

## OPEN SPACE PRESERVATION BOARD MEETING

McDade Administration Building  
Planning Department (4<sup>th</sup> Floor)  
640 South Broad Street  
Trenton, New Jersey 08650-0068

March 5, 2019

### PRESENT:

Leslie R. Floyd  
Haig Kasabach, Chair  
Alan Hershey, Vice Chair  
Wendy Mager  
Tricia Fagan  
Jennifer Rogers  
Michael Shine

### ABSENT:

Frank D'Amico

### NON-VOTING:

Emily Blackman  
Lisa Fritzingler

### REPRESENTATION:

County Executive  
Assunpink Rep .  
Piedmont Rep.  
Millstone Rep.  
Cultural Rep.  
Park Commission Rep.  
Planning Board Rep.

Ag. Board Rep.

Secretary  
Assistant Planning Director

Chairman Kasabach called the March 5<sup>th</sup>, 2019 meeting of the Mercer County Open Space Preservation Board to order at 5:00 PM.

## I. STATEMENT OF ADEQUATE NOTICE

Ms. Blackman announced that pursuant to the Sunshine Law, notice of this meeting was mailed to the Trenton Times and the Trentonian, and was posted in the County Clerk's Office and the County Administration Building.

## II. APPROVAL OF MINUTES

Mr. Hershey made a motion to approve the October 2<sup>nd</sup>, 2018 minutes. Ms. Floyd seconded the motion. Mr. Shine abstained from the vote because he was not present and Ms. Mager abstained from the vote because she did not review the minutes. The minutes were unanimously approved.

## III. PUBLIC COMMENT

None

## IV. OLD BUSINESS

- A. Crosswicks Greenway – AT&T Property:** Ms. Blackman and Ms. Fritzingler reported that the AT&T property closed at the end of 2018. Mr. Hershey and Ms. Fritzingler discussed the County's plans for trail development along the Greenway. This property makes an important connection for future trails.

*10/2/18 Crosswicks Greenway Ms. Fritzingler reported that an agreement of sale for the AT&T property has been approved and technical work is in progress.*

*6/5/18 Crosswicks Greenway Ms. Fritzingler reported that the County is currently in contract negotiations with AT&T for the AT&T property that would add to the Crosswicks Greenway. Ms. Fritzingler then reviewed maps of the Crosswicks Greenway trail plan for the Board's information. Mr. D'Amico brought up the importance of farmers being able to hunt stream corridors on their properties for deer management. In the Crosswicks Greenway, most of the stream corridors have been subdivided from the farms to the north to provide land for the future trail. It would be ideal if the County could have a deer hunting program for these areas.*

*4/3/18 Crosswicks Greenway Ms. Blackman and Ms. Floyd reported that the County is in the process of buying a small property from AT&T that will add to the Crosswicks Greenway to improve potential trail connections. The Board expressed interest in re-visiting the maps of the Greenway and trail plan at the next meeting.*

**B. Rails-to-Trails, Hamilton/Robbinsville:** Ms. Floyd reported that the negotiations are continuing with Conrail.

*10/2/18 Rails to Trails Ms. Floyd reported that there has been progress with this project since the last meeting. The current negotiation is likely to be the most time consuming.*

*6/5/18 Rails to Trails Ms. Floyd reported that the negotiations with Conrail continue. We still expect a positive outcome and hope to have news to share at the next meeting.*

*4/3/18 Rails to Trails Ms. Blackman and Ms. Floyd reported that the negotiation with Conrail is ongoing. There are no updates that can be publically shared as yet, but there has been some positive progress.*

*10/10/17 Rails to Trails Ms. Fritzingler reported that the County is still negotiating about the acquisition cost. Conrail is in the process of contacting landowners adjacent to the corridor to see if any want to purchase land. Conrail does not want to donate too much of the value of the corridor because of the precedent it might set for its other corridors around the country.*

*8/8/2017 Rails to Trails Ms. Fritzingler reported that negotiations are continuing. The issue is on the price. The donation from Conrail is lower than we were lead to believe. We still expect to get the property well below appraised value. Even once we have an agreed price, the County would not enter into an agreement until the Environmental Assessment is completed.*

