

Hunterdon County Agriculture Development Board Meeting
Rt 12 County Complex Building 1 Assembly Room
April 14, 2022 @ 8:00 pm

Members in Attendance:

Dave Bond-Chair
Bob Hoffman-Vice Chair
Christian Bench (*Via Phone*)
Susan Blew
Bill Bowlby
Dave Kyle (*Via Phone*)
Forest Locandro
John Perehynys
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
Kris Melchers, Planner Trainee
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: All Board Members Present

Approval of Minutes:

- **Minutes of the March 10th CADB Meeting** – Bill Bowlby made a MOTION to approve, John Perehynys SECONDED. All in favor by Voice Vote. Christian Bench, Marc Phillips & Liz Schmid Abstained.
- County Counsel Shana Taylor welcomed Commissioner Zach Rich and New Jersey Assemblymen Roy Freiman.

Communications and Administrative Business:

- **CADB Staff Update** – Bob Hornby
 - **Collins Farm** (East Amwell Twp.) – Got Green Light approval from State Agricultural Development Committee (SADC) on April 4th.
 - **Magnolia Creek Farm** (Franklin Twp.) – Final inspection on April 11th. Hope to close in May.
 - **Barnes Farm** (Kingwood Twp.) – Put out bids for appraisals, County Commissioners approved at their April 5th meeting. Bids are due back by the end of the month.
 - **Mitchell Farm** (Kingwood Twp. Direct Easement)- Closed March 25, it is 70 acres on Tumble Idell Road.

- **Monitoring Update**

- Kevin Milz stated he has inspected 225 farms to date. There were no concerns or issues. There will be some soil disturbance of ~1 acre on the Clucas Farm in Tewksbury Township, they are putting up a Pole Barn. Owner has been notified as to what he can do according to the Deed of Easement. Richard Yard in Delaware Township, a house is being built in the exception area. The driveway that this board approved has been cut through.

State Agriculture Development Committee (SADC) Updates:

Dave Clapp spoke on behalf of SADC

- Next SADC Public Meeting will be held April 28th in person.
- Sub-Committee met and finalized a proposal for the Soil Protection Standards. Will be presented to the full Committee in June.

Chair Comments:

- Thanked everyone for coming.
- Commissioner Rich welcomed everyone to the meeting, said the Farmland Plan is 10 years in the making, it is an important document for the County and maintaining funding they count on every year for continued farmland preservation.
- NJ Assemblymen Roy Freiman introduced himself, from Hillsborough, recently became Chair of Agriculture Committee in the General Assembly, here to listen and learn about the issues related to Farmland Preservation. One main goal is to help farmers grow and prosper and what will that entail.

Old Business:

- None at this time.

New Business:

- **Tinsman Farm - Kingwood Township Block 19 Lot 11** – Direct Easement Letter of Support
 - It located on Union Road, 34.9 total acres, 90% Statewide Soils, 80% Tillable. It is across from the Lockatong Wildlife Management Area. There are no preserved farms adjacent to it, although most of the WMA is open area managed for grassland birds.
 - John Perehinys made a MOTION Supporting the Direct Easement Letter, Christian Bench SECONDED. Chairman Bond 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>		<i>X</i>			
Bill Bowlby			<i>X</i>			
Christian Bench		<i>X</i>	<i>X</i>			
Dave Kyle			<i>X</i>			
Liz Schmid			<i>X</i>			
Forest Locandro			<i>X</i>			

9 IN FAVOR, 1 ABSTENTION, MOTION CARRIED

- **Barrettstown Joy LLC, Readington Township Block 14 Lots 3.01, 5.06 & 51 – Direct Easement Letter of Support**
 - It is located on Lamington Road, 102 total acres; 85% Prime & Statewide soils & 46% Tillable. Is adjacent to the Schley farms. Discussion ensued.
 - Bob Hoffman made a MOTION Supporting the Direct Easement Preservation, John Pehinys SECONDED. Chairman Bond 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>		<i>X</i>			
Susan Blew			<i>X</i>			
Marc Phillips			<i>X</i>			
John Pehinys		<i>X</i>	<i>X</i>			
Bill Bowlby				<i>X</i>		
Christian Bench			<i>X</i>			
Dave Kyle			<i>X</i>			
Liz Schmid			<i>X</i>			
Forest Locandro			<i>X</i>			

