

**Hunterdon County Agriculture Development Board Meeting**  
**Rt 12 County Complex Building 1 Assembly Room**  
**September 14, 2023 @ 8:00 pm**

**Members in Attendance:**

Dave Bond – Chairman  
Bob Hoffman – Vice Chair  
Christian Bench  
Susan Blew  
Bill Bowlby  
Alex Hammerstone  
Liz Schmid - *via Phone*

**CADB Staff Present:**

Katrina Campbell, Esq. County Counsel  
Aaron Culton – County Counsel  
Bob Hornby, CADB Administrator  
Kevin Milz, HCSCD  
Megan Muehlbauer - NJAES

**Open Public Meeting Act:**

**Chairman Dave 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 17, 2023, 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: Dave Kyle, Forest Locandro, John Pehinys & Katherine Fullerton.

**Approval of Minutes:**

- **Minutes of the July 12, 2023 CADB Meeting** – Liz Schmid made a MOTION to approve with corrections, Bill Bowlby SECONDED. All in favor by voice vote. Bob Hoffman & Christian Bench ABSTAINED.
- **August meeting was cancelled.**

**Communications and Administrative Business:**

- **CADB Staff Update** –
  - Sent a letter to SADC in support of a public meeting regarding Soil Protection Standards. That hearing has been confirmed for September 27<sup>th</sup> from 6 – 9 pm on Zoom.
- **Active Applications**
  - **Amwell Valley Conservancy** (East and West Amwell Twps.) - Will be looking at later in the meeting. The West was approved by the municipality on August 16<sup>th</sup>. East was approved earlier this evening.
  - **Barns Farm** (Kingwood Twp.) – Survey was awarded August 3<sup>rd</sup> and the draft is due October 16<sup>th</sup>.
  - Two landowners have contacted The Land Conservancy of NJ for preservation, still working on the details. One farm is in Delaware Township the other is in Union

Township. Bob asked if anyone was interested in a site visit to let him know and they can work out a schedule.

- The Soil Protection Standard were published in the August 7<sup>th</sup> register with a 60 day public comment period. Bob has sent the comments to SADC from the last meeting. SADC will address the comments after October 6<sup>th</sup>, discussion likely at the December 7<sup>th</sup> meeting. Adoption would be early 2024. Maps have gone out to all preserved farm landowners. If any Board members get questions or have questions, they can contact Bob.
- **Monitoring Update:**
  - Kevin stated he has currently monitored 35 farms. Everyone is in compliance. Spoke of issues he has had with a landowner in East Amwell. Kevin mentioned that there are some farms that are not preserved that should be and are not well maintained.

### **State Agriculture Development Committee (SADC) Updates:**

*Dave Clapp spoke on behalf of SADC*

- Dave stated at the last SADC meeting they approved the meeting schedule for next year. Also approved the updates for the non-profit applications. Dave corrected Bob about the Soil Protection Standards Public meeting, it will be a Teams meeting not a Zoom meeting. They got budget approve to add two new full time staff positions. Dave entertained comments and questions from Board members. Chairman Bond expressed his displeasure that the public meeting is being held online. Bill Bowlby made a MOTION requesting the SADC hold the Soil Protection Standards Public Hearing in hybrid format not only online. Bob Hoffman SECONDED. Discussion ensued. All in favor by Voice Vote.

### **Chair Comments:**

- None at this time

### **Old Business:**

- **Amwell Valley Conservancy Final Approval** – Bob gave a brief overview of the project.
  - Resolution 2023-02: West Amwell Block 7 Lots 8, 8.07, 8.08 & 15 – 4 lots total 43.5 acres, no exception area. At closing they will be permanently tied as one big easement. Can't not be sold separately. West Amwell approved their portion of the cost share in August. Hunterdon County will be paying \$975.00/acre for a total of \$44,460.00. Bill Bowlby made a MOTION for Final Approval, Alex Hammerstone SECONDED. All in favor by Voice Vote
  - Resolution 2023-03: East Amwell Block 8 Lots 25, 26 & 26.02 – 3 lots total of 16.7 acres, No exception area. East Amwell approved their cost share this evening. Hunterdon County cost share is \$10,800/acre for a total of \$37,800.00. Liz Schmid made a MOTION for Final Approval, Christian Bench SECONDED. All in favor by Voice Vote.