*6/6/2017 Rails to Trails Mrs. Fritzingler reported that negotiations are still ongoing with Conrail.*

*2/7/2017 Rails to Trails Ms. Fritzingler reported that Hamilton Township has passed a resolution in support of taking ownership of the Hamilton section. With both Townships in support of the project the county has meet with Conrail and has begun negotiations with the possibility of a significant donation. The County anticipates a response for Conrail in 6-8 weeks.*

*12/6/2016 Rails to Trails Ms. Floyd reported that she has reached out to Hamilton to follow up on the meeting that was held. She felt that Hamilton received the project favorably.*

*10/4/2016 Rails to Trails Ms. Fritzingler reported that a four page color Vision Plan has been created by Rails to Trails staff. It will be used for meeting with Hamilton Township. Informal discussions with Township staff about the projects, indicates that a meeting with the Mayor will be possible. If the Mayor is supportive we will continue negotiations with Conrail.*

*8/2/2016 Rails to Trails Ms. Fritzingler reported that the project is moving along nicely. The County had a meeting last week with Rails to Trails people and D&R Greenway. Appraisals have been completed and have been giving to Conrail. Conrail requests that the County make an offer on the amount Conrail will contribute. The County is working on putting together information on the project to provide Hamilton due to the importance of having Hamilton on board with this project. Ms. Fritzingler notified the board that the parcel of land the County is purchasing is owned by Conrail.*

(Mr. Shine arrived 5:05 pm)

**C. Dam Site 21 Park Development:** Ms. Floyd and Ms. Fritzingler introduced the Board to this project – the County is undertaking a planning process with a consultant to determine the future development of the ~275 acre park. Currently, the County is hosting meetings with a steering committee made up of local stakeholders, as well as multiple public meetings to get input from the community about what they want to see at the park.

**D. County Stewardship Projects:** Ms. Blackman and Ms. Rogers updated the Board about County stewardship projects. The County has developed a new logo to raise awareness about the County’s stewardship work and the importance of the Open Space Trust Fund that funds the projects. The logo will be used on interpretive signs about habitat restoration projects. One new project for this year is stream corridor reforestation plantings along Moores Creek and the Stony Brook, funded by Roots for Rivers grants from The Nature Conservancy, Sustainable Jersey and the Watershed Institute. The County is partnering with the Sourland Conservancy,

who was one of the grant recipients and is helping to manage the Moores Creek project. Both sites have significant erosion along the stream banks because of a lack of tree and shrub roots holding the soil. This project will provide a 150 – 200 foot buffer of native shrubs and trees in both locations. The plantings will be done with staff and many volunteers from the community.

## V. NEW BUSINESS

### A. 2019 Reorganization

- a. **Election of Officers (Chair, Vice Chair, Secretary, Board Attorneys):** Ms. Mager made a motion to reelect the current officers, with Mr. Kasabach as Chair, Mr. Hershey as Vice Chair, Ms. Blackman as Secretary and Ms. Bacso as Board Attorney. Mr. Shine seconded the motion. The reelections were unanimously approved.
- b. **Adoption of 2019 Schedule:** Mr. Shine made a motion to adopt the 2019 schedule. Ms. Rogers seconded the motion. The 2019 schedule was unanimously approved.

### B. 2019 Open Space Tax and Grant Program Review

- a. **Recommendation for County Executive & Freeholder Resolution for 2019 Open Space Trust Fund Tax Levy**
  - i. **Current- \$0.025 per \$100 equalized assessed value:** Ms. Blackman reported that the staff recommendation is to keep the tax levy at \$0.025 per \$100 for the 2019 County Fiscal Year. The referendum authorizes the County to collect up to \$0.03 per \$100. Mr. Hershey made a motion to approve the \$0.025 tax levy. Ms. Fagan seconded the motion. The \$0.025 per \$100 of equalized assessed value Open Space Trust Fund 2019 tax levy was unanimously approved.
- b. **Review of Grant Program Policy**
  - i. **Current- 40% of appraised value or Certified Market Value (CMV) up to \$1.6 million per project; 50% for urban projects:** Ms. Blackman reported that the staff recommendation is to continue with the current policy for 2019. The Board discussed the policy and whether the grant percentage or project cap should be increased given the fact the Green Acres funding has decreased relative to previous years. The Board asked whether the County has received any comments about projects that were unable to move forward due to the County's percentage or cap. Ms. Floyd and Ms. Blackman reported that they have not received any comments. Mr. Shine made a motion to continue the current grant policy for 2019. Mr. Hershey seconded the motion. Continuing the current policy for 2019 was unanimously approved.

