

## **Open Space Advisory Committee – March 10, 2009**

### **Call to Order**

The meeting was called to order at 7:36 p.m.

### **Attendance**

Present: Andreoli, Cronce, Hess, Kowalski, Pfeiffer, Sommers-Sayre

Late Arrival: Corboy (Twp. Committee Liaison) (arrived at 7:55 p.m.)

Absent: Baran

### **Opportunity for Public Comment**

No members of the public were present.

### **Approval of written record for 10Feb2009 meeting**

(Andreoli – ineligible)

Deferred to next meeting.

### **Future Open Space Planning – Discussion**

Municipal Property Discussion – Hess and Pfeiffer spoke to Catherine Drake at NJ DEP Green Acres regarding whether the back thirty acres of the municipal property which is on the Recreation and Open Space Inventory (ROSI) would be eligible for Green Acres funding. Catherine Drake subsequently informed us that it would not be eligible for funding since it is already on the ROSI. This portion of the property is on the ROSI due to an error made by the former Open Space Committee a number of years ago. Unfortunately, this mistake resulted in the Township giving up something for nothing and, based on recent appraisals, it was approximated this mistake may have potentially cost the Township \$100,000. Farmland preservation might be an option to consider if the Township wants to preserve other portions of the property. However, the SADC adopted rules in 2007 indicating that municipally owned properties would be ineligible if an application was not filed within three years of acquiring the property. We would need to check when this counter started, i.e. was it when the rules were adopted, in which case we're still within the three year window, or when the property was acquired, in which case the timer expired years ago.

County Funding Situation – The County Freeholders are now saying that they will try to find sufficient county funding to match available SADC grant funding for farmland preservation programs. As a result, the County will not be funding any open space projects this year. The south side of Toll, Gulick III, Nunn, and Hanover Shoe Farm made the County's preliminary cut. The County then required that, in order to be considered for funding, signed option agreements be submitted by March 6 for all farms, regardless of program, which is a new requirement for the municipal FIG. In the case of the Toll farm, we already have a contract with the landowner which Hunterdon Land Trust Alliance submitted to

the County. The Nunns have returned the option agreement, and the Township and Hunterdon County already have a five year option on Gulick III. However, Hanover Shoe Farm has not returned their option agreement and sent a letter indicating they could not adopt the appropriate corporate resolutions in time. One of the partners was out of the country and they have concerns over the County's option agreement language.

Municipal Farmland Preservation PIG Application (2009/2010 funding round) – Revised draft of Farmland Preservation Master Plan element was distributed. The revised draft plan has been submitted to the SADC.

### **Easement Monitoring**

Letter from DEP Green Acres re: Easement Monitoring – Nothing new to report.

Update on easement monitoring activities – Nothing new to report.

Update on complaint about alleged easement violations in Calton – Nothing new to report.

Easement Markers for New Development – Nothing new to report.

### **Miscellaneous Project Updates**

County Parkland Discussion – We are still waiting for the specific recommendations of the Parks & Recreation Committee.

County Municipal Grant Application – It was noted we will likely use one of the two Gulick farms for the application this year.

Open Space Newsletter Status Update – Question was raised whether there would be a budget for a newsletter this year, given the Township's fiscal situation. Consideration could be given to combining newsletters, seeking donations for a newsletter, or publishing it on the Web.

Open Space Map Updates – Hess has updated map to reflect recent Stiefel and Jolley closings. Green Acres has confirmed that the survey for Jolley differed from the tax map and will be submitting a copy of the survey to the Township so the tax map can be corrected.

Fundraising Discussion – Nothing new to report.

### **Project Assignments**

No project assignments were made.

### **Farmland Preservation Project Update**

- Next Farmland Preservation status meeting at the Hunterdon County Planning Board is on March 18.

