

**Ocean County Natural Lands Trust Fund
Minutes of Advisory Committee Meeting
January 25, 2023**

Present: Alan Avery (Chair), David McKeon (Vice Chair), John Bacchione, Martin Flemming III, William Fox, Lisa Hodgson, & John Peterson

Absent: Greg Myhre, Terry O’Leary

Also Present at the meeting were: Laura Benson (County Counsel), Tom Thorsen (OCPD), Mark Villinger (OCPD), Dan Sindoni (OCPD), Nicole Leaf (OCPD), Geoffrey Lohmeyer (OCPR), Tara Paxton (Brick Township), and several members of the Public (Mary Waldron, Marsela Gittler, Ann Marie Molinelli, Teri, Ryan Gittler-Muniz, and Julie Gaffney)

In compliance with the Open Public Meetings Act, Mr. Avery called the meeting to order at 6:00 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
November 30, 2022

A **MOTION** was made by Mr. Bacchione and seconded by Mr. McKeon to approve the November 30, 2022 meeting minutes. Roll was called, Mr. Flemming, Mr. Fox, and Mr. Peterson abstained, remaining in favor, motioned carried.

4. **NLT Program Update:** 26,414.74 acres
Mr. Sindoni informed the Committee that the County closed on nine properties since the last meeting:

- #597 Victorian Development, Berkeley Twp. 10.43 acres
The property is adjacent to the Barnegat Branch Trail and the Township’s soccer fields.
 - #640 Mill Creek Headwaters – McLoughlin Living Trust, Berkeley Twp., 0.20 acres
 - #644 Mill Creek Headwaters – Stevens, Berkeley Twp., 0.20 acres
 - #647 Mill Creek Headwaters – Litell Living Trust, Berkeley Twp., 0.15 acres
 - #637 Mill Creek Headwaters – Geisert, Berkeley Twp., 0.26 acres
 - #645 Mill Creek Headwaters – Stockton, Berkeley Twp., 0.17 acres
- The properties are all within the Mill Creek Project Area adjacent to the NJ Pulverizing site. Staff recently completed a second outreach to property owners in the area and are starting to get responses.

#632 GLP – Chirichello, Berkeley Twp., 0.25 acres.

The property is located on Dorrance Drive in the County’s Good Luck Point project area. The County will be submitting the property to the DEP to determine eligibility for reimbursement from Coastal Blue Acres funding.

#435 GLP – Essington, Berkeley Twp., 0.25 acres

The property is also located in the Good Luck Point project area. The property contains the last of the open bay frontage in the area. The County recently contracted a bulkhead assessment project on the area. This acquisition will allow the County to now consider a living shoreline improvement project on the bay frontage. This property will also be submitted to the DEP to determine eligibility for Coastal Blue Acres funding. Mr. Villinger mentioned that the HMGP properties will now be 100% funded by FEMA.

#100 Ridgeway Campground, Manchester Twp., 20.01 acres

The property, the former Surf and Stream Campground is adjacent to several NLT properties that stretch the Toms River Corridor. As part of the closing, the former owner is completing the demolition of structures and the removal of all existing trailers, garbage, etc.

This brings our NLT total preserved acres to 26,414.74.

5. Brick Township

#680 Church of Visitation, 31.64 acres – Mr. Villinger informed the Committee that this parcel has been getting a lot of press due to proposed development. The site was walked years ago by Planning and Parks staff. The proposed development includes a 59-lot site plan by the contract buyer D.R. Horton.

Mr. Villinger introduced the Township Planner of Brick, Tara Paxton, to discuss the Church of Visitation nomination with the Committee. Mr. Villinger informed the Committee that the Township is looking to partner with the County on the purchase and retain 6 acres of the property adjacent to the neighboring school for the construction of a playground adjacent to the Osbornville Elementary School.

Ms. Paxton informed the Committee that the Township has looked at the cost of the acquisition per acre to determine their per-acre worth of the 6-acre portion in question. A portion of the 6-acre lot would be for the playground/”Tot lot” and parking lot, but would also serve as a remediation for poor circulation along Laurel Ave and Drum Point Road.

The Township would gain much needed traffic control with the construction of the new “Tot lot,” where parents could safely maneuver to drop off children for school, and help clear up traffic off of Drum Point Road, an evacuation route.