### C. Grant Applications

- a. **Koch Property, Hopewell – D&R Greenway Land Trust application**  
3 acres (open space fee), 111 Stony Brook Road, Block 5, Lot 29  
Grant Request: 40% CMV (~\$100,000)  
Status: Approved

Ms. Blackman presented the Koch property application for the Board's consideration. D&R Greenway Land Trust (D&RG) applied for 40% of the Certified Fair Market Value (CMV) (~\$100,000) to preserve the 3 acre Koch property at 111 Stony Brook Road in Hopewell Township (Block 5, Lot 29) in fee. D&RG has one \$250,000 appraisal and is waiting on the CMV from Green Acres. This property is adjacent to the Cedar Ridge Preserve and the property will be added to the Preserve. It includes a tributary of the Stony Brook and contains forested wetlands. This is a situation where the house burned down and the owners are selling rather than rebuilding. The remaining structures are being demolished prior to preservation. Ms. Rogers noted that this is one of the locations where many amphibians cross the road to breed in vernal pools in the spring. It will be included in the Park Commission's annual volunteer "crossing guard" program to help the amphibians cross this spring. Ms. Mager made a motion to approve the application for 40% of CMV. Mr. Shine seconded the motion. The application was unanimously approved.

(Ms. Rogers left 6:00 pm)

**b. Spring Garden Country Club (Miry Run Golf Course) Property, Robbinsville – Robbinsville Township application**

158.5 acres (open space fee), 106 Sharon Road

Block 28, Lots 7, 8, 9, 11, 12, 13, 14, 16, 51 & 53

Grant Request: 40% CMV or appraised value (~\$536,000)

Status: Approved

Ms. Blackman presented the Spring Garden Country Club property application for the Board's consideration.

Robbinsville Township applied for 40% of CMV or appraised value (~\$536,000) to preserve the 158.5 acre Spring Garden Country Club property at 106 Sharon Road in Robbinsville Township (Block 28, Lots 7, 8, 9, 11, 12, 13, 14, 16, 51 & 53) in fee. The Township has obtained an appraisal for \$1,340,000. They are currently in negotiations and hoping to reach an agreement with the owners. The Township is planning to use condemnation if they cannot reach an agreement. The owner is disputing the market value. If they reach an agreement with the owner, they will get a second appraisal and a Green Acres CMV. If they use condemnation, the County's grant would be based on the one appraisal. This is a golf course that has been abandoned for 5 years and is currently overgrown. It is adjacent to other Township preserved land, has a small amount of wetlands and a tributary of the Miry Run stream. The town plans to turn the former golf cart paths into walking/biking trails and have both passive and active recreational uses on the property. The property is close to the Robbinsville Town Center and adjacent to the airport. The preservation of this property is called for in the town's master plan. If the structures are in good enough shape, they will be used to support the open space uses of the property. If not, they will be demolished. Finally, the town is planning to also use the County's Mercer at Play grant funds on this property. If all goes as planned, they will build an indoor basketball court where the old tennis courts are. It will be an exception area from Green Acres restrictions because Green Acres does not allow indoor recreation under their rules. Mr. Hershey made a motion to approve the application for 40% of CMV or appraised value. Mr. Shine seconded the motion. The application was unanimously approved. Ms. Floyd will seek County administrative approval for this grant if the Township uses condemnation.

**VI. CORRESPONDENCE:** None

**VII. CLOSED SESSION** (if necessary): None

**VIII. ADJOURNMENT**

The meeting was unanimously adjourned at 6:15 pm.

Respectfully Submitted,

Emily Blackman, Secretary