### **New Business:**

- **Resolution 2023-04** – Special Occasion Event Approval, Schaefer Farms – County Counsel Katrina Campbell gave a review of the process to approve an application.

- Schaefer Farms plans on 5 Special Occasion Events in a calendar year. They have already done one of those events. Ms. Campbell included a sample resolution if the board wants to go forward with the application. Ms. Campbell confirmed they have met all the requirements for approval. She gave an overview of criteria for the events. They must meet all State and County rules and regulations. Ms. Campbell entertained questions from the Board. Alex Hammerstone made a MOTION for Approval of this Resolution, Liz Schmid SECONDED. All in favor by Voice Vote.
- **Direct Easement Letter of Support** -Clover Rod and Gun Club Kingwood Twp. Block 37 Lots 4, 12, 14, 15, 15.01, 17.01, 18, 19, 20 & 21 – Bob gave an overview of the property. The SADC approves this application. If approved, it cannot be sold separately. Discussion ensued. Bill Bowlby made a MOTION to Oppose this easement, Bob Hoffman SECONDED. More discussion ensued. Chair Bond called for a voice vote.

*ROLL CALL                      MOVED    SECONDED        AYES        NAYS        ABSTAIN    ABSENT*

David Bond, Chair			X			
Robert Hoffman, Jr., Vice Chair		X				
Susan Blew			X			
Marc Phillips			X			
John Pehinys						X
Bill Bowlby	X		X			
Christian Bench			X			
Alex Hammerstone			X			
Dave Kyle						X
Liz Schmid				X		
Forest Locandro						X

**7 IN FAVOR, 3 ABSENT, 1 OPPOSED, MOTION CARRIED**

**Right To Farm Matters:**

- None at this Time

**Public Comment:**

- Patricia Springwell commented on her disappointment of the SADC public hearing on the Soil Protection Standards being Teams and not in person.
- Dave Stothoff – Wants to thank the Board for their support of the Amwell Valley Conservancy application.

- Bob entertained questions from the Board.

**Adjournment:**

- MOTION to Adjourn made by Bob Hoffman, Bill Bowlby 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

## Hunterdon County Agriculture Development Board

Hunterdon County Administration Building #1  
314 Route 12, Hunterdon County Complex  
PO Box 2900  
Flemington, New Jersey 08822-2900  
(908)788-1490  
cadb@co.hunterdon.nj.us

August 7, 2023

RE: Proposed New Rules: NJAC 2:76-25.1 and 25A.1; "Soil Protection Standards"  
Proposal Number: PRN-2023-079

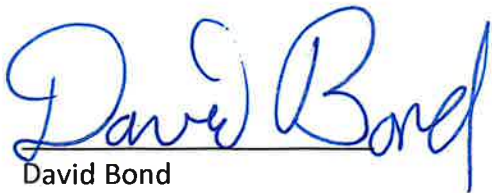
Director Payne and Members of the State Agriculture Development Committee:

The Hunterdon County Agriculture Development Board (HCADB) supports farmland preservation as a public/private working lands initiative. Family farms are a historical and viable \$92 million industry in Hunterdon County. Farmland easements in Hunterdon County cover almost 36,500 acres at a public cost approaching \$305 million. 30% of the Farm Assessed acreage in Hunterdon County is permanently restricted for agricultural use. An additional 1,164 acres are currently in the process of preservation.

The HCADB appreciates the work done by the State Agriculture Development Committee (SADC) on the Soil Protection Standards and commends the SADC Staff in gathering stakeholder comments throughout the process.