The property is also in a low moderate income neighborhood. Ms. Paxton told the Committee that the public has been very active in the process—with high attendance at 8 hearings to date. She noted that Save Barnegat Bay has been supportive of the preservation and objects to the development plan. They hired experts to evaluate the property and found

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that there is extreme value of the property as a forest, providing habitat for two threatened species per the DEP Landscape Project.

Mr. Villinger informed the Committee that the property is in a unique residential area similar to and in close proximity to the County's Drum Point Road acquisition which was purchased in partnership with the Township, and the County's first NLT purchase: the Brick Airport Tract. Mr. Villinger told the Committee that the property is to be discussed further in closed session.

Mr. Avery noted that the property would also be similar to the Gilbert property—a final green piece within a developed area. Mr. Villinger also noted that the Township has agreed to maintain the property as part of the partnership through a maintenance agreement, similar to the arrangement with the Gilbert Property.

Ms. Paxton expressed the Township's thanks to the Committee for their time and consideration of the property, as well as Mr. Villinger's support in initiating the acquisition.

Mr. McKeon said that he believes the property is a good acquisition. He mentioned following the media coverage over time and saw the interest die off, but was happy to see the property resurge with public interest.

Mr. Avery opened the floor for public comment on the Church of Visitation Property: Julie Gaffney spoke to the Committee, as a resident of Brenton Woods, her and others on the call have been pushing for preservation of the property for a long time. She told the Committee that the property is very much worth saving and adding 59 homes to the area would be horrible. The plans for the clearing of the area include clear cutting an acre a day, which would be very detrimental to the wildlife species of the area, both flora and fauna. She respectfully asks for the Committee to save this piece of property.

Mr. Avery informed the public to clarify that the Committee serves to make recommendations to the Board of Commissioners, who make the final decision on the preservation of the property.

Ryan Gittler-Muniz wanted to echo Julie's comments and reaffirm Tara Paxton statement regarding the abundance of public support for the preservation of the property. He encourages the group to advise the board to preserve the land.

Mr. Avery closed the public comment period.

Mr. Peterson reiterated to the Committee that Save Barnegat Bay has been very active in this property and would likely have attended the meeting if there had not been the Ciba Geigy meeting at the same time. Their own comments in support of preservation could be added to the record if need be. Mr. Avery notified that public that they could attend the Board of Commissioners meeting in the near future when they speak on the acquisition.

6. Old Business

Site Inspections: Mr. Sindoni informed the Committee that Staff visited #672 Lumley Tract Ext Property in Berkeley Township. The one-acre property is adjacent to the County's existing Lumley Tract property. Mr. Sindoni told the Committee that the photos taken during the site visit were corrupted, so they would be unable to share photos of the inspection and that the property owners are asking \$10,000.00 for the purchase of the property.

Mr. McKeon asked if the Lumley property was the parcel that has an outstanding issue with lot lines and property ownership, which staff confirmed. Mr. Avery asked if any appraisal work had been done on the property or nearby. County Counsel confirmed no appraisal work has been done. Mr. Villinger added that the assessed value of the property is \$2,000. Mr. Avery noted that to order an appraisal for the property will likely cost more than the property's value. Mr. McKeon asked whether the property owner owns any additional property in the area. Mr. Sindoni told Mr. McKeon that no additional properties are under the same ownership in the area. Mr. McKeon mentioned the possibility of a donation, but had limited enthusiasm for the property. Mr. Avery mentioned the possibility of a restricted value report. Counsel suggested getting new photos of the property so that the Committee may understand the current condition of the property. Mr. Avery asked for staff to investigate whether there could be additional lots under the same ownership in the area or to see if the owner may be interested in a donation.

Stafford Township Donations: Ms. Leaf informed the Committee that they had previously made the formal recommendation of the Santerian property, a private inholding in the Mallard Road area to be acquired by the Board of Commissioners. The property is to be forwarded to the Commissioners in the next few weeks. Adjacent to the property are two lots owned by the Township. Those lots are to be considered by the Township for donation to the County at the February meeting. Mr. Villinger clarified that the whole project area was actually brought to staff attention by the Township with the goal of preservation of the whole project area. Mr. Sindoni told the Committee that staff has also done outreach to all private inholdings in the area. Mr. Avery mentioned that the Township's goal in preservation is to assist with a serious, ongoing drainage issue. Mr. Villinger clarified that there are two Township lots and four private holdings currently under review. At this time, staff is looking for the Committee to make a decision on their support of the acceptance of the two Township lots for donation. A **MOTION** was made by Mr. Fox and seconded by Mr. Flemming to recommend acceptance of the donation of two lots from Stafford Township in the Mallard Road project area. Roll was called, all in favor, motion carried.