9 IN FAVOR, 1 NAY, MOTION CARRIED

- **Comprehensive Farmland Preservation Plan Update – Public Information Session**
 - The Land Conservancy of NJ (TLCNJ) has been gathering data for the Plan update. Bob introduced Barbara Davis, Vice President and Principal Planner.
 - Ms. Davis thanked everyone for attending the first public information session, especially Commissioner Rich and Assemblymen Freiman, it is important they have the support of the legislature and governing body of the County. Also wanted to recognize the County staff, it is a very engaged group and a pleasure to work with them. Ms. Davis then introduced some of her staff who will be assisting in writing the plan. Ms. Davis then gave a brief overview of the schedule for this evening. Ms. Davis turned the session over to Bob.
 - Bob gave an overview of the responsibilities of the Hunterdon County Agricultural Development Board (CADB), the purpose of preserving farmland, and the need for an up-to-date Farmland Plan.
 - Barbara Davis guided the rest of the discussion.
 - Through a slide show, Ms. Davis explained that TLCNJ is updating the Farmland Preservation Plan, it was last updated in 2008 and is no longer current. Ms. Davis then gave an overview of the need to update the plan, also on the funding and process of updating the plan. Ms. Davis then talked about the plans that she has updated through the years and how far along it has come. She briefly discussed the different Chapters of the Plan.
 - I Agricultural Land Base*
 - II Agricultural Industry*
 - III Land Use and Planning*
 - IV Farmland Preservation Program*
 - V Economic Farmland Preservation Program*
 - VI Economic Development*
 - VII Natural Resource Conservation*
 - VII Sustainability, Retention, and Promotion*
 - Ms. Davis then went over where they are in the process. She mentioned the next Public Session on June 8th (a virtual lunchtime meeting) and hopes to produce the Plan draft by early fall. CADB will review it and release it to the public. The goal is to have it adopted as an element of the Master Plan by years end. Ms. Davis then opened the meeting for questions from the Board and public in attendance. Chairman Bond asked that the Board be able to ask questions or comment first.
 - Board member Bill Bowlby commented on the process of approving farms for preservation and how they should be more particular in eligibility. Discussion ensued.
 - Kevin Milz commented on the viability of the farms, and how they must keep it going. Now they are getting funding for conservation where before they weren't. Also spoke about how they grade the soils in different areas for preservation. Need to have less restrictions on entertainment on Preserved farms.
 - John Perehyns asked how much different the new plan will be than the 2008 Plan? Ms. Davis answered, it follows the same structure, looks at similar data and it tells you the trends and what's changed since 2008. No drastic structure changes to the plan between 2008 and 2022. The Plan must reflect what is going on now in Hunterdon County. John Perehyns stated that we need to start paying people what their farms are worth.
 - Marc Phillips stated we are seeing more low-quality farms that don't have a lot of development pressure, are not productive, and we are using taxpayer dollars to preserve them, is not a good use of the funds, but then when we do get a good piece of property,

we are not going to be able to incentivize that landowner with above appraisal value. Should be saved so we can offer above appraisal value for a better piece of property, that would be a better use of the money. They also should not be changing regulations and expecting already preserved farms to adhere to them., there should be a Grandfather clause so they don't. Chairman Bond also commented that because it's government funds, we must use them or lose them. There is concern that some of the farmers will sell to developers because they can offer more money.

- Kevin Milz stated that there should be something that says the farms have to be actively farmed and not just mowed.
- Christian Bench stated that more investigation and research need to be done when an application comes before the Board.
- Forest Locandro stated that they should be adjusting their percentage of Tillable Soil higher. Would make easier to approve quality farms over less qualified ones but leave room for exceptions.
- Chairman Bond opened the session to the public for questions and comments.
 - Mr. Hockenberry from East Amwell Twp. – 90 years old, has lived on his farm since he was a boy. Wants to stay on the farm but has no one else to run it.
 - Mr. Zeng spoke of his concerns about people not wanting to farm and trying to get more people in to farm.
 - Amy Greene, Chair of the Raritan Twp. Open Space Advisory Committee. Just did their first Farmland Preservation Plan for the Township last year and was approved. The trend seems to be smaller farms, interested in learning what kind of agriculture they are doing. Thinks it's a good idea to look more closely at the Agricultural Development Area boundary (ADA) and expand it where appropriate. She thinks this a chance to include more opportunities for Farmland Preservation by looking carefully at that boundary. Is proud that Hunterdon County has preserved so many farms, but now we need to start looking at the smaller farms.
 - Mr. Zeng expressed his concerns about all the restrictions placed on farms. That we need more livestock and lack of infrastructure.
 - Chairman Bond commented that townships need to relax their standards on letting agricultural businesses start, whatever that may be.
 - Vice-Chair Bob Hoffman commented on preserving smaller farms and government zoning and regulations. Discussion ensued on this subject.
 - Dave DeFrange, Kingwood Twp., commented on the regulations and Farmland Preservation and how it is going to be difficult to compete with developers because of the regulations put on farmers.
 - Board Member commented we need to state in the contract that once it's signed the state can't change anything. County Counsel stated that it can't be changed, language must be approved by the state if state money is used. Discussion ensued about changes after the contract has been signed.
 - Ms. Davis discussed that they have the attention of the State this year, the State reads the Plan, there are going to be multiple public hearings. The Plan needs to conform to State Regulations for the structure, that doesn't mean it can't include other components. There should be a very clear statement at the beginning as what you see as a challenge to Farmland Preservation. There was some discussion about changing the contract and the deed of easement. Ms. Davis then went over her and her firms' credentials.

