

**STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC)
REGULAR MEETING**

April 28, 2022

Secretary Fisher called the meeting to order at 9:21 a.m.

Ms. Payne read the notice stating that the meeting was being held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.

Roll call indicated the following:

Members Present

Chairman Fisher
Martin Bullock
Scott Ellis
Denis Germano
Pete Johnson
Richard Norz
James Waltman
Gina Fischetti
Renee Jones

Members Absent

Julie Krause
Brian Schilling

Susan E. Payne, Executive Director
Jason Stypinski, Esq., Deputy Attorney General

Minutes

SADC Regular Meeting of March 24, 2022 (Open and Closed Session)

It was moved by Mr. Ellis and seconded by Mr. Bullock to approve the Open and Closed Session minutes of the SADC regular meeting of March 24, 2022. Mr. Germano and Mr. Norz abstained from the vote. The motion was unanimously approved by the remaining members.

Report of the Chairman

Chairman Fisher reported that the Special Occasion Events (SOE) bill, S-757, was approved by the Senate and amended and passed by the Assembly. However, S-757, as amended, was not signed. The original version of S-757 has now received support from a number of counties, the State Board of Agriculture and the Farm Bureau. Chairman Fisher stated that, hopefully, issues with the bill will be resolved soon and SOE legislation will be signed, since the Deed of Easement does not currently allow SOEs and there is no other authority to allow them due to the expired pilot program. Ms. Payne added that SOE legislation allows events separate and apart from Right to Farm Act (RTFA) protection .

Chairman Fisher stated that he visited the Holland Ridge farm which has over 13 million tulips that are planted , grown, and sold annually. After the season has ended the bulbs are taken out using special equipment and sold. It is currently the largest tulip farm on the east coast.

Report of the Executive Director

Ms. Payne reported that it was Secretary Fisher's birthday today and wished him a happy birthday.

Ms. Payne explained the special setup of the room for this month's meeting and gave instructions as to how viewers can participate and give their comments via email or through the TEAMS chat function. She noted that staff is working diligently on trying to get the room better equipped for future hybrid meetings.

Ms. Payne thanked Mr. Everett and staff for their hard work in getting the Soil Protection Standards (SPS) in place and on paper. She also thanked the subcommittee for its hard work and being true public servants in this effort . She stated that SPS is the biggest endeavor of the SADC in years and noted that, if approved today, the draft rules would go out to the public for its feedback in June. That feedback could then be presented to the SADC at the July meeting for approval of draft rules.

Ms. Payne stated that staff has been assembling program statistics, analyses and trends and will have the acquisition sub-committee convene soon to assess the current conditions of the Farmland Preservation Program in order to help project what the next 20 to 40 years of the program will look like. She noted that times are changing drastically, and the idea is to position the program to get maximum benefits and better assist the SADC's funding partners achieve their goals.

Public Comment

Patricia Springwell stated she was a resident of Readington Township and expressed concern that farmland was not being used for its primary purpose to produce food. She said she was shocked by and strongly objected to the extent of nonagricultural special events that are being held on farmland . Ms. Springwell stated that farmland is being disturbed too much and that has to change because there will not be enough productive soil left in order to produce food in the future.

New Business**A. Stewardship****1. Resolution: Agricultural Labor Housing – Saddlehill Holdings, LLC
Block 199, Lot 5, Voorhees Twp, Camden Co.
SADC ID# 04-0001-FS**

Mr. Willmott referred the committee to an agricultural labor housing request for the Saddlehill Holdings, LLC Farm. On February 13, 2022, the SADC received an application from the owner to construct an approximately 735 square foot, one-bedroom apartment, which includes a kitchen, a bathroom, and a living room, on the second floor of a proposed new equine barn to house one full-time laborer on the premises. The owner started a small equine breeding operation which currently consists of five quarter horses, a horse stall barn, 3 acres of fenced pasture, a 60-foot round pen for training, a half-mile track, and hay production.

The owner provided receipts for the purchase of five horses currently on the premises and plans to purchase two more horses in the coming months, add three acres of pasture, and demolish the existing horse barn and replace it with a new 10-stall barn with a proposed agricultural labor apartment on the second floor. The agricultural labor apartment would be occupied year-round to care for, manage, and train the horses. Mr. Willmott stated that staff finds that the labor activities conducted in connection with the equine production, breeding and training activities are eligible for agricultural labor housing on the premises and stated that staff recommendation is to grant final approval.

It was moved by Mr. Johnson and seconded by Mr. Germano to approve Resolution FY2022R4(1), for an agricultural labor housing request for Saddlehill Holdings, LLC, as presented, subject to any conditions of said resolution.

1. Saddlehill Holdings, LLC, SADC ID#04-0001-FS, FY2022R4(1), Block 199, Lot 5, Voorhees Twp., Camden Co., 69.81 Acres

Mr. Germano commented that the resolution says that the committee has the right to annually request that the applicant produce documentation that supports agricultural production justifying the need for labor housing. He noted that the resolution should read “the right to *require* the applicant to produce documentation” and sought to revise the motion. Mr. Johnson agreed with amending the language in the resolution and revised his motion and Mr. Germano agreed to amend his second of the motion. Ms. Payne instructed staff to revise future agricultural labor housing resolutions accommodating the language change requested by Mr. Germano.

A roll call vote was taken. The motion, as revised, was unanimously approved. A copy of Resolution FY2022R4(1) is attached to and a part of these minutes.

Chairman Fisher wished the owner good luck with his farm and production, and the owner stated that he would love to host the SADC on his farm one day.

Old Business**A. Soil Protection Standards – Review of Proposed Draft Rule**

Mr. Everett, Deputy Executive Director, stated that the SADC approved the basic parameters of the Soil Protection Standards (SPS) at its October 2021 meeting. Since then, staff and the SADC's SPS subcommittee has endeavored to draft the full text of the proposed rules to govern soil disturbance on preserved farmland. If the committee supports the contents of the draft rule, staff recommends that the draft proposal be distributed to the public and stakeholders for a 30-day informal comment period. Upon receipt of those comments and resulting final amendments to the draft rule, staff plans to bring a final proposed rule to the SADC for formal approval early this summer.

Mr. Everett summarized the draft rule proposal and highlighted the major provisions of each section. He thanked the subcommittee for its efforts and stated that the draft rules have been 15 years in the making with 10 years of research.

He stated that it is recognized that agriculture involves disturbance of the soil that is needed to feed humanity, and the goal of the draft rule is to strike a balance between agriculture development and conservation. Many of the practices farmers engage in on a farm would not count as disturbance. Mr. Everett explained the idea of unqualified and qualified exemptions and identified 22 common farm site activities which were taken from the Right to Farm Act (RTFA) and are proposed under the "unqualified exempt" category. He noted the draft rules do allow for the addition of more farm site activities in that "unqualified" category in the future.

Mr. Everett reviewed other unqualified exemptions. He stated both normal and deep tillage practices are exempt and will not be regulated. He reviewed water related systems and acknowledged that it is disturbance of the soil but are considered unqualified exemptions because they are necessary to conduct agricultural practices. Chairman Fisher asked if grass waterways would be an unqualified exemption. Staff stated it would depend on the depth of the waterway. Mr. Bullock expressed concern that these practices, which are meant to protect the soil, would count toward a farm's soil disturbance. Mr. Norz agreed with Mr. Bullock and asked that if these waterways would be exempt if they were constructed in accordance with an NRCS conservation plan. Mr. Everett stated that was one item that needs further staff and review and discussion.

Mr. Everett reviewed the qualified exemptions. He explained temporary parking or storage areas where 70% of vegetative cover, as a proxy to prevent erosion, would have to be maintained for at least 9 months per calendar year in order to qualify as exempt. Mr. Ellis expressed concern with the 9-month time requirement and what would be considered as vegetative cover. Staff cited some examples of vegetative cover, including plant residue or a cover crop. Mr. Ellis stated that most farmers would not plant a cover crop and then use that area for temporary parking. Mr. Everett also explained that vegetative livestock areas, topsoil stockpiles and on farm utilities would be qualified exemptions as well.

Mr. Everett went on to discuss soil disturbance definitions and described it as soil alteration which would include cut and fill; soil resurfacing which includes roofs, pavement and gravel and lastly soil compaction which relates to vegetative cover. Mr. Norz expressed concern about livestock practices that involve some of these types of disturbances and said his

experience is that nature will sometimes repair the soil. Mr. Everett stated that it depends on the level of disturbance, but if the soil does repair itself it is no longer considered a disturbance. He noted that experts believe soil can be rehabilitated to produce pre-disturbance yields but that the soil itself will never get back to what it was before.

Mr. Everett stated that at the October 28, 2021, meeting and at the April 11, 2022, subcommittee meeting, consensus was reached on a proposed soil disturbance limit of up to 12% of the premises or 4 acres, whichever is greater. Disturbance acreage shall be rounded to three decimal places per existing survey specifications. Activities occurring within the footprint of areas already considered disturbed will not be counted as additional soil disturbance, such as buildings on top of paved areas. Soil disturbance located outside the boundaries of the premises, such as severable and non-severable exception areas, residential exclusion areas, and any other area of a farm not subject to the term and conditions of the Deed of Easement (DOE), shall not count towards the limitation.

Mr. Everett reviewed the waiver provision, which provides that farms enrolled in the state farmland preservation program at the time of the rule adoption that are within 50% of the prescribed 12%/4acre limit can apply for a waiver for a maximum of 15% or 6 acres, whichever is greater, if certain conditions are met. Waivers will continue to be available to immediate family members if farms are passed down to new generations, but this option will eventually sunset once the farm is sold outside of the immediate family.

Mr. Norz asked how the waiver provision would affect a 100-acre dairy farm without an exception area and with existing disturbance at or near the 12% limit. Would that farmer have to remove dairy barns in order to qualify for the waiver or is there some way to count for existing infrastructure? Mr. Everett stated that the farm would be eligible for the waiver up to the 15% limit if it were preserved as of the adoption of the rules.

Mr. Norz asked what if the farm was purchased after the adoption of the rules. Mr. Everett then suggested the idea of aggregation and consolidation but noted this idea did not receive consensus from the subcommittee. He explained that aggregation can be accomplished on contiguous preserved farms owned by the same owner by assigning the individual parcel allocations to one parcel and locating the soil disturbance activities there. Under that scenario, each premises would need to be permanently associated with and could not be conveyed separately at any time in the future. Also, a corrective DOE reflecting the reallocation and prohibition of further subdivision would be recorded. Mr. Waltman and Mr. Ellis reiterated this concept was not agreed upon by all the subcommittee members.

Mr. Everett stated that soil rehabilitation is an option, and a grantor may complete a certified soil rehabilitation project for purposes of rehabilitating disturbed soils so that they no longer count towards the soil disturbance limit established. If the rehab plan were approved, the grantor would be required to complete rehabilitation in accordance with an approved rehabilitation sequence. The Granter would also need to notify the Committee of intent to commence the rehabilitation plan at least 5 business days prior to start of physical work.

In order to provide farm owners with notice of existing soil disturbance, and whether they are eligible for a waiver, the SADC would undertake baseline mapping and monitoring of soil disturbance on the premises. Baseline disturbance maps will be sent to all landowners once the rule is adopted. A site visit may be conducted upon the landowner's request to verify the

percentage of existing soil disturbance . Landowners would need to bring any baseline mapping inaccuracies to the SADC’s attention within 180 days of being notified, particularly those landowners who may be eligible for a waiver. The rule sets forth an appeal process if landowners disagree with disturbance mapping at any time. Any landowner who disagrees with mapping or any other disturbance determination can request a hearing before the SADC .

Mr. Everett stated that the dual purpose of the proposed regulations is to balance farmland preservation and strengthen the agricultural industry. He stated that staff is open to comments. Mr. Bullock commended the staff for its hard work and listening to the community.

Chairman Fisher stated that staff worked extraordinarily hard on the draft regulations, and a vote needs to be taken authorizing transmittal as a pre-proposal to stakeholders.

Mr. Bullock stated that he would like the draft regulations sent out “as-is” . Mr. Norz stated that staff did a great job , but he has concerns that the proposed regulations do not contain a provision allowing a livestock or greenhouse operation to exceed the 15% waiver limit if the farmer is complying with an approved farm conservation practice. Mr. Germano pointed out that the subcommittee unanimously agreed that the draft, as written, complies with what the SADC said the proposed rules should look like in October 2021. He said there may be changes that need to take place but overall, they are ready to go out to keep the ball rolling.

Mr. Germano respectfully addressed the public comment that was made earlier and stated that the state supreme court told the SADC that the purpose of the farmland preservation program is not just to protect soil, but also to promote the agricultural industry.

Mr. Norz expressed concern about the soil conservation practices involved and the possibility of going over the 12% limit. He stated that the issue needs attention before the draft rules are sent to the public for its opinion. Mr. Bullock stated that it should go out to the public, as the draft can be changed later on.

It was moved by Mr. Bullock and seconded by Mr. Germano to authorize the draft pre-proposal to be distributed to the public and stakeholders for a 30-day informal comment period. A roll call vote was taken. Mr. Norz voted against the motion. The motion was approved by the remaining members.

B. Stewardship

NOTE: Mr. Bullock and Ms. Jones are recused from this agenda item.

- 1. Resolution: House Replacement – WP Hillsborough, LLC
Block 16, Lot 10, Upper Freehold Twp., Monmouth Co.
SADC# 13-0030-EP**

Mr. Willmott referred the committee to a house replacement request by Dr. Amer, contract purchase of the WP Hillsborough, LLC, farm. The committee approved this request at its meeting in March where Dr. Amer, with the consent of WP Hillsborough, proposed the construction of a single-family residence on the premises. Staff prepared a resolution that memorializes the decision from the last meeting. Mr. Willmott noted two conditions in the resolution. First, the farm lane to be used for access to the new residence runs through an unpreserved lot, so one of the conditions of the approval is that Dr. Amer’s purchase of the premises from WP Hillsborough shall not occur until the SADC Executive Director reviews

and approves the documentation necessary to establish legal access to Allentown/Lakewood Road through the unreserved parcel, Lot 10.02, for the benefit of the premises upon which the new residence will be located, and the recording of that document. The second condition is that construction of the new residence shall not occur until the SADC's advance review and written approval of the design of storm water management infrastructure in compliance with New Jersey storm water management rules. Mr. Willmott reviewed the specifics of the request with the committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Germano and seconded by Mr. Norz to approve Resolution FY2022R4(2), for house replacement for the WP Hillsborough, LLC Farm, as presented, subject to any conditions of said resolution.

1. WP Hillsborough, LLC, SADC ID#13-0030-EP, FY2022R4(2), Block 16, Lot 10, Upper Freehold Township, Monmouth County, 186.72 Acres.

A roll call vote was taken. Mr. Waltman voted against the motion. Mr. Bullock and Ms. Jones recused. The motion was approved by the remaining members. A copy of Resolution FY2022R4(2) is attached to and a part of these minutes.

2. **Resolution: Conversion of Severable Exception to Non-Severable Michael Hern Farm**
Block 24, Lot 4.01, Wantage Twp., Sussex Co.
SADC ID# 19-0019-EP

Mr. Roohr referred the committee to a request to convert a severable exception area to a non-severable area for the Hern farm. At its March 2022 meeting the SADC approved the conversion of a severable exception area to a non-severable exception area in order to enable the construction of a 2,500 sq./ft. single family residence on this farm for the owner and his family. This resolution memorializes the Committee's approval, including the conditions thereof, which are more particularly described in the minutes of the SADC's March 2022 regular meeting. Mr. Roohr reviewed the specifics of the request with the committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Waltman and seconded by Mr. Germano to approve Resolution FY2022R4(3), for the conversion of a severable exception area to a non-severable for the Hern Farm, as presented, subject to any conditions of said resolution.

2. Michael Hern Farm, SADC ID#19-0019-EP, FY2022R4(3), Block 24, Lot 4.01, Wantage Township, Sussex County 4.01, 56.87 Acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R4(3) is attached to and a part of these minutes.

New Business

A. Stewardship

1. **Resolutions: Agricultural Labor Housing**
 - a. **VGF Group, LLC**

**Block 302, Lot 6.01 and 31, Chesterfield Twp., Burlington Co.
SADC ID# 03-0121-EP**

Mr. Willmott referred the committee to an agricultural labor housing request for the VGF Group, LLC farm. He reviewed the specifics of the request with the committee and stated that he was seeking approval of an already existing 576 sq./ft. ag labor housing trailer to accommodate up to eight seasonal workers on an 80-acre diversified vegetable and poultry operation. He stated that staff recommendation is to grant final approval.

It was moved by Mr. Norz and seconded by Mr. Germano to approve Resolution FY2022R4(4), for an agricultural labor housing request for VGF Group, LLC, as presented, subject to any conditions of said resolution.

- a. VGF Group, LLC, SADC ID#03-0121-EP, FY2022R4(4), Block 302, Lots 6.01 and 31, Chesterfield Township, Burlington County, 79.729 Acres.

A roll call vote was taken. Mr. Johnson abstained from the vote. The motion was unanimously approved by the remaining members. A copy of Resolution FY2022R4(4) is attached to and a part of these minutes.

**b. SST-100 LP
Block 44, Lot 2, Bedminster Twp., Somerset Co.
SADC ID# 18-0014-EP**

Note: Mr. Norz recused from the discussion for SST-100 LP.

Mr. Roohr referred the committee to an agricultural labor housing request for the SST-100 LP farm. He reviewed the specifics of the request with the committee and stated that the owner is requested approval for three apartments for agricultural labor housing on the second floor of a stable. The landowner previously received approval from the SADC in 2017 for these three apartments above the barn but the approval expired.

Mr. Roohr stated the current application for construction of the apartments is the same as that set forth in the plan approved by the Committee in 2017; however, the equine operation has changed since 2017, with the addition of a horse trainer and training crew and more horses. In the past, the committee has determined that if horses are being trained for a client, as long as the trainer is getting a commission when the horses are sold, the training programs for equine count as production for purposes of agriculture labor housing on the preserved farm. Mr. Roohr stated that there are two types of production (both the farm owner's and the trainer's), and staff recommendation is to grant final approval to this request. Mr. Roohr stated that a letter was received from Senator Doherty expressing support for this request.

It was moved by Mr. Germano and seconded by Mr. Bullock to approve Resolution FY2022R4(5), for an agricultural labor housing request for SST-1000 LP Farm, as presented, subject to any conditions of said resolution.

- b. SST-100 LP Farm, SADC ID#18-0014-EP, FY2022R4(5), Block 44, Lot 2, Bedminster Township, Somerset County, 96.55 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R4(5) is attached to and a part of these minutes.

After the vote was taken, the principal of SST-100 LP, Mr. Perrone, asked for flexibility in one of the units to have an additional seasonal worker on an “as needed” basis . Ms. Payne asked the committee to amend the approved motion and if it consented to Mr. Perrone’s request .

It was moved by Mr. Johnson and seconded by Mr. Germano to amend the resolution to permit one additional seasonal worker on an “as needed” basis to occupy one of the units . A roll call was taken. The amendment to the resolution was unanimously approved.

B. Resolution: Review of Non-Agricultural Development in the ADA and Condemnation of Preserved Farmland (N.J.S.A. 4:1C-19 and N.J.S.A. 4:1C-25) Gloucester County Utilities Authority Sanitary Sewer Force Main

Mr. Bruder referred the committee to a resolution reviewing a non-agricultural development project within an ADA that includes a request for condemnation of preserved farmland for an underground pipeline connecting a pump station and forced sewer main from a landfill in South Harris Township to the utility authority’s interceptor line in East Greenwich Township . The purpose of the project is to convey leachate from the landfill, and to transmit wastewater from the Borough of Swedesboro and Woolwich Township, to the GCUA sewer system .

The project will affect one county-preserved farm on which installation of the sewer line will use trenchless, directional drilling, thereby causing negligible impacts to the farm.

The first issue is whether and how the proposed project impacts preservation and enhancement of the ADA and overall state preservation and development policies. The second issue is that since the county utilities authority is a public body requesting eminent domain authority to install the pipeline, the SADC must find that the proposed project is necessary for the public health, safety and welfare and that there is no immediately apparent feasible alternative.

The draft resolution finds the overall project and the condemnation of an access easement across the single affected farm would not cause unreasonable adverse effects on the farm, ADA or state agricultural preservation and development policies, and that there is no immediately apparent feasible alternative to the project being located on the preserved farm, as required pursuant to N.J.S.A. 4:1C-19 and 4:1C-25. Mr. Bruder stated that staff recommends approval.

It was moved by Mr. Johnson and seconded by Mr. Norz to approve Resolution FY2022R4(6) granting approval to Non-Agricultural Development in the ADA and Condemnation of Preserved Farmland Gloucester County Utilities Authority Sanitary Sewer Force Main. A roll call vote was taken. James Waltman abstained from the vote. The motion was approved.

C. Resolutions: Final Approval- County PIG Program

NOTE: Chairman Fisher was not present during the portion of this meeting and Vice Chairman Germano presided.