Mill Creek Trail – Berkeley Donation (Additional Lot) – Ms Leaf told the Committee that staff is looking for the Committee to review the amendment of a prior recommendation along the proposed Mill Creek Trail project area to include the donation of an additional lot owned by Berkeley Township. The project area is currently being surveyed and the engineering design services for the area are to be approved by the Commissioners at the upcoming board.

Mr. Villinger informed the Committee that they had already approved the properties, but an additional lot was not captured. It was previously thought to be owned by the sewer authority, but title search uncovered it was Township owned. The property is part of the old railroad alignment. The Township has agreed to donate the lot, and staff is looking for the Committee to accept the donation. Mr. Villinger added that this all supports the construction of the trail for which the County has received \$650,000 in grant funding from the NJDOT. Construction of the trail has to be awarded by February of next year per the grant. A **MOTION** was made by Mr. McKeon and seconded by Mr. Fox to amend the acceptance of the donation of parcels from Berkeley Township to include the new lot. Roll was called. Mr. Bacchione abstained, remaining in favor, motion carried.

7. New Business

New Nominations:

#677 Pelican Drive, Berkeley Township, 2.40 acres – Mr. Sindoni informed the Committee that the property is a vacant parcel located along Route 9. The back of the property abuts residential development. The two neighboring properties are commercial. The property is under the same ownership as the funeral home to the east. An appraisal report was provided by the Township for the property. The asking price is \$507,900. Mr. Avery asked whether staff had completed a site inspection yet, which they did not. Mr. Avery asked the zoning of the property and whether it was Commercial, which was confirmed. Mr. McKeon asked for Staff to complete a site inspection and bring back photos for the Committee. Mr. Flemming noted that a commercial piece on Route 9 is not of much interest. Mr. Avery agreed that the property does not seem to be a high priority. Mr. Villinger informed the Committee that the Township brought the property to the attention of staff, hence the presentation of the property to the Committee. Mr. Bacchione added that the Township would contribute 25%. The zoning is highway business. Mr. Avery asked for staff to complete the site inspection.

#177 Lifetime – Innocenzi Ext., Berkeley, 10.86 acres – Mr. Sindoni told the Committee that the property was an old nomination submitted by a new applicant. The prior owner recently passed away. The property is an inholding within the Lifetime Homes parcel. The asking price is \$500,000 or fair market value. Mr. Sindoni added that he spoke with the property owner regarding the asking price and the owner was unsure a reasonable asking price of the property. Mr. Sindoni told the owner that the prior value offered for the property was in the five-figure range and that it would not likely reach their asking price of \$500,000. The owner was receptive and willing to continue with the process. Staff has already requested an appraisal for the property. Mr. Avery noted the value would likely not be high given the limited access to the property. Mr. Villinger added that the property has been an ongoing application for a long time. Mr. Avery said that the Committee will wait for the return of the appraisal.

#681 Butler III, Berkeley, 2.80 acres – Mr. Sindoni told the Committee that the property owner reached out to staff to consider the property as they ran out of options for development of the parcel. The property is close to the Butler I and II parcels. The asking

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price is \$31,700 which is the assessed value. Mr. Villinger added that the property is surrounded by Township property. Mr. Sindoni mentioned that the property owner said the property was undevelopable, which reflects the assessed value. Mr. McKeon inquired about access to the property, which would be off a paper street. Mr. Villinger stated that staff rate the property as a low priority. Mr. Avery asked if the owner had been approached about donating the property. Mr. Sindoni advised that staff had not yet had that conversation with the owner. Mr. Avery advised staff to perform a site inspection.

#678 Lakeside Drive, Lacey, 0.25 acres – Mr. Sindoni informed the Committee that staff received this nomination from a property owner who was originally looking to develop the property, but had no luck. It is adjacent to a nearby marina and is 100% encumbered by wetlands according to NJDEP mapping. Mr. Sindoni told the Committee that staff ranks the nomination as a low priority. Asking price is \$10,000. Mr. Villinger advised forwarding to the Township. Mr. Avery agreed and noted that the property would be difficult to manage.

#679 Mallard Road – Rich, Stafford, 0.28 acres & #682 Mallard Road – Banaag, Stafford, 0.19 acres – Mr. Sindoni advised that both these properties are within the Mallard Road project area discussed earlier. The owner of #679 has yet to provide an asking price, but Staff is following up with the owner. #682 has an asking price of \$45,000. Staff recommends utilizing appraisal values from adjacent properties within the project area to determine offer values for the properties given the similar size and nature. Counsel noted that the Committee could discuss the prior appraisals and recommended offer values in closed session.

