

## HUNTERDON COUNTY PLANNING BOARD

### Minutes – October 5, 2023

**MEMBERS PRESENT:** Carol Hoffmann, Andy Borkin, Phil Greiner, Dana Desiderio, Gabrielle Bolarakis, Tom Mathews, Page Stiger

**ABSENT:** Commissioner Director Rich, Commissioner Deputy Director Jeff Kuhl, Commissioner Van Doren, Marc Saluk, Natalie Zaman

**STAFF PRESENT:** Bob Hornby, Katherine Fullerton, Sue Pena, Rebecca Deakin, Bill Millette, Frank Bell, Alec Solberg, Aaron Culton- County Counsel

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Planning Board Chair Carol Hoffmann read the Open Public Meetings Act notice and called the meeting to order at 8:21 A.M.

*"This meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided by prominently posting and maintaining so posted throughout the year in the Office of the County Clerk, Hall of Records, Main Street, Flemington, New Jersey, a public place reserved for such announcements, and by mailing on or before January 19<sup>th</sup>, 2023 to The Hunterdon Democrat, The Express Times, Courier News, The Trenton Times, Star Ledger, and TAPinto, newspapers designated by the Hunterdon County Planning Board to receive such notices. Notice has also been posted online in the Hunterdon County News."*

### **MINUTES OF THE SEPTEMBER 5, 2023 MEETING**

Motion to approve minutes Phil Greiner, Andy Borkin seconded, Dana Desiderio abstained. All in Favor.

### **COUNTY COMMISSIONER UPDATE:** Katherine Fullerton for Deputy Director Jeff Kuhl

Katherine reported that the Board of Elections new office will have their grand opening on October 17<sup>th</sup> from 4pm-9pm. The County applied for a grant to be included in the Pharmaceutical Tech hub. Explore Hunterdon is promoting many of the fall events for the 579 Trail. Commissioner Kuhl attended the Ag Board policy meeting and there was a lot of concern and objection about the Proposed Soil Standards and the retroactive nature of the policy.

### **STAFF UPDATES**

#### Farmland: Bob Hornby

There are 22 active preservation applications in 12 municipalities: 4 in the County Planning Incentive Grant Program, 4 in the Municipal Planning Incentive Grant Program, 12 in the State Direct Easement Program, and 2 in the Non-Profit program. Proposed Soil Protection Standards for Preserved Farms are out for public comment through October 6. Maps by Rowan University have been provided to all preserved farm owners to show potential impact. The larger of 12% or 4 acres is allowed per easement with a waiver of up to 15% or 6 acres and an additional 2% or 1 acre if the current disturbance is over the limit at the time of adoption. Exception areas are not included. The County Agriculture Development Board (CADB) provided written comment opposing the retroactive alteration of the deed of easement and oral comment at a public hearing held September 27. Oral public comment was overwhelmingly opposed to the current draft including a joint statement from 10 County CADB's. The State Agriculture Development Committee (SADC) acknowledged Hunterdon CADB's disappointment that the hearing was held virtually. The CADB will meet October 12 for further discussion of the proposed Soil Protection Standards. Special Occasion Events on Preserved Farms guidance documents have been prepared by the SADC and the CADB has posted the application form on its website. Preserved farms that can show a minimum of \$10,000 in agricultural income can host up to 26 non-agricultural events annually. The registration process is with the easement holder, enforcement is through the SADC. The CADB approved its first application at the September meeting. Board members were curious about the retroactive nature for the soil standards; Bob replied that in paragraph 7 & 14, one says the farm can be developed for agricultural purposes and the other says actions detrimental to soil conservation are prohibited. When the Garden State Growers decision went to the Supreme Court, the decision was that the landowner went beyond what was allowed in the easement. Part of the decision

questioned why there was no guidance as to what is too far. “We’ll know it when we see it” is not a suitable guide. One of the arguments from the farms is that the owners signed a contract by selling the easement and the soil standards are not included in that contract. “We signed an easement, what you want to do is not in our already signed easement. Vague or not, that’s what was signed, changing the terms is not what we agreed to”.

#### Open Space: Bill Millette

Bill reported that at the most recent POSAC meeting the Committee recommended approval of two more Open Space Acquisition grants, one to Raritan Headwaters Association and the other to New Jersey Conservation Foundation. The Raritan Headwaters Association application is for a 4-acre lot that will be used as improved access to Readington’s Cushetunk Nature Preserve. Currently the preserved is only accessed from a small driveway on Route 22.

New Jersey Conservation Foundation came in with an application for the purchase of 41 wooded acres in Raritan Township to add to the almost 3,000 acres of preservation activity within the Wickecheoke watershed. These applications will be forwarded to the Commissioners for approval. The hazard tree inventory has been completed by our contractor Gracie and Harrigan. They found, inventoried, and tagged approximately 9,000 high-risk trees that will need to be addressed. We have already started the removal process, but obviously it will take a while so we will be taking into account the severity of the hazard. Our next POSAC meeting is coming up on the 27<sup>th</sup> of November. There are no plans to replant the trees that are removed, at this point the County is just removing the high-risk trees.