Ms. Miller and Ms. Mazzella referred the committee to three requests for final approval under the County PIG Program. They reviewed the specifics of the request with the committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Norz and seconded by Ms. Jones to approve Resolutions FY2022R(7), FY2022R(8) and FY2022R(9) granting approval to the following applications under the County PIG Program, as presented, subject to any condition of said resolution.

1. Thomas, Howard, and Candice Brys (Duchess Farms), SADC ID#12-0027-PG, FY2022R4(7), Block 26, Lots 5.02 and 6, South Brunswick Township, Middlesex County, 6.9 acres.
2. Scott and Mitzi Lang, SADC ID#06-0217-PG, FY2022R4(8), Block 16, Lot 8.01, Greenwich Township, Cumberland County, 64.9 acres.
3. Mecouch Farms2 LLC, SADC ID#06-0208-PG, FY2022R4(9), Block 19, Lot 15, Stow Creek Township, 71 acres.

Mr. Waltman asked about the size of the Thomas Farm and SADC staff confirmed it met the requirements for the County PIG Program.

The motion was unanimously approved. A copy of Resolutions FY2022R4(7), FY2022R(8) and FY2022R(9) is attached to and a part of these minutes.

D. Resolutions: Final Approval- Municipal PIG Program

Ms. Mazzella and Ms. Miller referred the committee to two requests for final approval under the Municipal PIG Program. She reviewed the specifics of the request with the committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Norz and seconded by Mr. Bullock to approve Resolutions FY2022R(10) granting approval to the following application under the Municipal PIG Program, as presented, subject to any condition of said resolution.

1. Christen and Melissa Williams, SADC ID#17-0232-PG, FY2022R4(10), Block 80, Lot 11, Pilesgrove Township, Salem County, 15.4 acres.

The motion was unanimously approved. A copy of Resolution FY2022R4(10) is attached to and a part of these minutes.

NOTE: Martin Bullock recused from this matter.

It was moved by Mr. Johnson and seconded by Mr. Waltman to approve Resolution FY2022R(11) granting approval to the following applications under the Municipal PIG Program, as presented, subject to any condition of said resolution

2. Aaron Feiler, SADC ID#13-0478-PG, FY2022R4(11), Block 23, Lot 17.02, Colts Neck Township, Monmouth County, 37.7 acres.

The motion was unanimously approved. A copy of Resolution FY2022R4(11) is attached to and a part of these minutes.

E. Resolution: Preliminary Approval – State Acquisition

Note: Chairman Fisher rejoined the meeting.

Ms. Miller referred the committee to one request for final approval under the State Acquisition Program. She reviewed the specifics of the request with the committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Waltman and seconded by Mr. Germano to approve Resolution FY2022R(12) granting approval to the following applications under the State Acquisition Program, as presented, subject to any condition of said resolution.

1. Jamal and Kathleen Kadri, SADC ID#18-0036-DE, FY2022R(12), Block 5, Lot 38, Hillsborough Township, Somerset County, 26.7 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R4(12) is attached to and a part of these minutes.

F. Resolutions: Preliminary Approval- Easement Donation

Ms. Roberts referred the committee to the proposed resolution to accept the donation of a farmland preservation deed of easement on the subject 138-acre farm, consistent with the intent of the Last Will and Testament of William F. Blackman. The project includes a 27-acre non-severable exception area for conservation/recreation purposes. She reviewed the specifics of the donation farmland and stated that staff recommendation is to grant approval.

It was moved by Mr. Waltman and seconded by Mr. Germano to approve Resolution FY2022R(13) granting approval to the following applications under a Preliminary Approval Easement Donation, subject to any condition of said resolution.

1. Blackman Charitable Farm Trust, SADC ID#08-0001-DN, FY2022R4(13), Harrison Township, Gloucester County, Block 17, Lots 1 and 1.01, 138.7 acres.

The motion was unanimously approved. A copy of Resolution FY2022R4(13) is attached to and a part of these minutes.

G. 2022 Appraisal Handbook Update

SADC appraisal staff, Mr. Martin and Ms. Czerniecki, conducted a thorough review of an update to the SADC Appraisal Handbook which was last updated 5 years ago. The proposed changes are predominantly aimed at improving the organization and formatting of appraisal documents and providing more detailed instructions to appraisers on issues most frequently subject to requests for corrections and clarifications. Two new requirements include that appraisals must contain a minimum of 4 comparable sales and that at least three of the four comparable sales must have occurred within the last five years. Mr. Martin and Ms. Czerniecki

reviewed various other changes to the handbook and stated that they were seeking committee approval to update the Appraisal Handbook.

It was moved by Mr. Germano and seconded by Mr. Norz to approve the 2022 Appraisal Handbook Update. The motion was unanimously approved.

It was moved by Mr. Waltman and seconded by Ms. Jones to create a subcommittee to discuss the issue of a size limit being placed on homes and reporting those recommendations to the SADC.

Mr. Waltman addressed the Committee and requested a subcommittee be appointed to further examine the issue of house size limitations on preserved farmland. Ms. Jones, Mr. Waltman, Mr. Norz and Ms. Fischetti volunteered to be on the subcommittee. Chairman Fisher commented that the SADC will look into all the aspects involved with house size limits and there will be a report on this issue in the future. Mr. Norz asked who the staff liaison will be for the subcommittee. Ms. Payne stated that she along with appraisal, planning, stewardship and legal staff would be involved. Chairman Fisher asked if people outside the SADC could be involved. Ms. Payne stated that decision is to be made by the subcommittee and the Chairman.

Public Comment

Ms. Patricia Springwell from Readington Township commented that she does not feel there is a proper balance between soil conservation and development. She reiterated she is not happy with the level of protection for farm soils and implored the SADC to stop allowing what she considered unnecessary construction of structures on farmland.

CLOSED SESSION

At 12:54 p.m. Ms. Payne read the following resolution to go into Closed Session: In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into executive session to discuss certain matters including personnel matters, any pending or anticipated litigation and any matters falling within the attorney-client privilege and any contract negotiations including the equine evaluation expert negotiations. The minutes of such meeting shall remain confidential until the Committee determines the need for confidentiality no longer exists.

It was moved by Mr. Ellis and seconded by Mr. Germano to go into Closed Session. The motion was unanimously approved.

ACTION AS A RESULT OF CLOSED SESSION

Ms. Payne stated that the committee previously directed staff to reach out in connection with the Hunter Farms matter and hire an equine expert who could work with staff to evaluate the Hunter Farms operation in light of its production requirement related to its horse show operation. The committee had given Hunter Farms a reprieve for 2022, authorized its show schedule for that year, and asked that staff hire this expert. Staff developed an RFP and advertised it, but only received one bid from the Green Group. Staff has reviewed that proposal, and while it seems like a reasonable proposal, the price tag of almost \$96,000 seems unreasonable, and would result in an undue burden on the property owner. Because there was

only one proposal received, staff would like to reject the proposal that was submitted and re-advertise.

It was moved by Mr. Germano and seconded by Mr. Bullock to reject the bid received from Green group and re-advertise for new bidders. The motion was unanimously approved.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 A.M., May 26, 2022

Location: 200 Riverview Plaza Trenton, NJ

ADJOURNMENT

The meeting was adjourned at 1:42 p.m.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Susan E. Payne".

Susan E. Payne, Executive Director
State Agriculture Development Committee

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R4(1)**

**Construction of Onsite Agricultural Labor Housing
Saddlehill Holdings, LLC**

April 28, 2022

Subject Property: Block 199, Lot 5
Voorhees Township, Camden County
69.81 Acres
SADC ID# 04-0001-FS

WHEREAS, Saddlehill Holdings LLC, hereinafter (“Owner”) is the record owner of Block 199, Lot 5, in Voorhees Township, Camden County, by deed dated March 2, 2021, and recorded in the Camden County Clerk’s Office in Deed Book 11668 Page 1441, totaling 69.81 acres, hereinafter referred to as the “Premises”, as shown on Schedule A; and

WHEREAS, the State Agriculture Development Committee (SADC) acquired the Premises from the former owners, the Stafford family, by deed dated January 6, 2004, and recorded in the Camden County Clerk’s office on January 8, 2004, in Deed Book 7317 Page 1117; and

WHEREAS, the Premises was sold through the SADC’s fee simple public auction process on October 15, 2004; and

WHEREAS, the SADC transferred title to the Premises to Ken and Amy Kazahaya on February 15, 2005, as recorded in the Camden County Clerk’s office in Deed Book 7749, Page 766; and

WHEREAS, the farmland preservation Deed of Easement identifies two existing single-family residential buildings on the premises, no Residual Dwelling Site Opportunities, zero units used for agricultural labor purposes and no exception areas; and

WHEREAS, one of the two existing residences was demolished by the previous owner; and

WHEREAS, the Premises was preserved with federal funding and as a result contains a 5% impervious coverage restriction and a 5.9-acre designated building envelope area for all future structures; and

WHEREAS, Saddlehill Cellars, LLC is the farm operator; and

WHEREAS, the Managing Member of Saddlehill Cellars, LLC and Saddlehill Holdings, LLC is William Green; and

WHEREAS, Mr. Green lives in the remaining single-family residence on the Premises on a part-time basis; and

WHEREAS, since acquiring the Premises, the Owner has begun the process of rehabilitating the former equine operation and diversifying the operation to include a vineyard, a winery, a tasting room, a farm market, an orchard, cut flowers, a small equine breeding operation, and alpacas for breeding and wool production; and

WHEREAS, Saddlehill Cellars, LLC has an approved Site-Specific Agricultural Management Practice (SSAMP) granted by the Camden County Agricultural Development Board to operate a small equine breeding operation, construction of a horse barn, the operation of a winery for the production of wine, the construction of a tasting room with a retail sales area to sell wine and other agricultural products produced on the farm; and

WHEREAS, on February 13, 2022, the SADC received an application from the Owner to construct an approximately 735 sq./ft., one-bedroom apartment, which includes a kitchen, a bathroom and a living room, on the second floor of a proposed new equine barn, in the location shown on Schedule "A", to house one (1) full-time laborer on the Premises; and

WHEREAS, paragraph 14 of the Deed of Easement for the Premises states that: *"Grantee may construct any new buildings for agricultural purposes. The construction of any new buildings shall only occur within the assigned building envelope. The construction of any new buildings for residential use, regardless of its purpose, shall be prohibited except as follows:*

i. To provide structures for the housing of agricultural labor employed on the Premises, but only with the approval of the Grantor. If Grantor grants approval for the construction of agricultural labor housing, such housing shall not be used for a residence for Grantee, Grantee's spouse, Grantee's parents, Grantee's lineal descendants, adopted or natural, Grantee's spouse's parents, Grantee's spouse's lineal descendants, adopted or natural."; and

WHEREAS, the Owner started a small equine breeding operation which currently consists of five quarter horses, a horse stall barn, 3 acres of fenced pasture, a 60 foot round pen for training, a half-mile track, and hay production; and

WHEREAS, the Owner has provided receipts for the purchase of five horses currently on the Premises; and

WHEREAS, the Owner plans to purchase two more horses in the coming months, add three acres of pasture, and demolish the existing horse barn and replace it with a new 10-stall barn with a proposed agricultural labor apartment on the 2nd floor; and

WHEREAS, the agricultural labor apartment would be occupied year-round to care for, manage, and train the horses; and

WHEREAS, the Committee promulgated regulations at N.J.A.C. 2:76-2B.3(e) ("regulation") pursuant to the Right to Farm Act ("RTFA"; N.J.S.A. 4:1C-1 et seq.) that define what types of equine-related revenue constitute agricultural production income that can be used to satisfy the production requirements in the definition of "commercial farm" set forth in the RTFA; and

WHEREAS, these regulations include as production income monies received from breeding, including income from the sale of a horse that has been bred from a mare owned by the farm operator or owner, and income from the sale of a horse that was trained or raised on the commercial farm for at least 120 days prior to the time of sale; and

WHEREAS, the SADC finds that the labor activities conducted in connection with the equine production, breeding, and training activities identified above are eligible for agricultural labor housing on the Premises; and

WHEREAS, the Owner has asserted that onsite labor is necessary to properly care for and tend to the care and training of the horses on the farm; and

WHEREAS, the primary duties of the employee residing in the agricultural labor unit will be related to daily turnout and pasture rotation for horses, feeding and watering horses, stall maintenance, equine training and exercising, overnight horse safety and security; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC has reviewed the Owner's request to place one barn-apartment unit consisting of approximately 735 sq./ft. on the second floor of a proposed equine barn on the Premises for the purpose of housing one full-time agricultural laborer in the location shown on Schedule "A", and finds that utilizing the proposed agricultural labor unit is consistent with agricultural uses on the Premises and:
 - a) That the size and location of the proposed unit minimizes any adverse impact on the agricultural operation because it will be located within an agricultural structure.
 - b) The production aspects of the operation, which currently consists of 5 horses with plans to add 2 additional horses, one of which is a Percheron broodmare, devoted to breeding, care, training, and selling - warrants the need for one full-time laborer.
 - c) Onsite labor housing is necessary due to the intensity of the work and the need for 24-hour onsite care for the livestock.
3. Only agricultural labor employed on the Premises, in production aspects of the operation, and their immediate family, may live in the agricultural labor units. Agricultural labor housing shall not be used as housing for the Owner, Owner's spouse, Owner's parents, Owner's lineal descendants, adopted or natural, Owner's spouse's parents, or the Owner's spouse's lineal descendants, adopted or natural.
4. The agricultural laborer shall be engaged in the day-to-day production activities on the Premises, which at this time include daily pasture turn-out, feeding and watering horses, training and general care of the horses.

5. As a condition of this approval, the Committee reserves the right to annually require the Owner to produce documentation supporting the production aspects of the operation to ensure that there is sufficient production activity occurring on the farm to continue to warrant use of the agricultural labor unit.
6. The Owner's use of any structures for housing agricultural laborers shall be in compliance with all applicable Federal, State, County and local regulations.
7. This approval is non-transferable.
8. This approval is valid for a period of three years from the date of this resolution, during which the Owner shall initiate the requested action; for the purpose of this provision "initiate" means applying for applicable local, state or federal approvals necessary to effectuate the approved SADC action; and
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.



4/28/2022

Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Schedule "A"



NJ FARMLAND PRESERVATION PROGRAM
State Agriculture Development Committee

Saddlehill Holdings, LLC
Block 199, Lot 5
Voorhees, Camden County



200 100 0 200 400 Feet

4/20/2022

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R4(2)**

Request to Replace a Single-Family Residence

WP Hillsborough, LLC Farm

April 28, 2022

Subject Property:

Block 16, Lot 10

Upper Freehold Township, Monmouth County

186.72 Acres

SADC ID#13-0030-EP

WHEREAS, WP Hillsborough, LLC, hereinafter "Owner," is the current record owner of Block 16, Lot 10, in Upper Freehold Township, Monmouth County, by deed dated May 16, 2007, and recorded in the Monmouth County Clerk's office in Deed Book OR-8653, Page 5599, totaling approximately 186.72 easement acres, hereinafter referred to as the "Premises", as shown in Schedules "A" & "C"; and

WHEREAS, a development easement on the Premises was conveyed to the Monmouth County Agriculture Development Board (MCADB) on November 8, 1996, by Albert Punk and Dorothy Punk, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq. as a Deed of Easement recorded in the Monmouth County Clerk's Office on November 21, 1996, in Deed Book 5550, Page 158; and

WHEREAS, the Deed of Easement identifies one (1) single-family residence, no agricultural labor units, no Residual Dwelling Site Opportunities, and no exception areas; and

WHEREAS, the original single-family residence on the Premises was demolished circa 1997; and

WHEREAS, the farm is currently in hay and pastureland and has two stables; and

WHEREAS, on February 2, 2022, the SADC received an application from the MCADB, on behalf of Dr. Mouner Amer, who is under contract to purchase the property, hereinafter the "Purchaser", to construct a single-family residence on the Premises for himself and his family, as shown in Schedules "A" & "B"; and

WHEREAS, the Purchaser's application to construct the residence on the Premises was authorized by the Owner; and

WHEREAS, paragraph 14ii. of the Deed of Easement allows for the replacement of any existing residential building anywhere on the Premises with the approval of the Grantee (MCADB) and the Committee; and

WHEREAS, the Purchaser is proposing to construct a new, three story, five bedroom, single family residence consisting of 6,231 sq./ft. of heated living space, hereinafter referred to as the "Proposed Residence", to be used as a residence for the Purchaser and his family, in the location shown on Schedule "A"; and

WHEREAS, the Proposed Residence will have an unheated basement, an attached 1,080 sq./ft. three-car garage, an attached 1,750 sq./ft. indoor pool room, which will contain a pool, bathroom, mechanical room, and storage area, an attached 657 sq./ft greenhouse with a retractable roof and pervious floor, and 6,335 sq./ft. of paved driveway area associated with the residence, as shown in Schedules "A & B"; and

WHEREAS, the Proposed Residence will require installation of a new septic system and well, as shown in Schedule "A"; and

WHEREAS, the existing power line along the existing farm lane will be used to provide electricity to the Proposed Residence; and

WHEREAS, a new gas line will be necessary to service the Proposed Residence and will be run from the road along the existing farm lane; and

WHEREAS, the existing farm access lane will be used as a driveway to the Proposed Residence, as shown in Schedules "A" & "C"; and

WHEREAS, the existing farm access lane extends through an unpreserved property fronting the Premises and designated on the municipal tax map as Block 16, Lot 10.02, and connects with Allentown-Lakewood Road, as shown in Schedules "A" & "C"; and

WHEREAS, there is no legal recorded access agreement or easement through Block 16, Lot 10.02 benefitting the Premises; and

WHEREAS, legal access needs to be established for the existing access lane to be used as a driveway for the Proposed Residence; and

WHEREAS, the Purchaser is under contract to purchase Block 16, Lots 10.01 and 10.02, both of which are currently owned by WP Hillsborough, LLC, and agrees to establish legal recorded access through Lot 10.02 benefitting the Premises for ingress and egress to Allentown-Lakewood Road; and

WHEREAS, the Purchaser intends to install stormwater management facilities in accordance with New Jersey's Stormwater Management rules (N. J. A. C. 7:8); and

WHEREAS, the Purchaser has agreed to provide stormwater management facility designs to the SADC Executive Director for review and approval as a condition of approving this house replacement request; and

WHEREAS, the Purchaser represented that he and his family plan to continue to keep the majority of the farm in hay and pastureland for equine production; the operation focus will be breeding, raising broodmares and yearlings, and boarding horses as a service activity; and

WHEREAS, the Purchaser represented that he and his family also plan to raise livestock such as sheep, goats, chickens, ducks, and geese; and

WHEREAS, the Purchaser represented that he intends to hire the current farm manager and the current tenant farmer to facilitate agricultural activities on the Premises ; and

WHEREAS, at its February 1, 2022, meeting, the MCADB approved the Owners' request to replace the residence on the Premises.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the construction of a single-family residence on the Premises will have a positive impact on the continued agricultural operations of this farm by the construction of a new home which shall serve as the primary residence for the new owner.
3. The Committee approves the construction of a new single-family residence not to exceed 6,231 sq./ft. of heated living space, along with driveways, utilities, and all other related infrastructure, to be constructed on the Premises as shown in Schedules "A" & "B".
4. This approval is issued only to the Purchaser, Dr. Mouner Amer, and is subject to the following:
 - a) The purchase of Lot 10 shall not occur until the SADC Executive Director's advance review and written approval of documentation necessary to establish legal access to Allentown-Lakewood Road through Lot 10.02 for the benefit of the Premises, and the recording of same; and
 - b) Construction described in paragraph 3, above, shall not occur until the SADC's advance review and written approval of stormwater management infrastructure design in accordance with New Jersey's Stormwater Management rules (N. J. A. C. 7:8); and

5. This approval is valid for a period of three years from the date of this resolution, during which the Purchaser shall initiate the requested action; for the purpose of this provision "initiate" means applying for applicable local, state, or federal approvals necessary to effectuate the approved SADC action.
6. This action is non-transferable.
7. The construction of the new residence and any other structures as described in the application, as appropriate, are subject to all applicable local, State and Federal regulations.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022



