

**Hunterdon County Agriculture Development Board Meeting**  
**Rt 12 County Complex Building 1 Assembly Room**  
**December 9, 2021 @ 8:00 pm**

**Members in Attendance:**

Dave Bond-Chair  
Bob Hoffman-Vice Chair  
Christian Bench  
Susan Blew  
Forest Locandro  
Gerry Lyness  
John Perehynys  
Liz Schmid (*Via Phone*)

**CADB Staff Present:**

Shana Taylor, Esq. County Counsel  
Aaron Culton, Esq., Asst County Counsel  
Bob Hornby, CADB Administrator (*Via Phone*)  
Carrie Fellows, Director, Planning  
Katherine Fullerton, Supervising Planner  
Megan Muehlbauer (NJAES)

*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: Ted Harwick, Dave Kyle & Marc Phillips.

**Approval of Minutes:**

- **Minutes of the November 10<sup>th</sup> CADB Meeting** – Liz Schmid made a MOTION to approve, Susan Blew SECONDED. All in favor by Voice Vote. Forest Locandro ABSTAINED.

**Communications and Administrative Business:**

- **CADB Staff Update** – Bob wanted to thank Gerry Lyness and Ted Harwick for their time on the CADB board. Gerry has been a board member since 2010 and Ted since 2014. Their last meeting is tonight.
  - **Barnes Farm** (Kingwood Twp.) – Going to look at later in the meeting under “New Business”.
  - **Hotz Farm** (Kingwood Twp.) – 8-year Term program enrolled 2004, renewed 2013, this is the third renewal. It will be another 8 years in the Term program.
  - **Beam Farm** (Bethlehem Twp.) – Asked for a second 30-day extension, will be up on December 12<sup>th</sup> to consider the offer.
  - **Onuschak Farm** (Franklin Twp.) – SADC legal review almost done. Working with the landowner on a mortgage issue.
  - **Magnolia Creek Farm** (Franklin Twp.) – Survey in process by Bohren & Bohren. There is a delay on the Title, hopefully they can start some of the groundwork before it gets into winter.
  - **Grochowicz Farm** (Hampton, Glen Gardner, Bethlehem) – Closed on November 30<sup>th</sup>. Bob wants to thank County Counsel for all their hard work. It has been a long process.
  - **Rolph Farm** (Holland Twp.) – Working with the landowner, hoping to close soon.

- **Saums Farm** (Readington Twp.) – Issues with the Township delaying closing.
- **Weppler Farm** (Clinton Twp.) – Two easements side by side, preserved and paid for via the Direct Easement program. Closed on November 15<sup>th</sup>.
- **Staff Activity**
  - Bob has been working to get some new applications in. Have been working with Hunterdon Land Trust on continued Federal funding. Under the new Farm Bill there is new paperwork to get Federal Funding.
- **Annual Planning Incentive Grant Application**
  - It is due to SADC by December 15<sup>th</sup> for the FY 2023 Funding Round. A copy is in the packets. Bob stated he updated the enclosure with the Grochowicz closing and the Hotz Farm Term closing. Bob asked for a MOTION to approve the Planning Incentive Grant Application, Liz Schmid made a MOTION to approve, Forest Locandro SECONDED. All in favor by Voice Vote. MOTION Carried.
- **Farmland Preservation Plan Update**
  - Received two bids; Carrie Fellows (Planning Director), Kate Fullerton (Supervising Planner), and Bob reviewed the bids on a scoring matrix. Bob also discussed it with the Sub-committee, (Liz Schmid and Dave Kyle), independently they all came up with the same preferred contractor. The contract is with Purchasing now and will make a recommendation to the County Commissioners for approval, hope to get it done within a year. There are Grant opportunities with SADC that will pay half, also applying for that grant.
- **Monitoring Update**
  - Kevin Milz was not present. He stated earlier in the day that he inspected another 20 farms. By his count he has done 104 of 309. The SADC monitoring year goes from July – June.
- **Communications**
  - There has been some back and forth with the Serrani Right To Farm (RTF) participants, no hearing scheduled yet.
  - Three new RTF complaints arrived; mediation is being encouraged. The complaints are in East Amwell, West Amwell, and Readington Townships.
- **CADB Reorganization Meeting: January 13, 2022** – Bob Hoffman made a MOTION to approve the Reorganization meeting on January 13, 2022, Liz Schmid SECONDED. All in favor by Voice Vote. MOTION Carried.

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

*Dave Clapp spoke on behalf of SADC*

- The next SADC meeting is January 27, 2022. The goal for Soil Protection Standards is to have a draft ready for the Committee at that time. 2 new staff members Gregory Keller, an Attorney and a former member of the Morris County Ag Board and Tom Allen, a Planner.