#### GIS: Rebecca Deakin

Rebecca reported that no additional farms/businesses were added to the Hunterdon Harvest web mapping application in September; we still have 20 farm/business locations on the map. The sign management solution has been implemented; the field crew is using this new application and agree that it is a much easier workflow than what they were previously using. The majority of what we worked on in September was continuing to organize the source material that will be needed for the parcel update project. Other miscellaneous GIS tasks included determining the townships for medal recipients being recognized as part of the 2023 Veterans Recognition Medal Ceremony, creating maps for the Greenway Trail Plan presentation/interview, creating a map for the Prosecutor’s Office, and performing a final review of the Tree Inventory files for Parks. Contracting still needs to be worked out with Esri regarding the upgrade to ArcGIS Enterprise.

#### Planning Issues: Katherine Fullerton

Katherine reported that the Highlands Growth Management Plan subcommittee met on September 22<sup>nd</sup>. to do one last review of the draft plan. The only thing that was not reviewed were the pictures and the captions, we know that they have erroneous captions. Once the Plan is edited, we want to provide the Plan for public review and comment. We are also going to print a few to be accessible at the library reference desk.

We are moving forward with our DEP Breakfast Talk session which will be held virtually November 9<sup>th</sup> at 10:00am. This is geared for OEM professionals, not for the public. We are still in conversation with BPU and the electric grid presentation as well.

We had an interview with NJTPA a few weeks ago for the Greenway Trail Plan, hopefully we will hear about that soon as then we can apply for that grant. We submitted the fiscal year 2025 grant application that was due September 29<sup>th</sup>. We are working on the first quarter report for the NJTPA FY2024 STP grant. We have attended all NJTPA board meetings and subcommittee meetings. At last months’ Planning Board meeting, we had a request for a letter about the Rt. 31 improvement project to DOT. Since capital improvements go through NJTPA that letter would need to go to them. We need to bring our representative Commissioner Susan Soloway into this conversation. The Executive Committee will meet with Commissioner Soloway and discuss these concerns.

Katherine was attending a webinar about the State Redevelopment Plan, and it appears they are going to now move forward with this after 20 years. They would like to see this done by February 2024. Richard asked about the “cross acceptance plan”. Katherine replied that they want to do that component early in the process. There are 8 different webinars to attend in the next few weeks as preparation. Since we are in the middle of updating our Growth Management Plan to be in conformance with the Highlands Regional Master Plan, and all the municipalities within the Highlands have at least the Preservation Areas in conformance with Highlands, it may not be a heavy lift to complete cross acceptance.

Application reviews have been quiet in September. We had 2 site plan applications and 1 minor application and 3 returns. And a few follow-up applications have been coming through from a few years ago. There was

no mid-month DRC meeting. We have no DRC for today. We have 2 subdivisions pending for the October 19<sup>th</sup> meeting.

## **COMMITTEE REPORTS**

### **Executive Committee:**

Carol reported that the Executive Committee did not meet.

### **DRC Committee Report:**

Carol said that there was nothing for DRC review today. Katherine replied that an email will be sent for the October 19<sup>th</sup> meeting if volunteers are needed.

### **Transportation:** Tom Mathews

Tom reported that they continue to restore the historic covered bridge in Delaware. They have found out that there is more significant damage than expected so cost and time to repair has increased significantly. The bridge took a beating with the last few storms. We have also been taking down high-risk trees in the area approximately 3,000 have been tagged on top of the 9,000 that parks has already tagged for removal. We are about 50% done with our removal of these trees that encroach in the roadways that are considered a hazard. We are working on 651 Byrum Kingwood Road which has a lot of trees slated for removal. This is funded by our capital account which is paid for by the state. Andy asked if we are treating trees, Tom replied no as it is cost prohibited nor will it save the tree, it only potentially prolongs the life.

### **Old Business/New Business:**

Richard reported that the Route 29 Rockfall Design working group meeting was more of a DOT “show and tell” session with various designs that were not acceptable to the residents who are represented on the design team. The board reviewed the information provided from the NJDOT. Carol asked if Katherine had any follow-up on the review of the draft Growth Management Plan, Katherine said that she wanted to get it on the web for public comment and that there is the potential for a public hearing on December 7<sup>th</sup>.

### **Public Comment:**

Barbara Sachau commented that the NJDEP has put up for public comment a 350-page document about outdoor recreation. The majority of the opinions are coming from environmental groups. 91% public respondents are in favor of preserving nature. The second highest comment was having wildlife alive in our nature. We need to comment on this.

There was no further business to be brought before the Board. Richard Dodds made a motion to adjourn the Planning Board meeting, Commissioner Tom Matthews seconded. The meeting was adjourned at 9:20 AM.

**NEXT MEETING DATE:** Thursday November 2, 2023, at 8:15 AM

Susan Pena for Secretary, Phil Greiner