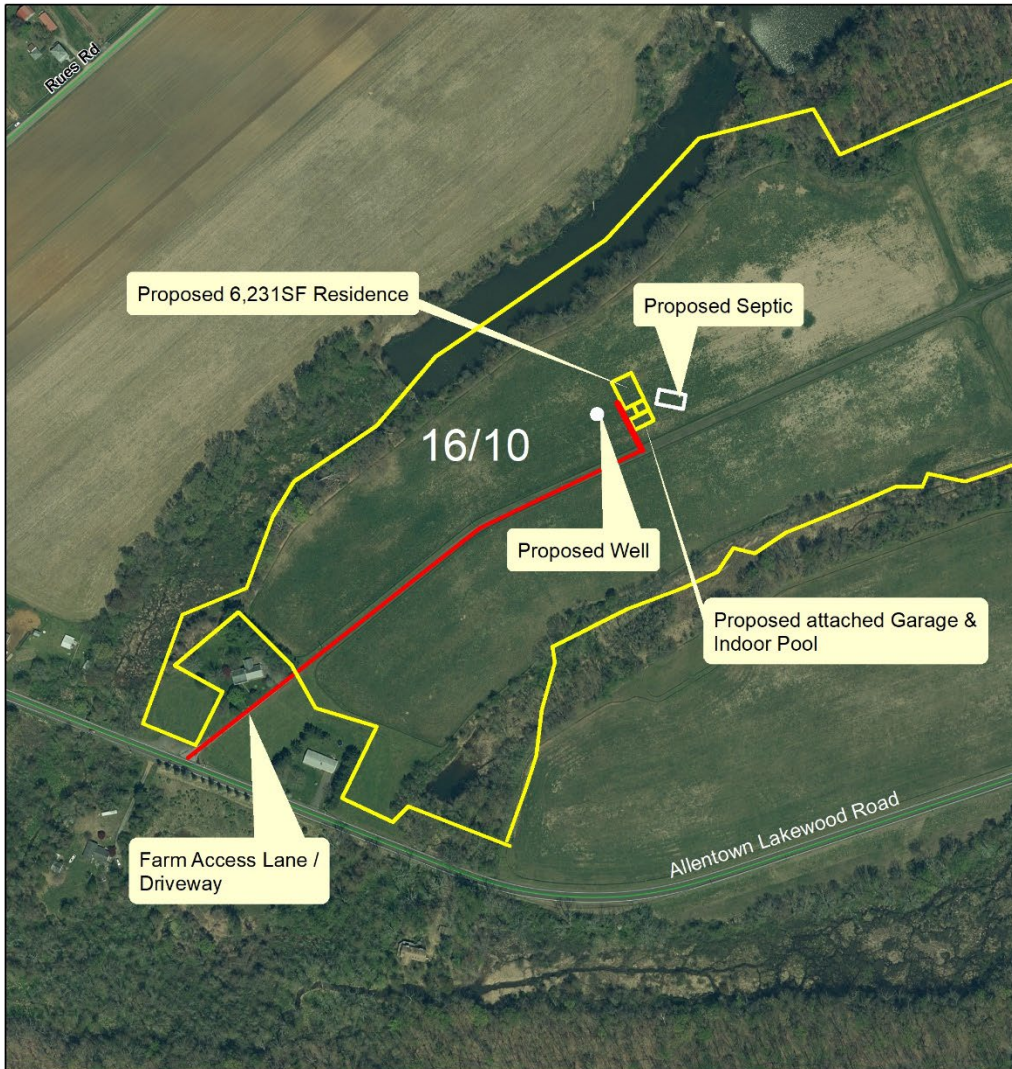
Date

 Susan E. Payne, Executive Director
 State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

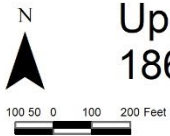
Martin Bullock	RECUSED
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	RECUSED
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	NO
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Schedule A



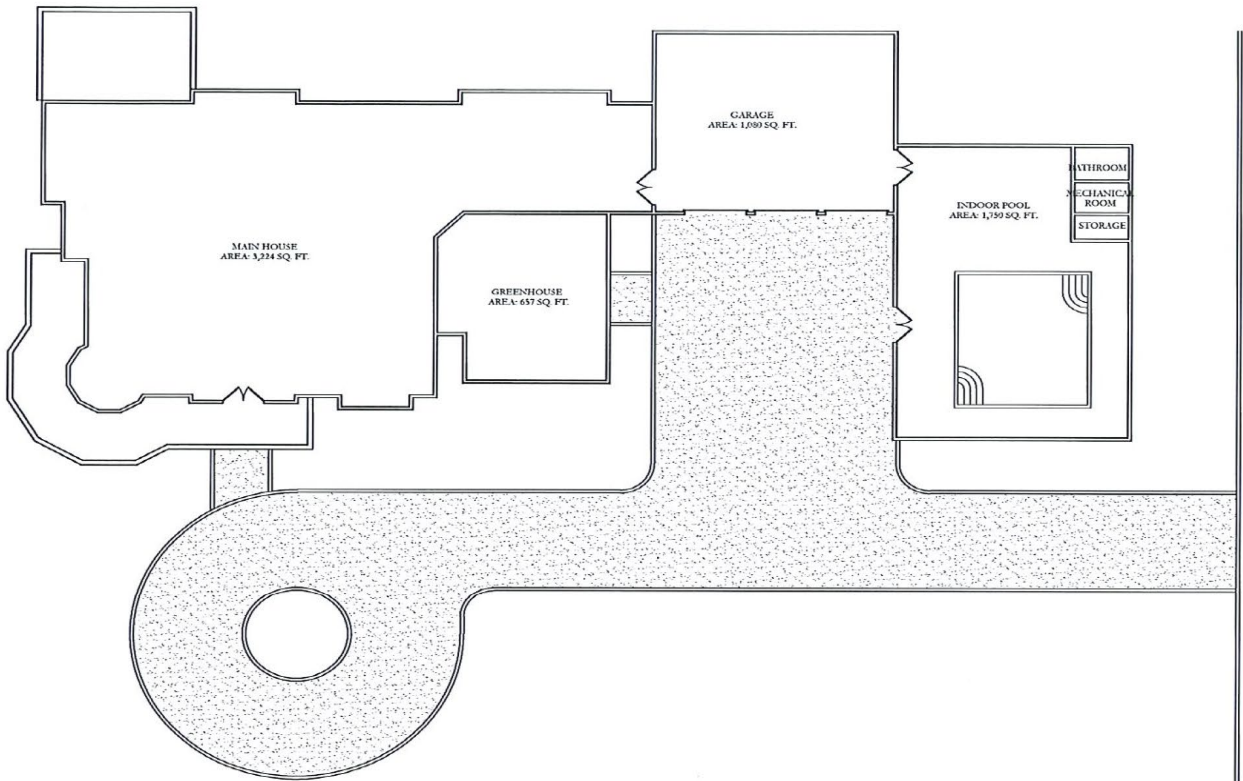
NJ FARMLAND PRESERVATION PROGRAM
State Agriculture Development Committee

WP Hillsborough, LLC
Block 16, Lot 10
Upper Freehold Township, Monmouth County
186.72 Acres



4/8/2022

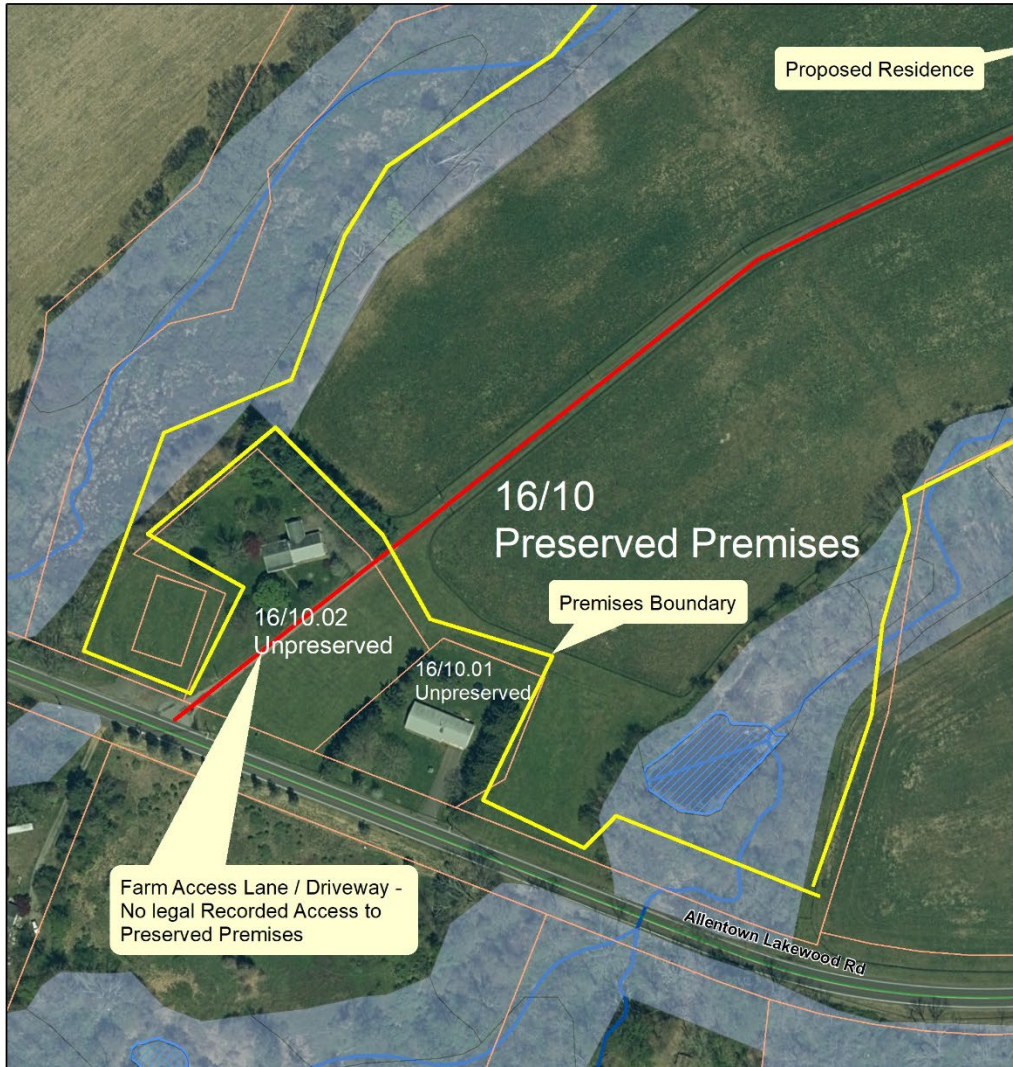
Schedule B



PROPOSED TOTAL FOOTPRINT: 7,003 SQ. FT.
FIRST FLOOR HABITABLE SQUARE FOOTAGE: 3,224 SQ. FT.
SECOND FLOOR HABITABLE SQUARE FOOTAGE: 1,816 SQ. FT.
THIRD FLOOR HABITABLE SQUARE FOOTAGE: 1,191 SQ. FT.
TOTAL HABITABLE SQUARE FOOTAGE: 6,231 SQ. FT.
*HABITABLE AREA NOT INCLUDING GARAGE, GREENHOUSE, AND POOL

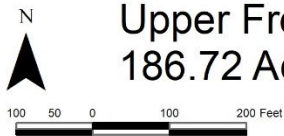
PROPOSED IMPERVIOUS COVERAGE: 13,338 SQ. FT.
PROPOSED FOOTPRINT: 7,003 SQ. FT.
PROPOSED PAVEMENT: 6,335 SQ. FT.

Schedule C



NJ FARMLAND PRESERVATION PROGRAM
State Agriculture Development Committee

WP Hillsborough, LLC
Block 16, Lot 10
Upper Freehold Township, Monmouth County
186.72 Acres



4/8/2022

<https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm Documents/13-0030-EP/Stewardship-AG Development/Stewardship Programs-Requests/Housing/Residential Dwelling Replacement/Draft Resolution.doc>

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R4(3)
Request to Convert Severable Exception to Non-Severable Exception
Michael Hern Farm**

April 28, 2022

**Subject Property:
Michael Hern Farm
Block 24, Lot 4.01
Wantage Township, Sussex County
56.87 - Acres
SADC ID# 19-0019-EP**

WHEREAS, Michael Hern, hereinafter "Owner", is the record owner of Block 24, Lot 4.01 in Wantage Township, Sussex County, hereinafter referred to as the "Premises", by deed dated November 17, 2020, and recorded on February 4, 2021, in the Sussex County Clerk's Office in Deed Book 3578, Page 479; and

WHEREAS, the Premises consists of approximately 57-acres as shown on Schedule "A"; and

WHEREAS, a development easement on the Premises was conveyed to the Sussex County Agriculture Development Board by the previous owners, Beverly and Charles Hoehn, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1 C-11, et seq. by Deed of Easement dated October 24, 2000, and recorded on October 30, 2000, in the Sussex County Clerk's Office in Deed Book 2500, Page 72; and

WHEREAS, the Deed of Easement for the Premises identified no existing single-family residences, no existing agricultural labor units, no RDSO's and one 3-acre severable "residential exclusion" area to accommodate a homesite and driveway access (hereinafter the "exception area"); and

WHEREAS, the Owner represented that, during the development of the site plans to construct the new driveway and an approximately 2,500 sq./ft. home on the exception area, the Owner's engineer determined that numerous stormwater basins would be required near the homesite and along the new driveway to meet current state stormwater standards; and

WHEREAS, the Owner provided the SADC with the engineer's drawings determining that, due to the slope of the Premises and the layout of the exception area, the necessary basins could not be located entirely within the exception area boundaries; and

WHEREAS, SADC Policy P-51, allows for stormwater systems associated with activities on non-severable exceptions to be located outside the exception area under certain conditions if the stormwater infrastructure cannot be physically located within the exception; and

WHEREAS, because the exception area for the Premises is severable, the aforesaid

allowance provided in Policy P-51 does not apply ; and
WHEREAS, the Owner has requested the ability to convert the severable exception to a non-severable exception; and

WHEREAS, at its February 24, 2022, meeting, the SADC reviewed advice from the Attorney General's office which found that conversion of a severable exception to a non-severable exception was legally permissible as a donation of a landowner's property interest; and

WHEREAS, at its March 24, 2022, meeting the SADC discussed the request and agreed that it would be willing to allow the conversion of this exception from severable to non-severable ; and

WHEREAS, conversion to a non-severable exception allows the Owner to use a pre-existing driveway to access the house site location, as shown on Schedule "A", resulting in a reduction in the overall amount of site disturbance; and

WHEREAS, as a result of the reduced disturbances associated with utilizing the existing driveway the Owner's engineer provided documentation that additional stormwater management systems are unnecessary; and

WHEREAS, as a condition of approval the Committee requested that the Owner agree to extinguish his ability to utilize the driveway portion of the exception area, as shown in Schedule "A", for the residence or for any non-agricultural uses; and

WHEREAS, on March 22, 2022, the SADC received notice from the Sussex CADB that it had approved the Owners request to convert the exception to a non-severable exception and found the Owner otherwise eligible for the benefits of Policy P-51; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC approves the conversion of the severable exception on the Premises to a non-severable exception.
3. As a condition of this approval the Owner agrees, prior to initiating the requested action, to:
 - a) Submit a draft Corrective Deed of Easement for advance review and written approval by the SADC reflecting that the exception area is non-severable; and
 - b) Include in the draft corrective deed a requirement that use of the portion of the exception originally depicted as a driveway to the homesite shall not be developed as a driveway, and that future uses of that area shall be limited to agricultural uses; and
 - c) Record the corrective deed, at the Owner's expense, after SADC's

written approval, and provide a copy of the recorded corrective deed to the SADC within 30 days of recording

4. As a condition of this approval the Owner agrees that:
 - a) The existing driveway shall be utilized for access to the residence on the non-severable exception area; and
 - b) Soil disturbances associated with the project are limited to the boundaries of the house site location within the non-severable exception area, as shown on Schedule "A", and the Owner shall not utilize the preserved portion of the premises for stormwater management or other residential infrastructure purposes.
5. No residential construction shall occur until the corrective deed is approved, recorded and a copy provided to the SADC.
6. This approval is valid for a period of three years from the date of this resolution, during which the Purchaser shall initiate the requested action; for the purpose of this provision "initiate" means applying for applicable local, state, or federal approvals necessary to effectuate the approved SADC action.
7. This approval is non-transferable.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022
Date

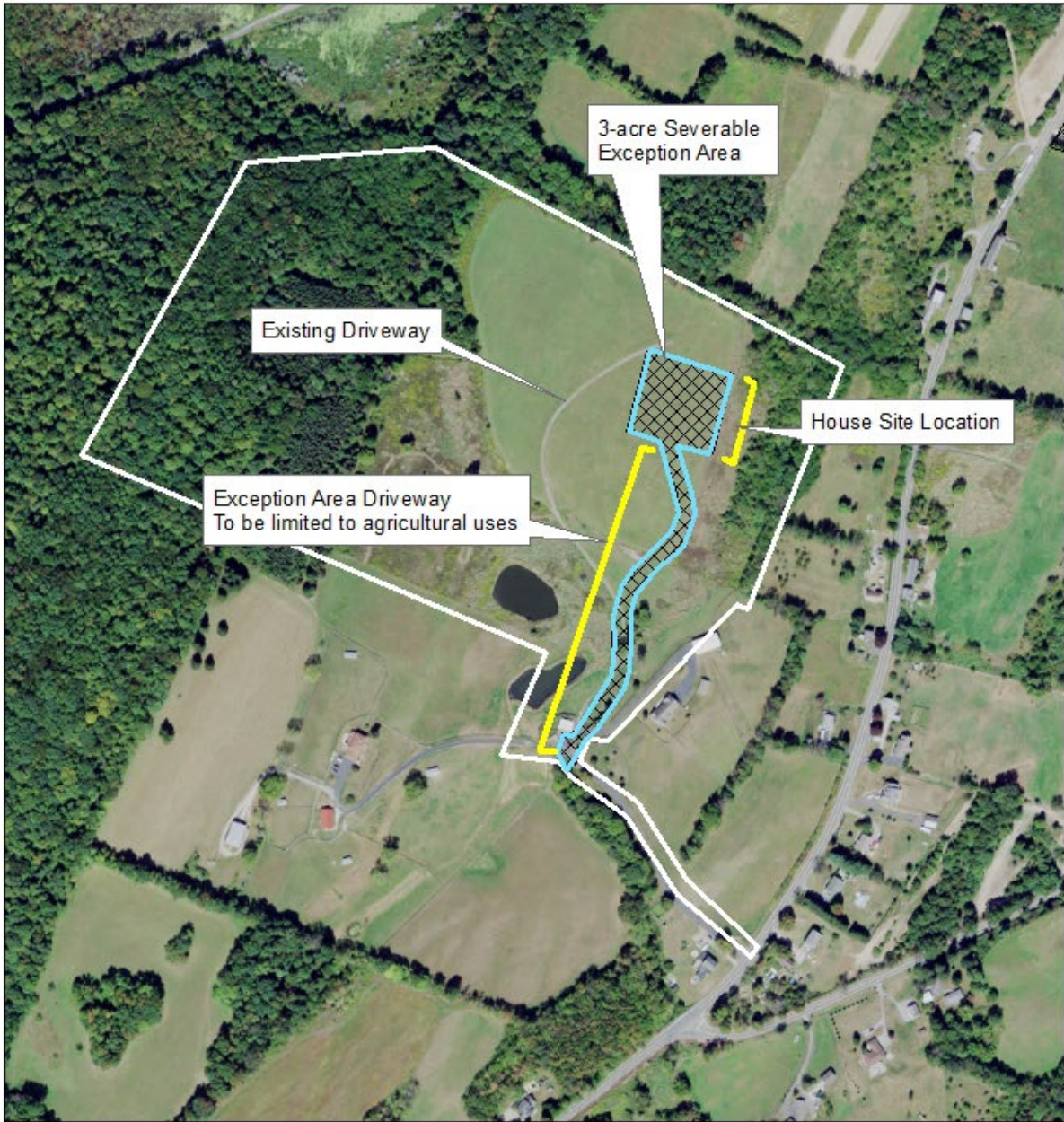


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Attachment A



NJ FARMLAND PRESERVATION PROGRAM
State Agriculture Development Committee

Hern Farm
 Block 24, Lot 4.01
 Wantage Township, Sussex County
 56.87 preserved acres
 3.00 acre severable exception



125,000

4/20/2022



**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R4(4)**

**Construction of Onsite Agricultural Labor Housing
VGF Group, LLC**

April 28, 2022

Subject Property: Block 302, Lots 6.01 and 31
Chesterfield Township, Burlington County
79.729 Acres
SADC ID# 03-0121-EP

WHEREAS, VGF Group, LLC, hereinafter (“Owner”) is the record owner of Block 302, Lots 6.01 and 31 in Chesterfield Township, Burlington County, by deed dated May 14, 2021, and recorded on July 30, 2021, in the Burlington County Clerk’s Office in Deed Book 13546, Page 4800, totaling 79.729 acres, hereinafter referred to as the “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to the Burlington County Board of Chosen Freeholders on March 22, 2001, by deed from H. Taylor Bunting and Jennie F. Bunting, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 (“ARDA”) and recorded on [insert date] in the Burlington County Clerk’s Office in Deed Book 5854, Page 30; and

WHEREAS, the SADC provided a cost share grant to the County, as evidenced by cost sharing grant agreement recorded in the Burlington County Clerk’s office on July 24, 2003, in Deed Book 6083, Page 691, thereby enrolling the Deed of Easement in the ARDA program ; and

WHEREAS, the Deed of Easement identifies one existing single-family residence, no Residual Dwelling Site Opportunities, zero units used for agricultural labor purposes and no exception areas; and

WHEREAS, Vegefresh Farm, LLC is the farm operator; and

WHEREAS, the Managers of Vegefresh Farm, LLC and VGF Group, LLC are Yufei Wu and Wei Jun Wu; and

WHEREAS, since acquiring the Premises, the Owner has converted it from a corn/soy/wheat crop rotation to a diversified vegetable and poultry operation; and

WHEREAS, on October 19, 2021, the Owner submitted an application for an existing trailer to be used as an agricultural labor housing unit to the Burlington County Agriculture Development Board (“BCADB”) for a 576 sq./ft., four-bedroom and one half-bathroom mobile home trailer, in the location shown on Schedule “A”, to house up to eight seasonal laborers on the Premises from March through November; and

WHEREAS, paragraph 14 of the Deed of Easement for the Premises states that: *“Grantor may construct any new buildings for agricultural purposes. The construction of any new buildings for residential use, regardless of its purpose, shall be prohibited except as follows:*

- i. To provide structures for the housing of agricultural labor employed on the Premises, but only with approval of the Grantee and the Committee. If Grantee and the Committee grant approval for the construction of agricultural labor housing, such housing shall not be used as a residence for Grantor, Grantor’s spouse, Grantor’s parents, Grantor’s lineal descendants, adopted or natural, Grantor’s spouse’s parents, Grantor’s spouse’s lineal descendants, adopted or natural.”; and*

WHEREAS, at its January 13, 2022, meeting, the BCADB approved the Owner’s request for the agricultural labor housing unit; and

WHEREAS, at its February 9, 2022, meeting, the Burlington County Board of Commissioners approved the Owner’s request for the agricultural labor housing unit; and

WHEREAS, the Premises is in active production consisting of approximately 65 acres of diversified vegetables, cucumbers, pumpkins, and approximately 400 chickens; and

WHEREAS, the Owner has represented that onsite labor is necessary to properly produce and harvest the crops raised on the farm and to reduce costs incurred from transporting employees to the farm; and

WHEREAS, the Owner has represented that the primary duties of the employees residing in the agricultural labor housing unit will be: growing seedlings, watering, trimming vines, fertilizing, weeding, harvesting, packing, delivery of produce and daily care of the poultry;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC has reviewed the Owner’s request to place a 576 sq./ft., four-bedroom and one half-bathroom mobile home trailer, in the location shown on Schedule “A”, to house up to eight seasonal laborers on the Premises from March through November, and finds that utilizing the proposed agricultural labor unit, as described by the Owner, is consistent with agricultural uses on the Premises; and:
 - a) That the size and location of the proposed unit minimizes any adverse impact on the agricultural operation.
 - b) Onsite labor housing is necessary due to the intensity of the work and the time-sensitive nature of the crops produced.

