

**OPEN SPACE PRESERVATION BOARD MEETING**

McDade Administration Building  
640 South Broad Street  
Trenton, New Jersey 08650-0068

February 7, 2017

**PRESENT:**

Leslie R. Floyd  
Alan Hershey, Vice Chair  
Michael Shine  
Trish Fagan  
Haig Kasabach  
Gary Mount  
Wendy Mager

**REPRESENTATION:**

County Executive  
Piedmont Rep.  
Planning Board  
Cultural Heritage  
Assunpink Rep.  
Ag. Board Rep.  
Millstone Rep.

**NON-VOTING:**

Lisa Fritzingler

Acting Secretary

Chairman Kasabach called the meeting of the Mercer County Open Space Preservation Board to order at 5:00 PM

**STATEMENT OF ADEQUATE NOTICE**

Ms. Fritzingler 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.

**APPROVAL OF MINUTES**

Mr. Shine made a motion to approve the minutes of the December 6, 2016 meeting with the correction of 2 spelling typos. Mr. Hershey seconded the motion. The minutes were unanimously approved with Ms. Mager and Ms. Fagan abstaining.

**PUBLIC COMMENT**

None

**REORGANIZATION**

## **Election of Officers**

Nominations for the election of officers were opened. Mr. Hershey made a motion for the existing slate to continue in 2017. Mr. Mount seconded the motion. The following slate was unanimously approved.

Haig Kasabach – Chair  
Alan Hershey – Vice Chair  
Lisa Fritzingler – Secretary  
Susan Bacso- Attorney

## **OLD BUSINESS**

### **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.*

### **4/5/2016 Rails to Trails**

*Ms. Fritzingler reported that the County is waiting for appraisals to be completed. She reiterated that these appraisals are very complicated due to the multiple parcels along the 50 acre linear area. Currently the County has received one appraisal and is waiting for Martin Appraisal Associates appraisal.*

*The first appraisal is approximately \$7 million which is high enough that if the seconded appraisal comes in around the same price or higher than there may be the potential for Conrail to come in with a land donation. However, we don't know if it will be certified as high as or higher than the first appraisal*

*which is approximately \$7 million. The appraisal really depends on the zone each property is located in. The County does not know if \$7 million is high or low and won't be able to make that determination until we receive the second appraisal.*

*Members of the board asked if there has been anything new regarding the Powell property in Princeton. Ms. Fritzinger reported that the County has an agreement with the sellers and that she hopes to bring it to the freeholders at some point soon. The County also has a management agreement in place with D&R Greenway.*

*Ms. Fritzinger informed the board that there is nothing to report in regards to the Peters property.*

*Mr. Shine asked if the County has heard anything new on PennEast? Ms. Floyd reported that she has no new information except what she reads in the paper.*

### ***2/2/2016 Rails to trails***

*Ms. Fritzinger reported that the County and D&R Greenway are working in partnership with Townships. The County will preserve the corridor and the Townships will build and maintain rails to trail line. Mr. Hershey asked if the County would retain ownership. Ms. Fritzinger reiterated that no, the two Townships would. Appraisers are under contract, the County is waiting to see what they come up with, and if the price is really high we may get a donation. This is not an easy appraisal due to the multiple parcels along the line. The County hopes to have the appraisals within the next month. The land is owned in fee by Conrail.*

*There is a proposal for the trail to extend to Robbinsville. The rails are all exposed and would make a nice five mile corridor.*

*We are looking at purchasing just the stream corridor however, buying the entire property in the future may be desirable, although it has an older house that may have historic significance. The suitability of the existing bridge is something the County is concerned about.*

### ***2/7/2017 Powell Property***

*Ms. Fritzinger reported that lot 11 is still undergoing the cleanup of the dump site.*

### ***12/6/2016 Powell Property, Princeton***

*Mrs. Fritzinger reported that lot 8 of the property has been acquired. Lot 11 still needs to be acquired after the household dump site has been resolved. The wetlands permit for that work has been submitted to DEP.*

### ***10/4/2016 Powell Property, Princeton***

*Ms. Fritzinger reported that a closing on lot 8 is anticipated by the end of the month. The county will own the property and the D&R Greenway will manage it. It is anticipated that Princeton will eventually own and manage this property along with Herrontown Woods.*