The HCADB objects to the retrospective nature of the Soil Protection Standards as they serve to modify the terms of easements that have been previously agreed to by easement holders. Roughly half of the 483 easements in Hunterdon are at least 15 years old. Many easements are no longer held by the original applicant and farm purchasers have made a monetary judgement of value based upon an understanding of the agreed terms. Once a permanent easement has been agreed upon the terms should not be amended. Confidence in the Preservation Program relies on landowners understanding what they are agreeing to. Those terms cannot change over time or with subsequent owners. The HCADB is concerned that the proposed Standards set a precedent to undermine a popular program that has been beneficial to continued viable agriculture in Hunterdon County.

On behalf of the Board, thank you for your time and attention,



David Bond  
Hunterdon CADB Chair

Cc: Hunterdon Board of County Commissioners

## Hunterdon County Agriculture Development Board

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August 30, 2023

RE: Proposed New Rules: NJAC 2:76-25.1 and 25A.1; "Soil Protection Standards"  
Proposal Number: PRN-2023-079  
Request for Public Hearing

Director Payne and Members of the State Agriculture Development Committee:

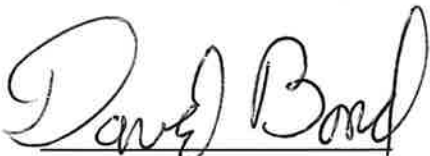
The Hunterdon County Agriculture Development Board (HCADB) requests a public hearing on the proposed Soil Protection Standards. The proposed standards will have substantial effect on the 483 easements in Hunterdon County on close to 36,500 acres at a total cost approaching \$305 million. The HCADB is concerned that the proposed Standards set a precedent to undermine a popular program that has been beneficial to continued viable agriculture in Hunterdon County.

The HCADB supports farmland preservation as a public/private working lands initiative. Family farms are a historical and viable \$92 million industry in Hunterdon County. 43% of Hunterdon County is farm assessed and 30% of the farm assessed acreage is permanently restricted for agricultural use. An additional 1,262 acres are currently in the process of preservation.

The HCADB appreciates the work done by the State Agriculture Development Committee (SADC) on the proposed Standards and commends the SADC Staff in gathering stakeholder comments throughout the process. A public hearing is the logical conclusion to the effort as confidence in the Preservation Program relies on landowners understanding the nature of any restrictions.

The HCADB has previously objected to the retrospective nature of the Standards as they serve to modify the terms of easements. Roughly half of the 483 easements in Hunterdon are at least 15 years old. Many easements are no longer held by the original applicant and farm purchasers have made a monetary judgement of value based upon an understanding of the agreed terms. Once a permanent easement has been agreed upon the terms should not be amended. Those terms cannot change over time or with subsequent owners.

On behalf of the Board, thank you for your time and attention,



David Bond  
Hunterdon CADB Chair

Cc: Hunterdon Board of County Commissioners

# Hunterdon County Agriculture Development Board

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314 Route 12, Hunterdon County Complex  
PO Box 2900  
Flemington, New Jersey 08822-2900  
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September 15, 2023

RE: Proposed New Rules: NJAC 2:76-25.1 and 25A.1; "Soil Protection Standards"  
Proposal Number: PRN-2023-079  
Request for Hybrid Public Hearing

Director Payne and Members of the State Agriculture Development Committee:

The Hunterdon County Agriculture Development Board (HCADB) commends the SADC decision to host a public hearing on the proposed Soil Protection Standards. The HCADB is disappointed that the meeting will only be available on an online platform and suggests a hybrid format for the meeting to be held in an appropriate venue such that the hearing is accessible to all interested parties statewide and in person.

The HCADB is concerned that the proposed Standards set a precedent to undermine a popular program that has been beneficial to continued viable agriculture statewide and in Hunterdon County. The HCADB supports farmland preservation as a public/private working lands initiative.

The HCADB continues to object to the retrospective nature of the Standards as they serve to modify the terms of easements. Roughly half of the 483 easements in Hunterdon are at least 15 years old. Many easements are no longer held by the original applicant and farm purchasers have made a value judgement based upon an understanding of the agreed terms. Once a permanent easement has been agreed upon the terms should not be amended. The terms cannot change over time or with subsequent owners.