- c) The production aspects of the operation, consisting of 65 acres of vegetable and poultry production, warrants 8 full-time, seasonal laborers from March through November.
3. Only agricultural laborers employed on the Premises, in production aspects of the operation, and their immediate family, may live in the agricultural labor units. Agricultural labor housing shall not be used as housing for the Owner, Owner's spouse, Owner's parents, Owner's lineal descendants, adopted or natural, Owner's spouse's parents, or the Owner's spouse's lineal descendants, adopted or natural.
 4. The agricultural laborers shall be engaged in the day-to-day production activities on the Premises, which at this time includes growing seedlings, watering, trimming vines, fertilizing, weeding, harvesting, packing, delivery of produce and daily care of the poultry.
 5. As a condition of this approval, the Committee reserves the right to annually require the Owner to produce documentation supporting the production aspects of the operation to ensure that there is sufficient production activity occurring on the farm to continue to warrant use of the agricultural labor unit.
 6. The Owner's use of any structures for housing agricultural laborers shall comply with all applicable Federal, State, County and local regulations.
 7. This approval is non-transferable.
 8. This approval is valid for a period of three years from the date of this resolution, during which the Owner shall initiate the requested action; for the purpose of this provision "initiate" means applying for applicable local, state or federal approvals necessary to effectuate the approved SADC action; and
 9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
 10. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	ABSTAIN
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Schedule A



NJ FARMLAND PRESERVATION PROGRAM
State Agriculture Development Committee

VGF Group, LLC
Block 302, Lots 31 & 6.01
Chesterfield Township, Burlington County
79.729 Acres



125 62.5 0 125 250 Feet

4/6/2022

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2022R4(5)

Construction of Onsite Agricultural Labor Housing

**SST-100 LP Farm
Joseph Perrone**

April 28, 2022

Subject Property: Block 44, Lot 2
Bedminster Township, Somerset County
96.55 Acres
SADC ID# 18-0014-EP

WHEREAS, SST-100 LP (hereinafter "Owner"), is the current record owner of Block 44, Lot 2 on the official tax map of the Township of Bedminster, County of Somerset, by deed dated October 29, 2015 and recorded in the Somerset County Clerk's office on November 2, 2015 in Deed Book 6832, Page 3405, totaling approximately 96.55 acres, hereinafter referred to as "Premises", see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to the Somerset County Agriculture Development Board (CADB), by the previous owners, Scarlett and Gerald Doyle, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32, by Deed of Easement dated December 19, 1997 and recorded in the Somerset County Clerk's office on December 31, 1997 in Deed Book 2149, Page 145; and

WHEREAS, the Deed of Easement identifies one existing single-family residence, no Residual Dwelling Site Opportunities, no units used for agricultural labor purposes and no exception areas; and

WHEREAS, the Premises has been developed as an equine operation by previous owners and, at this time, includes a 28-stall stable, indoor and outdoor riding arenas, numerous fenced paddocks, and hay fields; and

WHEREAS, a previous owner constructed two apartments on the second floor of the stable without obtaining CADB, SADC or municipal approvals; and

WHEREAS, during the winter of 2016 - 2017, in an attempt to improve the two existing, second floor apartments in the stable, and to add a third unit also on the stable's second floor, the Owner applied for permits through the municipal construction office and was informed by Bedminster Township that permits had never been issued for the existing units; and

WHEREAS, on March 9, 2017, the Bedminster Township Land Use Board approved the Owner's application to renovate a portion of the second floor of the barn, as shown on the attached Schedule "A", to create three agricultural labor apartments, conditioned on securing farmland preservation approvals from the CADB and SADC; and

WHEREAS, the SADC approved the Owner's request for three agricultural labor apartments at its October 26, 2017, meeting; and

WHEREAS, the SADC approval included a three-year timeframe for the Owner to initiate the work; and

WHEREAS, due to family issues and Covid-19 constraints the Owner did not initiate completion of the apartments during that timeframe; and

WHEREAS, on April 4, 2022, the SADC received a request for approval of the same three agricultural labor units on the second floor of the stable from the Somerset CADB on behalf of the Owner; and

WHEREAS, the new units would serve as housing for three laborers associated with the equine operation; and

WHEREAS, paragraph 14 of the Deed of Easement for the Premises states that: *"Grantor may construct any new buildings for agricultural purposes. The construction of any new buildings for residential use, regardless of its purpose, shall be prohibited except as follows:*

- i. To provide structures for the housing of agricultural labor employed on the Premises, but only with approval of the Grantee and the Committee. If Grantee and Committee grant approval for the construction of the agricultural labor housing, such housing shall not be used as a residence for Grantor, Grantor's spouse, Grantor's parents, Grantor's lineal descendants, adopted or natural, Grantor's spouse's parents, Grantor's spouse's lineal descendants, adopted or natural."*; and

WHEREAS, the requested units would consist of three, one-bedroom, one-bathroom apartments approximately 428 sq./ft. each in size, totaling 1,284 sq./ft., on the second floor of the existing stable; and

WHEREAS, the farm owned 12 horses at the time of the original approval in 2017, but has had to reduce the number of horses and board them offsite due to a lack of labor to care for the animals; and

WHEREAS, the Owner represents that it currently owns 4 horses; and

WHEREAS, the Owner represents that its operation consists primarily of purchasing young horses and training them as jumpers for resale; and

WHEREAS, the Owner represents that it has an agreement with a new trainer to lease the equine infrastructure, pastures and paddocks so that she can bring her existing 18-20 horse operation to the Premises; and

WHEREAS, the trainer, who has operated her own equine training business for 22 years, will train horses for her existing clients, with a commission agreement in place through which she is entitled to a portion of the sale proceeds of her clients' horses sold while they are in her program, while also training the Owner's horses; and

WHEREAS, the Owner has represented that the lack of onsite labor is hindering the ability to expand but, once the onsite labor situation is resolved, the Owner intends to acquire more horses with the ultimate goal of a full stable consisting of a mix of farm-owned horses as well as the horses boarded by the trainer's clients; and

WHEREAS, the Owner has represented that the sale of horses boarded and trained on the Premises will generate a commission of 10-20% of the proceeds payable to the trainer; and

WHEREAS, the Committee promulgated regulations at N.J.A.C. 2:76-2B.3(e) ("regulations") pursuant to the Right to Farm Act, N.J.S.A. 4:1C-1 et seq. ("RTFA") that define what types of equine-related revenue constitute agricultural production income that can be used to satisfy the production requirements in the definition of "commercial farm" set forth in the RTFA; and

WHEREAS, said regulations include as production income monies from the sale of a horse that was trained or raised on the commercial farm for at least 120 days prior to the time of sale;

WHEREAS, the Committee has previously found that a commission due on the sale of any horse trained on the commercial farm constitutes production income for the purposes of evaluating agricultural labor housing eligibility; and

WHEREAS, application of the said regulations and prior Committee determinations to the trainer's operation results in the SADC finding that the following sources of revenue will constitute production income: the sale of any horse trained or raised on the commercial farm for a period of at least 120 days prior to sale and the sale of any horse trained on the Premises where a commission stake of 10-20% is due to the trainer; and

WHEREAS, the SADC finds that the labor activities conducted in connection with the equine production activities identified above are eligible for agricultural labor housing on the Premises; and

WHEREAS, the agricultural labor housing would be for the trainer's current barn manager and 2 grooms; and

WHEREAS, the Owner stated that a fourth laborer may be necessary on a temporary basis during the high point of the season; and

WHEREAS, the Owner has explained that affordable housing available locally is not a viable option, and that employees who have to commute are far less reliable and less efficient than labor housed onsite; and

WHEREAS, the Owner has asserted that onsite labor is necessary to properly care for and tend to the physical needs of the horses and is critical to the continuation and expansion of the operation; and

WHEREAS, the duties of the barn manager and 2 grooms who would reside in the three new agricultural labor units will be directly related to equine care and training including feeding, watering, turnout, exercise and training, stall cleaning, health assessments, administering medications, scheduling veterinary and other service needs, equipment work, 24-hour checks as needed, and pasture/paddock care; and

WHEREAS, on March 28, 2022, the CADB determined that its August 21, 2017, approval for the agricultural labor units, conditioned on use of the Premises as described herein, receipt of all required building permits, a requirement that the agricultural labor units be vacated in the event production levels decrease, and compliance with the Deed of Easement and all relevant federal and state rules and regulations, remains valid.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated by reference.
2. The SADC has reviewed the Owner's request to construct three new, one-bedroom, one-bathroom apartments at approximately 428 sq./ft., each, totaling 1,284 sq./ft., on the Premises for the purpose of housing agricultural labor in the existing barn as shown on Schedule "A", and finds;
 - a) That the size and location of the proposed units within an existing barn minimizes any adverse impact on the Premises;
 - b) Onsite labor housing is optimal due to regular daily feeding, watering, turnout, stall maintenance and health care needs of the horses as well as the necessity of 24-hour security and care of the horses;
 - c) The Owner's proposal to construct agricultural labor housing on the premises for purposes of housing on-site labor who are regularly engaged in the production aspects of this equine operation is consistent with the requirements of the Deed of Easement; and

3. These three units shall be limited to one occupant per unit, except during peak season where one additional occupant is will be permitted to reside in one of the existing units; and
4. The residents of the three agricultural labor units shall be employed full-time, exclusively, on the farm and engaged in the day-to-day production activities on the Premises, which at this time include feeding, watering, turnout, exercise and training of horses, stall cleaning, administering medications, scheduling veterinary and other service needs, equipment work, 24- hour checks as needed, pasture/paddock care as well as labor management; and
5. This approval and continued use of the three agricultural labor units is conditioned on the farm maintaining equine production activities that warrant the need for this number of laborers; and
6. That only agricultural laborers employed on the Premises, in production aspects of the operation, may live in the agricultural labor units; and
7. That any horses boarded onsite, not owned by the Owner, are being actively trained by the trainer; and
8. This approval is based on the compensation arrangement between the trainer and her clients for the sale of any animal boarded onsite that is not owned by the Owner, with an annual average of 10-20% of all such sales; and
9. As a condition of this approval, the Committee reserves the right to annually require the Owner to produce documentation supporting the production aspects of the operation to ensure that there is sufficient production activity occurring on the farm to continue to warrant use of the agricultural labor units; and
10. That as a condition of this approval, for a period of not less than five (5) years from the date of this approval, the Owner shall provide production records, which shall include breeding receipts, birth records, competition results, appraisals or lease/sales contracts for animals owned by the resident equine operation, born, raised or trained on the Premises, as well as documentation of commissions received on horses leased or sold that have been trained onsite by any entity operating from the Premises which houses laborers onsite, to the CADB and SADC as part of those entities' annual monitoring visits of the Premises; and
11. The Owner shall provide a list of names of all residents of the agricultural labor units, and their job functions on the Premises, annually, to the CADB and SADC, as part of those entities' annual monitoring visits of the Premises; and

12. That production and commission records as well as the list of residents shall be evaluated by the SADC to ensure that there is sufficient equine production activity occurring on the farm to continue to warrant use of the agricultural labor units; and
13. The Owner's use of any structures for housing agricultural laborers shall be in compliance with all applicable Federal, State, County and local regulations; and
14. This approval is non-transferable; and
15. This approval is valid for a period of three years from the date of this resolution, during which the Owner shall initiate the requested action; for the purpose of this provision "initiate" means applying for applicable local, state or federal approvals necessary to effectuate the approved SADC action; and
16. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
17. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022
DATE



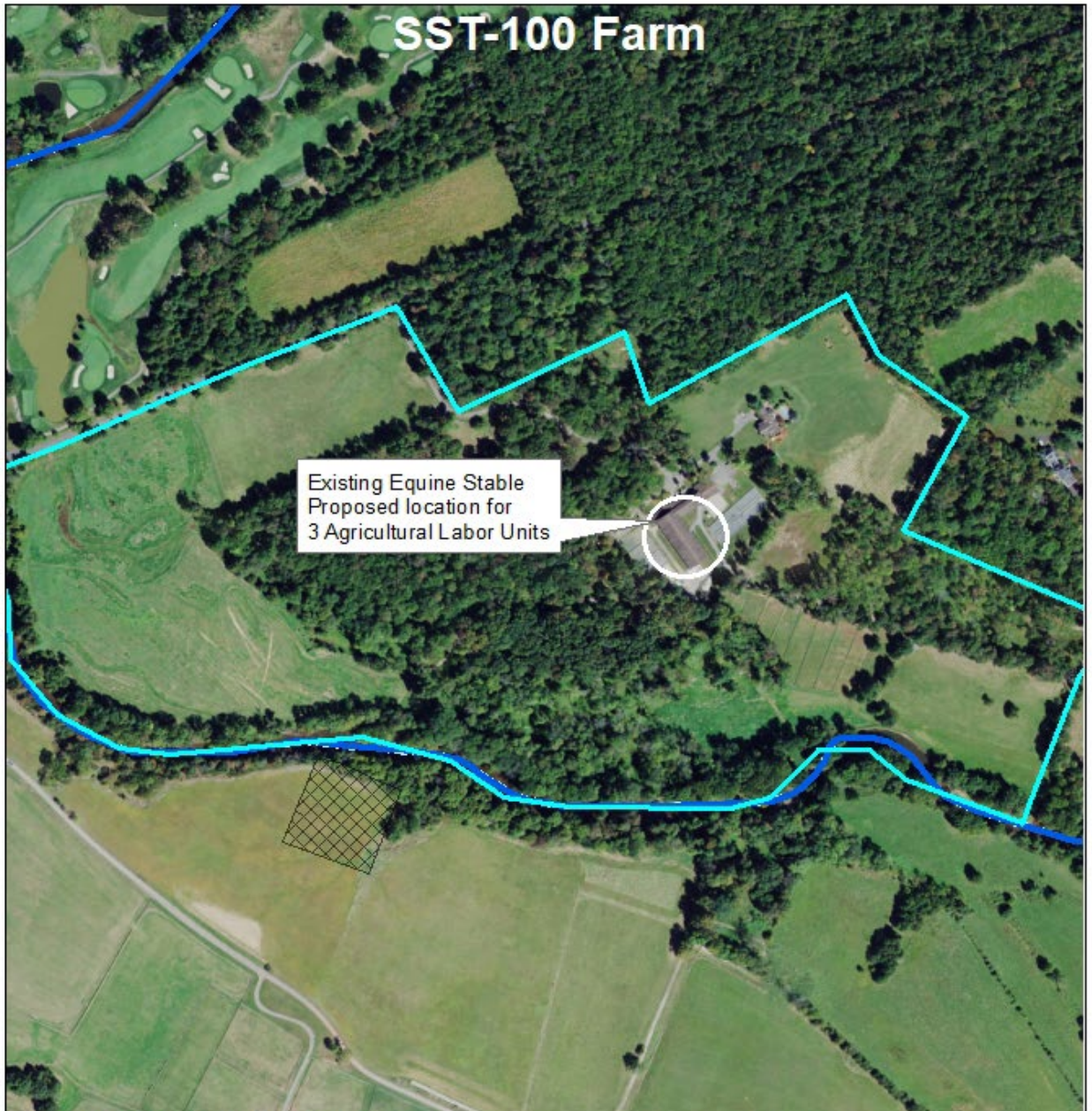
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	RECUSED
Douglas Fisher, Chairperson	YES

Schedule "A"

SST-100 Farm



Existing Equine Stable
Proposed location for
3 Agricultural Labor Units

NJ FARMLAND PRESERVATION PROGRAM
State Agriculture Development Committee

SST-100 Farm
Block 44, Lot 2
Bedminster Township, Somerset County
96.5 acres



125,000

4/7/2022

Farmland Preservation Program

- PRESERVED EASEMENT
- EXCEPTION AREA
- PRESERVED EASEMENT / NR
- EXCEPTION AREA / NR
- FINAL APPROVAL
- PRELIMINARY APPROVAL
- ACTIVE APPLICATION
- 8 YEAR PRESERVED
- TARGETED FARM
- EXCEPTION AREA TARGETED
- INACTIVE APPLICATION
- INACTIVE/FEDERALLY FUNDED
- NO CORRESPONDING DATA
- PRESERVED/FEDERALLY FUNDED

State Planning Areas

- PA-1) METRO
- PA-2) SUBURBAN
- PA-3) FRINGE
- PA-4) RURAL
- PA-5) RURAL EM/SDMS
- PA-5) ENV/SDMS
- PA-5) ENV/SDMS SENSITIVE BARRIERS
- P-10) PINELANDS
- PARK
- MILITARY
- NEW JERSEY MEADOWLANDS
- WATER

Base Map

- County Boundaries
- Municipal Boundaries
- Highlands Planning Area
- Highlands Preservation Area
- Pineland Area
- Green Acres Preserved Easements

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**REVIEW OF A NON-AGRICULTURAL DEVELOPMENT PROJECT IN AN
AGRICULTURAL DEVELOPMENT AREA INCLUDING CONDEMNATION OF
PRESERVED FARMLAND**

**GLOUCESTER COUNTY UTILITIES AUTHORITY
SANITARY SEWER FORCE MAIN**

**TOWNSHIPS OF SOUTH HARRISON, WOOLWICH & EAST GREENWICH,
GLOUCESTER COUNTY**

Resolution #FY2022R4(6)

April 28, 2022

WHEREAS, pursuant to the Agriculture Retention and Development Act (ARDA), N.J.S.A. 4:1C-19, et seq., any public body which intends to exercise the power of eminent domain within an Agricultural Development Area (ADA), shall file a Notice of Intent (NOI) with the County Agriculture Development Board (CADB) and the State Agriculture Development Committee (SADC) 30 days prior to the initiation of the action; and

WHEREAS, pursuant to N.J.S.A. 4:1C-25, no public body shall exercise the power of eminent domain for the acquisition of land in a municipally approved farmland preservation program or from which a development easement has been conveyed, for the construction of dwellings, commercial facilities, transportation facilities, or water or sewer facilities to serve nonfarm structures unless the Governor declares that the action is necessary for the public health, safety and welfare and that there is no immediately apparent feasible alternative; and

WHEREAS, CADBs and the SADC are charged with the responsibility, pursuant to N.J.S.A. 4:1C-19, to review intended takings under the power of eminent domain by public bodies on land in an ADA and the construction of certain facilities to serve nonfarm uses in order to determine the proposed action's effect upon the preservation and enhancement of agriculture in the ADA, the municipally approved program, and overall State agriculture preservation and development policies; and

WHEREAS, on December 8, 2020 a NOI was submitted by the Gloucester County Utilities Authority (GCUA), through its consultant engineers, regarding a proposed pump station and sewer force main pipeline from the Gloucester County Improvement Authority's (GCIA) landfill in South Harrison to GCUA's Edwards Run Interceptor connection in East Greenwich Township (Project), see Schedule A; and

WHEREAS, the GCUA intends to convey the leachate from the GCIA landfill to the GCUA interceptor system in a joint venture with the Borough of Swedesboro and Woolwich Township; and

WHEREAS, the current practice is to haul approximately 30 truckloads of leachate per day from the landfill over county and municipal roads to the GCUA Wastewater Treatment Plant in West Deptford Township; and

