

APPENDIX



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

Green Acres Program
P.O. Box 412
Trenton, NJ 08625-0412
Tel. (609) 984-0500
Fax. (609) 984-0608

MEMORANDUM

TO: Robert J. Shaughnessy, Secretary
State House Commission

FROM: Judeth Piccinini Yeany, Chief *JPY*
Bureau of Legal Services and Stewardship
Green Acres Program
New Jersey Department of Environmental Protection

SUBJECT: Turkey Swamp Wildlife Management Area
Township of Freehold, Monmouth County
Block 111, part of Lots 24, 26 and 27

**Supplemental Information re: Proposed Conveyance of a
Driveway Easement and Utility Easement to Michael and Elsa
von Schleusingen**

DATE: March 10, 2016

Please accept this information as a supplement to the Department of Environmental Protection's request that the State House Commission approve the above-referenced conveyance.

In the summary of this request approved by Commissioner Martin on December 29, 2015, and later submitted to the Commission for approval, we did not provide a real estate value for the proposed conveyance. As discussed in the Compensation section of the summary, the rationale for this omission was that we believe the von Schleusingens are entitled to both easements by operation of law. In addition, had we identified these easements at the time of State acquisition of the surrounding properties (as is normally our practice), we would have asked the seller to formalize them at that time, without any compensation to the State.

However, in order to provide additional assurance to the Commission about the proposed conveyance, particularly with respect to whether it would trigger the threshold for special legislation, you have requested that we provide an estimated value of the proposed easements as follows:

- On December 31, 2015, the NJDEP purchased 40.26 acres of Block 111, Lot 13 (the lot served by the proposed easements) for \$392,535. The purchase price was based on two appraisals reviewed and approved by the Green Acres Program. As indicated in the original summary, the von Schleusingens retained approximately two acres of land surrounding their residence.
- The purchase price equates to \$9750/acre. Therefore, on a raw land basis, the fee value of the area to be occupied by the proposed easements can be estimated as follows:

0.156 acre utility easement=\$1,521

0.180 acre driveway easement=\$1,755

Total Value: \$3,276

- The above estimate is for fee land, not easements, so we believe the value of the proposed conveyances would be considerably less than \$3,276.
- In addition, we ask the Commission to consider that the cost to the NJDEP of defending legal action by the von Schleusingens to establish their rights to these easements could easily exceed \$3,276.

Please let me know if you have any additional questions about this matter. As always, my staff and I will be available at the March 14th meeting to answer any questions that may arise at the meeting. Thank you for your assistance with this matter.

Bussell, Cynthia

From: State House Commission
Sent: Thursday, March 10, 2016 1:21 PM
To: Robert Shaughnessy; Gary Kotler; Mary Painton
Subject: Jean Public comments

FYI - I'll print out and bring to meeting on Monday

> Date: Thu, 10 Mar 2016 15:32:41 +0000 (UTC)
> From: Jean Public <jeanpublic1@yahoo.com>
> Reply-To: Jean Public <jeanpublic1@yahoo.com>
> To: <StateHouseCommission@treas.state.nj.gov>
> Message-ID:
> <251458000.5903710.1457623961866.JavaMail.yahoo@mail.yahoo.com>
> Subject: Meeting Monday of State House Commission
> MIME-Version: 1.0
> Content-Type: text/plain; charset=UTF-8
> Content-Transfer-Encoding: 7bit
> References:
> <251458000.5903710.1457623961866.JavaMail.yahoo.ref@mail.yahoo.com>
> Content-Length: 2221
>
> I cannot attend but did have comments on the issues being presented.
> please make sure commissions hear from the public.
>
> As to Liberty State Park, I oppose all takings of any kind from this
> park. I believe it should be kept sacrosanct as it is for the benefit
> of those who need that open space. it is vital for that highly
> congested area.
> Don't let profiteers take it away from the people's use.
>
> As to item 4, Stockton University and the house owned by the taxpayers
> of the state of nj. I don't believe anything owned by this states'
> taxpayers should be turned over to the far too freespending
> univesrities. Noting the out of control spending by Kean presidents,
> Rutgers presidents and sports teams, I think we need to keep any
> assets we have out of the hands of the universities. we can lease it
> to the university at a fair price for taxpayers. why do we need to
> furnish a house for this administrative person anyway. let him rent
> his own house. why are we making such high priced deals for university
> presidents and administration. the salaries are way way out of control
> and they're simply not worth it.
>
> as to item 5 Hagedorn, the tenant should be responsible for full costs
> of repairs and for keeping the site maintained. I also see no reason
> to give more than an initial five years lease with renewal options.
> this ties up the site for far too long. the taxpaeyrs may need it.
>
> as to item 7, PSEG and its electric transmission, I think the

- > amount should be raised by one thousand percent. I think pseg is
- > treated much too favorably and does not pay its fair share.
- >
- > as to 8 - easements requested of a wildlife "management
- > (killing) area, why cant the access and utility be just one site. why
- > are they two separate impositions on this land? I also believe the
- > taxpayers should get money for this almost
- > 4/10 of an acre. I also believe we should not allow this imposition on
- > this wildlife management area as the preferred action. the fact is
- > many wildlife areas in NJ are under logging attacks by nj dep and nj
- > Audubon. The animals and birds have little peace in our open space.
- > They are constantly harassed and killed. We need to start pushing back
- > against human invasion. jean public jeanpublic1@yahoo.com
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