#685 Nugentown Site Ext., LEHT, 2.0 acres – Mr. Sindoni told the Committee that this property was the result of staff outreach. The property is vacant, has frontage on Giffordtown Lane, and is adjacent to the County's preserved Nugentown property. There is a powerline easement that runs through the property. The asking price is \$200,000. Staff has yet to perform a site inspection. Mr. Avery advised the staff to complete a site inspection and initiate an appraisal given the properties immediate connection to adjacent NLT property.

#686 TR Corridor – Spangle, Jackson Twp., 9.2 acres – Mr. Sindoni advised the Committee that this property was also the result of staff outreach. The property is adjacent to Jackson Memorial HS and Jackson's Little League Complex off of East Veterans HWY. The asking price is \$899,999. Mr. Flemming advised that there were encroachments from the neighboring Little League Complex that have been developing over time and the back portion of the property is wetlands. Mr. Sindoni added that there is a home on the property which would have to be demolished if the County were to acquire the property. The property is zoned for farming, but is mostly woodland management considered for assessment value. The Committee asked staff to complete a site inspection.

#687 Country Lane – Jones, Ocean Twp., 0.88 acres – Mr. Sindoni told the Committee that this property is located along Route 9 and is adjacent to another property that is currently

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under review and the Barnegat Branch Trail. There is no asking price on the nomination form. Mr. Sindoni advised he is trying to get in touch with the owner regarding the asking price, but has yet to reach them. Mr. McKeon asked whether staff performed a site inspection and added that the property would be a good buffer for the Trail. Mr. Villinger advised that this property actually came from the Engineering Department. The property owners reached out to the Engineering Department claiming that the construction of the trail has caused the property to have wetlands on the property. The Committee advised staff to complete a site inspection.

8. Public Comment

No additional comments were made by the public.

A **MOTION** was made by Mr. Fox and seconded by Mr. Flemming to move into Closed Session at 6:43 p.m. All in favor, motion carried.

A **MOTION** was made by Mr. Fox and seconded by Mr. Flemming to move back into Open Session at 7:42 p.m. All in favor, motion carried.

Mr. Avery stated that in closed session a number of nominations were discussed. There are six items that will have action taken:

#680 Church of Visitation, Brick Township. A **MOTION** was made by Mr. Fox and seconded by Mr. Bacchione to recommend to the Board of Commissioners in an amount not to exceed \$8,550,000.00. The Township will contribute \$1,710,000.00 in funding and the County will seek 50% of the remaining purchase price to be reimbursed with Green Acres funding. Roll was called, all in favor, motion carried.

#472 Country Lane – Kelleman, Ocean Township. A **MOTION** was made by Mr. McKeon and seconded by Mr. Fox to reaffirm the Committee's prior recommendation to the Board of Commissioners in an amount not to exceed \$155,000.00. Roll was called, all in favor, motion carried.

#683 Mill Creek Headwaters – Jablonski, Berkeley Township; and
#684 Mill Creek Headwaters – Forte, Berkeley Township. A **MOTION** was made by Mr. Flemming and seconded by Mr. Fox to recommend #683 and #684 to the Board of Commissioners in an amount not to exceed \$18,600.00 and \$21,600.00 respectively. Roll was called, all in favor, motion carried.

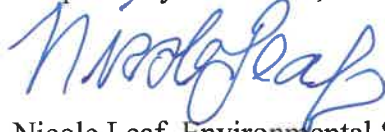
#228 Run Creek, Tuckerton Borough. A **MOTION** was made by Mr. Fox and seconded by Mr. Flemming to recommend to the Board of Commissioners in an amount not to exceed \$2,060,000.00. The Township will contribute funds to the closing in an amount that is to be determined. Roll was called, all in favor, motion carried.

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#667 Structural Management – Schoeneberg, Lacey Township. A **MOTION** was made by Mr. Fox and seconded by Mr. Flemming to recommend to the Board of Commissioners in an amount not to exceed \$175,000.00. Roll was called, all in favor, motion carried.

Adjournment: A **MOTION** was made by Mr. Fox and seconded by Mr. Bacchione to adjourn the meeting at 7:49 p.m. All in favor, motion carried.

Respectfully Submitted,



Nicole Leaf, Environmental Specialist