WHEREAS, the Project proposes a more robust, resilient and continuous transportation system for the leachate and reduces the potential for both spillage present with the trucked option and failure of the leachate lagoon at the GCUI landfill; and

WHEREAS, in addition to addressing the leachate, the Project will allow the Borough of Swedesboro to abandon its existing surface water discharge wastewater treatment plant and allow both Swedesboro and a portion of Woolwich Township along the Route 322 corridor to be served by the GCUA regional sewer system; and

WHEREAS, within the Gloucester County ADA the force main is proposed to be located in existing rights of way with the exception of the Rowan College Fire Training Center property (Block 1401, Lot 6 in East Greenwich) and the adjacent Faust Farm (Block 1401, Lot 7 in East Greenwich Township) before it ultimately discharges to a point in GCUA's interceptor at 55 Mantua Road in East Greenwich Township, see Schedule B; and

WHEREAS, the Faust Farm was permanently preserved as the Christopher Ruggieri Farm by Gloucester County on January 30, 2003 and is located within an ADA; and

WHEREAS, the County of Gloucester preserved the Faust Farm pursuant to the Agriculture Retention and Development Act (N.J.S.A. 4:1C-11 et seq.) but did not enroll the farm in the State of New Jersey Agriculture Retention and Development Program; and

WHEREAS, the NOI submitted to the Gloucester CADB and the SADC informed both agencies of the GCUA's intent to seek condemnation on Block 1401, Lot 7 for acquisition of a 20-foot wide permanent easement totaling 15,895 S.F. / 0.365 acres; and

WHEREAS, the GCUA's proposal contemplates installation of the sanitary sewer line using a trenchless, directional drilling method across a forested wetland and riparian portion of the Faust Farm, see Schedule C; and

WHEREAS, a variety of possible routing options that would avoid the Faust Farm and negate the need to condemn preserved farmland were identified in the NOI; and

WHEREAS, GCUA's engineers determined the route proposed in the NOI presented the least impact to environmentally sensitive areas, negligible agricultural impacts in the ADA and the fewest engineering and permitting constraints; and

WHEREAS, utilization of directional drilling will avoid wetland and habitat impacts and will not restrict agricultural activities within the easement area or result in any above ground structures, facilities, piping or other surface disturbances on the Faust Farm; and

WHEREAS, SADC staff reviewed the NOI submitted by the GCUA, and determined that the GCUA has adequately addressed all requirements and information about the project pursuant to N.J.S.A. 4:1C-19 and N.J.A.C. 2:76-7.1 et seq.; and

WHEREAS, the Gloucester CADB, at its meeting on March 17, 2022, reviewed the NOI and determined that the project is for a legitimate public purpose of the health, safety and welfare of the residents of the Gloucester County with no materially adverse impact to the preserved farm, the ADA, or State agricultural preservation and development policies; and

NOW, THEREFORE, BE IT RESOLVED that the SADC finds that the proposed Project, including condemnation for the acquisition of a 20-foot wide permanent easement totaling 15,895 S.F. on the subject property, would not cause unreasonably adverse effects on the preserved farm, ADA or State agricultural preservation and development policies pursuant to N.J.S.A. 4:1C-19 and N.J.S.A. 4:1C-25 for the following reasons:

1. The proposed project is necessary to provide a safe and reliable means to address leachate from the GCIA landfill and provide the Borough of Swedesboro and Woolwich Township with wastewater accommodation through the GCUA;
2. The project is a legitimate public purpose necessary for the public health, safety and welfare;
3. The project has been designed to minimize impacts to the ADA to the greatest extent possible;
4. The GCUA has evaluated all options and determined that there is no immediately apparent feasible alternative that would provide equivalent leachate and wastewater accommodation; and
5. The project as proposed will not negatively impact the existing farming operation since the area to be condemned is not an actively used portion of the farm and no above ground infrastructure or disturbances will be present; and

BE IT FURTHER RESOLVED that the SADC agrees with the Gloucester CADB's determination that there are no other immediately apparent feasible alternatives to the Project and that the proposed taking and use of the subject property will not cause unreasonably adverse effects on the ADA, or State agricultural preservation and development policies; and

BE IT FURTHER RESOLVED that should the project proposal be amended, GCUA shall revise and resubmit its NOI so that the Gloucester CADB and SADC may reconsider their findings in light of any amended project requirements and impacts; and

BE IT FURTHER RESOLVED that the SADC recommends that the Governor declare the action necessary for the public health, safety and welfare and that there is no immediately apparent feasible alternative; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022

Date



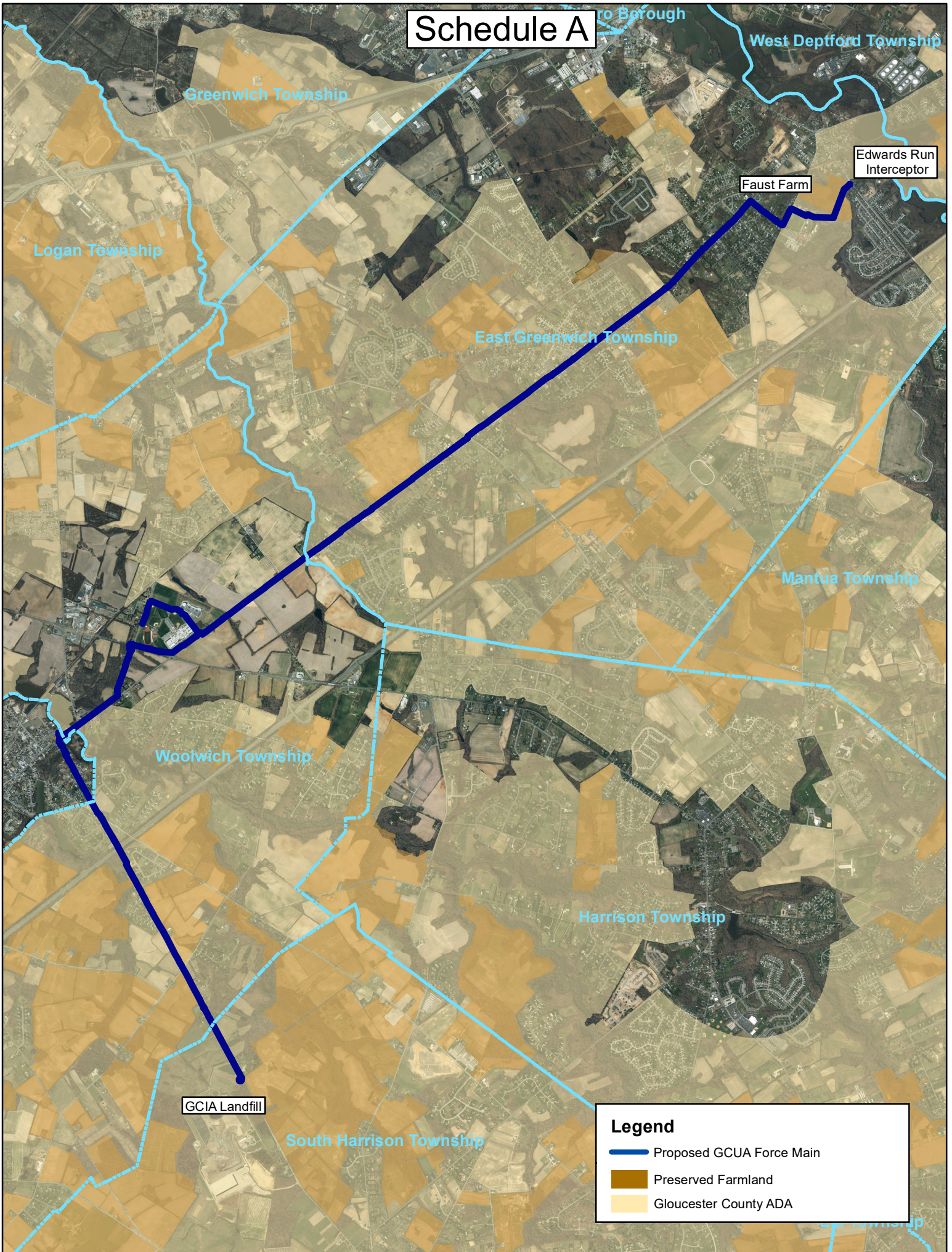
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	ABSTAIN
Richard Norz	YES
Douglas Fisher, Chairperson	YES

[https://sonj.sharepoint.com/sites/AG/SADC/ADAs/Impact Reviews \(Section 19 and 25\)/Gloucester Utility Authority Sewer Main/SADC Resolution - 042822.doc](https://sonj.sharepoint.com/sites/AG/SADC/ADAs/Impact%20Reviews%20(Section%2019%20and%2025)/Gloucester%20Utility%20Authority%20Sewer%20Main/SADC%20Resolution%20-%20042822.doc)




Schedule A



Schedule B



Legend

-  Proposed GCUA Force Main
-  Faust Farm (Gloucester Co. Preserved)
-  Gloucester County ADA

Schedule C

Block 1401, Lot 7

Legend

- Proposed GCUA Force Main
- Freshwater Wetlands (NJDEP LULC)
- Water (NJDEP LULC)



**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R4(7)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
MIDDLESEX COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Brys, Thomas & Howard, Candice (Duchess Farms) (“Owners”)
SADC ID# 12-0027-PG
South Brunswick Township, Middlesex County
N.J.A.C. 2:76-17 et seq.**

APRIL 28, 2022

WHEREAS, on December 2, 2020, it was determined that the application for the sale of a development easement for the subject farm identified as Block 26, Lots 5.02 and 6, South Brunswick Township, Middlesex County, totaling approximately 6.9 gross acres hereinafter referred to as “the Property” (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant (“PIG”) criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

WHEREAS, the Owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the targeted Property is located in the County’s Northwestern Project Area; and

WHEREAS, the Property includes zero (0) exception areas, resulting in approximately 6.9 net acres to be preserved, hereinafter referred to as “the Premises”; and

WHEREAS, the Premises includes:

- 1) Zero (0) exceptions,
- 2) One (1) existing single family residential unit
- 3) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 4) Zero (0) agricultural labor units
- 5) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in apiary and horticulture; and

WHEREAS, the Property has a quality score of 53.47 which exceeds 45, which is 70% of the County’s average quality score, as determined by the SADC, at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on August 23, 2021, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$33,500 per acre based on zoning and environmental regulations in place as of the current valuation date May 25, 2021; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County’s offer of \$33,500 per acre for the purchase of the development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on December 14, 2021, the South Brunswick Township Committee approved the application for the sale of development easement and

a funding commitment of \$6,700 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 12, 2022, the Middlesex County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 17, 2022, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$6,700 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 7.107 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 7.107 acres):

	Total	Per/acre
SADC	\$142,850.70	(\$20,100/acre)
South Brunswick Township	\$ 47,616.90	(\$6,700/acre)
Middlesex County	<u>\$ 47,616.90</u>	<u>(\$6,700/acre)</u>
Total Easement Purchase	\$238,084.50	(\$33,500/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 (d) (f), if there are insufficient funds available in a county's base grant, the county may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$142,850.70 in base grant funding, which is available at this time (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Premises, comprising approximately 7.107 net easement acres, at a State cost share of \$20,100 per acre, (60% of certified easement value and purchase price), for a total grant of approximately \$142,850.70 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.

5. The SADC's cost share grant to the county for the development easement purchase on the Premises shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
6. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18.
7. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



X:\counties\midco\projects\Brys, Thomas & Howard, Candice (Duchess Farms) 2mile.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Brys, Thomas & Howard, Candice (Duchess Farms)
Block 26 Lots 6 (0.5 ac) & 5.02 (6.4 ac)
Gross Total = 6.9 ac
South Brunswick Twp., Middlesex County



	Property In Question
	Preserved Easements
	Transfer Development Rights (TDR) Preserved: Highlands, Pinelands and Municipal
	Active Applications
	County Boundaries
	Municipal Boundaries
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJGIT/OGIS 2015 Digital Aerial Image

NOTE:
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

October 16, 2020

Wetlands



X:\counties\mtdco\projects\Brys, Thomas & Howard, Candice (Duchess Farms) fww.mxd

**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Brys, Thomas & Howard, Candice (Duchess Farms)
Block 26 Lots 6 (0.5 ac) & 5.02 (6.4 ac)
Gross Total = 6.9 ac
South Brunswick Twp., Middlesex County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Tidelands Claim Line, NJ, Edition 20161214
NJGIT/OGIS 2015 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

	Property In Question
	Wetlands Boundaries
	Primary - Limited Access
	Federal or State Hwys
	County Roads
	Municipal/Local Roads



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

October 16, 2020

SADC County Pig Financial Status Schedule B Middlesex County

SADC ID#	Farm	Municipality	Acres	Pay Acres	Negotiated Per Acre	SADC Certified or SAUC Grant Per Acre	SADC		Federal Grant		Base Grant				Competitive Funds			Fund Balance																										
							Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance	Encumbered	PV	Expended	FY11 Balance	FY13 Balance	FY17 Balance	FY18 Balance	FY20 Balance																						
12-0014-PG	Kurek, R & P	Cranbury	152.0189	151.0140	7,750.00	4,775.00	1,170,358.50	721,091.85			467,343.65	426,106.75	426,106.75	4,573,893.25																														
12-0017-PG	Voight, Jesse	South Brunswick	34.0378	32.7168	34,350.00	20,610.00	1,123,822.08	674,293.25			689,276.72	674,293.25	674,293.25	3,899,600.00																														
12-0019-PG	Konopacki/Indyk Farm	Monroe	37.6896	37.4606	24,000.00	14,400.00	899,054.40	539,432.64			548,784.00	539,432.64	539,432.64	3,360,167.36																														
12-0015-PG	Reinhardt	Cranbury	37.1710	36.8100	28,500.00	17,100.00	1,049,085.00	629,451.00			260,890.45	270,241.81	270,241.81	3,089,925.55	467,253.45	359,209.19	359,209.19	2,640,790.81																										
12-0023-PG	Beck-Callanan	Monroe	16.8818	16.8818	24,000.00	14,400.00	405,163.20	243,097.92			89,925.55	89,925.55	89,925.55	3,000,000.00	162,218.45	153,172.37	153,172.37				4,846,827.63																							
12-0025-PG	Zmbicki, Sr. Anthony (Estate of)	Monroe	35.0400	35.0310	27,000.00	16,200.00	945,837.00	567,502.20			596,160.00	567,502.20	567,502.20	2,432,497.80																														
12-0026-PG	Diem, Erna & Sigle, Mable (Estate of Ernest Bergfelder)	East Brunswick	27.8000	28.4280	19,000.00	11,400.00	540,132.00	324,079.20			324,079.20			2,108,418.80																														
12-0027-PG	Brys, Thomas & Howard, Candice (Duchess Farms)	South Brunswick	8.9000	7.1070	33,500.00	20,100.00	238,084.50	142,850.70			142,850.70			1,965,567.90																														
Closed	6		312.8391	306.079142			5,593,320.18	3,374,868.86																																				
Encumbered	2		34.5000	33.5350			178,216.50	466,929.90																																				
											Encumber/Expended FY09	-	-	-	-																													
											Encumber/Expended FY11	-	-	1,500,000.00	-																													
											Encumber/Expended FY13	-	-	500,000.00	-																													
											Encumber/Expended FY17	432,497.80	-	567,502.20	-																													
											Encumber/Expended FY18	-	-	-	-																													
											Encumber/Expended FY20	-	-	-	-																													
											Encumber/Expended FY21	-	-	-	-																													
											Encumber/Expended FY22	34,432.10	-	-	-																													
											Total				1,965,567.90															2,640,790.81	4,846,827.63	5,000,000.00	2,000,000.00	2,000,000.00	2,000,000.00									

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Brys, Thomas & Howard, Candice (Duchess Farms)
12-0027-PG
County PIG Program
7 Acres

Block 26	Lot 6	South Brunswick Twp.	Middlesex County			
Block 26	Lot 5.02	South Brunswick Twp.	Middlesex County			
SOILS:		Prime	100% *	.15	-	15.00
						SOIL SCORE: 15.00
TILLABLE SOILS:		Cropland Harvested	74% *	.15	-	11.10
		Other	10% *	0	-	.00
		Woodlands	16% *	0	-	.00
						TILLABLE SOILS SCORE: 11.10
FARM USE:		Bee Farms	6 acres			hives & pasture
		Horticulture Specialties	acres			Cut Flowers

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R4(8)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
CUMBERLAND COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Lang, Scott L. & Mitzi M. ("Owners")
SADC ID#06-0217-PG
Greenwich Township, Cumberland County
N.J.A.C. 2:76-17 et seq.**

APRIL 28, 2022

WHEREAS, on September 15, 2020, it was determined that the application for the sale of a development easement for the subject farm identified as Block 16, Lot 8.01, Greenwich Township, Cumberland County, totaling approximately 64.9 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

WHEREAS, the Owners read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the targeted Property is located in the County's Greenwich Project Area, and

WHEREAS, the Property includes one (1), approximately 1.5-acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 63.4 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 1.5-acre non-severable exception area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be limited to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the Premises includes:

- 1) Zero (0) housing opportunities
- 2) Zero (0) agricultural labor units
- 3) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in soybean production; and

WHEREAS, the Property has a quality score of 62.66 which exceeds 42, which is 70% of the County's average quality score, as determined by the SADC, at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 29, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$3,000 per acre based on zoning and environmental regulations in place as of the current valuation date July 1, 2020; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$3,000 per acre for the purchase of the development easement on the Premises; and

WHEREAS, on February 22, 2022, the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on July 26, 2021, the Greenwich Township Committee approved the application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 8, 2021, the Cumberland County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on July 20, 2021, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$800 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 65.302 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 65.302 acres):

	Total	Per/acre
SADC	\$143,664.40	(\$2,200/acre)
<u>Cumberland County</u>	<u>\$ 52,241.60</u>	<u>(\$800/acre)</u>
Total Easement Purchase	\$195,906.00	(\$3,000/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 (d) (f), if there are insufficient funds available in a county's base grant, the county may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$143,664.40 in base grant funding which is available at this time (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the

purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Premises, comprising approximately 65.302 net easement acres, at a State cost share of \$2,200 per acre, (73.33% of certified easement value and purchase price), for a total grant of approximately \$143,664.40 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
5. The SADC's cost share grant to the county for the development easement purchase on the Premises shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
6. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18.
7. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022

Date

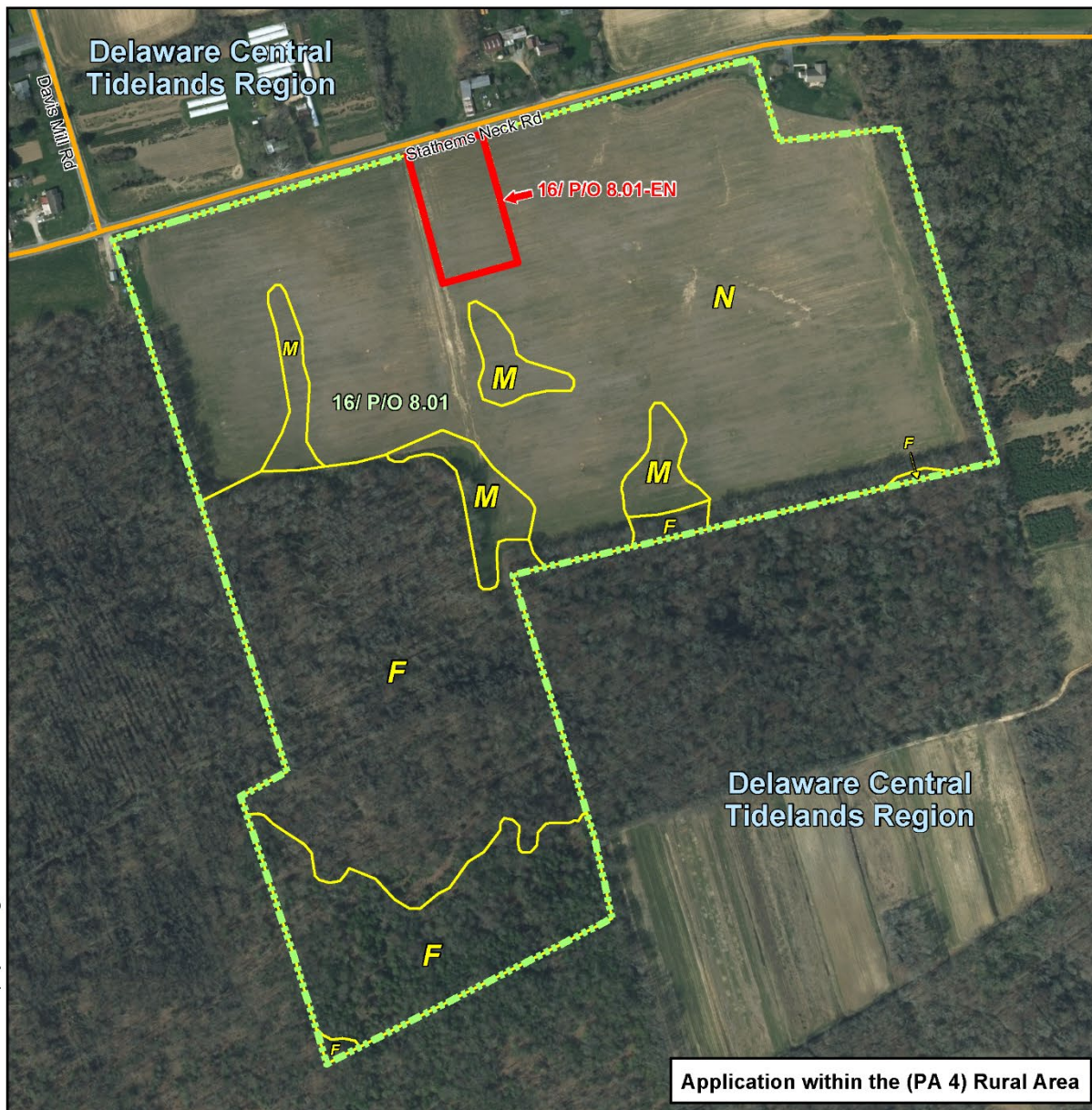


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Wetlands



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**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Lang, Scott & Mitzi
Block 16 Lots P/O 8.01 (63.4 ac);
& P/O 8.01-EN (non-severable exception - 1.5 ac)
Gross Total = 64.9 ac
Greenwich Twp., Cumberland County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Tideland Claims Line, NJ, Edition 20161214
NJOTI/OGIS 2015 Digital Aerial Image

TIDELANDS DISCLAIMER:
The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4, "Tidelands Claims Maps". These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Tidelands Management can perform an official determination of Tidelands/Riparian claims.