The HCADB appreciates the work done by the State Agriculture Development Committee (SADC) on the proposed Standards and commends the SADC Staff in gathering stakeholder comments throughout the process. A public hearing accessible to all is the logical conclusion to the effort as confidence in the Preservation Program relies on all stakeholders understanding the exact terms of the easement.

On behalf of the Board, thank you for your time and attention,



David Bond  
Hunterdon CADB Chair

Cc: Hunterdon Board of County Commissioners

**STATE OF NEW JERSEY  
HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD**

**RESOLUTION 2023-02  
FINAL COST SHARE APPROVAL  
Amwell Valley Conservancy (West) Farm**

**WHEREAS**, the County of Hunterdon may acquire a development easement in accordance with the State Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et. seq., the County Planning Incentive Grant Program, N.J.S.A. 4:1C-43.1, and the regulations thereunder; and

**WHEREAS**, Amwell Valley Conservancy (West) submitted a County Planning Incentive Grant (PIG) Application in the 2022 funding round to the Hunterdon County Agriculture Development Board (CADB) and the State Agriculture Development Committee (SADC); and

**WHEREAS**, the application provided for the proposed acquisition of a development easement for the approximately 43.5-acre properties owned by the applicants, located along Bowne Station and Frontage Roads; and designated as Block 7, Lots 8, 8.07, 8.08, and 15 in the Township of West Amwell, County of Hunterdon, State of New Jersey; and

**WHEREAS**, on May 18, 2023, the SADC certified the fair market value (CMV) of the development easement pursuant to N.J.A.C. 2:76-7.14 at \$5,700.00 per acre; with zero dwelling opportunities; zero severable exceptions; and zero non-severable exceptions, resulting in approximately 43.5 preserved acres to be permanently tied with the existing ~591.49 currently preserved acres; and

**WHEREAS**, on July 25, 2023, the landowner accepted the CMV of \$5,700.00 per acre, conditioned upon all interested parties granting final approval for acquisition of a development easement; and providing for a commitment of funding pursuant to N.J.A.C. 2:76-17.16, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 45.6 acres to include a 5% buffer to allow for tax map inaccuracies), subject to:

- a) The actual acreage to be covered by the development easement per the final survey which conforms to the farmland preservation program requirements, and
- b) Any additional adjustments pursuant to State statute, rule, regulation, or policy;

State Agriculture Development Committee (\$3,750.00/acre; ~65% of est. total cost)	~\$171,000.00
Hunterdon County (\$975.00/acre; ~17% of est. total cost)	~\$44,460.00
West Amwell Township (\$975.00/acre; ~17% of est. total cost)	<u>~\$44,460.00</u>
Total	~\$259,920.00

**NOW, THEREFORE, BE IT RESOLVED**, that the Hunterdon County Agriculture Development Board gives final approval to the proposed acquisition of a development easement on the properties owned by the Amwell Valley Conservancy, located along Bowne Station and Frontage Roads; and designated as Block 7, Lots 8, 8.07, 8.08, and 15 in the Township of West Amwell, County of Hunterdon, State of



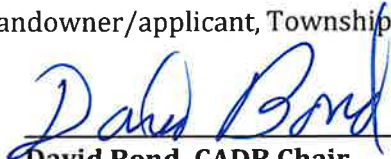
New Jersey; on approximately 43.5 acres pursuant to the County Planning Incentive Grant application subject to the following:

1. The conveyance of a development easement which shall provide for the following:
  - a. Exceptions: Zero
  - b. Dwellings: Zero
  - c. Agricultural Labor Housing Units: Zero existing
  - d. Preexisting Non-Agricultural Uses: None
  - e. Trail or Access Easements: Zero Existing or Proposed
2. The conveyance of a Restrictive Covenant providing for an annual mowing of the property; and
3. The conveyance of any and all proposed rights-of-way from the owners of the fee simple title to the property as indicated by the office of the Hunterdon County Engineer, the NJ Department of Transportation, and West Amwell Township; and
4. The exact acreage to be determined by survey; and
5. The easement will be held by Hunterdon County upon closing.

