

Hunterdon County Agriculture Development Board Meeting

October 10, 2019 @ 8:00 pm

314 Route 12 County Complex
Building #1 | Assembly Room
Flemington, New Jersey

Members in Attendance:

Dave Bond
Robert Hoffman Jr.
Susan Blew
Ted Harwick
Dave Kyle
Gerry Lyness
John Perekhynys
Marc Phillips
Liz Schmid
John Van Nuys
Roger "Forest" Locandro
Kevin Milz
Megan Muehlbauer

CADB Staff Present:

Shana Taylor, Esq. County Counsel
Aaron Culton, Esq. County Counsel
Carrie Fellows, Director Planning/Land Use
Ken Bogen, Supervising Planner
Bob Hornby, CADB Administrator

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 11, 2019, to The Hunterdon Democrat, Star Ledger, The Trenton Times, The Courier News and The Express Times newspapers, and TAPinto 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. Gerry Lyness arrived @ 8:10 pm

Approval of Minutes

- Liz Schmid made a MOTION to approve minutes from September 12th meeting with minor changes, John Van Nuys SECONDED. All in favor. Gerry Lyness absent at this time.

Communications and Administrative Business:

- **CADB Staff update**
 - **Janssen/Peacefield** (Alexandria)– At SADC for final review
 - **Martin** (Delaware) – Survey is mostly complete, landowner suggested minor changes. SADC final approval conditioned on access to the Moore cemetery to the west. Working on agreement. Delaware Twp. Open Space will discuss on the 21st. Bob stated he may attend the

Delaware Twp. Committee meeting on the 28th. Because SADC was a conditional final, need to find a way to satisfy those requirements.

- **DuBrow** (Franklin) – They accepted the offer. Freeholders final approval on Sept. 12th. SADC December 6th agenda for final approval.
- **Onuschak** (Franklin) - Appraisal in process. Issue with purported access to the property. Stefanie Miller at SADC is helping Bob with deed research. Current access is off Cherryville Rd. Clarifying access from Tinnes Ct. and overall developability
- Three applications in the Harvest round. Will discuss later in the meeting.
- PIG applications are due December 16th.
- Bob asked Kevin Milz if there were any violations/monitoring issues. Kevin stated not at this time. Some new inspections going on, some mowing needs to be done.

SADC Comments:

- Susan Payne, SADC Executive Director –Presentation on Special Occasion Events on Preserved Farms, presentation is available at <https://www.nj.gov/agriculture/sadc/draftsoeworkgroupchartandoverviewslides2019.09.25.pdf>.
- Jeff Everett, SADC Deputy Executive Director – Presentation on Soil Protection Standards, presentation is available at <https://www.nj.gov/agriculture/sadc/soilprotectionpresentationcadb2019.pdf>
- Susan and Jeff stated they would like feedback from the board on these topics in the next few months.

Correspondence:

- None at this time

Chair Comments:

- None at this time

Old Business:

- **Hunterdon County Comprehensive Farmland Preservation Plan Update**
 - Pending grant status from SADC
- **Final Approval; Kappus Farm, 14 Kappus Rd., Alexandria Block 18 Lot 9.02**
 - 30.4 acres with a CMV of \$5,900.00/acre.
 - No exception areas, there is an existing cabin.
 - 2018 Harvest Round. CADB decided field restoration was needed before final approval. Kevin Milz stated they presented the Kappus' with the option of making non-farmable area an exception area. Since then they have leveled the non-farmable area, added soil and seeded. It is now a farmable property and was inspected September 12, 2019.
 - SADC contribution is \$117,040
 - Hunterdon County and Alexandria contribution is \$31,160 each for a total of \$179,360.00.
 - Final acreage dependent on the survey.

Chair Bond asked if there was a MOTION. Forest Locandro made a MOTION for Final Approval. Susan Blew SECONDED. Chairman Bond asked for a roll call vote.