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

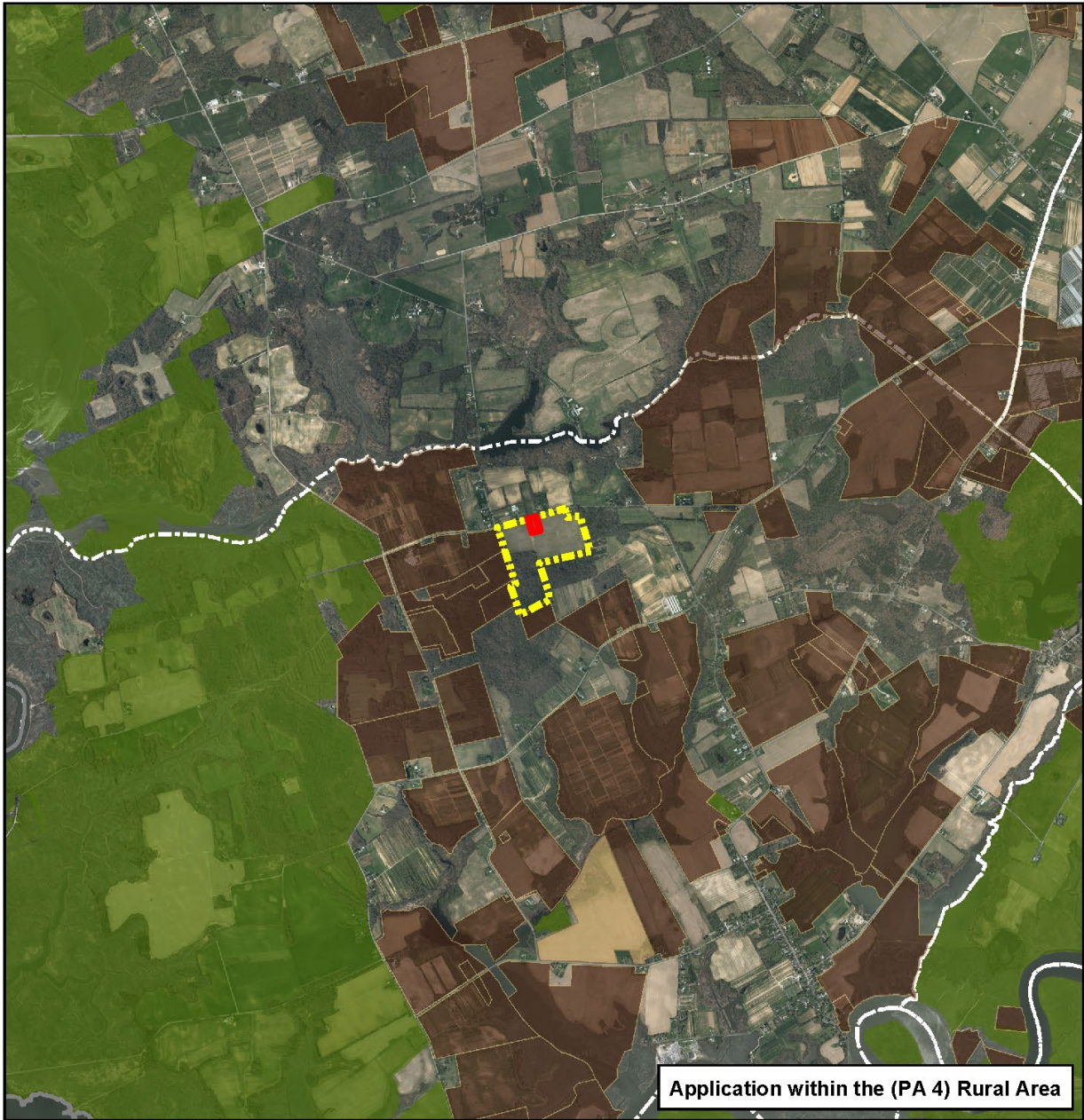
Application within the (PA 4) Rural Area

	Property In Question
	EN - (Non-Severable) Exception
	Wetlands Boundaries
	Primary - Limited Access
	Federal or State Hwys
	County Roads
	Municipal/Local Roads
	Tidelands Boundary
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Preserved Farms and Active Applications Within Two Miles



X:\counties\cumco\projects\Lang, Scott & Mitzi\2mile.mxd

Application within the (PA 4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Lang, Scott & Mitzi
Block 16 Lots P/O 8.01 (63.4 ac);
& P/O 8.01-EN (non-severable exception - 1.5 ac)
Gross Total = 64.9 ac
Greenwich Twp., Cumberland County



- Property In Question
- Exceptions
- Preserved Easements
- Transfer Development Rights (TDR) Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



NOTE:
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJGIT/OGIS 2015 Digital Aerial Image

August 26, 2020

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Lang, Scott & Mitzi
06- 0217-PG
County PIG Program
63 Acres

Block 16	Lot 8.01	Greenwich Twp.	Cumberland County
SOILS:		Other	32% * 0 = .00
		Prime	65% * .15 = 9.75
		Statewide	3% * .1 = .30
			SOIL SCORE: 10.05
TILLABLE SOILS:		Cropland Harvested	60% * .15 = 9.00
		Wetlands/Water	37% * 0 = .00
		Woodlands	3% * 0 = .00
			TILLABLE SOILS SCORE: 9.00
FARM USE:	Soybeans-Cash Grain		37 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st (1.5) acres for Future SFR
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R4(9)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
CUMBERLAND COUNTY**

**for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Mecouch, Clifford W. & Clifford K. (Mecouch Farms2 LLC) (“Owners”)
SADC ID#06-0208-PG
Stow Creek Township, Cumberland County
N.J.A.C. 2:76-17 et seq.**

APRIL 28, 2022

WHEREAS, on July 8, 2019, it was determined that the application for the sale of a development easement for the subject farm identified as Block 19, Lot 15, Stow Creek Township, Cumberland County, totaling approximately 71 gross acres hereinafter referred to as “the Property” (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant (“PIG”) criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

WHEREAS, the Owners read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the targeted Property is located in the County’s Stow Creek North Project Area; and

WHEREAS, the Property includes one (1), approximately 5-acre non-severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 66 net acres to be preserved, hereinafter referred to as “the Premises”; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 5-acre nonseverable exception area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be limited to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the Premises includes:

- 1) Zero (0) housing opportunities
- 2) Zero (0) agricultural labor units
- 3) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in soybean and beef production; and

WHEREAS, the original application was submitted by Clifford W. And Clifford K. Mecouch; and

WHEREAS, on April 2, 2021, the ownership of the property was transferred to Mecouch Farms2, LLC; and

WHEREAS, the Property has a quality score of 61.75 which exceeds 44, which is 70% of the County's average quality score, as determined by the SADC, at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 24, 2019, the SADC certified a development easement value of \$5,000 per acre based on zoning and environmental regulations in place as of the current valuation date February 1, 2019; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,000 per acre for the purchase of the development easement on the Premises; and

WHEREAS, on January 15, 2021, the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on December 8, 2020, the Stow Creek Township Committee approved the application for the sale of development easement and, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 15, 2020, the Cumberland County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 26, 2020, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$1,600 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 67.98 will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 67.98 acres):

	Total	Per/acre
SADC	\$231,132	(\$3,400/acre)
<u>Cumberland County</u>	<u>\$108,768</u>	<u>(\$1,600/acre)</u>
Total Easement Purchase	\$339,900	(\$5,000/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 (d) (f), if there are insufficient funds available in a county's base grant, the county may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$231,132 in base grant

funding which is available at this time (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Premises, comprising approximately 67.98 net easement acres, at a State cost share of \$3,400 per acre, (68% of certified easement value and purchase price), for a total grant of approximately \$231,132 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
7. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18.
8. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

11. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022

Date

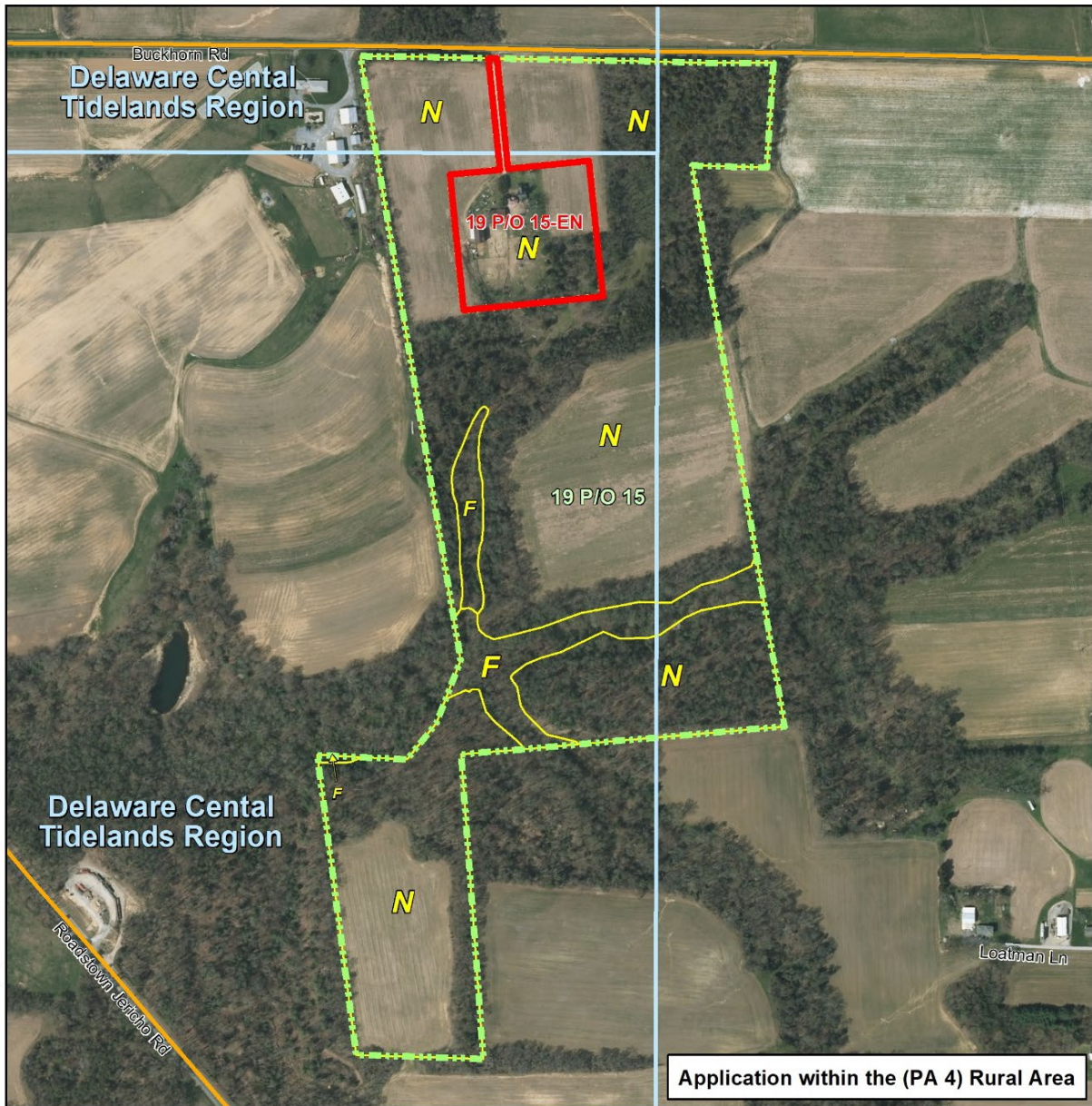


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Wetlands



X:\counties\cumco\projects\Mecouch, Clifford W & Clifford K fww.mxd

**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Mecouch, Clifford W. & Clifford K.
Block 19 Lots P/O 15 (61.4 ac);
& P/O 15-EN (non-severable exception - 5.0 ac);
Gross Total = 66.4 ac
Stow Creek Twp., Cumberland County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJDEP Wetlands Data
NJOT/OGIS 2015 Digital Aerial Image

TIDELANDS DISCLAIMER:
The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4, "Tidelands Claims Maps". These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Tidelands Management can perform an official determination of Tidelands/Riparian claims.

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

	Property In Question
	EN - (Non-Severable) Exception
	Wetlands Boundaries
	Primary - Limited Access
	Federal or State Hwys
	County Roads
	Municipal/Local Roads
	Tidelands Boundary

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
S - 300' Buffer
W - Water



Preserved Farms and Active Applications Within Two Miles

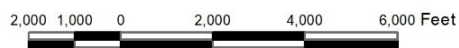


X:\counties\cumco\projects\Mecouch, Clifford W & Clifford K 2mile.mxd

Application within the (PA 4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mecouch, Clifford W. & Clifford K.
Block 19 Lots P/O 15 (61.4 ac);
& P/O 15-EN (non-severable exception - 5.0 ac);
Gross Total = 66.4 ac
Stow Creek Twp., Cumberland County



	Property In Question
	Exceptions
	Preserved Easements
	Transfer Development Rights (TDR) Preserved: Highlands, Pinelands and Municipal
	Active Applications
	County Boundaries
	Municipal Boundaries
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJOT/IGIS 2015 Digital Aerial Image

NOTE:
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

May 15, 2019

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Mecouch, Clifford W. & Clifford K.
06- 0208-PG
County PIG Program
61 Acres

Block 19	Lot 15	Stow Creek Twp.	Cumberland County		
SOILS:		Prime	44% *	.15	= 6.60
		Statewide	47% *	.1	= 4.70
		Unique .125	7% *	.125	= .88
		Unique zero	2% *	0	= .00
					SOIL SCORE: 12.18
TILLABLE SOILS:		Cropland Harvested	44% *	.15	= 6.60
		Wetlands/Water	7% *	0	= .00
		Woodlands	49% *	0	= .00
					TILLABLE SOILS SCORE: 6.60
FARM USE:		Soybeans-Cash Grain	29 acres		
		Agriculture Production Livestock	6 acres		All beef

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st five (5) acres for Existing single family residence
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R4(10)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
PILESGROVE TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Williams, Christen M. & Melissa A. (“Owners”)
SADC ID#17-0232-PG
Pilesgrove Township, Salem County
N.J.A.C. 2:76-17A. et seq.**

APRIL 28, 2022

WHEREAS, on December 2, 2020, it was determined that the application for the sale of a development easement for the subject farm identified as Block 80, Lot 11, Pilesgrove Township, Salem County, totaling approximately 15.4 gross acres hereinafter referred to as “the Property” (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a) and the Township has met the Municipal Planning Incentive Grant (“PIG”) criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

WHEREAS, the Owners read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the targeted Property is located in the Township’s Rt 40 Project Area; and

WHEREAS, the Property includes one (1), approximately 2.5-acre severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 12.9 net acres to be preserved, hereinafter referred to as “the Premises”; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 2.5-acre severable exception area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) May be severed or subdivided from the Premises
- 3) Shall be limited to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) Zero (0) housing opportunities
- 2) Zero (0) agricultural labor units
- 3) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in hay production; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on March 5, 2021, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$6,200 per acre based on zoning and environmental regulations in place as of the current valuation date January 18, 2021; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.12, the Owner accepted the Township's offer of \$6,200 per acre for the purchase of the development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on February 22, 2022, the Pilesgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,100 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on February 23, 2022, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on March 2, 2022, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$1,100 per acre to cover the local cost share; and

WHEREAS, the Municipality has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 13.287 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 13.287 acres):

	Total	Per/acre
SADC	\$53,148.00	(\$4,000/acre)
Pilesgrove Township	\$14,615.70	(\$1,100/acre)
<u>Salem County</u>	<u>\$14,615.70</u>	<u>(\$1,100/acre)</u>
Total Easement Purchase	\$82,379.40	(\$6,200/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17A.14 (d) (f), if there are insufficient funds available in a Municipality's base grant, it may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Township is requesting \$53,148 in base grant funding which is available at this time (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of N.J.A.C. 2:76-6.11;

WHEREAS, pursuant to N.J.A.C. 2:76-6.11, the SADC shall provide a cost share grant to the

Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 13.287 net easement acres, at a State cost share of \$4,000 per acre, (64.52% of certified easement value and purchase price), for a total grant of approximately \$53,148 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
5. The SADC will be providing its grant directly to the County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
7. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.

9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

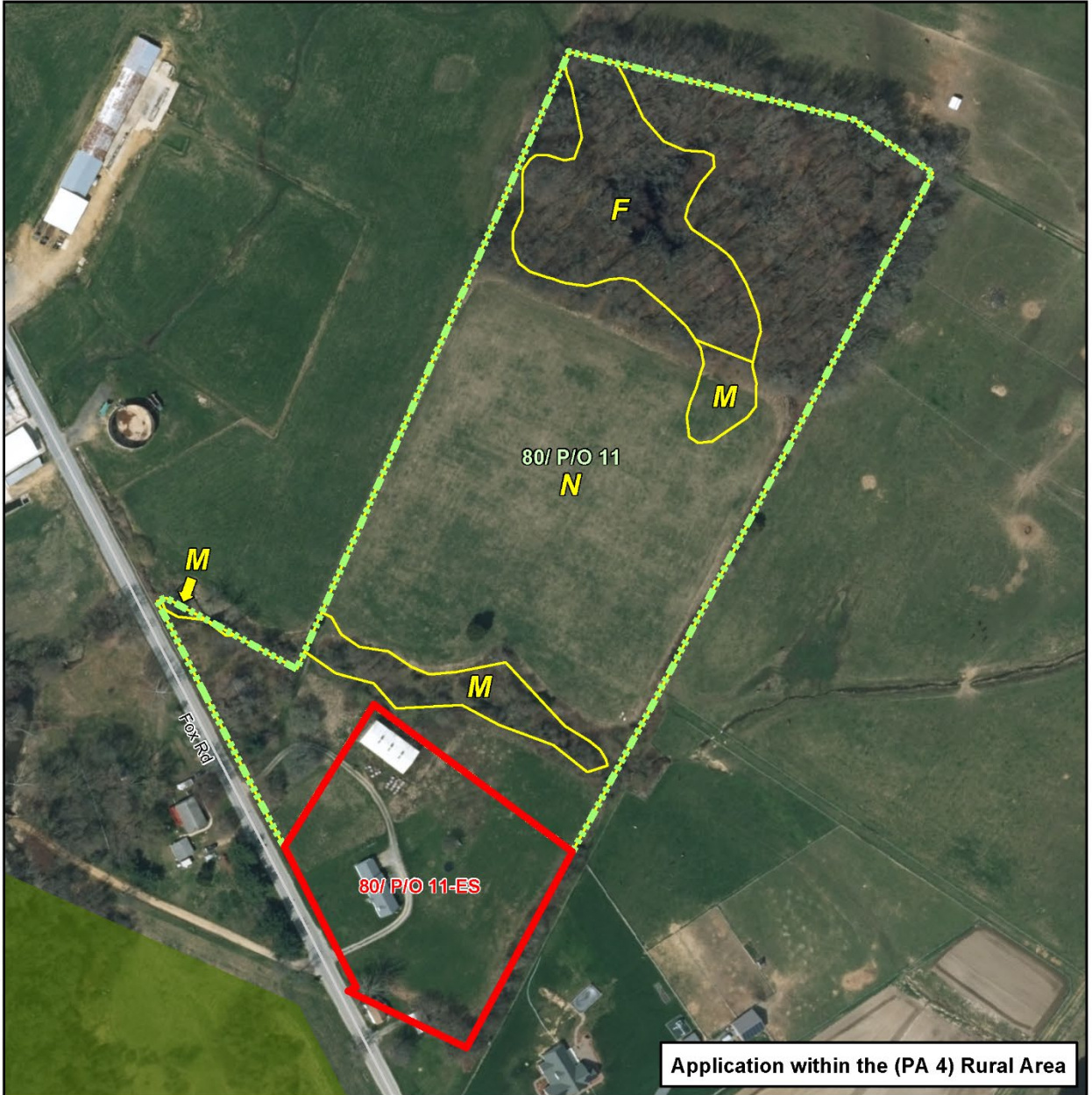
4/28/2022
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Wetlands