**WHEREAS**, the CADB shall forward this Resolution of Final Approval to the Hunterdon County Board of County Commissioners recommending that the Board provide final authorization for the proposed acquisition of a development easement on the properties owned by the Amwell Valley Conservancy, located along Bowne Station and Frontage Roads; designated as Block 7, Lots 8, 8.07, 8.08, and 15 in the Township of West Amwell, County of Hunterdon, State of New Jersey.

A copy of this Resolution shall be forwarded to the landowner/applicant, Township of West Amwell, and the State Agriculture Development Committee.

**Adopted** September 14, 2023

  
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**David Bond, CADB Chair**

**STATE OF NEW JERSEY  
HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD**

**RESOLUTION 2023-03  
FINAL COST SHARE APPROVAL  
Amwell Valley Conservancy (East) Farm**

**WHEREAS**, the County of Hunterdon may acquire a development easement in accordance with the State Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et. seq., the County Planning Incentive Grant Program, N.J.S.A. 4:1C-43.1, and the regulations thereunder; and

**WHEREAS**, Amwell Valley Conservancy (East) submitted a County Planning Incentive Grant (PIG) Application in the 2022 funding round to the Hunterdon County Agriculture Development Board (CADB) and the State Agriculture Development Committee (SADC); and

**WHEREAS**, the application provided for the proposed acquisition of a development easement for the approximately 16.7-acre properties owned by the applicants, located along Frontage Road; and designated as Block 8, Lots 25, 26, and 26.02 in the Township of East Amwell, County of Hunterdon, State of New Jersey; and

**WHEREAS**, on June 22, 2023, the SADC certified the fair market value (CMV) of the development easement pursuant to N.J.A.C. 2:76-7.14 at \$10,800.00 per acre; with zero dwelling opportunities; zero severable exceptions; and zero non-severable exceptions, resulting in approximately 16.7 preserved acres to be permanently tied with the existing ~337.02 currently preserved acres; and

**WHEREAS**, on July 25, 2023, the landowner accepted the CMV of \$10,800.00 per acre, conditioned upon all interested parties granting final approval for acquisition of a development easement; and providing for a commitment of funding pursuant to N.J.A.C. 2:76-17.16, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 17.5 acres to include a 5% buffer to allow for tax map inaccuracies), subject to:

- a) The actual acreage to be covered by the development easement per the final survey which conforms to the farmland preservation program requirements, and
- b) Any additional adjustments pursuant to State statute, rule, regulation, or policy;

State Agriculture Development Committee ((\$6,480.00/acre; ~60% of est. total cost)	~\$113,400.00
Hunterdon County ((\$2,160.00/acre; ~20% of est. total cost)	~\$37,800.00
East Amwell Township ((\$2,160.00/acre; ~20% of est. total cost)	<u>~\$37,800.00</u>
Total	~\$189,000.00

**NOW, THEREFORE, BE IT RESOLVED**, that the Hunterdon County Agriculture Development Board gives final approval to the proposed acquisition of a development easement on the properties owned by the Amwell Valley Conservancy, located along Frontage Road, and designated as Block 8, Lots 25, 26, and 26.02 in the Township of East Amwell, County of Hunterdon, State of New Jersey; on

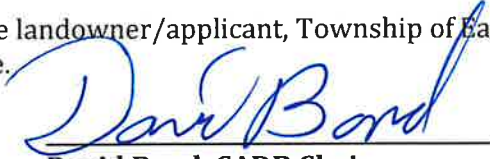
approximately 16.7 acres pursuant to the County Planning Incentive Grant application subject to the following:

1. The conveyance of a development easement which shall provide for the following:
  - a. Exceptions: Zero
  - b. Dwellings: Zero
  - c. Agricultural Labor Housing Units: Zero existing
  - d. Preexisting Non-Agricultural Uses: None
  - e. Trail or Access Easements: Zero Existing or Proposed
2. The conveyance of a Restrictive Covenant providing for an annual mowing of the property; and
3. The conveyance of any and all proposed rights-of-way from the owners of the fee simple title to the property as indicated by the office of the Hunterdon County Engineer, the NJ Department of Transportation, and East Amwell Township; and
4. The exact acreage to be determined by survey; and
5. The easement will be held by Hunterdon County upon closing.