- Amwell Hunt, Block 8, Lots 20 & 36, 130.36 acres, Route 179/Rock-Lamb Rd.  
Toll Brothers South, also known as West Amwell Ltd. Under contract. Public hearing for acquisition and funding ordinances is scheduled for March 18. Toll has agreed to do some cleanup work on the property.
- Comly (Block 32, Lot 12.01 & Block 32, Lot 12) ~145 acres, Barry Road (Andreoli – Recuse due to his brother owning property within 200') SADC Direct Easement project. Contracts being reviewed by Comly.
- Fulper Heifer I & II (Block 20, Lots 2 & 2.01) ~88.55 ac., Rocktown-Lamb Rd  
Closed with the county on March 7, 2007. Soft cost reimbursements from county and state are still pending.
- Fulper Stoy I (Block 19, Lot 5) ~93 acres, Mt. Airy-Harbourton Road. Traditional PDR 2008 round application. Closed with Fulpers in 2005, and in 2006 Township applied to PDR 2008 program for reimbursement. County submitted closing package to SADC last month.
- Gulick I (Block 14, Lot 33.02) ~52 acres, Gulick Road  
Closed with Gulicks on September 19. County/State reimbursements are pending. County submitted closing package to SADC last month.
- Gulick II (Block 13, Lot 34) ~38 acres, Gulick Road  
Closed with Gulicks on September 19. County/State reimbursements are pending. County submitted closing package to SADC last month.
- Gulick III (Block 14, Lot 33.05) ~17 acres (TBD), Gulick Road  
Agricultural division of land from Gulick I. As a condition of CADB approval for Gulick I, the Gulicks have signed an option agreement granting West Amwell Township and Hunterdon County a five year option agreement, expiring February 28, 2013, to purchase a development rights easement for CMV, which remains to be determined. Farm submitted as a targeted farm as part of municipal and county PIG applications. Since farm cannot be “active” in more than one program at a time, County staff has advised we should hold off processing a municipal PIG application for this farm until availability of funding in County PIG is determined.
- Hanover Shoe Farm (Block 19, Lot 3.01) ~68 acres, Rock Road West  
Liaison: Pfeiffer  
Farm submitted as a targeted farm as part of municipal and county PIG applications. Application being completed for municipal PIG.
- Holcombe II (Block 5, Lot 15) ~60 acres, Route 179  
Home Farm. Liaison: Pfeiffer.  
Township closed with Holcombes on easement on May 1 and closed with County on September 11. Soft cost reimbursement package submitted to county in September.
- Janyszeski/Kutz (Block 17, Lot 4) ~36 acres, Stymiest Road

Liaison: Pfeiffer

Traditional PDR 2008 round application. Farm is under contract. Funding ordinance for Township cost share was adopted on November 7, 2007. Closing anticipated in first half of 2009.

- Nunn (Block 8, Lot 29.01) ~30 acres, Mill Road  
Liaison: Pfeiffer  
Farm submitted as a targeted farm as part of municipal and county PIG applications. Application for municipal PIG being completed

### **Green Acres Project Update**

- Bowers (Block 28, Lot 26) ~21.5 acres, Goat Hill Road  
Potential conservation easement project, pending determination of funding availability.
- Kilmer (Block 8, Lots 14 & 15), ~80 acres, Route 179  
Conservation easement project. Green Acres has advised appraisal will need to be updated to reflect change in project map. Waiting for confirmation from Kilmers that this is how they want to proceed before ordering appraisal update.
- King (Block 13, Lot 65) ~14 acres, Mt. Airy-Harbourton Road.  
Potential conservation easement project, pending determination of funding availability.
- Kurtz Family Trust (Block 16, Lot 2) ~25 acres, near Stymiest Road  
Green Acres fee simple project. Under contract.
- Salata (Block 29, Lot 18.02) ~76 acres, Goat Hill Road  
Potential conservation easement project. Waiting to hear back from Mr. Salata regarding issues raised in conversations about possible preservation of the property.
- Stiefel (Block 23, Lot 25) ~60 acres, Linvale-Harbourton Road  
Conservation easement project. Closed with Stiefels on January 28. Reimbursement for land costs received. Reimbursement package for soft costs will be prepared and submitted once all invoices have been received.

### **Bill List**

The following bills were received from Sharon Dragan, Esq.:

- \$73.50 – Attend County Meeting – Billed to Reserve for Preliminary Expenses.
- \$29.40 – Kilmer – Billed to Reserve for Preliminary Expenses.
- \$720.30 – Toll (West Amwell Ltd.) – Billed to Reserve for Preliminary Expenses.

### **Correspondence**

Revised draft of Farmland Preservation Master Plan element was distributed earlier in the meeting.

### **Opportunity for Public Comment**

No members of the public were present.

**Closed Session (Purchase, Lease, or Acquisition of Real Property)**

Between 8:21 p.m. and 8:29 p.m. the Committee held a closed session to discuss the purchase, lease or acquisition of real property.

Motion to enter closed session was made by Hess with a second by Andreoli.

Motion carried on voice vote – all ayes. Closed session began at 8:21 p.m.

Motion to leave closed session was made by Cronic with a second by Kowalski.

Motion carried on voice vote – all ayes. Closed session concluded at 8:29 p.m.

There were no results of the closed session to report at this time.

**Adjournment**

Motion to adjourn was made by Hess with a second by Andreoli. Motion carried on voice vote – all ayes. Meeting adjourned at 8:29 p.m.

**Next Meeting**

Next Meeting: Tuesday, April 14, 2009, 7:30 p.m.