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Williams, Christen M. & Melissa A.
Block 80 Lots P/O 11 (12.9 ac) &
P/O 11-ES (severable exception - 2.5 ac)
Gross Acres = 15.4 ac
Pilesgrove Twp., Salem County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2015 Digital Aerial Image

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Application within the (PA 4) Rural Area

- Property In Question
- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

October 6, 2020

Preserved Farms and Active Applications Within Two Miles

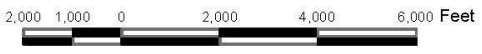


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Application within the (PA 4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Williams, Christen M. & Melissa A.
Block 80 Lots P/O 11 (12.9 ac) &
P/O 11-ES (severable exception - 2.5 ac)
Gross Acres = 15.4 ac
Pilesgrove Twp., Salem County



- Property In Question
- Exceptions
- Preserved Easements
- Transfer Development Rights (TDR)
Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



NOTE:
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Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
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NJOT/OGIS 2015 Digital Aerial Image

October 6, 2020

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Williams, Christen M. & Melissa A.
17- 0232-PG
PIG EP - Municipal 2007 Rule
13 Acres

Block 80	Lot 11	Pilesgrove Twp.	Salem County	
SOILS:		Other	30% * 0	= .00
		Prime	58% * .15	= 8.70
		Statewide	12% * .1	= 1.20
				SOIL SCORE: 9.90
TILLABLE SOILS:		Cropland Harvested	55% * .15	= 8.25
		Wetlands/Water	12% * 0	= .00
		Woodlands	33% * 0	= .00
				TILLABLE SOILS SCORE: 8.25
FARM USE:	Hay		12 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st (2.5) acres for Existing SFR & barn
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R4(11)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
COLTS NECK TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Feiler, Aaron T. ("Owner")
SADC ID# 13-0478-PG
Colts Neck Township, Monmouth County
N.J.A.C. 2:76-17A. et seq.**

APRIL 28, 2022

WHEREAS, on March 29, 2021, it was determined that the application for the sale of a development easement for the subject farm identified as Block 23, Lot 17.02, Colts Neck Township, Monmouth County, totaling approximately 37.7 gross acres, hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a) and the Township has met the Municipal Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

WHEREAS, the Owner read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the targeted Property is located in the Township's Colts Neck Township Project Area; and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 35.7 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 2-acre non-severable exception area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises from the Premises
- 3) Shall be limited to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) Zero (0) housing opportunities
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in fruit tree and sheep production; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on September 23, 2021, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$32,000 per acre based on zoning and environmental regulations in place as of the current valuation date March 29, 2021; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.12, the Owner accepted the Township's offer of \$32,000 per acre for the purchase of the development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on February 9, 2022, the Colts Neck Township Committee approved the application for the sale of development easement and a funding commitment of \$5,120 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on March 1, 2022, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on March 8, 2022, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$7,680 per acre to cover the local cost share; and

WHEREAS, the Municipality has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 36.771 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 36.771 acres):

	Total	Per/acre
SADC	\$706,003.20	(\$19,200/acre)
Colts Neck Township	\$188,267.52	(\$5,120/acre)
Monmouth County	\$282,401.28	(\$7,680/acre)
Total Easement Purchase	\$1,176,672.00	(\$32,000/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17A.14 (d) (f), if there are insufficient funds available in a Municipality's base grant, it may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Township is requesting \$706,003.20 in base grant funding which is available at this time (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of N.J.A.C. 2:76-6.11;

WHEREAS, pursuant to N.J.A.C. 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 36.771 net easement acres, at a State cost share of \$19,200 per acre, (60% of certified easement value and purchase price), for a total grant of approximately \$706,003.20 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
5. The SADC will be providing its grant directly to the County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
7. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.

8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022
Date

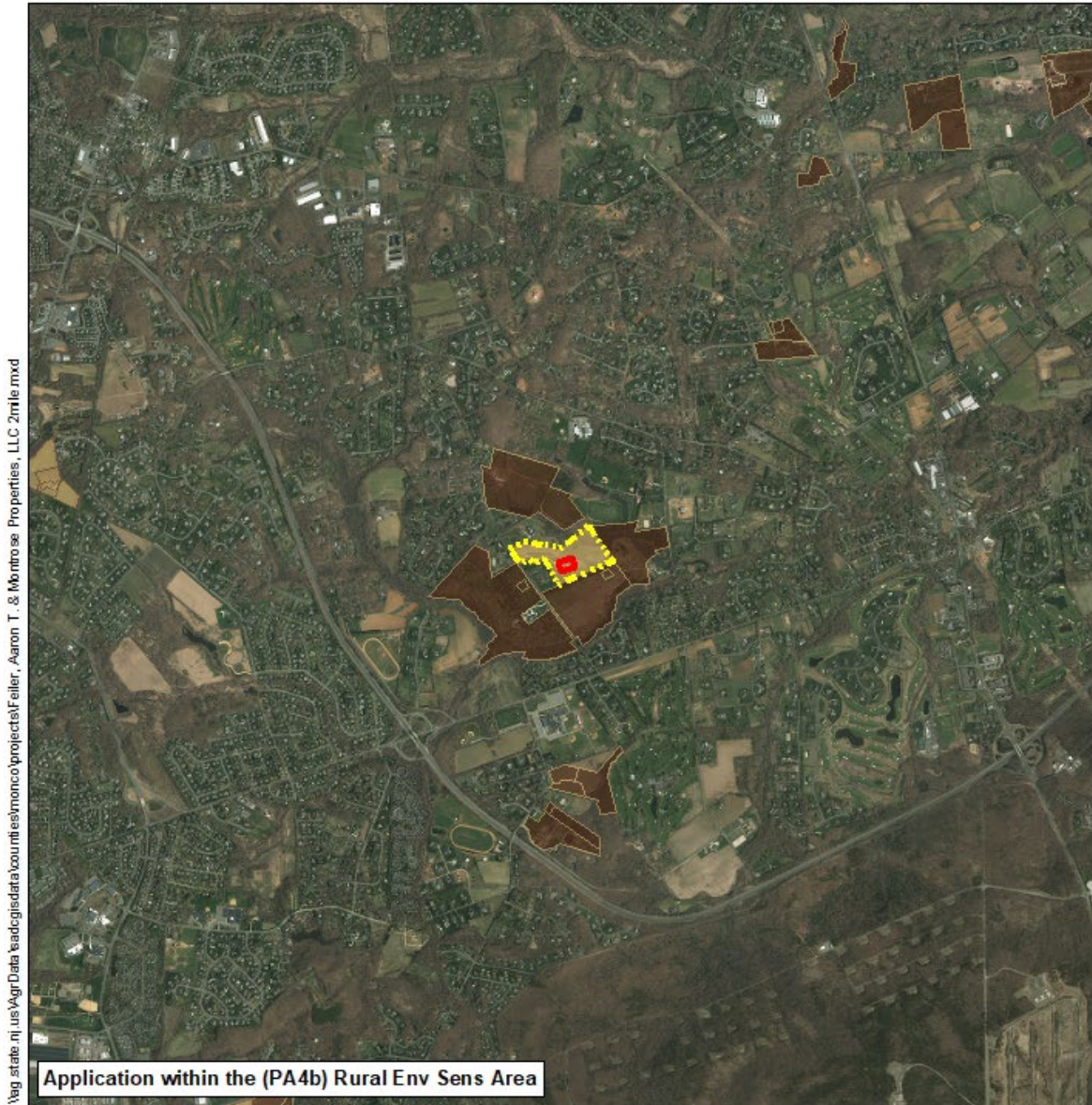


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	RECUSED
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



\\eg.state.nj.us\AgrData\eadcgis\data\com\ntesmonco\projects\Feiler, Aaron T. & Montrose Properties, LLC 2mile.mxd

Application within the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Feiler, Aaron T.
Block 23 Lots P/O 17.02 (35.7 ac);
P/O 4-EN (non-severable exception - 2.0 ac)
Gross Total = 37.7 ac
Colts Neck Twp., Monmouth County



- Property in Question
- Exceptions
- Preserved Easements
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PA40-US)
NJGIFOGIS 2015 Digital Aerial Image

NOTE:
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September 28, 2020

Wetlands



\\ag.state.nj.us\AgrData\sad\gis\data\counties\mon\co\projects\Feiler_Aaron_T_&Montrose Properties, LLC\fig_wet.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Feiler, Aaron T.
Block 23 Lots P/O 17.02 (35.7 ac);
P/O 4-EN (non-severable exception - 2.0 ac)
Gross Total = 37.7 ac
Colts Neck Twp., Monmouth County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Tidalwetlands Chart Line, N.J. Edition 2016 1214
NJDEP/OGIS 2015 Digital Aerial Image

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	Property In Question
	EN - (Non-Severable) Exception
	Wetlands Boundaries
	Primary - Limited Access
	Federal or State Hwys
	County Roads
	Municipal/Local Roads
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
N - Non-Wetlands
B - 200' Buffer
W - Water

SADC Municipal Pig Financial
Status Schedule B

Colts Neck Township, Monmouth County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Grant				Competitive Funds				
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year				Maximum Grant		Competitive Fund Balance		
										09	11	13	17	19	21	22	20	21
										750,000.00	500,000.00	-	-	1,000,000.00	-	-	500,000.00	500,000.00
										Encumbered	PV	Expended	Balance	Encumbered	PV	Expended	FY 20 Balance	FY 21 Balance
13-0426-PG	Cicalese	15.1330	15.1330	55,000.00	32,750.00	832,315.00	495,605.75			495,605.75	495,605.75	495,605.75	3,250,000.00				500,000.00	500,000.00
	Cicalese ancillary											4,794.30	2,754,394.25					
13-0452-PG	Molnar & Jessop (Crystal Brook Training Center)	36.0200	36.0200	33,000.00	19,800.00	1,188,660.00	713,196.00			735,372.00	713,196.00	713,196.00	2,036,403.95					
	Molnar & Jessop ancillary											5,044.50	2,031,359.45					
13-0470-PG	Mosley, George and Lillian	25.6920	25.6450	35,000.00	21,000.00	897,575.00	538,545.00			546,000.00	538,545.00	538,545.00	1,492,814.45					
13-0478-PG	Feiler, Aaron T.	35.7000	36.7710	32,000.00	19,200.00	1,176,672.00	706,003.20			706,003.20			786,811.25					
Closed	3	76.8450	76.7980			2,918,550.00	1,747,346.75											
Encumbered	1	35.7000	36.7710			1,176,672.00	706,003.20											
										Encumber/Expended FY09	-	-	750,000.00	-				
										Encumber/Expended FY11	-	-	500,000.00	-				
										Encumber/Expended FY13	-	-	-	-				
										Encumber/Expended FY17	-	-	-	-				
										Encumber/Expended FY19	492,814.45	-	507,185.55	-				
										Encumber/Expended FY20	-	-	-	-			500,000.00	
										Encumber/Expended FY21	-	-	-	-			-	500,000.00
										Encumber/Expended FY22	213,188.75	-	-	786,811.25			-	
										Total			786,811.25				500,000.00	500,000.00

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Feiler, Aaron T.
13-0478-PG

PIG EP - Municipal 2007 Rule
36 Acres

Block 23	Lot 17.02	Colts Neck Twp.	Monmouth County		
SOILS:		Other	29% *	0	= 1.00
		Prime	29% *	.15	= 4.35
		Statewide	42% *	.1	= 4.20
					SOIL SCORE: 8.55
TILLABLE SOILS:		Cropland Harvested	69% *	.15	= 10.35
		Wetlands/Water	12% *	0	= 1.00
		Woodlands	19% *	0	= 1.00
					TILLABLE SOILS SCORE: 10.35
FARM USE:		Deciduous Tree Fruit	5 acres	Peaches and Apples	
		Sheep & Goats	31 acres	Permanent Pasture - Sheep	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st two (2) acres for Existing SFR
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R4(12)
Preliminary Approval of SADC Easement Purchase
on an "OTHER" FARM**

**On the Property of
Kadri, Jamal & Kathleen**

APRIL 28, 2022

Subject Property: **Kadri, Jamal & Kathleen**
Block 5, Lot 38 - Hillsborough Township, Somerset County
SADC ID#: 18-0036-DE

WHEREAS, pursuant to N.J.A.C. 2:76-11.3, an owner of farmland may offer to sell to the State Agriculture Development Committee ("SADC") a development easement on the farmland; and

WHEREAS, on March 29, 2022, the SADC received a development easement sale application from Jamal and Kathleen Kadri, hereinafter "Owners," identified as Block 5, Lot 38, Hillsborough Township, Somerset County, hereinafter "the Property," totaling approximately 26.7 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area for and limited to one (1) existing single family residential unit and to afford future flexibility of uses resulting in approximately 24.7 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in hay production; and

WHEREAS, the application has been evaluated for the sale of development easement pursuant to N.J.A.C. 2:76-11.5 and the State Acquisition Selection Criteria approved by the SADC on September 2, 2021, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property, has a quality score of 67.57 and contains approximately 24.7 net acres (Schedule B); and

WHEREAS, the Property does not meet the SADC's Somerset County minimum criteria for the "Priority" category which requires a quality score of at least 60 combined with at least 59 acres and it does not meet the "Alternate" category which requires a quality score of at least 47 combined with at least 43 acres, therefore, this farm is categorized as an "Other" farm, requiring SADC preliminary approval; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and pursuant to N.J.A.C. 2:76-11.6(b)i. there are no "priority" nor "alternate" ranked applications that have not already been selected for processing at this time; and

NOW THEREFORE BE IT RESOLVED:

1. Because this 24.7-acre farm has a minimum quality score of 67.57, which is above minimum ranking criteria for a "Priority" farm in Somerset County, has approximately 45% Prime soils, 17% Statewide Important soils, 11% Local Important soils, and is within the County Agriculture Development Area and Project Area, the SADC approves selecting the Property for processing as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5; and
2. The SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:
 - a. Enter into a 120-day option agreement with the Landowner
 - b. Secure two independent appraisals to estimate the fair market value of the Property
 - c. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/28/2022
Date

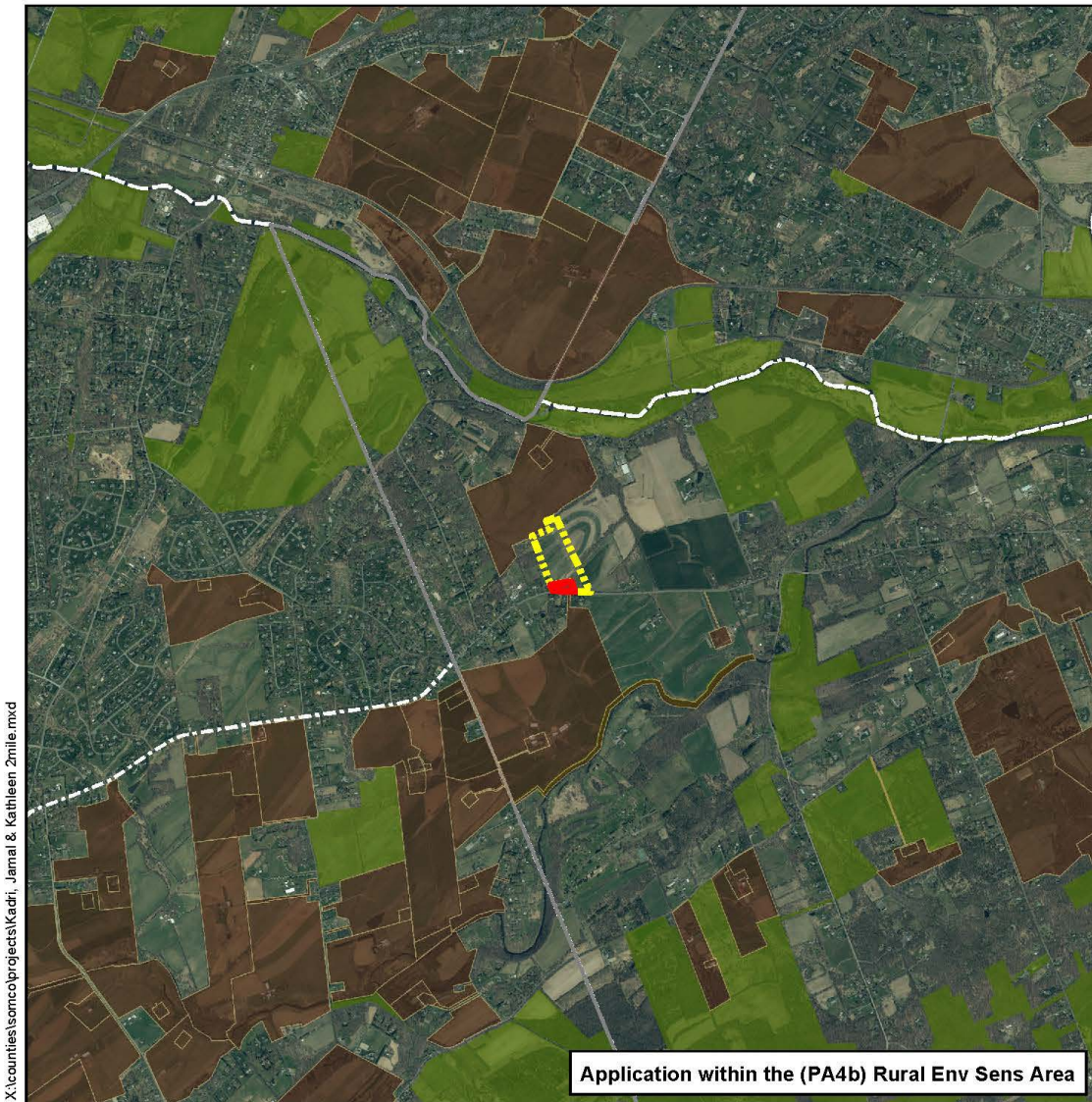


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



X:\counties\somco\projects\Kadri, Jamal & Kathleen 2mile.mxd

Application within the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kadri, Jamal & Kathleen
Block 5 Lots P/O 38 (24.7 ac)
& P/O 38-EN (non-severable exception - 2.0 ac)
Gross Total = 26.7 ac
Hillsborough Twp., Somerset County



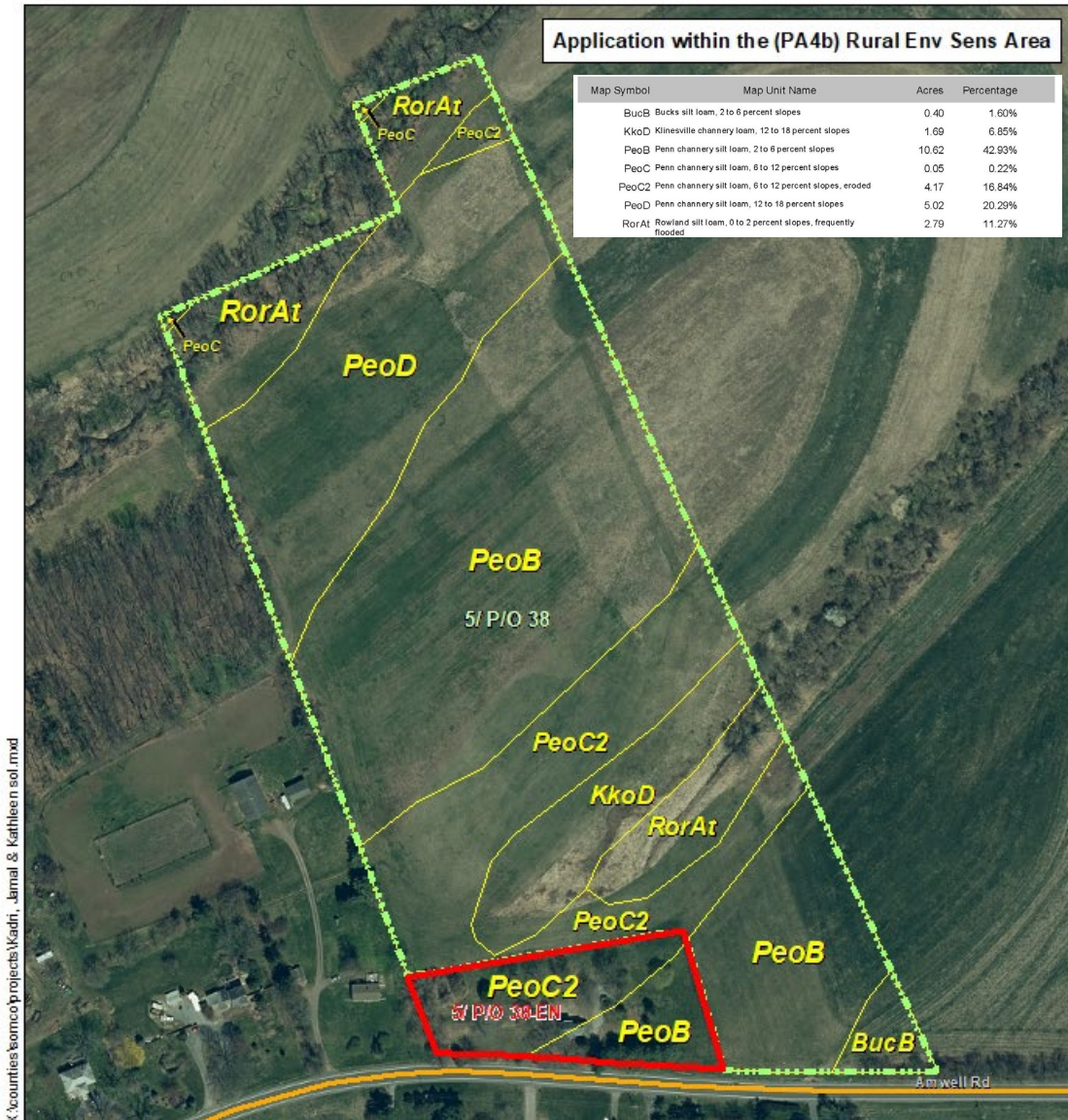
- Property In Question
- Exceptions
- Preserved Easements
- Transfer Development Rights (TDR)
Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