David Bond, Chair			X			
Robert Hoffman, Jr., Vice Chair			X			
Susan Blew		X	X			
Marc Phillips			X			
John Pehinys			X			
Gerry Lyness			X			
John Van Nuys			X			
Dave Kyle			X			
Liz Schmid			X			
Ted Harwick			X			
Roger "Forest" Locandro	X		X			

ALL IN FAVOR, MOTION CARRIED

New Business:

- **2019 Harvest Round Application introduction** Bob presented slides, will not be discussed or voted on tonight. Asked for site visits on November 12th. All properties need work before they can proceed.
 - **Herrman**, Delaware Twp. Block 17 Lot 20, 54.3 acres, 1.5-acre non-severable exception.
 - **Saums**, Readington Twp. portion of Block 74 Lot 4, 54 acres, 4-acre non-severable exception.
 - **Hoyer**, West Amwell Twp. Block 32 Lot 1, 50 acres, 2.5 acre non-severable and 7.6-acre severable exception.

Right to Farm Matters:

- **SSAMP Hearing**
 - **Beneduce Vineyards, Alexandria Township Block 21 Lot 41.31**
 - To be adjourned until November 14, 2019

Public Comments:

- None

Adjournment:

- MOTION for adjournment made by John Van Nuys, Liz Schmid SECONDED.

ALL IN FAVOR, MOTION CARRIED. Meeting Adjourned at 9:30 PM

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

**RESOLUTION OF FINAL APPROVAL
Kappus 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 Municipal Planning Incentive Grant Program, N.J.S.A. 4:1C-43.1, and the regulations thereunder; and

WHEREAS, the Township of Alexandria submitted a Municipal Planning Incentive Grant (PIG) Application in the 2018 Harvest 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 property owned by William and Diane Kappus located at 14 Kappus Rd., Milford, NJ 08848; and designated as Block 18, Lot 9.02 in Alexandria Township, County of Hunterdon, State of New Jersey; and

WHEREAS, on January 24, 2019, the SADC certified the fair market value (CMV) of the development easement pursuant to N.J.A.C. 2:76-7.14 at \$5,900.00 per acre on the Kappus Farm in Alexandria Township Block 18, Lot 9.02 --with no future dwelling opportunity or exception area; resulting in approximately 30.4 net preserved acres; and

WHEREAS, on March 10, 2019, the landowner accepted the CMV of \$5,900.00 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 30.4 acres), 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 (\$3,850.00/acre; ~65% of est. total cost)	~\$117,040.00
Hunterdon County (\$1,025.00/acre; ~17% of est. total cost)	~\$31,160.00
Alexandria Township (\$1,025.00/acre; ~17% of est. total cost)	~\$31,160.00
Total	<u>~\$179,360.00</u>


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 property owned William and Diane Kappus located at 14 Kappus Rd., Milford, NJ 08848; and designated as Block 18, Lot 9.02 in Alexandria Township, County of Hunterdon, State of New Jersey, and on approximately 30.4 acres pursuant to the Municipal Planning Incentive Grant application subject to the following:

1. The conveyance of a development easement which shall provide for the following:
 - a. Exceptions: No exception area;
 - b. Dwellings: No future or existing dwellings;
 - c. Agricultural Labor Housing Units: Zero existing
 - d. Preexisting Non-Agricultural Uses: Hunting cabin
 - 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 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; and
4. The County's contribution is based on the assumption that the Township paid an amount of consideration for the Development Easement based upon an amount equal to, or greater than, the SADC certified fair market value per acre of the Development Easement. The County's contribution shall be reduced in accordance with County policy if that was not the case.

WHEREAS, the CADB shall forward this Resolution of Final Approval to the Hunterdon County Freeholder Board recommending that the Freeholder Board provide final authorization for the proposed acquisition of a development easement on the property owned by William and Diane Kappus located at 14 Kappus Rd., Milford, NJ 08848; and designated as Block 18, Lot 9.02 in Alexandria Township, County of Hunterdon, State of New Jersey, and in an amount of approximately \$31,160.00. The County's contribution shall be paid in full at closing.

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

Adopted October 10, 2019



Dave Bond, CADB Chair