### ***8/2/2016 Powell Property, Princeton***

*Ms. Fritzinger reported that the project has been approved by the Freeholders and that D&R Greenway is working on a survey and environmental work as part of the deal.*

**2/2/2016 POWELL PROPERTY, PRINCETON**

*Ms. Fritzing reported that the property is adjacent to Herronton Woods. The County is working with D&R Greenway on this project. The agreement currently on the table is for the County to buy Lots 8 and 11, Lot 9 has a house that the property owners will sell separately. County will purchase the property and will provide a grant to D&R Greenway. D&R Greenway will manage the property and Mercer County will own it eventually hoping to transfer ownership to Princeton.*

*The only issue is the County will have to buy lot 8 first then lot 11, which has some environmental issues. However, the environmental issues involve household dumping which, the consultant involved isn't worried about. Lot 11 is also considered wetlands which require getting a wetlands permit. The County will close on Lot 8 then move forward with Lot 11 after environmental issue is resolved. The County will conduct the environmental work on both properties while the property owners will cover cost of the work. If the owners do not clean up the issues the County can rescind the deal.*

**2/7/2017 Hughes Drive Property, Hamilton**

The home inspection has been completed and the county is waiting to receive the report. The report will help determine the best use of the house and provide information regarding terms of the sale.

**12/6/2016 Hughes Drive Property, Hamilton**

*Mrs. Fritzing reported that the Park Commission is evaluating the house and buildings to determine the future uses. A house inspection is also to be done.*

**10/4/2016 Hughes Drive Property, Hamilton**

*Ms. Fritzing reported that the agreements are still with the sellers for their execution. The sellers are working on the removal of UST and have indicated that once that is completed they will contact the County regarding the agreement. Ms. Floyd expressed that the County is very enthusiastic about acquiring this property.*

**8/2/2016 Hughes Drive Property, Hamilton**

*Ms. Fritzing described that the property is five acres and connects to Dam Site 21. Mr. Hughes came to the County five years ago and was interested in having the County purchase the property for preservation. The County had the property appraised and an offer was made. However, Mr. Hughes got ill and passed away and the acquisition was put on hold. Mr. Hughes two sons are now the owners of the property and want to honor their father's commitment to preserving the property. This parcel is in a good location because it will provide a way to get into the dam site. Ms. Floyd reported it will create a nice street entrance.*

*Ms. Fritzing reported that the County sent draft agreements to the brothers. An agreement was made between the two parties. The County is now waiting on the brothers to sign and return the agreements.*

*Mr. Shine asked if anyone has read the Environmental Impact Statement (EIS) on the PennEast pipeline. Ms. Floyd stated that she is having planning staff read the report to help formulate comments.*

*Mr. Hershey asked who represents FERC at meetings. Ms. Floyd said a panel of people mostly from Washington.*

### **Mercer County Assistance Program 2017 Funding Policy**

Ms. Floyd explained that there were many concerns from the nonprofit community in response to the policy cutback adopted at the December 6, 2016 meeting. The administration has established a compromised program. The program, as provided to the board and attached in these minutes, is to continue the current expanded funding until the August 2017 Open Space Board meeting. After the August meeting the funding will go down to 40% of CFMV. Urban projects as defined in the policy will continue to receive 50% funding. This funding will be revisited for 2018.

There is no grant cap, but the total grants cannot exceed 40% of the CFMV or the project cap of \$1,600,000. Also required is that there are funds of at least 10% provided from sources other than State and County grants. These can be direct local, and or nonprofit funds or donated funds. See complete policy attached.

The goal of the grant program is for the County to supplement funding for local preservation projects, not to be the primary funder. What the level of the State funds will be is a concern. More will be known in time.

Mr. Shine made a motion to approve the Mercer County Assistance Program 2017 Funding Policy. Mr. Hershey seconded the motion. The motion was unanimously approved.

### **NEW BUSINESS**

#### **Open space Tax Levy 2017**

The Board was presented a resolution to recommend to the County Administration a collection of (\$.025) two and a half cents per equalized assessed value for the open space preservation tax for the year 2017. Ms. Mager made motion to approve the resolution. Mr. Mount seconded the motion. The 2017 tax levy recommendation to the administration of two and a half cents was unanimously approved.