**WHEREAS**, the CADB shall forward this Resolution of Final Approval to the Hunterdon County Board of County Commissioners recommending that the Board provide final authorization for the proposed acquisition of a development easement on the properties owned by the Amwell Valley Conservancy, located along Frontage Road; designated as Block 8, Lots 25, 26, and 26.02 in the Township of East Amwell, County of Hunterdon, State of New Jersey.

A copy of this Resolution shall be forwarded to the landowner/applicant, Township of East Amwell, and the State Agriculture Development Committee.

**Adopted** September 14, 2023

  
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**David Bond, CADB Chair**

**HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD**

**RESOLUTION NO. 2023 – 04**

**RESOLUTION APPROVING A SPECIAL OCCASION EVENTS APPLICATION  
SUBMITTED BY SCHAEFER FARMS FOR THE PRESERVED FARM  
LOCATED AT 1051 COUNTY ROAD 513, READINGTON TOWNSHIP.**

**WHEREAS**, on July 13, 2023, Schaefer Farms (Christopher and William Schaefer) submitted an application requesting to hold Special Occasion Events (SOEs) pursuant to N.J.S.A. 4:1C-32.17; and

**WHEREAS**, N.J.S.A. 4:1C-32.17 requires approval from the Grantee of the farmland preservation easement if said application meets the enumerated statutory requirements; and

**WHEREAS**, the County of Hunterdon is the Grantee of the easement on the farm owned and operated by Schaefer Farms (Christopher and William Schaefer) located at 1051 County Road 523 and 10 Woodschurch Road in Readington Township; and

**WHEREAS**, the County of Hunterdon on May 2, 2023 in Resolution 2023 – 382, designated the Hunterdon County Agricultural Development Board for administrating any SOE permit applications; and

**WHEREAS**, the application has demonstrated that the farm is a commercial farm producing agricultural or horticultural products worth \$10,000 or more annually; and

**WHEREAS**, the application has set the number of estimated SOEs to be five in a calendar year; and

**WHEREAS**, the applications has set the estimated attendance of SOEs will vary with three events exceeding two hundred fifty anticipated at the time of application; and

**WHEREAS**, the application has shown the acreage for use in SOEs via arial photograph/map and is in the amount of no more than the lesser of ten acres or ten percent of the preserved farmland; and

**WHEREAS**, the farm is in compliance with its farmland preservation deed of easement; and

**WHEREAS**, the applicant is required to annually certify information about the SOEs held the prior calendar year which information shall include,

but not be limited to, the date, occasion, and approximate number of attendees of each event, and

**WHEREAS**, a SOE that involves the service of alcoholic beverages shall comply with all applicable State and local laws, regulations, resolutions, and ordinances; and

**WHEREAS**, all applicable State and local laws, regulations, resolutions, and ordinances including, but not limited to, those concerning food safety, litter, noise, solid waste, traffic, and the protection of the public health and safety shall apply to the SOE and all activities related thereto.

**NOW THEREFORE BE IT RESOLVED** that the Hunterdon County Agricultural Development Board approves the application of Schaefer Farms for Special Occasion Events for the farm located at 1051 County Road 523 and 10 Woodschurch Road subject to any restrictions enumerated in N.J.S.A. 4:1C-32.17 and any State and local laws, regulations, resolutions, and ordinances.

**HUNTERDON COUNTY AGRICULTURAL DEVELOPMENT BOARD**

Attest:

  
\_\_\_\_\_  
David Bond, Chairman

  
\_\_\_\_\_  
Bob Hornby, Administrator

Adopted: September 14, 2023