deed dated May 3, 2017 and recorded in the Hunterdon County Clerk's office on June 2, 2017 in Deed Book 2404 Page 318, totaling approximately 19.43 acres, hereinafter referred to as the "Premises" (Schedule A); and

WHEREAS, the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-3 et seq. provide for the creation of Farmland Preservation Programs; and

WHEREAS, on February 1, 2021, the Owners submitted a Petition to the Hunterdon County Agriculture Development Board (CADB) for the creation of a Farmland Preservation Program for the Premises; and

WHEREAS, the CADB has reviewed the Petition and accompanying documents to assure compliance with the provisions of N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-3 et seq.;

WHEREAS, the CADB has determined that the Premises qualifies for farmland assessment in accordance with the Farmland Assessment Act of 1964, N.J.S.A. 54:23.1 et seq.; and

WHEREAS, the CADB has determined that the Premises is located within an Agricultural Development Area (ADA); and

WHEREAS, the CADB has determined that the Premises or Owner has satisfied the eligibility criteria as established by the CADB and identified below

- Land must be actively farmed
- At least 50% of the soils must be ranked Prime or Statewide quality
- At least 50% of the property must be tillable; and

WHEREAS, the CADB has determined that the Premises or Owner has satisfied the eligibility criteria as established by the State Agriculture Development Committee (SADC); and

WHEREAS, the CADB hereby verifies that a signed petition, true copy of the deed, tax

map, and other appropriate documents for identifying the boundaries of the Premises, including a legal metes and bounds description of the boundaries of the Premises, have been submitted; and

WHEREAS, the County will verify prior to executing the Farmland Preservation Program Agreement that an Owner of Last Record Search was conducted on the Premises to certify that the Owner is the present recorded owner of the title to the Premises; and

WHEREAS, the CADB has determined the Petition is complete; and

NOW THEREFORE, BE IT RESOLVED that the proposed Farmland Preservation Program be approved. The Owner shall enter into a recordable written Agreement with the CADB in compliance with N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-3. The CADB shall forward the Petition and supporting documents to the Committee for certification of the Farmland Preservation Program in accordance with the provisions of N.J.A.C. 2:76-3.



Dave Bond, Chairperson

October 14, 2021
Date

Hunterdon County Agriculture Development Board



Term Preservation: Phillips Farm
Riegelsville Milford Rd.
Holland Twp.
Block 26 Lot 20
Highlands Planning Area

RIEGLSVILLE-MILFORD RD

Statewide
Soils

Prime
Soils

NJP&L
Power Line
215' Easement

Prime Soils

Phillips
Preserved 2002
SADC EP

19.4 acres
18.6 acres Prime Soils (96%)
0.8 acres Statewide (4%)
18.5 acres Tillable (95%)

RMH 10/13/21