#### **Grant Application NJCF:**

##### **Property -Diocese of Trenton N. Crosswicks, Crosswicks Hamilton Square Rd., Hamilton**

Ms. Fritzing introduced Tim Brill from New Jersey Conservation Foundation (NJCF) who was in attendance and she presented the project to the Board. The NJCF has facilitated this preservation project. This application for North Crosswicks and the grant application for Hamilton, Doctors Creek are two grants for two properties but are part of one agreement with the Diocese of Trenton. This North Crosswicks property is 18.5 acres and is the site of the proposed cemetery property. The grant request is for \$209,875 for the North Crosswicks Friends of Open Space a 501c3 nonprofit land conservancy. The NCFOS will own and manage the property. The land will be available for low impact agricultural use with public access trails provided along the perimeter of the property. The \$209,875 represents 50% of the average of

the two independent appraisals. The average is expected to be the Green Acres Certified Fair Market Value which is yet to be certified by Green Acres.

**Grant Application Hamilton**

**Property- Diocese of Trenton Doctors Creek, Groveville-Allentown Rd., Hamilton**

Hamilton Township has requested a grant for the Doctors Creek property of \$16,500 which represents 50% of the appraised value. The doctors Creek property is 13 acres and will be owned and managed by the Township as part of the Doctors Creek Greenway.

Mr. Hershey made a motion for the Board to approve the grant to NCFOS in the amount of \$209,875 or up to 50% of the Green Acres CFMV, and the grant to Hamilton Township in the amount of \$16,500 or up to 50% of the CFMV. Mr. Shine seconded the motion. The motion was unanimously approved. Ms. Mager as a member of the NJCF Board abstained.

**Grant Application Hamilton**

**Lord Estates Property-275 Merrick Road, Hamilton**

Ms. Fritzing presented the application from Hamilton Township for a \$500,000 grant for the Lord Estate. The property is 62 acres on Merrick Road. It was noted by the Board that the property had structures on it and they were concerned as to whether they would be demolished. Also the application did not list any funds coming from Green Acre only coming directly from the Township. In response to these concerns it was noted to the Board that the property will be subject to Green Acres regulations as publicly owned open space and included in the township's Green Acres Recreational Open Space Inventory. Mr. Hershey made a motion for the Board to approve a grant of no more than \$500,000 per the grant limit or 50% of the CFMV should the certified appraisal be below \$1,000,000. Mr. Shine seconded the motion. The motion was unanimously approved.

**Grant Application Friends of Hopewell Valley Open Space and D&R Greenway Land Trust  
Property Mammaro, Hopewell Township**

Ms. Fritzing presented the application for the 50 acre Mammaro property located in Hopewell Township on New Road next to the Friends of Hopewell Valley Open Space's property known as the Eames preserve. The request is for a \$500,000 grant to the FOHVOS and a \$160,000 grant to the D&R Greenway. They are requesting the 10% bonus of \$60,000. The property value is shown as \$1,200,000 on the application. The request for the bonus was denied because the application did not have any exceptional qualities and because many other applications have come to the Board with similar funding structures.

Mr. Mount made a motion for the Board to approve 2 grants of up to \$600,000 total and no more than 50% of the CFMV to the FOHVOS and the D&R Greenway Land Trust Inc. Mr. Mount seconded the motion. The motion was unanimously approved.

**Grant Application Stony Brook Millstone Watershed Association:  
Property 144 Crusher Rd.(Brokaw) Hopewell**

Ms. Fritzinger presented the Stony Brook Millstone Watershed Association application for the 8.8 acres Brokaw property. The property is adjacent to the Hopewell Veterinary property that the Board approved for a grant and to the SBMWA 930 acre reserve. The CFMV is \$208,000 and the grant request is for of 50% grant of \$104,000.

Ms. Mager made a motion for the Board to approve the grant of \$104,000. Mr. Shine seconded the motion. The motion was unanimously approved.

**CORRESPONDENCE**

None

**CLOSED SESSION** (if necessary)

None

**ADJOURNMENT**

Mr. Shine made a motion to adjourn the meeting. Mr. Mager seconded the motion. The meeting was unanimously adjourned at 6:05pm.

Respectfully Submitted,

Lisa Fritzinger  
Secretary