Sources:
 NJ Farmland Preservation Program
 NJDOT Parcels edited to adjacent survey data
 NJDEP Conservation/Open Space Easement Data
 NJDOT/OGIS 2020 Digital Aerial Image

NOTE:
 The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

April 11, 2022

Soils



Application within the (PA4b) Rural Env Sens Area

Map Symbol	Map Unit Name	Acres	Percentage
BucB	Bucks silt loam, 2 to 6 percent slopes	0.40	1.60%
KkoD	Kilnesville channery loam, 12 to 18 percent slopes	1.69	6.85%
PeoB	Penn channery silt loam, 2 to 6 percent slopes	10.62	42.93%
PeoC	Penn channery silt loam, 6 to 12 percent slopes	0.05	0.22%
PeoC2	Penn channery silt loam, 6 to 12 percent slopes, eroded	4.17	16.84%
PeoD	Penn channery silt loam, 12 to 18 percent slopes	5.02	20.29%
RorAt	Rowland silt loam, 0 to 2 percent slopes, frequently flooded	2.79	11.27%

X:\counties\formco\projects\Kadri, Jamal & Kathleen sol.rmd

**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Kadri, Jamal & Kathleen
Block 5 Lots P/O 38 (24.7 ac)
& P/O 38-EN (non-severable exception - 2.0 ac)
Gross Total = 26.7 ac
Hillsborough Twp., Somerset County



- - - Property In Question
- = EN (non-severable) Exception
- Soils Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads

Sources:
 NJ Farmland Preservation Program
 NJDOT Parcels related to adjacent survey data
 NCEC - SSURGO 2021 Soil Data
 NJDOT Road Data
 NJCH/OGIS 2020 Digital Aerial Image

April 13, 2022

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and precision of the GIS data contained on this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Schedule B

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Somerset Hillsborough Twp. 1810
APPLICANT Kadri, Jamal & Kathleen

PRIORITIZATION SCORE

SOILS:	Local	11% * .05 = .55	
	Other	27% * 0 = .00	
	Prime	45% * .15 = 6.75	
	Statewide	17% * .1 = 1.70	
		SOIL SCORE:	9.00
TILLABLE SOILS:	Cropland Harvested	94% * .15 = 14.10	
	Woodlands	6% * 0 = .00	
		TILLABLE SOILS SCORE:	14.10
BOUNDARIES AND BUFFERS:	Deed Restricted Farmland (Permanent)	18% * .2 = 3.60	
	Farmland (Unrestricted)	61% * .06 = 3.66	
	Residential Development	11% * 0 = .00	
	Streams and Wetlands	10% * .18 = 1.80	
		BOUNDARIES AND BUFFERS SCORE:	9.06
CONTIGUOUS PROPERTIES / DENSITY:	Kadri	Restricted Farm or Current Application	2
	Kanach, T	Restricted Farm or Current Application	2
	Kanach, L Estate	Restricted Farm or Current Application	2
	Kanach	Restricted Farm or Current Application	2
	Kanach/Somerset Co	Restricted Farm or Current Application	2
		DENSITY SCORE:	10.00
LOCAL COMMITMENT:		100% * 20 = 20.00	
		LOCAL COMMITMENT SCORE:	20.00
SIZE:		SIZE SCORE:	1.58
IMMINENCE OF CHANGE:	SADC Impact factor =	3.83	
		IMMINENCE OF CHANGE SCORE:	3.83
COUNTY RANKING:			
EXCEPTIONS:		EXCEPTION SCORE:	.00
	TOTAL SCORE:	67.57	

FSTATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2022R4(13)

**REQUEST BY TRUSTEES OF THE WILLIAM F. BLACKMAN CHARITABLE
FARM TRUST TO DONATE A DEVELOPMENT EASEMENT TO THE SADC**

SADC ID# 08-0001-DN

APRIL 28, 2022

WHEREAS, N.J.S.A. 4:1C-5e. authorizes the SADC to “[e]nter into any agreement or contract, execute any instrument, and perform any act or thing necessary, convenient or desirable for the purposes of the committee or to carry out any power expressly given in” the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq. (ARDA), which includes the acquisition of development easements on eligible farmland; and

WHEREAS, the Trustees of the William F. Blackman Charitable Farm Trust, owners of farmland identified as Block 17, Lots 1 and 1.01, Harrison Township, Gloucester County, totaling 138.7 gross acres (hereinafter “Property”), and further described on Schedule “A”, have submitted an application to donate the development easement on the Property to the SADC; and

WHEREAS, the Trustees have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, Division of the Premises for Non-Contiguous Parcels, and Non-Agricultural Uses; and

WHEREAS, staff has reviewed the application to donate a development easement to the SADC pursuant to the ARDA and relevant regulations at N.J.S.A. 2:76-1.1, et seq. ; and

WHEREAS, the Last Will and Testament of William F. Blackman expressed the intent and charitable purpose of the William F. Blackman Charitable Farm Trust to promote and further conserve the land and natural resources; and

WHEREAS, in furtherance of the Blackman will’s charitable intent, the Trustees requested that the 27.2-acre non-severable exception area be restricted for conservation purposes in a Deed Notice; and

WHEREAS, the Property includes two (2) exception areas: one (1) approximately 1.2-acre non-severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses and one (1) approximately 27.2- acre non-severable exception area for the purpose of restricting the area in accordance with the aforesaid conservation purposes resulting in approximately 110.3 net acres to be preserved, hereinafter referred to as “the Premises”; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 1.2-acre non-severable exception area:

- i. Shall not be moved to another portion of the Premises and shall not be swapped with other land
- ii. Shall not be severed or subdivided from the Premises
- iii. Shall be limited to one (1) single family residential unit

WHEREAS, the 27.2-acre non-severable exception area:

- i. Shall not be moved to another portion of the Premises and shall not be swapped with other land
- ii. Shall not be severed or subdivided from the Premises
- iii. Shall be limited to zero (0) single family residential units
- iv. Shall be restricted for conservation purposes in a Deed Notice, which will be reviewed and approved by SADC counsel before being recorded at closing.

WHEREAS, the Premises includes:

Zero (0) housing opportunities
Zero (0) Residual Dwelling Site Opportunity (RDSO)
Zero (0) agricultural labor units
No-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in corn & soybean production; and

WHEREAS, the Property is meets the minimum eligibility criteria contained in N.J.A.C. 2:76-6.20, is in the Gloucester County Agriculture Development Area and is a targeted farm with a quality score of 74.12, which exceeds 45, which is 70% of the County's average quality score (Schedule B); and

WHEREAS, a deed for a 1-acre portion of the Property (residence) was transferred to Peter E. Driscoll, J. Thomas Dunlevy and the Glenmede Trust Company, N.A., and the Trustees of the Residuary Trust Under the Last Will and Testament of William F. Blackman on July 23, 2007 and recorded in the Gloucester County Clerk's in Deed Book 4416, Page 178; a deed for the remainder of the Property was transferred to the Peter E. Driscoll, J. Thomas Dunlevy and the Glenmede Trust Company, N.A., and the Trustees of the William F. Blackman Charitable Farm Trust on July 23, 2007 deed and recorded in the Gloucester County Clerk's office in Deed Book 4416, Page 186; to resolve this ownership discrepancy, this final approval is conditioned upon the

Property being in common ownership prior to closing; and

WHEREAS, the donation of the development easement would result in the permanent preservation of the Property; and

WHEREAS, to proceed with the SADC's acquisition of the development easement it is recognized that various professional services will be necessary including but not limited to appraisals, contracts, survey, title search and insurance and closing documents, and the reasonable costs of such services shall be borne by the SADC; and

WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC hereby grants final approval of the donation of a development easement on the Property to the SADC pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq. and N.J.A.C. 2:76-6.5 and N.J.A.C. 2:76-6.10 and the conditions contained in (Schedule C).
3. This final approval is conditioned upon the 27.2-acre non-severable exception area to be restricted for conservation purposes in a Deed Notice, which will be reviewed and approved by SADC counsel before being recorded in furtherance of the closing on the donation of the development easement.
4. This final approval is conditioned upon the Property being in common ownership prior to closing.
5. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
6. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
7. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.

8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

____ 4/28/2022 _____
Date

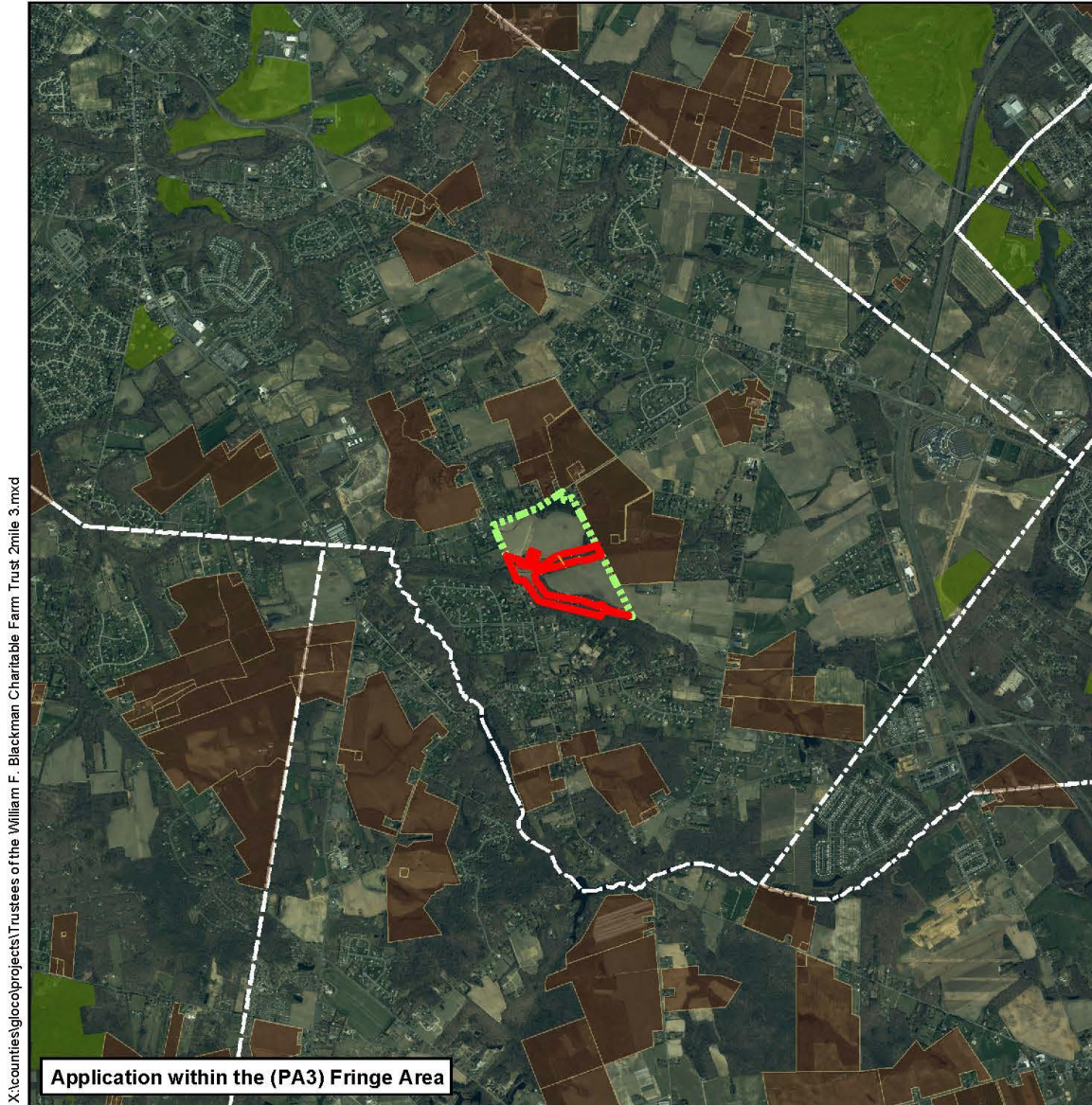


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	ABSENT
James Waltman	YES
Richard Norz	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



X:\counties\gloucester\projects\Trustees of the William F. Blackman Charitable Farm Trust 2mile 3.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Trustees of the William F. Blackman Charitable Farm Trust
Block 17 Lots 1-EN (non-severable exception - 1.2 ac);
P/O 1.01 (45.6 & 64.9 ac);
& P/O 1.01-EN (non-severable exceptions - 27.2 ac)
Gross Total = 138.7 ac
Harrison Twp., Gloucester County



NOTE:
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

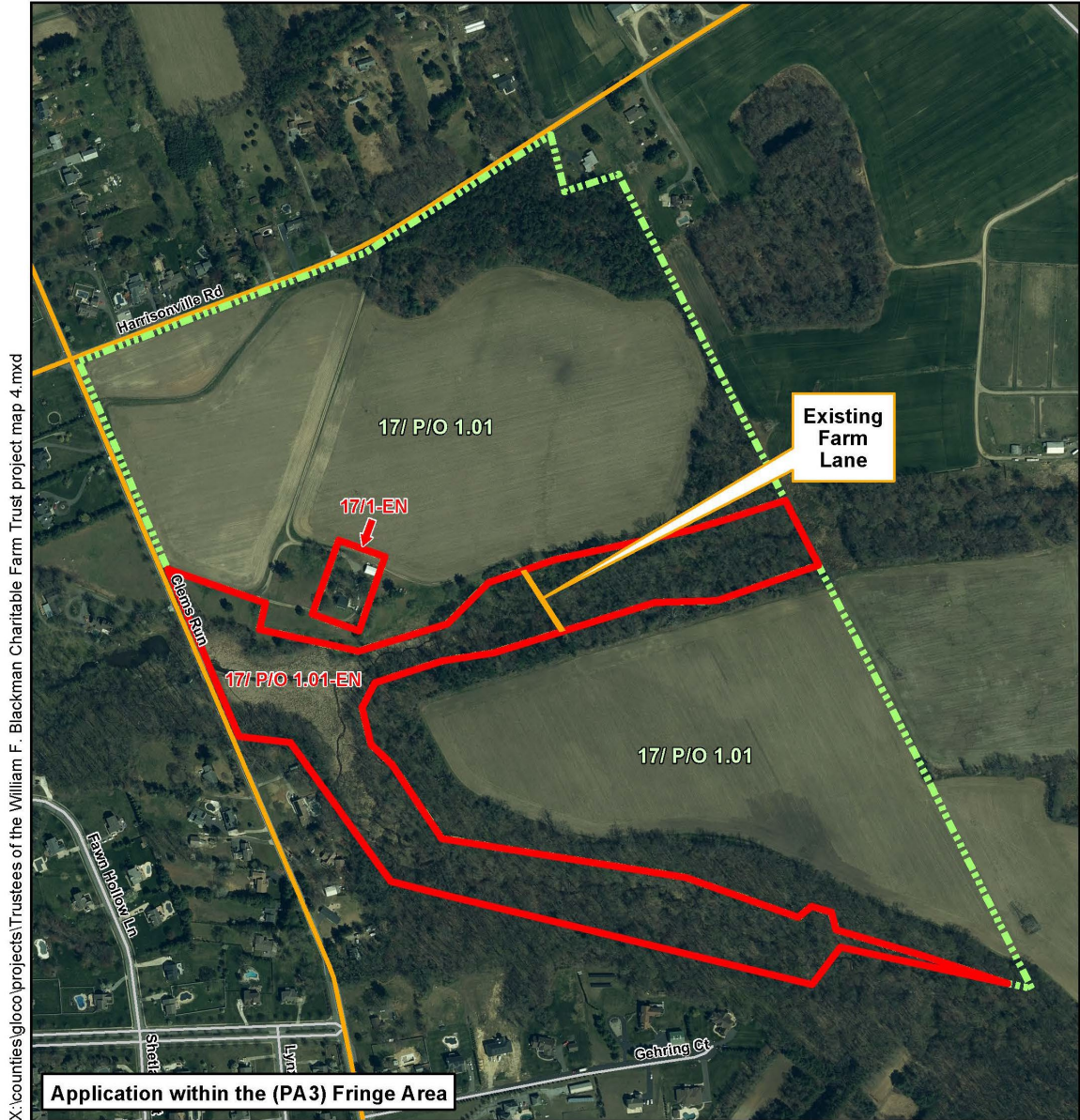
	Property In Question
	Exceptions
	Preserved Easements
	Transfer Development Rights (TDR) Preserve: Highlands, Pinelands and Municipal
	Active Applications
	County Boundaries
	Municipal Boundaries
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned OIS & Recreation Easements



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJOTIT/OGIS 2020 Digital Aerial Image

August 24, 2021

Project Map



X:\counties\glouce\projects\Trustees of the William F. Blackman Charitable Farm Trust project map 4.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Trustees of the William F. Blackman Charitable Farm Trust
Block 17 Lots 1-EN (non-severable exception - 1.2 ac);
P/O 1.01 (45.6 & 64.7 ac);
& P/O 1.01-EN (non-severable exception - 27.2 ac)
Gross Total = 138.7 ac
Harrison Twp., Gloucester County



	Property In Question
	EN - (Non-Severable) Exception
	Primary - Limited Access
	Federal or State Hwys
	County Roads
	Municipal/Local Roads



Sources:
Green Acres Conservation Easement Data
NJDOT Road data 07/2021
NJOT/OGIS 2020 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

August 24, 2021

State of New Jersey
 State Agriculture Development Committee
 Farmland Preservation Program
 Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Gloucester Harrison Twp. 0808
 APPLICANT Trustees of the William F. Blackman Charitable Farm Trust

PRIORITIZATION SCORE

SOILS:		Other	13% * 0	=	.00
		Prime	81% * .15	=	12.15
		Statewide	6% * .1	=	.60
					SOIL SCORE: 12.75
TILLABLE SOILS:		Cropland Harvested	80% * .15	=	12.00
		Woodlands	20% * 0	=	.00
					TILLABLE SOILS SCORE: 12.00
BOUNDARIES	Deed Restricted Farmland (Permanent)		24% * .2	=	4.80
AND BUFFERS:	Farmland (Unrestricted)		7% * .06	=	.42
	Residential Development		30% * 0	=	.00
	Streams and Wetlands		36% * .18	=	6.48
	Woodlands		3% * .06	=	.18
					BOUNDARIES AND BUFFERS SCORE: 11.88
CONTIGUOUS	William Blackman Trust	Restricted Farm or Current Application			2
PROPERTIES	Clendenning	Restricted Farm or Current Application			2
/ DENSITY:	Pennell	Restricted Farm or Current Application			2
	Katinos	Restricted Farm or Current Application			2
	Bartholomew	Restricted Farm or Current Application			2
					DENSITY SCORE: 10.00
LOCAL COMMITMENT:			100% * 16	=	16.00
					LOCAL COMMITMENT SCORE: 16.00
SIZE:					SIZE SCORE: 6.53
IMMIMENCE OF CHANGE:		SADC Impact factor =	4.96		
					IMMINENCE OF CHANGE SCORE: 4.96
COUNTY RANKING:					
EXCEPTIONS:					EXCEPTION SCORE: .00
					TOTAL SCORE: 74.12

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Trustees of the William F. Blackman Charitable Farm Trust
Easement Donation - SADC
110 Acres

Block 17	Lot 1.01	Harrison Twp.	Gloucester County		
SOILS:		Other	13% *	0	= .00
		Prime	81% *	.15	= 12.15
		Statewide	6% *	.1	= .60
					SOIL SCORE: 12.75
TILLABLE SOILS:		Cropland Harvested	80% *	.15	= 12.00
		Woodlands	20% *	0	= .00
					TILLABLE SOILS SCORE: 12.00
FARM USE:		Corn-Cash Grain		67 acres	
		Soybeans-Cash Grain		16 acres	

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (1.2) acres for Existing SFR
Exception is not to be severable from Premises
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - 2nd (27.2) acres for Open space
Exception is not to be severable from Premises
Exception is to be limited to zero existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. To be in common ownership prior to closing
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

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