**Chair Comments:**

- **None at this time.**

**Old Business:**

- **Supplemental Resolution 2021-10 – Beneduce Vineyards (Alexandria Twp. Block 21 Lot 41.31)**
  - County Counsel Aaron Culton stated that after Resolution 2021-09 was passed Alexandria Township Counsel said that upon further review there was an exhibit introduced during the hearings by the Township Planner that was excluded from the Resolution. Resolution 2021-10 is a supplement to 2021-09, not changing the outcome in any way, just amending it to correct the record to reflect Exhibit T3 as presented by the Township’s Planner. This does not alter or augment the findings and does not extend the time to appeal. Mr. Culton asked for a MOTION to approve the Supplemental Resolution 2021-10 to include Township Exhibit T3. Bob Hoffman made a MOTION to approve, Liz Schmid SECONDED. Chairman Bond called 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>			
Dave Kyle						<i>X</i>
Liz Schmid			<i>X</i>			
Ted Harwick						<i>X</i>
Gerry Lyness			<i>X</i>			
Christian Bench			<i>X</i>			
Forest Locandro			<i>X</i>			

**8 IN FAVOR, 3 ABSENT**

**New Business:**

- **Preliminary Approval; Barns Farm, Kingwood Twp. Block 6 Lot 23.02**
  - The farm is located on State Route 12, it is a flag lot with a long driveway. It was previously approved in the 2018 Harvest round as a “Stem” application. Family sold the farm before it got into the appraisal stage. The new owner has re-applied. It is 23.9 acres, 100% prime and statewide soils, 86% tillable, there is a steep slope in the north corner that is not farmed. It is surrounded on 3 sides by the Dalrymple and Kocsis preserved farms. There is a 2-acre exception for the existing house and barn. Driveway is not included in the exception area as it would add 2 acres. Confirmed with Kingwood Township Zoning officer, an additional 2 houses are possible. Owners are currently rehabbing the existing barn; they have a horse farm in Florida and want to bring 11 horses up to

this farm in the spring. Plan to apply for a federal grant to offset 100% of the county cost, except for the cost of appraisal, title, and survey. Bob entertained questions from the Board. After much discussion the Board decided to table this approval until after site visit. Christian Bench volunteered.

- **Selection of the Nominating Committee for 2022 Chair and Vice Chair.**
  - Chairman Bond appointed Forest Locandro, Christian Bench, & Susan Blew to the Nominating Committee for 2022.

**Right To Farm Matters:**

- **None at this Time**

**Public Comment:**

- **Judy Grignon & Linda Kopunek:** Farm has been in the family for 100 yrs. Family member wants to buy the farm. Attorney says according to Section 15 of Farmland Preservation Agreement, SADC needs to be notified 60 days prior to closing, looking for some direction from the Board. SADC representative Dave Clapp offered to forward the question to SADC Counsel.
- **Daniel Herr (Clinton Township):** Update on the ongoing problem with his neighbors encroaching and trespassing on his preserved family farm and of the difficulty trying to resolve the situation.

**Adjournment:**

- MOTION to Adjourn made by Bob Hoffman, John Perekhyns 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

# RESOLUTION #2021-10

## Supplementing RESOLUTION #2021-09

**RE: Hunterdon County Agriculture Development Board  
Beneduce Vineyards  
Block 21, Lot 41.31, Township of Alexandria, County of Hunterdon**

### **WHEREAS:**

On November 10, 2021, the Hunterdon County Agriculture Development Board (“CADB”) adopted Resolution #2021-09 which memorialized the decision reached after the hearing by the Board on the Site Specific Agricultural Management Practice Application made by Beneduce Vineyards, LLC, (“Beneduce”).

Subsequent to the adoption of Resolution #2021-09, counsel for Alexandria Township (“Township”), identified Exhibits which were introduced by the Township during the course of the hearing and remain a part of the permanent record, but were not listed on Resolution #2021-09.

The parties have agreed to supplement Resolution #2021-09 to amend the Township List of Exhibits at the request of the Township, with the understanding that a supplemental resolution shall *not* alter or extend the period to appeal Resolution #2021-09, which was adopted on November 10, 2021, to the State Agriculture Development Committee pursuant to N.J.S.A. 2:76-2.3(m).

NOW, THEREFORE, BE IT RESOLVED that the Hunterdon County Agriculture Development Board, supplements Resolution #2021-09 as follows:

(1) The List of Township Exhibits identified in the Resolution, which were made a part of the record and considered by the Board the during the course of the hearing prior to rendering the final decision, is amended to reflect the following:

### **Township Exhibits:**

Exhibit T1: Private Events advertised on the Beneduce website

Exhibit T2: Memo from Van Cleef dated March 10, 2020

Exhibit T3: Powerpoint Presentation (Outline of Planner’s Testimony in the matter of Beneduce Vineyards) prepared by David Banisch

Exhibit T4: Memo from David Banisch dated April 5, 2020

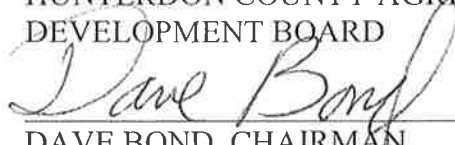
\*Other Township submissions referenced in the record and considered by the Board but not marked into evidence as Exhibits include:

- Property Deed
- Township Engineer’s Report dated February 25, 2020

(2) The balance of Resolution #2021-09 including, but not limited to the Exhibits, Summary of Testimony, Findings of Fact, Terms and Conditions and Final Determination of the Board on the Site Specific Agricultural Management Practice Application made by Beneduce Vineyards, LLC shall remain in full force and effect, except as modified by this supplemental Resolution.

(3) The time to appeal Resolution #2021-09 to the State Agriculture Development Committee pursuant to N.J.S.A. 2:76-2.3(m) is not altered or extended by this supplemental Resolution.

HUNTERDON COUNTY AGRICULTURE  
DEVELOPMENT BOARD

  
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DAVE BOND, CHAIRMAN

Dated: December 9, 2021