- Patricia Springwell commented on her concerns about Farmland Preservation and making sure Preserved Farms are farmed as intended.
- Member of the Public from Readington Twp. commented on the fact that preserved farms are deed restricted to agricultural and should stick with the definition of Agricultural.
- Chairman Bond closed the public portion of the meeting.

Right To Farm Matters:

- None at this time

Public Comment:

- No Public Comments
- Vice-Chair Bob Hoffman commented on wanting to know more about Solar farms and leaf composting.

Adjournment:

- MOTION to Adjourn made by John Perehinys, Susan Blew SECONDED. All in favor.

Respectfully submitted,

Bob Hornby, CADB Administrator

Prepared with the assistance of Colleen Runge, Planning Department Clerk



State of New Jersey

STATE AGRICULTURE DEVELOPMENT COMMITTEE

PHILIP D. MURPHY
Governor

PO Box 330
TRENTON NJ 08625-0330

DOUGLAS H. FISHER
Chairman

SHEILA Y. OLIVER
Lt. Governor

SUSAN E. PAYNE
Executive Director

Honorable Maureen Syrnick, Mayor
599 Oak Grove Road
Frenchtown NJ 08825

Robert Hornby, CADB Administrator
314 State Route 12, Building #1
PO Box 2900
Flemington, NJ 08822

Re: Farmland Preservation Program
Donald & Fay Tinsman - SADC ID# 10-0282-DE
Block 19, Lot 11 - 150 Union Rd.
Kingwood Township, Hunterdon County

Dear Mayor and Administrator:

The State Agriculture Development Committee (SADC) received an application to sell a development easement on the subject property. The SADC administers the Farmland Preservation Program and is authorized to purchase development easements on farmland. This is a voluntary program on the part of the landowner, with no threat of eminent domain proceedings by the SADC to acquire the property.

Pursuant to NJAC 2:76-11.3 and 11.4, the municipality and county in which the property is located are informed of an easement sale application so that they may provide comments prior to the SADC's consideration of the application. After preservation, the farm property will remain in private ownership and on the municipality's tax rolls, but permanently protected for agricultural purposes. Therefore, it is important for the municipality to review this property in consideration of relevant planning documents, including but not limited to the county and/or municipal farmland preservation plan, other master plan elements, housing element and fair share plan, and zoning regulations to ensure that the preservation of this farm is consistent with the long-term goals of the municipality. It is recommended that the municipality consult with the planning board/ joint land use board or the municipality's planner to make this determination.

Please complete the enclosed confirmation letter and provide any comments the Township may have concerning the preservation of this farm within 30 days. Feel free to scan and email the letter. Thank you for the Township's and County's continued dedication to farmland preservation. If you have any questions, please feel free to contact me at stefanie.miller@ag.nj.gov or 609-984-2504.

Sincerely,

Stefanie Miller

Stefanie Miller
Acquisition Programs Manager

Enclosures: Farm Map & Confirmation Letter (to be signed and returned)

Stefanie Miller, Acquisition Programs Manager
State Agriculture Development Committee
PO Box 330
Trenton, New Jersey 08625

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Block 19, Lot 11 - 150 Union Rd.
Kingwood Township, Hunterdon County

Dear Ms. Miller:

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We support the effort to preserve this farm and have provided any comments below or attached.

4/14/22
Date

DAVE BOND Name
GADB CHAIR Title

We do not support the effort to preserve this farm and have provided any comments below or attached.

Date

Name
Title

Comments:



State of New Jersey

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Governor

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Honorable Juergen Huelsebusch, Mayor
509 Route 523
Whitehouse Station, NJ 08889

Robert Hornby, CADB Administrator
314 State Route 12, Building #1
PO Box 2900
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Block 14, Lots 3.01, 5.06, and 51,
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Dave Bond
DAVE BOND Name
CADB CHAIR Title

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Comments:

