

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R9(18)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

HUNTERDON COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Aram Papazian ("Owner")
Alexandria Township, Hunterdon County

N.J.A.C. 2:76-17 et seq.
SADC ID# 10-0311-PG

September 26, 2013

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Hunterdon County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Hunterdon County received SADC approval of its FY2014 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on March 15, 2012 the SADC received an application for the sale of a development easement from Hunterdon County for the Papazian Farm identified as Block 15, Lot 27.01, Alexandria Township, Hunterdon County, totaling approximately 44 net easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Hunterdon County's West Project area and the Highlands Planning Area; and

WHEREAS, the Property has one a 6.8-acre non-severable exception area with an existing single family residence; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) agricultural labor housing units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

WHEREAS, the Property is in hay and nursery stock production; and

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, the Property has a rank score of 62.28 which exceeds 70% of the County's average quality score of 45, as determined by the SADC on July 28, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on October 19, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 23, 2013, the SADC certified a development easement value of \$9,300/acre based on January 1, 2004 zoning and environmental regulations and \$7,800/acre based on current zoning and environmental regulations as of November, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted Hunterdon County's offer of \$9,300 per acre for the development easement for the Property; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 45.32 acres will be utilized to calculate the SADC grant need; and

WHEREAS, currently the County has \$7,840.90 of base grant funding available, and is eligible for up to \$2,263,100.38 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule B); and

WHEREAS, the County prioritized its farms and submitted it 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. 2:76-17.14 (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, competitive grant funds shall be awarded by the SADC based on a priority ranking of the individual farm applications applying for grants from the competitive grant fund based on cumulative points of the project area; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$252,885.60 of FY11 competitive grant funding, leaving a balance of approximately \$2,010,214.78 in the FY11 competitive funding (Schedule B); and

WHEREAS, the County will utilize FY11 competitive grant funding to cover the SADC cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 45.32 acres):

	<u>Cost Share</u>	
SADC	\$252,885.60	(\$5,580 per acre)
Hunterdon County	\$ 84,295.20	(\$1,860 per acre)
<u>Alexandria Township</u>	<u>\$ 84,295.20</u>	<u>(\$1,860 per acre)</u>
Purchase Price	\$421,476	(\$9,300 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on Alexandria Township approved the application on July 10, 2013 with a cost share of \$1,860, the Hunterdon County Agriculture Development Board approved the application on July 11, 2013, and the Hunterdon County Board of Chosen Freeholders approved the required local match (\$1,860/acre) on July 16, 2013; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to the Hunterdon County for the purchase of a development easement on the Property, comprising approximately 45.32 net acres, at a State cost share of \$5,580/ per acre (60% of purchase price), for a total grant need \$252,885.60, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

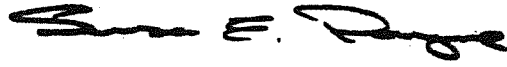
BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1 C-4.

9-26-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

Schedule A

Application within the Highlands Planning Area



x:\counties\hunco\projects\papazian10_fwv4.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Aram Papazian
Block 15 Lots P/O 27.01 (42.2 ac)
& P/O 27.01-EN (non-severable exception - 6.8 ac)
Gross Total = 49.0 ac
Alexandria Twp., Hunterdon County



	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundaries
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O/S & Recreation Easement



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


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.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

Schedule B

Schedule B

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	SADC & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	SADC			Total Federal Grant	SADC Federal Grant	Encumbered at Final	BASE GRANT		COMPETITIVE GRANT		TOTAL	ELIGIBILITY
								Cost Basis	Cost Share	Voucher				Expend	Balance	Encumbered at Final	Voucher		
Rollpeltz #2 (not in use)	Tewksbury	43,000	44,290	15,000	15,000	9,000	855,520.00	956,520.00	393,912.00	140,080.00	196,956.00	398,810.00	393,912.00	2,106,068.00	0.00	0.00	3,822,876	3,000,000	5,000,000
Peterson, Linda	Franklin	34,000	35,020	6,200	6,200	4,000	217,724.00	140,080.00	197,090.50	140,080.00	196,956.00	140,080.00	393,912.00	1,565,008.00	0.00	0.00	16,159,008	3,000,000	5,000,000
Cooper, Gail	Holland	43,000	44,290	7,100	7,100	4,450.00	314,459.00	488,220.00	189,249.60	1776,758.40	196,956.00	197,090.50	189,249.60	1,776,758.40	0.00	0.00	16,159,008	3,000,000	5,000,000
Snyder, Doris	Raritan	50,000	51,500	15,800	15,800	9,480.00	813,700.00	813,700.00	428,542.92	428,542.92	196,956.00	428,542.92	189,249.60	1,346,215.48	0.00	0.00	16,159,008	3,000,000	5,000,000
Hill & Dale #1 (not in use)	Tewksbury	91,000	93,730	17,000	17,000	10,200.00	1,593,410.00	956,046.00	281,190.00	281,190.00	196,956.00	340,374.58	393,912.00	1,007,840.90	0.00	0.00	16,159,008	3,000,000	5,000,000
Gross, Joel and Resonary	Kingwood	58,000	59,740	7,700	7,700	4,750.00	459,998.00	459,998.00	283,765.00	283,765.00	196,956.00	619,571.42	393,912.00	392,169.48	0.00	0.00	16,159,008	3,000,000	5,000,000
Readington Lot 18 Little Hills	Readington	81,981	12,000	12,000	12,000	7,200.00	983,772.00	983,772.00	590,263.20	283,765.00	196,956.00	283,765.00	393,912.00	109,404.48	0.00	0.00	16,159,008	3,000,000	5,000,000
Associated Tree Movers	Alexandria	48,000	49,440	9,200	9,200	5,000.00	405,408.00	405,408.00	247,200.00	247,200.00	196,956.00	247,200.00	489,659.62	7,840.90	0.00	0.00	16,159,008	3,000,000	5,000,000
Papazzian, Adam	Alexandria	48,000	49,440	9,200	9,200	5,580.00	459,792.00	459,792.00	275,875.20	275,875.20	196,956.00	275,875.20	247,200.00	1,987,225.18	0.00	0.00	16,159,008	3,000,000	5,000,000
Pending Final Approval																			
KJA Holdings/Alexis	Holland	68,000	70,040	9,000	9,000	5,400.00													
Heimer	Kingwood	50,000	51,500	7,800	7,800	4,800.00													
Zander I	Alexandria	27,000	27,810	7,400	7,400	4,600.00													
Zander II	Kingwood	24,000	24,720	7,950	7,950	4,875.00													
Anwell Chase, Inc.	W. Amwell	205,000																	
Pending Green Light																			
Readington Lot 11	Readington	51,000																	
Daniels/Salamon																			
Encumbered/Expended FY11	6											1,098,247.10	393,912.00	7,840.90	1,012,774.82	0.00	1,987,225.18	0.00	5,000,000.00
Encumbered/Expended FY12	3											1,000,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	11		427				5,804,189.00	3,779,190.00	3,572,451.90			2,098,247.10	393,912.00	7,840.90	1,012,774.82	0.00	1,987,225.18	0.00	5,000,000.00
Reprogram Out																			

Schedule 

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Papazian, Aram (lot 27.01)
10- 0311-PG
County PIG Program
44 Acres

Block 15	Lot 27.01	Alexandria Twp.	Hunterdon County
SOILS:			
		Other	15% * 0 = .00
		Prime	45% * .15 = 6.75
		Statewide	40% * .1 = 4.00
			SOIL SCORE: 10.75
TILLABLE SOILS:			
		Cropland Harvested	50% * .15 = 7.50
		Wetlands	15% * 0 = .00
		Woodlands	35% * 0 = .00
			TILLABLE SOILS SCORE: 7.50
FARM USE:			
		Field Crop Except Cash Grain	acres
		Ornament Nursery Products	acres
		Corn-Cash Grain	acres
		Soybeans-Cash Grain	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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (6.8) acres for Around existing dwelling
Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R9(19)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

HUNTERDON COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
KJA Holdings, LLC ("Owner")
Holland Township, Hunterdon County

N.J.A.C. 2:76-17 et seq.
SADC ID# 10-0315-PG

September 26, 2013

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Hunterdon County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Hunterdon County received SADC approval of its annual PIG plan update for FY2014 PIG update on May 23, 2013; and

WHEREAS, on December 10, 2010 the SADC received an application for the sale of a development easement from Hunterdon County for the KJA Holdings, LLC Farm identified as Block 25 Lot 34, Holland Township, Hunterdon County, totaling approximately 68 net easement acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the Property is located in Hunterdon County's West Project area and the Highlands Planning Area; and

WHEREAS, the Property has one a 0.5-acre non-severable exception area for and restricted to an existing single family residence and a 2.5-acre non-severable exception for and restricted to an existing single family residence; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) agricultural labor housing units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception areas; and

WHEREAS, the majority of the Property is currently in equine production with approximately 29.1 acres utilized for breeding, training and pasturing (Schedule B); and

WHEREAS, approximately 12.7 acres, , is devoted to equine service (boarding services, riding lessons, training, and equine summer camp); and

WHEREAS, the equine map (Schedule B) and specialized "*Equine Schedule B*" (Schedule C) will be recorded with the Deed of Easement; and

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, the Property has a rank score of 48.48 which exceeds 70% of the County's average quality score of 42, as determined by the SADC on July 23, 2009; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 6, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.S.A. 13:8C-38j as amended by P.L 2010, C.70 and N.J.A.C. 2:76-17.11, the landowner waived their right to a current zoning valuation and on March 28, 2013 the SADC certified a development easement value of \$9,000 per acre based on zoning and environmental regulations in place as of July 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted Hunterdon County's offer of \$9,000 per acre for the development easement for the Property; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 70.04 acres will be utilized to calculate the SADC grant need; and

WHEREAS, currently the County has \$7,840.90 of base grant funding available, and is eligible for up to \$1,987,225.18 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule D); and

WHEREAS, on June 20, 2013 the County prioritized its farms and submitted it 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. 2:76-17.14 (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, competitive grant funds shall be awarded by the SADC based on a priority ranking of the individual farm applications applying for grants from the competitive grant fund based on cumulative points of the project area; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$378,216 of competitive grant funding, leaving a balance of approximately \$1,609,009.18 in competitive FY11 funding (Schedule D); and

WHEREAS, the estimated cost share breakdown is as follows (based on 70.04 acres):

	<u>Cost Share</u>	
SADC	\$378,216	(\$5,400 per acre)
Hunterdon County	\$126,072	(\$1,800 per acre)
<u>Holland Township</u>	<u>\$126,072</u>	<u>(\$1,800 per acre)</u>
Purchase Price	\$630,360	(\$9,000 per acre); and

WHEREAS, the County will utilize FY11 competitive grant funding to cover the SADC cost share; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Holland Township approved the application on August 21, 2013; the Hunterdon County Agriculture Development Board approved the application on May 9, 2013, and the Hunterdon County Board of Chosen Freeholders approved the required local match (\$1,800/acre) on June 4, 2013; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to the Hunterdon County for the purchase of a development easement on the Property, comprising approximately 70.04 net acres, at a State cost share of \$5,400 per acre (60% of certified value and purchase price) for a total grant need of \$378,216, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule E); and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

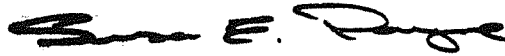
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9-26-13



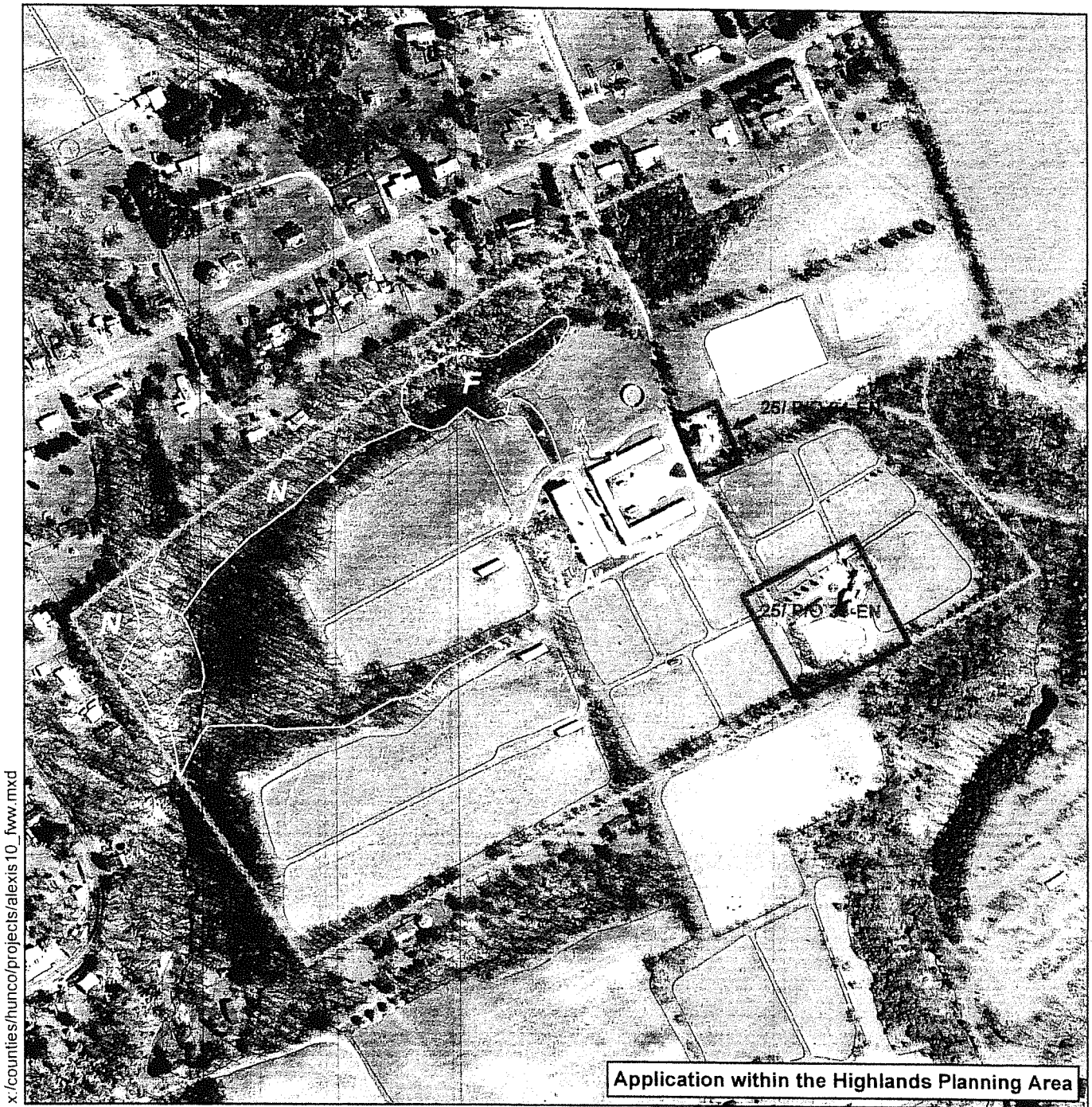
Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

Schedule A



x:\counties\hunco\projects\alexis10_fwv.mxd

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

John Alexis/KJA Holdings
Block 25 Lots P/O 34 (67.3 ac)
& P/O 34-EN (non-severable exceptions - 0.5 & 2.5 ac)
Gross Total = 70.3 ac
Holland Twp., Hunterdon County



	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O/S & Recreation Easement
	Federal Land



Wetlands Legend:

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

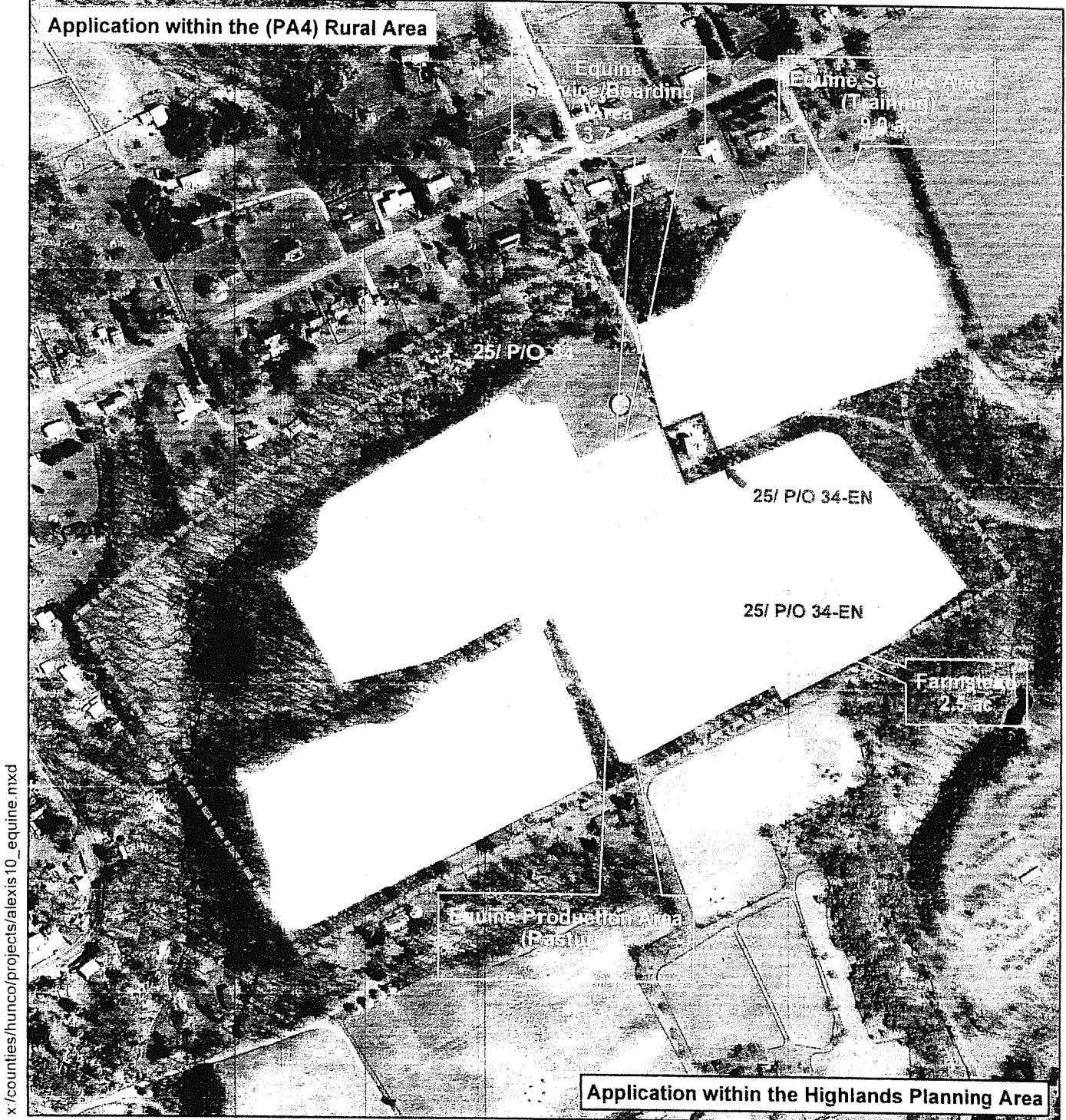
DISCLAIMER Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision 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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOIT/OGIS 2007/2008 Digital/Aerial Image

February 10, 2011

Schedule B

Alexis/KJA Holdings Farm - Equine Production vs. Equine Service Areas



x:/counties/hunco/projects/alexis10_equine.mxd

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

John Alexis/KJA Holdings
Block 25 Lots P/O 34 (67.3 ac)
& P/O 34-EN (non-severable exceptions - 0.5 & 2.5 ac)
Gross Total = 70.3 ac
Holland Twp., Hunterdon County



Property In Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Equine Production (Pasture) - xx.x ac
	Equine Production (Training Area) - xx.x ac
	Equine Service Area - xx.x ac
	Farmstead - xx.x ac



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

Sources:
NJOT/OGIS 2007/2008 Digital Aerial Image

SCHEDULE B

Grantor certifies that at the time of the application to sell the development easement to the Grantee no non-agricultural uses existed. Grantor further certifies that at the time of the execution of this Deed of Easement no non-agricultural uses exist.

Grantor certifies that at the time of the application to sell the development easement to the Grantee and at the time of the execution of this Deed of Easement the following uses occur on the Premises:

Horseback riding lessons, summer camp, boarding, training and schooling horses, in an arena and stalls, as depicted on the survey dated _____, prepared by _____.

Grantor further certifies that the above uses (hereinafter "equine service activities") are currently ancillary to equine-related production, including pasturing, horse breeding and hay production. "Ancillary" means that the area of land on which equine service activities are conducted is subordinate, secondary and auxiliary in comparison to the area of the farm devoted to equine production activities. Grantor understands and agrees that because the equine service activities are ancillary to equine-related production, the said equine service activities are deemed agricultural uses and are not currently subject to the restrictions placed on non-agricultural uses in Paragraphs 3 and 4 of the Deed of Easement. The areas occupied by equine service activities and equine production activities are depicted on the attached aerial photograph identified as Schedule B1.

Grantor also understands and agrees that if, in the future, equine service activities are no longer "ancillary" as defined above, then the equine service activities will be deemed non-agricultural and will be subject to the restrictions contained in Paragraphs 3 and 4 of the Deed of Easement.

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

KJA Holdings/Alexis
10- 0315-PG
County PIG Program
68 Acres

Block 25	Lot 34	Holland Twp.	Hunterdon County		
SOILS:		Other	96.7% *	0	= .00
		Prime	3.3% *	.15	= .50
					SOIL SCORE: .50
TILLABLE SOILS:		Cropland Pastured	28.6% *	.15	= 4.29
		Permanent Pasture	45% *	.02	= .90
		Wetlands	4% *	0	= .00
		Woodlands	31% *	0	= .00
					TILLABLE SOILS SCORE: 5.19
FARM USE:	Horse & Other Equine		70 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (.5) acres for Existing dwelling
Exception is not to be severed from Premises
Exception is to be restricted to one single family residential unit(s)
 - 2nd (2.5) acres for Existing dwelling
Exception is not to be severed from Premises
Exception is to be restricted to one 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R9(20)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

HUNTERDON COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Gerald J. Helmer ("Owner")
Kingwood Township, Hunterdon County

N.J.A.C. 2:76-17 et seq.
SADC ID# 10-0330-PG

September 26, 2013

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Hunterdon County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Hunterdon County received SADC approval of its annual PIG Plan update for FY2014 on May 23, 2013; and

WHEREAS, on March 15, 2012 the SADC received an application for the sale of a development easement from Hunterdon County for the Helmer Farm identified as Block 2 Lot 5, Kingwood Township, Hunterdon County, totaling approximately 50 net easement acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the Property is located in Hunterdon County's South Project area; and

WHEREAS, the Property has one 5-acre non-severable exception area restricted to one existing single family residence; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) agricultural labor housing units and no pre-existing non-agricultural on the area to be preserved outside of the exception areas; and

WHEREAS, the Property is in dairy and field crop production; and

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, the Property has a rank score of 66.87 which exceeds 70% of the County's average quality score of 35, as determined by the SADC on July 28, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on May 15, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on February 28, 2013 the SADC certified a development easement value of \$7,800 per acre based on zoning and environmental regulations in place as of July 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted Hunterdon County's offer of \$7,800 per acre for the development easement for the Property; and

WHEREAS, a parcel application was submitted by the Hunterdon Land Trust to the United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP); and

WHEREAS, the NRCS has determined that the Property and Landowner qualified for FRPP grant funds; and

WHEREAS, at this time the FRPP approved current easement value has not been finalized, therefore, the FRPP grant will be calculated based on the estimated FRPP current easement value of \$8,200 per acre (highest of the two appraisals) equating to an FRPP grant of \$4,100 per acre (50% of \$8,200) or approximately \$211,150 in total FRPP funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP Grant, including a 5.67% maximum impervious coverage restriction (approximately 2.84 acres) for the construction of agricultural infrastructure on the Property outside of exception areas which is the maximum allowable for this property through the FRPP program at this time; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on June 6, 2013 the Kingwood Township Committee approved the application but will not participate financially in the easement purchase; and

WHEREAS, Kingwood Township has requested up to \$75,000 of the FRPP grant funds to cover its municipal cost share; and

WHEREAS, the Hunterdon County Agriculture Development Board approved the application on May 9, 2013 and secured a commitment of funding from the Hunterdon County Board of Chosen Freeholders on June 4, 2013 for \$1,500 per acre; and

WHEREAS, the SADC and Hunterdon County have agreed to first cover the Township's cost share (19.23% of the easement purchase) with the FRPP funding and then, with the remaining funds cover the County's cost share and reduce the SADC's cost share; and

WHEREAS, currently the County has \$7,840.90 of base grant funding available, and is eligible for up to \$1,609,009.18 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule B); and

WHEREAS, on June 24, 2013 the County prioritized its farms and submitted it 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. 2:76-17.14 (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, competitive grant funds shall be awarded by the SADC based on a priority ranking of the individual farm applications applying for grants from the competitive grant fund based on cumulative points of the project area; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 51.5 acres will be utilized to calculate the SADC grant need; and

Cost share breakdown prior to FRPP Grant (based on 51.5 acres):

	<u>Cost Share</u>		
SADC	\$247,200	(\$4,800 per acre)	
Hunterdon County	\$77,250	(\$1,500 per acre)	
<u>Kingwood Township</u>	<u>\$0</u>		
Total	\$401,700	(\$7,800 per acre)	<i>with a \$77,250 shortfall</i>

Cost share breakdown after FRPP Grant of \$211,150/acre (based on 51.5 acres):

	<u>Total</u>	<u>FRPP</u>	<u>New Cost Share</u>
SADC	\$247,200 (\$4,800/acre)	\$ 56,650	\$190,550 (\$4,800/acre)
County	\$77,250 (\$1,500/acre)	\$ 77,250	\$0
Township	\$0	\$ 77,250	\$0
<u>FRPP</u>			<u>\$211,150</u>
Total	\$401,700 (\$7,800/acre)	\$211,150(\$4,150/acre)	\$401,700 (\$7,800/acre)

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$247,200 of FY11 competitive grant funding, leaving a balance of approximately \$1,361,809.19 in FY11 competitive funding (Schedule B); and

WHEREAS, the entire estimated SADC grant need will be encumbered from the County's competitive grant; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to the Hunterdon County for the purchase of a development easement on the Property, comprising approximately 51.5 net acres, at a maximum State cost share of \$4,800 per acre for a total grant need of \$247,200, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, that the \$247,200 SADC cost share represents the maximum grant need, which may be reduced by FRPP funds remaining after the County and municipal cost shares have been covered; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9-26-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

Schedule A



x:\counties\hunco\projects\helmer_fw.mxd

Application within the (PA4) Rural Area

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

Gerald J. Helmer
Block 2 Lots P/O 5 (50.2 ac)
& P/O 5-EN (non-severable exception - 5.0 ac)
Gross Total = 55.2 ac
Kingwood Twp., Hunterdon County



- Property in Question**
- EN - (Non-Severable) Exception
 - ES - (Severable) Exception
- Wetlands Boundaries**
- Municipal, County and Non-Profit Preserved Open Space
 - State Owned Conservation Easement
 - State Owned OS & Recreation Easement



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

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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJGIT/GIS 2007/2008 Digital Aerial Image

Schedule B

Schedule B

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	BASE GRANT			COMPETITIVE GRANT			TOTAL	ELIGIBILITY	
												Encumbered at Final	Voucher	Expend	Balance	Encumbered at Final	Voucher			Expend
Rothpletz #2 (lot 1.05)	Tewksbury	43,000	44,290	15,000	15,000.00	9,000.00	656,520.00	556,520.00	393,912.00	196,956.00	0.00	393,912.00	393,912.00	2,166,058.00	0.00	0.00	3,822,876	3,000,000	5,000,000	
Peterson, Linda	Franklin	34,000	35,020	6,200	6,200.00	4,000.00	217,124.00	140,069.00	140,069.00	140,069.00	0.00	140,069.00	140,069.00	1,966,008.00	0.00	0.00	16,159,006	3,000,000	5,000,000	
Cooper, Gail	Holland	43,000	44,290	7,100	7,100.00	4,450.00	314,459.00	197,059.50	197,059.50	197,059.50	0.00	197,059.50	197,059.50	1,776,758.40	0.00	0.00	16,159,006	3,000,000	5,000,000	
Smyder, Doris	Ramitan	50,000	51,500	15,800	15,800.00	9,480.00	813,700.00	488,220.00	488,220.00	488,220.00	0.00	488,220.00	488,220.00	1,348,215.48	0.00	0.00	16,159,006	3,000,000	5,000,000	
Hill & Dale #1 (lot 1.04)	Tewksbury	91,000	93,730	17,000	17,000.00	10,200.00	1,593,410.00	956,046.00	956,046.00	956,046.00	0.00	956,046.00	956,046.00	1,007,840.90	0.00	0.00	16,159,006	3,000,000	5,000,000	
Gross, Joel and Rosemary	Kingwood	58,000	59,740	7,700	7,700.00	4,750.00	459,998.00	283,765.00	283,765.00	283,765.00	0.00	283,765.00	283,765.00	392,169.48	0.00	0.00	16,159,006	3,000,000	5,000,000	
Readington Lot 19 Little Hills	Readington	81,991	84,000	12,000	12,000.00	7,200.00	983,772.00	590,263.20	590,263.20	590,263.20	0.00	590,263.20	590,263.20	108,404.48	0.00	0.00	16,159,006	3,000,000	5,000,000	
Associated Tree Movers	Alexandria	48,000	49,440	8,200	8,200.00	5,000.00	405,408.00	247,200.00	247,200.00	247,200.00	0.00	247,200.00	247,200.00	7,840.90	0.00	0.00	16,159,006	3,000,000	5,000,000	
Papazian, Aram	Alexandria	48,000	49,440	9,300	9,300.00	5,590.00	459,792.00	275,875.20	275,875.20	275,875.20	0.00	275,875.20	275,875.20	1,987,225.18	0.00	0.00	16,159,006	3,000,000	5,000,000	
KJA Holdings/Alexis	Holland	68,000	70,040	9,000	9,000.00	5,400.00	630,360.00	378,216.00	378,216.00	378,216.00	0.00	378,216.00	378,216.00	1,609,009.18	0.00	0.00	16,159,006	3,000,000	5,000,000	
Heimer	Kingwood	50,000	51,500	7,800	7,800.00	4,800.00	401,700.00	247,200.00	247,200.00	247,200.00	0.00	247,200.00	247,200.00	1,361,609.18	0.00	0.00	16,159,006	3,000,000	5,000,000	
Pending Final Approval																				
Zander I	Alexandria	27,000	27,810	7,400	7,400.00	4,600.00														
Zander II	Kingwood	24,000	24,720	7,950	7,950.00	4,875.00														
Amwell Chase, Inc.	W. Amwell	205,000																		
Pending Green Light																				
Readington Lot 11	Readington	51,000																		
Daniels/Salmon																				
Encumbered/Expended FY11	10									1,098,247.10		1,098,247.10	1,098,247.10	7,840.90			393,912.00	1,638,190.82	0.00	1,361,609.18
Encumbered/Expended FY13	3									1,000,000.00		1,000,000.00	1,000,000.00	0.00			0.00	0.00	0.00	5,000,000.00
Total	13		548				6,938,243.00	4,811,250.00	4,187,887.90	2,098,247.10		2,098,247.10	2,098,247.10	7,840.90			393,912.00	1,638,190.82	0.00	5,000,000.00
Reprogram Out																				

State Agriculture Development Committee
 SADC Final Review: Development Easement Purchase

Helmer, Gerald & Emory, Andy
 10- 0330-PG
 County PIG Program
 50 Acres

Block 2	Lot 5	Kingwood Twp.	Hunterdon County	
SOILS:		Other	5% * 0	= .00
		Prime	80% * .15	= 12.00
		Statewide	15% * .1	= 1.50
				SOIL SCORE: 13.50
TILLABLE SOILS:		Cropland Harvested	74% * .15	= 11.10
		Wetlands	5% * 0	= .00
		Woodlands	21% * 0	= .00
				TILLABLE SOILS SCORE: 11.10
FARM USE:	Field Crop Except Cash Grain		41 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st five (5) acres for existing house
 - Exception is not to be severed from Premises
 - Exception is to be restricted to one single family residential unit(s)
 - c. Additional Restrictions:
 1. FY13 FRPP funding via Hunterdon Land Trust
 - d. Additional Conditions:
 - Pursuant to the Federal Farm and Ranch Land Protection Program the landowner has agreed to a maximum impervious coverage of 5.67% or 2.84 acres.
 - e. Dwelling Units on Premises:
 - No Structures On Premise
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R9(21)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

HUNTERDON COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Donald and Jill Zander (Farm #1)
Alexandria Township, Hunterdon County

N.J.A.C. 2:76-17 et seq.
SADC ID# 10-0339-PG

September 26, 2013

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Hunterdon County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Hunterdon County received SADC approval of its FY2014 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on April 5, 2012 the SADC received an application for the sale of a development easement from Hunterdon County for the Zander Farm (#1) identified as Block 22 Lot 26, Alexandria Township, Hunterdon County, totaling approximately 27 net easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Hunterdon County's West Project area and the Highlands Planning Area; and

WHEREAS, the Property has one 3-acre non-severable exception area for and restricted to a future single family residence; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) agricultural labor housing units and no pre-existing non-agricultural on the area to be preserved outside of the exception areas; and

WHEREAS, the Property is in soybean production; and

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, the Property has a rank score of 60.31 which exceeds 70% of the County's average quality score of 45, as determined by the SADC on July 28, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 12, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on February 28, 2013, the SADC certified a development easement value of \$7,400/acre based on January 1, 2004 zoning and environmental regulations and \$4,650/ acre based on current zoning and environmental regulations as of July 2012; and

WHEREAS, the certification of value was contingent upon a 50' wide access easement being provided to the subject farm in the 0.5 acre northeasterly non-severable exception area on Kingwood Block 5 Lot 3 (Zander 2), however it was already in place, recorded in Deed Book 2083, Page 278 on February 11, 2004 within the location as shown on Schedule B; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the offer of \$7,400 per acre for the development easement for the Property; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 27.81 acres will be utilized to calculate the SADC grant need; and

WHEREAS, currently the County has \$7,840.90 of base grant funding available, and is eligible for up to \$1,361,809.18 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule C); and

WHEREAS, on June 26, 2013 the County prioritized its farms and submitted it 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. 2:76-17.14 (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, competitive grant funds shall be awarded by the SADC based on a priority ranking of the individual farm applications applying for grants from the competitive grant fund based on cumulative points of the project area; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting \$127,926 of FY11 competitive grant funding, leaving a balance of approximately \$1,233,883.18 (Schedule C); and

WHEREAS, the estimated cost share breakdown is as follows (based on 27.81 acres):

	<u>Cost Share</u>	
SADC	\$127,926	(\$4,600 per acre)
Hunterdon County	\$ 38,934	(\$1,400 per acre)
Alexandria Township	\$ 38,394	(\$1,400 per acre)
Purchase Price	\$205,794	(\$7,400 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on Alexandria Township approved the application on June 12, 2013 with a \$1,400 per acre cost share; the Hunterdon County Agriculture Development Board approved the application on May 9, 2013, and the Hunterdon County Board of Chosen Freeholders approved the required local match (\$1,400/acre) on June 4, 2013; 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to the Hunterdon County for the purchase of a development easement on the Property, comprising approximately 27.81 net acres, at a State cost share of \$4,600 per acre (62.16% of purchase price) for a total grant need of \$127,926, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule D); and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

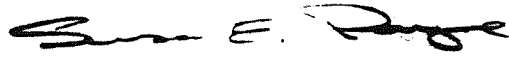
BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with Hunterdon County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9-26-13

Date

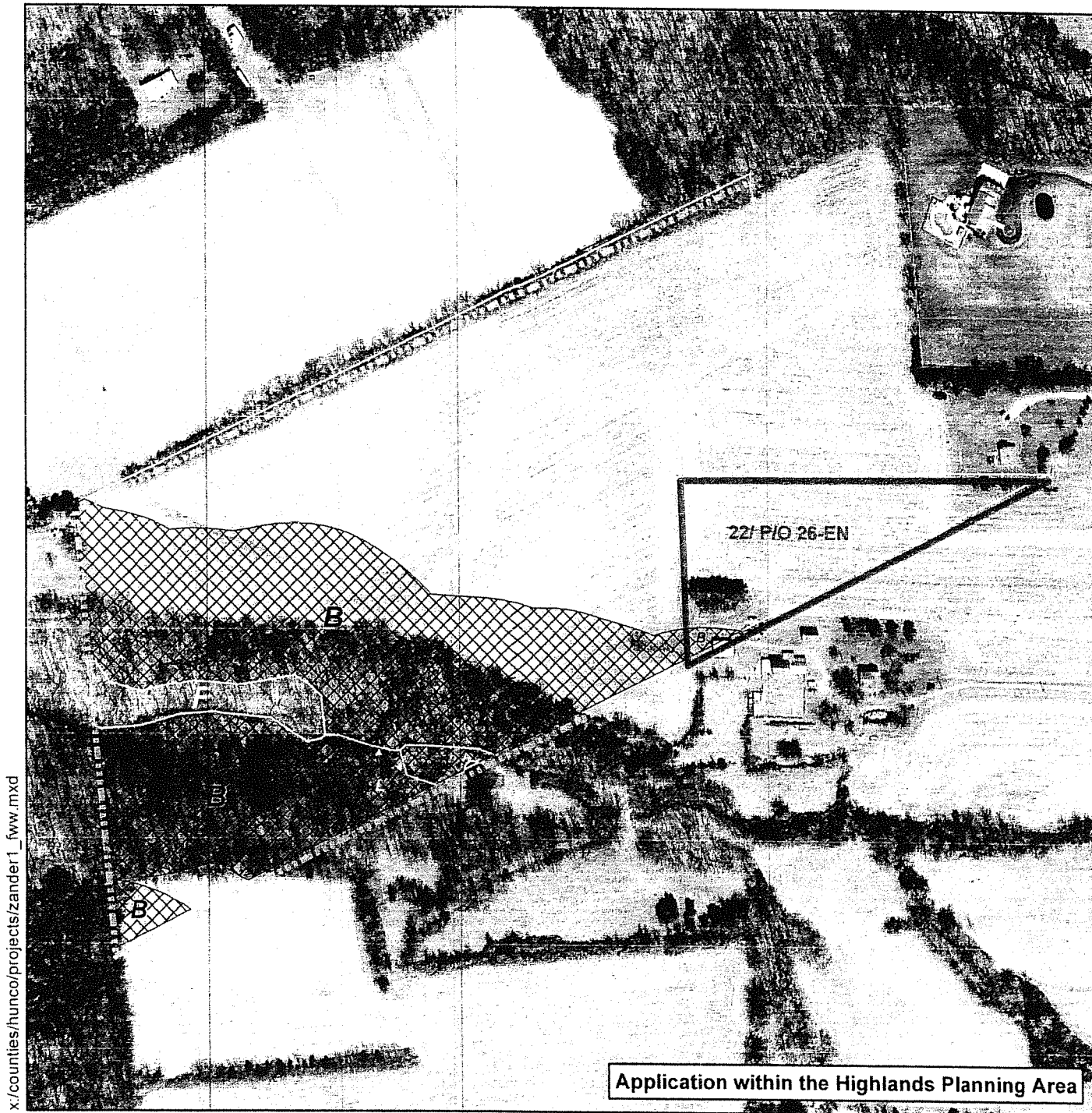


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

Schedule A



x:\counties\hunco\projects\zander1_fwv.mxd

Application within the Highlands Planning Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Donald and Jill Zander
Block 22 Lots P/O 26 (26.6 ac)
& P/O 26-EN (non-severable exception - 3.1 ac)
Gross Total = 29.7 ac
Alexandria Twp., Hunterdon County

250 125 0 250 500 Feet

Property in Question	
	EM - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O/S & Recreation Easement

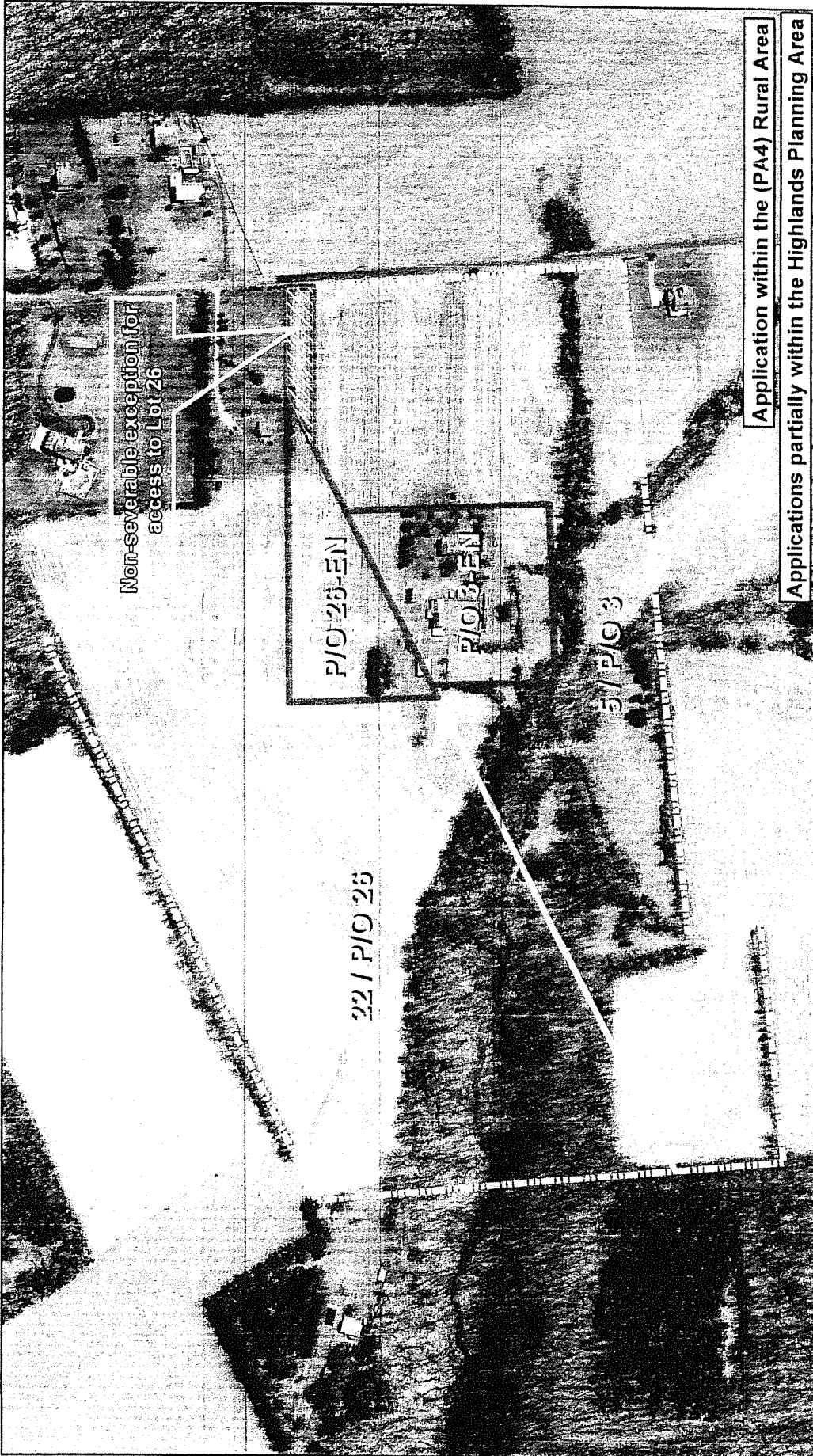


Wetlands Legend	
F	Freshwater Wetlands
L	Linear Wetlands
M	Wetlands Modified for Agriculture
T	Tidal Wetlands
N	Non-Wetlands
B	300' Buffer
W	Water

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.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJCI7/OGIS 2007/2008 Digital Aerial Image

Zander Access Exception (Schedule B)



Property in Question

- EN - (Non-Severable) Exception
- ES - (Severable) Exception



FARMLAND PRESERVATION PROGRAM
 NJ State Agriculture Development Committee

Zander, Donald & Jill
 Block 22 P/O Lot 26 (26.6 ac) & P/O 26-EN (non-severable exception - 3.1 ac) - Alexandria Twp.
 Block 5 P/O Lot 3 (23.5 ac) & P/O Lot 23-EN (non-severable exceptions 4.0 & .5 ac) - Kingwood Twp.
 Gross Total = 57.7 ac
 Hunterdon County



DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. This configuration and geographic location of parcel polygons in this data layer are approximate and were developed from aerial imagery and other data sources. The user should not rely on this data for legal purposes. The user should be advised that this map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground boundaries. The user should be advised that horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
 USGS National Wetlands Inventory
 Green Acres Conservation Easement Data
 NJOIT/OGIS 2007/2008 DigitalAerial Image
 Date: 5/6/2012

Schedule C

Schedule C

New Jersey Farmland Preservation Program
 Preservation Program
 County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	SADC		Total Federal Grant	SADC Federal Grant	BASE GRANT				COMPETITIVE GRANT		TOTAL	ELIGIBILITY	
								Cost Basis	Cost Share			Encumbered at Final	Youcher	Expend	Balance	Encumbered at Final	Youcher			Expend
Rothenetz #2 (ret 1 es)	Tewksbury	43,000	44,290	15,000	15,000.00	9,000.00	659,520.00	856,520.00	393,912.00	196,956.00	0.00	393,912.00	393,912.00	2,105,068.00	0.00	0.00	0.00	3,822,876	3,000,000	5,000,000
Peterson, Linda	Franklin	34,000	35,020	6,200	6,200.00	4,000.00	217,124.00	140,080.00	140,080.00	197,090.50	1,966,098.00	1,966,098.00	1,966,098.00	1,776,758.40	1,776,758.40	1,776,758.40	1,776,758.40	1,966,098	1,966,098	1,966,098
Cooper, Gal	Holland	43,000	44,290	7,100	7,100.00	4,450.00	314,459.00	197,090.50	189,249.60	428,542.92	1,348,215.48	1,348,215.48	1,348,215.48	1,348,215.48	1,348,215.48	1,348,215.48	1,348,215.48	1,348,215	1,348,215	1,348,215
Snyder, Doris	Ranlan	50,000	51,500	15,800	15,800.00	9,480.00	813,700.00	813,700.00	488,220.00	281,190.00	0.00	488,220.00	488,220.00	1,007,840.90	1,007,840.90	1,007,840.90	1,007,840.90	488,220	488,220	488,220
Hill & Dale #1 (ret 1 es)	Tewksbury	91,000	93,730	17,000	17,000.00	10,200.00	1,583,410.00	956,046.00	340,374.58	515,671.42	0.00	340,374.58	340,374.58	1,007,840.90	1,007,840.90	1,007,840.90	1,007,840.90	340,374	340,374	340,374
Gross, Joel and Rosemary	Kingwood	58,000	59,740	7,700	7,700.00	4,750.00	459,998.00	283,765.00	283,765.00	377,000.00	200,767.00	283,765.00	283,765.00	109,404.48	109,404.48	109,404.48	109,404.48	283,765	283,765	283,765
Readington Lot 19 Little Hills	Readington	81,981	82,000	12,000	12,000.00	7,800.00	983,772.00	590,363.20	590,363.20	100,563.58	0.00	590,363.20	590,363.20	7,840.90	7,840.90	7,840.90	7,840.90	590,363	590,363	590,363
Associated Tree Movers	Alexandria	48,000	49,440	8,200	8,200.00	5,000.00	405,408.00	247,800.00	247,800.00	0.00	0.00	247,800.00	247,800.00	469,699.62	469,699.62	469,699.62	469,699.62	247,800	247,800	247,800
Papazian, Aram	Alexandria	48,000	49,440	9,300	9,300.00	5,500.00	459,792.00	275,875.20	275,875.20	0.00	0.00	275,875.20	275,875.20	247,200.00	247,200.00	247,200.00	247,200.00	275,875	275,875	275,875
KJA Holdings/Alexis	Holland	68,000	70,040	9,000	9,000.00	5,400.00	630,360.00	378,216.00	378,216.00	211,150.00	0.00	378,216.00	378,216.00	247,200.00	247,200.00	247,200.00	247,200.00	378,216	378,216	378,216
Helmer	Kingwood	50,000	51,500	7,800	7,800.00	4,800.00	401,700.00	205,794.00	127,926.00	0.00	0.00	127,926.00	127,926.00	1,007,840.90	1,007,840.90	1,007,840.90	1,007,840.90	127,926	127,926	127,926
Zander I	Alexandria	27,000	27,810	7,400	7,400.00	4,600.00	205,794.00	127,926.00	127,926.00	0.00	0.00	127,926.00	127,926.00	1,007,840.90	1,007,840.90	1,007,840.90	1,007,840.90	127,926	127,926	127,926
Pending Final Approval																				
Zander II	Kingwood	24,000	24,720	7,950	7,950.00	4,800.00	459,998.00	283,765.00	283,765.00	377,000.00	200,767.00	283,765.00	283,765.00	109,404.48	109,404.48	109,404.48	109,404.48	283,765	283,765	283,765
Amwell Chase, Inc.	W. Amwell	205,000																		
Blending Green Light																				
Readington Lot 11	Readington	51,000																		
Daneels/Salamon																				
Encumbered/Expended FY11	11																			
Encumbered/Expended FY13	3																			
Total	14		577				7,142,037.00	5,017,044.00	4,325,793.90											
Reprogram Out																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				
Encumbered/Expended FY11																				
Encumbered/Expended FY13																				
Total																				

Schedule 5

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Zander, Donald H & Jill H. #1
10- 0339-PG
County PIG Program
27 Acres

Block 22	Lot 26	Alexandria Twp.	Hunterdon County
SOILS:		Other	34% * 0 = .00
		Prime	25% * .15 = 3.75
		Statewide	41% * .1 = 4.10
			SOIL SCORE: 7.85
TILLABLE SOILS:		Cropland Harvested	61% * .15 = 9.15
		Wetlands	3% * 0 = .00
		Woodlands	36% * 0 = .00
			TILLABLE SOILS SCORE: 9.15
FARM USE:	Soybeans-Cash Grain		20 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st three (3) acres for future single family residence
Exception is not to be severed from Premises
Exception is to be restricted to one single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:

Certification is contingent upon a 50' wide access easement being provided to the subject farm in the 0.5 acre northeasterly non-severable exception area on Kingwood Block 5 Lot 3 (Zander 2).
 - e. Dwelling Units on Premises:

No Structures On Premise
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R9(23)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

MORRIS COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Betsy S. Michel (Farm #2)
Chester Township, Morris County

N.J.A.C. 2:76-17 et seq.
SADC ID# 14-0108-PG

September 26, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Morris County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Morris County received SADC approval of its FY2014 PIG Plan annual update application on May 23, 2013; and

WHEREAS, on April 9, 2012 the SADC received an application for the sale of a development easement from Morris County for the Michel Farm (#2) identified as Block 7 Lot 15, Chester Township, Morris County, totaling approximately 97 net easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Morris County's West Project area and the Highlands preservation area; and

WHEREAS, the Property has one 3-acre non-severable exception area restricted to one future single family residence; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) agricultural labor housing units to be preserved outside of the exception areas; and

WHEREAS, at the time of application and final approval the landowner permits landscaping vehicle storage in an area on the Premises of +/-0.5 acre; this activity will be delineated on the survey and restricted as a non-agricultural by the terms of the Deed of Easement (Schedule A); and

WHEREAS, the Property includes an existing 16.5 foot wide trail easement for a segment of the Morris County Park System's Patriot's Path, which is currently unimproved (Schedule B-1); and

WHEREAS, the Morris County Park Commission acquired the easement for the continuation of Patriot's Path on September 29, 1997 which was recorded in Deed Book 84836, Page 143 (Schedule B-2); and

WHEREAS, the trail easement acquisition deed, on page 147, contains indemnification language protecting the "owner" against suits, claims, demands, other actions, and damages and expenses resulting from property damage and/or personal injuries associated with Patriots' Path (Schedule B-3); and

WHEREAS, the Property is in hay and livestock production; and

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, the Property has a rank score of 67.96 which exceeds 70% of the County's average quality score of 42, as determined by the SADC on July 28, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 13, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on February 28, 2013, the SADC certified a development easement value of \$21,000/acre based on January 1, 2004 zoning and environmental regulations and \$6,500/ acre based on current zoning and environmental regulations as of August 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$22,536 per acre for the development easement for the Property, which is higher than the certified easement value and equal to the highest of the two appraised values; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 99.91 acres will be utilized to calculate the SADC grant need; and

WHEREAS, currently the County has \$0 of base grant funding available, and is eligible for up to \$2,064,229 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule C); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13(d), the County prioritized its farms and submitted the Property to the SADC on June 25, 2013 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. 2:76-17.14 (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, competitive grant funds shall be awarded by the SADC based on a priority ranking of the individual farm applications applying for grants from the competitive grant fund based on cumulative points of the project area; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.4 the County is requesting \$1,258,866 from the competitive grant, leaving a maximum FY11 Competitive grant eligibility to the county of \$805,363 (Schedule C); and

WHEREAS, the estimated cost share breakdown is as follows (based on 99.91 acres):

	<u>Cost Share</u>	
SADC	\$1,258,866	(\$12,600 per acre)
Morris County	\$ 992,705.76	(\$ 9,936 per acre)
Purchase Price	\$2,251,571.76	(\$22,536 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on Chester Township approved the application on March 6, 2012, but is not participating financially, the Morris County Agriculture Development Board approved the application on July 11, 2013, and the Morris County Board of Chosen Freeholders approved the required local match (\$9,936/acre) on July 24, 2013; and

WHEREAS, the County will utilize FY11 competitive grant funding to cover the SADC cost share; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to the Morris County for the purchase of a development easement on the Property, comprising approximately 99.91 net acres, at a State cost share of \$12,600 per acre (55.91% of purchase price and 60% of certified value) for a total grant need of approximately \$1,258,866, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule D); and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises

adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

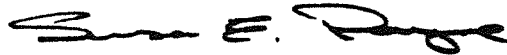
BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with Morris County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

9-21-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

Schedule A



x:/counties/morco/projects/michel2_fwv.mxd

Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Betsy S. Michel (#2)
Block 7 Lots P/O 15 (97.0 ac)
& P/O 15-EN (non-severable exception - 3.0 ac)
Gross Total = 100.0 ac
Chester Twp., Morris County



Property in Question

- EN - (Non-Severable) Exception
- ES - (Severable) Exception

Wetlands Boundaries

- 300 ft Buffered Wetlands
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned GIS & Recreation Easement



Wetlands Legend:

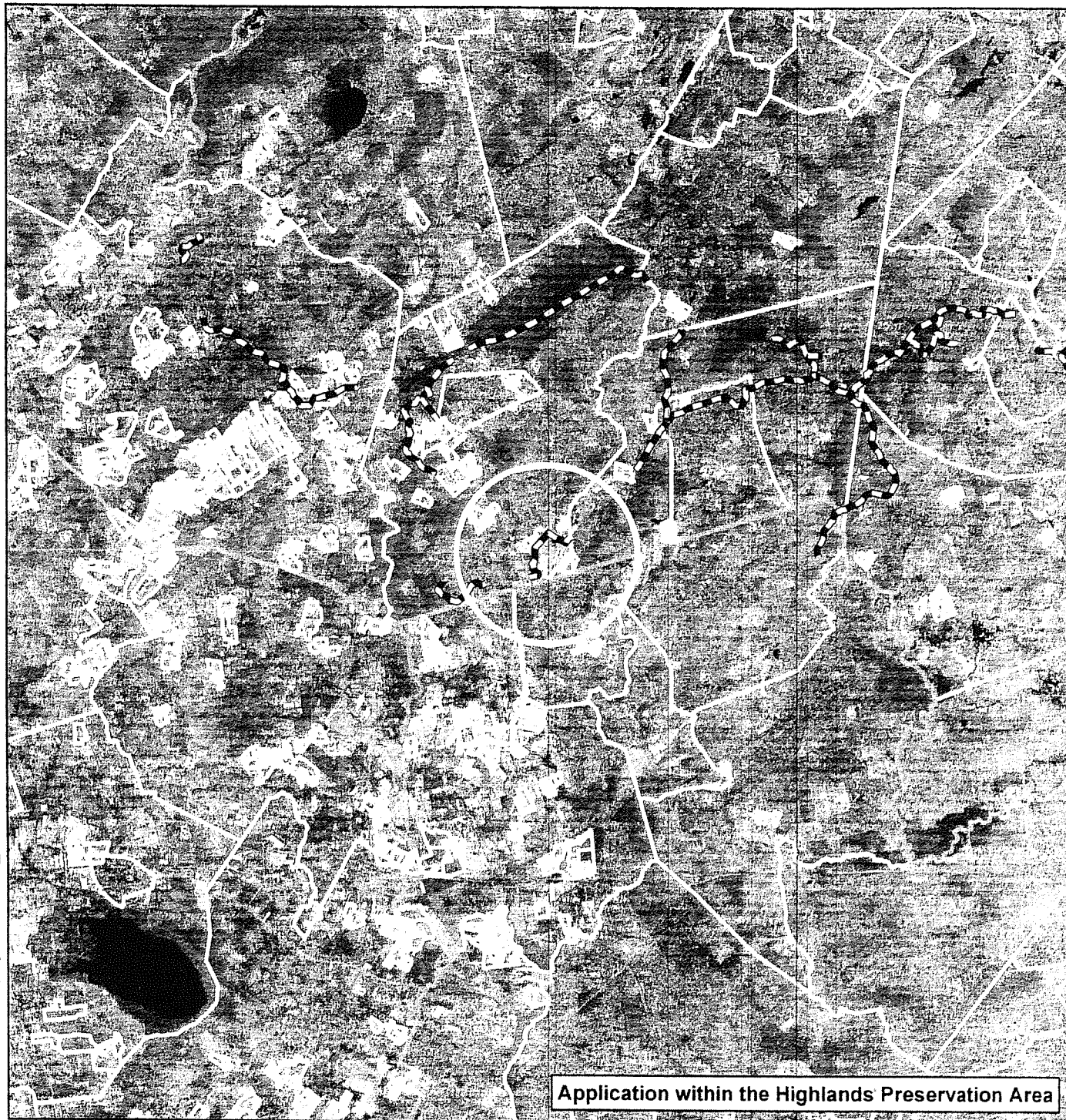
- F - Freshwater Wetlands
- L - Linear Wetlands
- M - Wetlands Modified for Agriculture
- T - Tidal Wetlands
- N - Non-Wetlands
- B - 300' Buffer
- W - Water

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.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJGITOGIS 2007/2008 Digital/Aerial Image

Schedule B-2

X:\counties\merco\projects\michel2_10mile_PatriotsPath.mxd



Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Betsy S. Michel (#2)
Block 7 Lots P/O 15 (97.0 ac)
& P/O 15-EN (non-severable exception - 3.0 ac)
Gross Total = 100.0 ac
Chester Twp., Morris County

5 2.5 0 5 Miles

Farmland Preservation Program	
	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Preserved Easements	
	Active Applications
	Patriots Path Trail
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned D/S & Recreation Easement
Base Map	
	County Boundary
	Municipal Boundary



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
NJOT/OGIS 2007/2008 Digital Aerial Image

Date: 9/12/2013

Control Act, N.J.S.A. 58:10-23.11 et seq., and any requirements under the Industrial Site Recovery Act, P.L. 1993, Ch. 139.

11. Grantee shall indemnify, defend and hold Grantor harmless from any and all suits, actions, claims, demands, damages and expenses, including reasonable attorneys fees, resulting from property damage and/or personal injuries which occur or are alleged to occur as a result of Grantee's development, installation or maintenance of the Patriots' Path on or across the Easement Area pursuant to the terms of this Easement and/or use of the Easement Area by members of the public for Patriots' Path recreational trail purposes.

12. The Grantee, or its successors or assigns, does not waive or forfeit the right to take action as may be necessary to insure compliance with the terms, conditions and purposes of this Easement by a prior failure to act.

13. In the event that any part or parts of this recreational trail easement is or are found to be invalid by a court of competent jurisdiction, the remaining provisions of this Easement shall nevertheless be binding with the same force and effect as though the invalid parts were deleted therefrom.

14. The Grantor agrees that this recreational trail easement will be referenced in any subsequent deed, or other legal instrument, by which Grantor divests himself of either the fee simple title or of his possessory interest in the Property.

15. It is understood that any interest in the Easement Areas retained by the Grantor shall not be utilized by the Grantor,

JB4836 P1147

COPIED

revised

U

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Michel, Betsy S. #2 (Lot 15)
14- 0108-PG
County PIG Program
97 Acres

Block 7	Lot 15	Chester Twp.	Morris County	
SOILS:		Other	26% * 0	= .00
		Prime	67% * .15	= 10.05
		Statewide	7% * .1	= .70
				SOIL SCORE: 10.75
TILLABLE SOILS:		Cropland Harvested	58% * .15	= 8.70
		Permanent Pasture	16% * .02	= .32
		Wetlands	7% * 0	= .00
		Woodlands	19% * 0	= .00
				TILLABLE SOILS SCORE: 9.02
FARM USE:		Hay	43 acres	
		Agriculture Production Livestock	15 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:
landscaping vehicle storage in an 0.5 acre area
 - b. Exceptions:
1st three (3) acres for future single family residence
Exception is not to be severed from Premises
Exception is to be restricted to one single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2014R9(24)

Final Approval and Authorization to Execute Closing Documents
Authorization to Contract for Professional Services
SADC Easement Purchase

On the Property of
Tor C. Andersen

September 26, 2013

Subject Property: Tor C. Andersen
Block 19, Lot 109; Block 19.06, Lots 62 & 64
Sparta Township, Sussex County
SADC ID#: 19-0017-DE
Approximately 13 Net Easement Acres

WHEREAS, on December 10, 2012, the State Agriculture Development Committee ("SADC") received a development easement sale application from Tor C. Andersen, hereinafter "Owner," identified as Block 19, Lot 109; Block 19.06, Lots 62 & 64, Sparta Township, Sussex County, hereinafter "Property," totaling approximately 13 net easement acres, identified in (Schedule A); and

WHEREAS, the SADC is authorized under the Garden State Preservation Trust Act, pursuant to N.J.S.A. 13:8C-1 et seq., to purchase development easements directly from landowners; and

WHEREAS, SADC staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 28, 2011 which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff determined that the Property does not meet SADC's "Priority" category (minimum of 46 acres and minimum of 51 quality score points) or "Alternate" category (minimum of 34 acres and minimum of 39 quality score points) for Sussex County because it is 13 acres and has a quality score of 42.45, therefore, this farm is categorized as an "Other" farm requiring SADC preliminary approval; and

WHEREAS, on January 24, 2013, the SADC granted Preliminary Approval to this application (Schedule B); and

WHEREAS, on March 23, 2006 the SADC adopted the FY 2006 Highlands Preservation Appropriation Expenditure Policy-Amended, which approves the use of Highlands Funds to support additional applications in all farmland preservation programs where demand for funding has outstripped otherwise approved SADC funding ("Highlands Funds")

WHEREAS, at this time there are sufficient Highlands Funding available for this project; and

WHEREAS, the Property has two (2) single family residences and zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

WHEREAS, at the time of application, the Property was devoted to corn and hay production; and

WHEREAS, the Owner operates a farm market used to sell agricultural products produced from the subject parcel and from the Owner's larger agricultural operation; and

WHEREAS, at the time of application and SADC preliminary approval the Owner requested a 0.5-acre non-severable exception area for flexibility of use around the existing barns; and

WHEREAS, subsequently the Owner requested a 0.6-acre non-severable exception around the existing farm market location and requested to enlarge the original non-severable exception around the existing barns to 0.6 acres; and

WHEREAS, it is the opinion of both independent appraisers and SADC Appraisal Manager that the reconfiguration and addition of a second exception area has no impact on the original valuation; and

WHEREAS, the Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, on June 27, 2013, the SADC certified the development easement value of the Property at \$12,500 per acre based on January 1, 2004 zoning and environmental conditions and \$350 per acre based on current zoning and environmental conditions as of April, 2013; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property at the higher value of \$12,500 per acre; and

WHEREAS, to proceed with the SADC's purchase of the development easement it is recognized that various professional services will be necessary including but not limited to contracts, survey, title search and insurance and closing documents; 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;

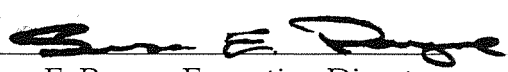
NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Property, for the direct acquisition of the development easement at a value of \$12,500 per acre for a total of approximately \$162,500 subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, 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 on the Property; 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.

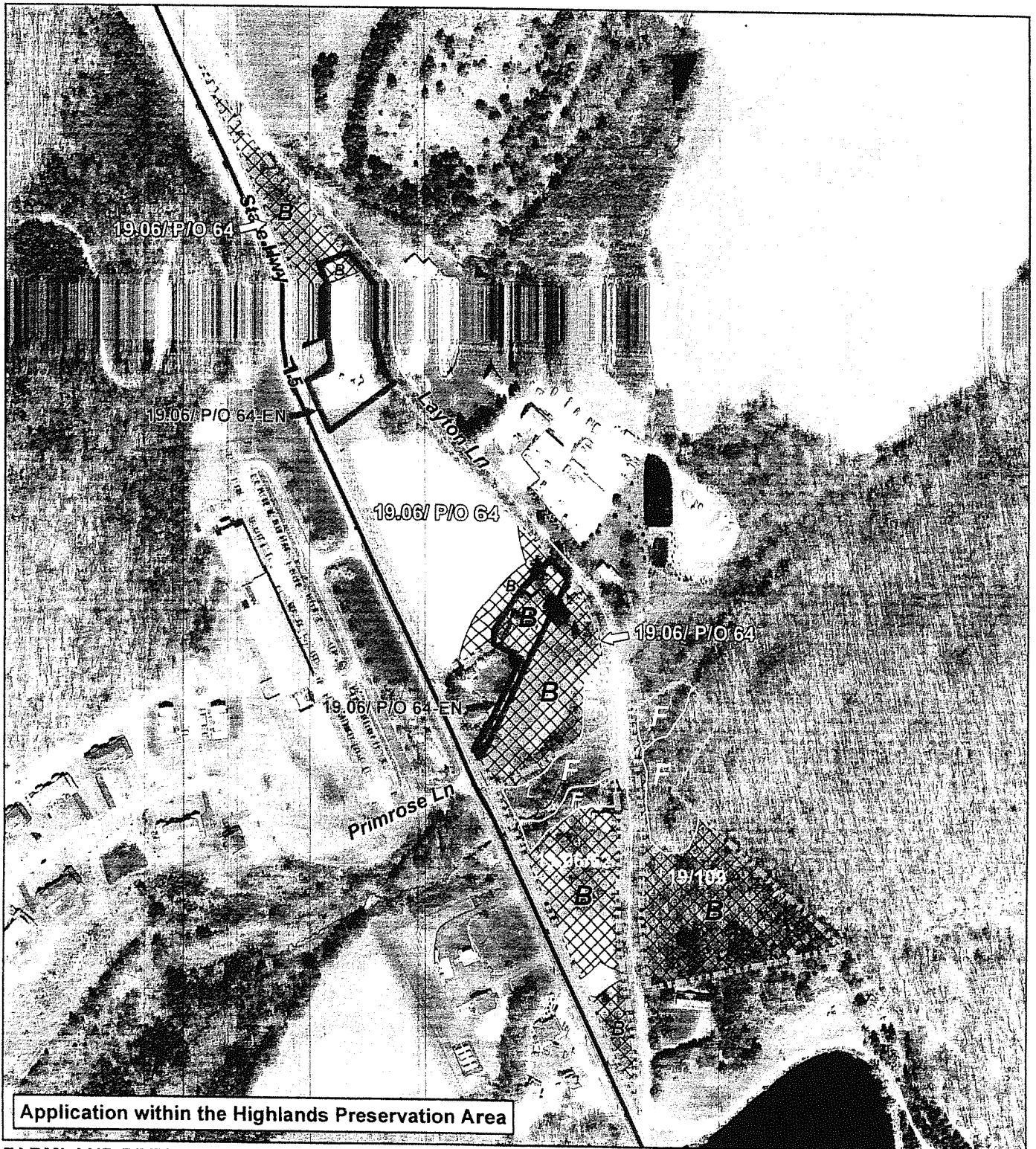
9-26-13
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YE
Jane R. Brodhecker	RECUSED
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

X:\counties\susco\projects\andersen_fw3.mxd



Application within the Highlands Preservation Area

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

Tor Andersen
 Block 19 Lot 109 (3.8 ac); Block 19.06 Lots 62 (2.9 ac),
 P/O 64 (6.5 ac) & P/O 64-EN (non-severable exceptions - 0.6 & 0.6 ac)
 Gross Total = 14.3 ac
 Sparta Twp., Sussex County

	Property in Question
	E1 - (Non-Severable) Exception
	E3 - (Severable) Exception
Wetlands Boundaries	
	300 ft Buffered Wetlands
	Priority - Limited Access
	Federal or State Hwy
County Roads	
	Municipal/Local Road
	Municipal County and Non-Plan Property Open Space
	State Owned Conservation Easement
	State Owned DNR & Recreation Easement



500 250 0 500 1,000 Feet

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

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 for any other purpose.

Sources:
 NJDEP Freshwater Wetlands Data
 Google Earth

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

GENERAL INFORMATION

COUNTY OF Sussex Sparta Twp. 1918
 APPLICANT Andersen, Tor

PRIORITIZATION SCORE

SOILS:	Other	36%	*	0	=	.00
	Prime	64%	*	.15	=	9.60
SOIL SCORE:						9.60

TILLABLE SOILS:	Cropland Harvested	50%	*	.15	=	7.50
	Other	16%	*	0	=	.00
	Wetlands	16%	*	0	=	.00
	Woodlands	18%	*	0	=	.00
TILLABLE SOILS SCORE:						7.50

BOUNDARIES AND BUFFERS:	Commercial	15%	*	0	=	.00
	Highways and Railroads	34%	*	.1	=	3.40
	Residential Development	20%	*	0	=	.00
	Streams and Wetlands	18%	*	.18	=	3.24
	Woodlands	13%	*	.06	=	.78
BOUNDARIES AND BUFFERS SCORE:						7.42

CONTIGUOUS PROPERTIES / DENSITY:	No Points					0
DENSITY SCORE:						.00

LOCAL COMMITMENT:					100%	*	14	=	14.00
LOCAL COMMITMENT SCORE:									14.00

SIZE:								SIZE SCORE:	.89
-------	--	--	--	--	--	--	--	--------------------	------------

IMMIMENCE OF CHANGE:	SADC Impact factor = 2.88								
IMMINECE OF CHANGE SCORE:									2.88

COUNTY RANKING:									
EXCEPTIONS:								EXCEPTION SCORE:	.00

TOTAL SCORE: 42.29

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Andersen, Tor
State Acquisition
Easement Purchase - SADC
13 Acres

Block 19.06	Lot 64	Sparta Twp.	Sussex County		
Block 19.06	Lot 62	Sparta Twp.	Sussex County		
Block 19	Lot 109	Sparta Twp.	Sussex County		
SOILS:		Other	36% * 0	=	.00
		Prime	64% * .15	=	9.60
				SOIL SCORE:	9.60
TILLABLE SOILS:		Cropland Harvested	50% * .15	=	7.50
		Other	16% * 0	=	.00
		Wetlands	16% * 0	=	.00
		Woodlands	18% * 0	=	.00
				TILLABLE SOILS SCORE:	7.50
FARM USE:	Vegetable & Melons		8 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 (.6) acres for flexibility around Farm Market
Exception is not to be severable from Premises
Right to Farm language is to be included in Deed of Easement
no residential opportunity within exception area
 - 2nd (.6) acres for flexibility around barns
Exception is not to be severable from Premises
Right to Farm language is to be included in Deed of Easement
no residential opportunity within exception area
 - c. Additional Restrictions:

both 0.6 acre nonseverable exceptions are restricted from any residential opportunity.

both 0.6 acre nonseverable exceptions will be restricted to agriculture, rural enterprises, and other uses the SADC may deem to be non-agricultural, none of which may adversely affect the neighboring preserved land.
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:

Standard Single Family

Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2014R9(25)

Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
Hunterdon Land Trust - Mulligan Farm
2012 Non Profit Round - SADC #10-0066 NP

September 26, 2013

WHEREAS, on May 22, 2012 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from Hunterdon Land Trust ("HLT") for the Mulligan farm identified as Block 33, Lot 24, Kingwood Township, Hunterdon County, totaling approximately 63 net acres, hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property contains one 5-acre non-severable exception area for the landowners equine infrastructure and is limited to one single family residence; and

WHEREAS, based on the information available at this time the farm meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, the Property's agricultural production at the time of application was pasture, hay and equine production; and

WHEREAS, the current equine production consists of breeding, raising, training and selling polo ponies and horses; and

WHEREAS, there are no equine service activities occurring on the Property to be preserved; and

WHEREAS, on September 27, 2012 the SADC granted preliminary approval by Resolution #FY2013R9(26) to the HLT application and appropriated \$289,600 for the acquisition of development easement on the Mulligan farm; and

WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) the SADC determined that any farm that has a quality score (as determined by N.J.A.C. 2:76-6.16) greater than or equal to 70% of the county average quality score as determined in the County PIG program be eligible for funding; and

WHEREAS, at the time of SADC preliminary approval the Property had a quality score of 55.96 which is greater than 70% of the County average quality score of 45 as determined on July 28, 2011; and

WHEREAS, the owner has read and signed SADC Guidance Documents regarding Exceptions, Division of Premises and Non-agricultural uses; and

WHEREAS, on July 25, 2012 the SADC certified the easement value of the Property to be \$6,700 per acre based on current zoning and environmental regulations (as of March 1, 2013); and

WHEREAS, the SADC advised HLT of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of HLT's eligible costs and subject to available funds from the \$289,600 appropriated in the 2012 Nonprofit round; and

WHEREAS, on July 30 , 2013 HLT informed the SADC that it will accept SADC cost share of \$3,350 per acre and the landowner was willing to accept \$6,700 per acre; and

WHEREAS, a parcel application was submitted by the HLT to the United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP); and

WHEREAS, the NRCS has determined that the Property and Landowner qualified for FRPP grant funds; and

WHEREAS, the FRPP grant will be based on an estimated FRPP current easement value of \$6,700 per acre equating to an FRPP grant of \$3,350 per acre (50% of \$6,700) or approximately \$211,050 in total FRPP funds (Schedule B); and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP Grant, including a 5.33% maximum impervious coverage restriction (approximately 3.36 acres available for impervious cover) on the lands being preserved outside of the exception area; and

WHEREAS, on September 13, 2013 Hunterdon County passed a Resolution showing its support for the project and commitment of up to \$1,340 per acre for the project if needed; and

WHEREAS, the anticipated cost share participation for the project will be as follows: (based on 63 acres):

HLT FRPP Grant	\$126,630	\$2,010/acre (30% of \$6,700)
Hunterdon County Grant	\$ 84,420	\$1,340/acre (20% of \$6,700)
SADC Nonprofit Grant Funds	<u>\$211,050</u>	<u>\$3,350/acre (50% of \$6,700)</u>
Total	\$422,100	\$6,700/acre; and

WHEREAS, should the FRPP funds exceed \$2,010 per acre, any additional funds shall be used to offset the County's grant; and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to HLT for up to 50% of the eligible ancillary costs which will be deducted from its appropriation and subject to the availability of funds (Schedule B);

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the HLT/Mulligan easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$3,350 per acre (total of approximately \$211,050 based on 63 acres) to Hunterdon Land Trust for the development easement acquisition on the Mulligan farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, the SADC approves the use of HLT Federal Farm and Ranch Land Protection Program funds for the preservation of the Mulligan farm, which will include an impervious coverage limitation of 5.33% (3.36 acres) and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC's cost share grant to Hunterdon Land Trust for the development easement purchase 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 or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

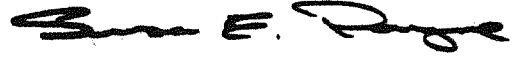
BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to the Hunterdon Land Trust for the acquisition of a development easement on the Mulligan farm; and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; 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.

9-26-13

Date

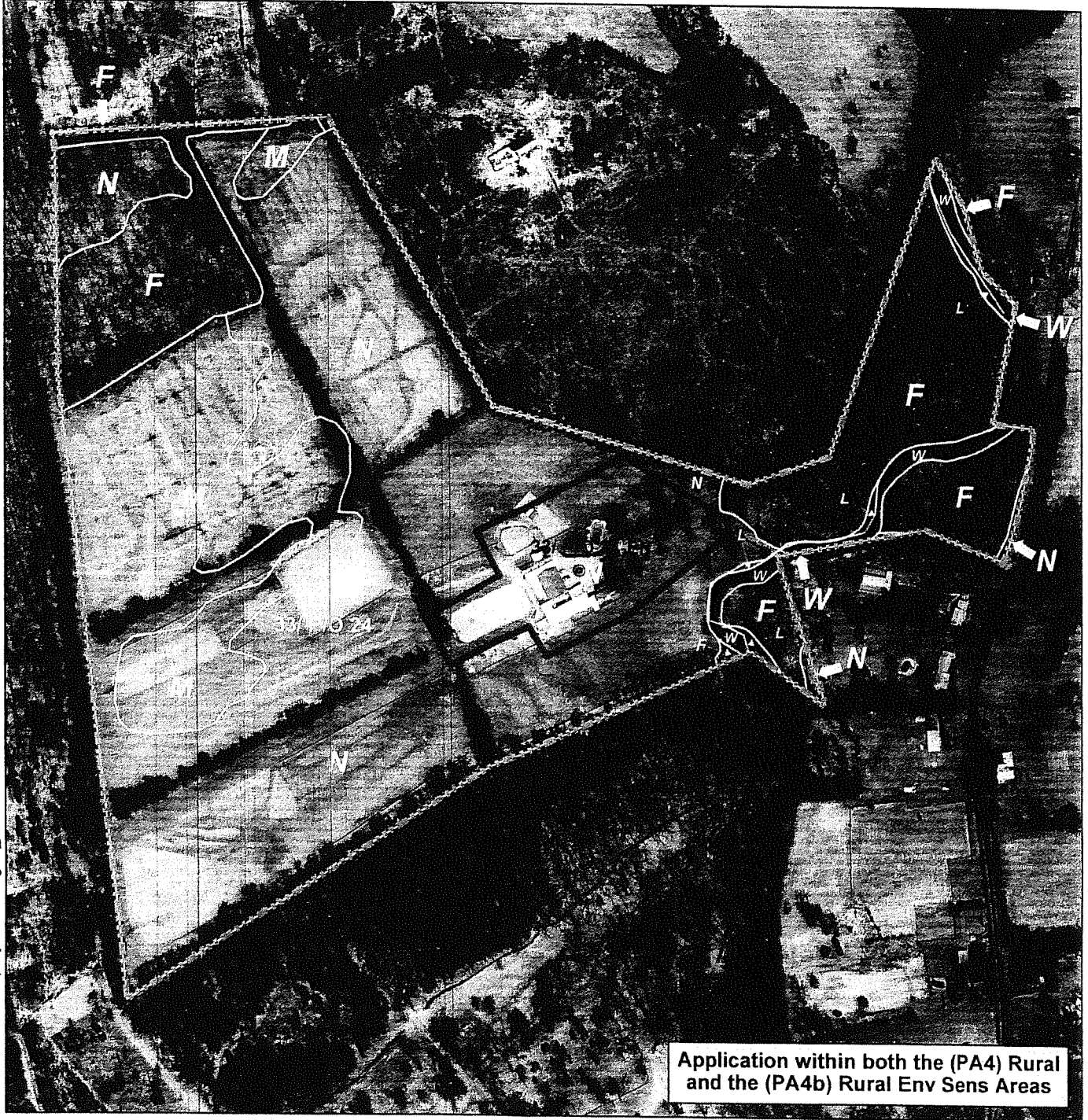


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

x:/counties/hunco/projects/mulligan_fw.mxd



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

Mark Mulligan/HLT
Block 33 Lots P/O 24 (60.6 ac)
& P/O 24-EN (non-severable exception - 5.0 ac)
Gross Total = 65.6 ac
Kingwood Twp., Hunterdon County



Property in Question

- EN - (Non-Severable) Exception
- ES - (Severable) Exception

Wetlands Boundaries

- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned D/S & Recreation Easement

Wetlands Legend:

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

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.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

Schedule B

New Jersey Farmland Preservation Program
2013 NON PROFIT GRANT ROUND

Applicant (Project)	County	Municipality	Acres	CMV	Negotiated & Approved	Total Cost	SADC Grant	Grant Amount/ Balance
Hunterdon Land Trust Alliance								289,600.00
Mulligan	Hunterdon	Kingwood	63.000	6,700.00	6,700.00	422,100.00	211,050.00	78,550.00

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Mulligan Farm
10- 0066-NP
FY 2012 Easement Purchase - Nonprofit
63 Acres

Block 24	Lot 33	Kingwood Twp.	Hunterdon County	
SOILS:		Other	19.2% * 0	= .00
		Statewide	80.8% * .1	= 8.08
				SOIL SCORE: 8.08
TILLABLE SOILS:		Cropland Pastured	56.5% * .15	= 8.48
		Wetlands	36% * 0	= .00
		Woodlands	7.5% * 0	= .00
				TILLABLE SOILS SCORE: 8.48
FARM USE:	Horse & Other Equine		43 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st five (5) acres for homestead
 - Exception is not to be severable from Premises
 - Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions:
 1. FY2012 FRPP monies via Hunterdon Land Trust Alliance
 - d. Additional Conditions:
 - Pursuant to the Federal Farm and Ranch Land Protection Program the landowner has agreed to a maximum of 5.33% impervious coverage or approximately 3.36 acres.
 - 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 eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2014R9(26)

Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
New Jersey Conservation Foundation – McAlonan Farm
2012 Non Profit Round – SADC #17-0047 NP

September 26, 2013

WHEREAS, on May 21, 2012 the State Agriculture Development Committee (“SADC”), received a non-profit cost share grant application from New Jersey Conservation Foundation (“NJCF”) for the McAlonan farm identified as Block 30, Lot 17, Alloway Township, Salem County, totaling approximately 29 acres, hereinafter referred to as “Property” (Schedule A); and

WHEREAS, the Property contains one 1-acre non-severable exception area limited to one single family residence; and

WHEREAS, the farm is approximately 62 percent cropland harvested and was in pasture production at the time of application and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, on September 27, 2012 the SADC granted preliminary approval by Resolution #FY2013R9(26) to the NJCF application and appropriated \$2,169,237 for the acquisition of development easement on seven farms including the McAlonan farm; and

WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) the SADC determined that any farm that has a quality score (as determined by N.J.A.C. 2:76-6.16) greater than or equal to 70% of the county average quality score as determined in the County PIG program be eligible for funding; and

WHEREAS, at the time of SADC preliminary approval the Property had a quality score of 57.14 which is greater than 70% of the County average quality score of 48 as determined on July 28, 2011; and

WHEREAS, the owner has read and signed SADC Guidance Documents regarding Exceptions, Division of Premises and Non-agricultural uses; and

WHEREAS, on March 28, 2013 the SADC certified the easement value of the Property to be \$5,900 per acre based on current zoning and environmental regulations in place as of January 18, 2013; and

WHEREAS, the SADC advised NJCF of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of NJCF's eligible costs and subject to available funds from the \$2,169,237 appropriated in the 2012 Nonprofit round; and

WHEREAS, on September 3, 2013 NJCF informed the SADC that it will accept SADC cost share of \$2,950 per acre and the landowner accepted \$6,100 per acre, which is higher than the certified easement value of \$5,900 but less than the highest easement value of \$6,300 per acre; and

WHEREAS, a parcel application was submitted by the NJCF to the United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP); and

WHEREAS, the NRCS has determined that the Property and Landowner qualified for FRPP grant funds; and

WHEREAS, the FRPP grant will be based on the NRCS approved easement value of \$6,300 per acre equating to an FRPP grant of \$3,150 per acre (50% of \$6,300) or approximately \$91,350 in total FRPP funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP Grant, including an 6.33% maximum impervious coverage restriction (approximately 1.8-acres) on the lands being preserved outside of the exception area; and

WHEREAS, the anticipated cost share participation for the project will be as follows (based on 29 acres):

NJCF FRPP Grant	\$ 91,350	\$3,150/acre (50% of \$6,300)
SADC Nonprofit Grant Funds	\$ 85,550	<u>\$2,950/acre (50% of \$5,900)</u>
Total	\$176,900	\$6,100/acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to NJCF for up to 50% of the eligible ancillary costs which will be deducted from its appropriation and subject to the availability of funds (Schedule B);

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the NJCF/McAlonan easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$2,950 per acre (total of approximately \$85,550 based on 29 acres) to New Jersey Conservation Foundation for the development easement acquisition on the McAlonan farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF Federal Farm and Ranch Land Protection Program funds for the preservation of the McAlonan farm, which will include an impervious coverage limitation of 6.33% and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC's cost share grant to New Jersey Conservation Foundation for the development easement purchase 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 or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

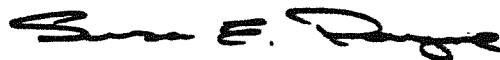
BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to the New Jersey Conservation Foundation for the acquisition of a development easement on the McAlonan farm; and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; 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.

9-26-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES

Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

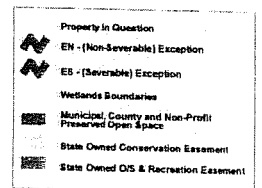
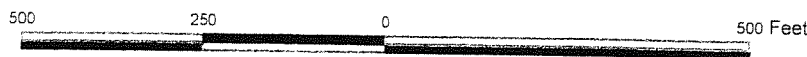


X:\counties\sarco\projects\McAlonan_NJCF_fw.mxd

Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McAlonan, William, Raymond & Margaret
Block 30 P/O Lot 17 (31.66 ac) & P/O Lot 17-EN (Non-Severable exception 1.07 ac)
Gross Total = 32.74 ac.
Alloway Twp. Salem County



Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 T - Tidal Wetlands
 N - Non-Wetlands
 W - Water

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.

Sources:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJOIT/OGIS 2007/2008 Digital Aerial Image

Schedule B

New Jersey Farmland Preservation Program
2013 NON PROFIT GRANT ROUND

Applicant (Project)	County	Municipality	Acres	CMV	Negotiated & Approved	Total Cost	SADC Grant	Grant Amount/ Balance
New Jersey Conservation Foundation								2,169,237.00
McAlonan	Salem	Alloway	29,000	5,900.00	6,100.00	176,900.00	85,550.00	2,083,687.00
<i>Pending final approval</i>								
Matthews	Salem	Alloway	30,000					
Doak	Salem	Alloway	69,000					
Timchal	Salem	Alloway	75,000					
Perozzi	Salem	Pilesgrove	74,000					
Rupert	Somerset	Bedminster	42,000					
Ziebarth	Somerset	Bedminster	22,000					

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

NJCF\McAlonan & Matthews
17- 0047-NP
FY 2012 Easement Purchase - Nonprofit
29 Acres

Block 30	Lot 17	Alloway Twp.	Salem County		
SOILS:		Other	23.48% *	0	= .00
		Prime	28.32% *	.15	= 4.25
		Statewide	48.2% *	.1	= 4.82
					SOIL SCORE: 9.07
TILLABLE SOILS:		Cropland Harvested	62% *	.15	= 9.30
		Other	2% *	0	= .00
		Woodlands	36% *	0	= .00
					TILLABLE SOILS SCORE: 9.30
FARM USE:	Hay	27 acres			

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for homestead
 - Exception is not to be severable from Premises
 - Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions:
 1. FY2012 FRPP via NJCF
 - d. Additional Conditions:
 - Pursuant to the Federal Farm and Ranch Land Protection Program the landowner has agreed to a maximum of 1.8 acres of impervious coverage or 6.33%
 - 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 eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2014R9(27)

Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
New Jersey Conservation Foundation - Matthews Farm
2012 Non Profit Round - SADC #17-0045 NP

September 26, 2013

WHEREAS, on May 21, 2012 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from New Jersey Conservation Foundation ("NJCF") for the Matthews farm identified as Block 33, Lot 2.01, Alloway Township, Salem County, totaling approximately 30 acres, hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property contains one 4-acre non-severable exception area limited to one single family residence; and

WHEREAS, the farm is approximately 53 percent cropland harvested and was in hay production at the time of application and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, on September 27, 2012 the SADC granted preliminary approval by Resolution #FY2013R9(26) to the NJCF application and appropriated \$2,169,237 for the acquisition of development easement on seven farms including the Matthews farm; and

WHEREAS, NJCF has received final approval for the McAlonan farm which will utilize \$85,550 leaving a balance of \$2,083,687 in the nonprofit's account (Schedule B); and

WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) the SADC determined that any farm that has a quality score (as determined by N.J.A.C. 2:76-6.16) greater than or equal to 70% of the county average quality score as determined in the County PIG program be eligible for funding; and

WHEREAS, at the time of SADC preliminary approval the Property had a quality score of 53.11 which is greater than 70% of the County average quality score of 48 as determined on July 28, 2011; and

WHEREAS, the owner has read and signed SADC Guidance Documents regarding Exceptions, Division of Premises and Non-agricultural uses; and

WHEREAS, on March 28, 2013 the SADC certified the easement value of the Property to be \$6,200 per acre based on current zoning and environmental regulations (as of January 18, 2013); and

WHEREAS, the SADC advised NJCF of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of NJCF's eligible costs and subject to available funds from the \$2,169,237 appropriated in the 2012 Nonprofit round; and

WHEREAS, on September 3, 2013 NJCF informed the SADC that it will accept SADC cost share of \$3,100 per acre and the landowner accepted \$6,250 per acre which was higher than the certified value of \$6,200 per acre but less than the highest appraised easement value per acre of \$6,300; and

WHEREAS, a parcel application was submitted by the NJCF to the United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP); and

WHEREAS, the NRCS has determined that the Property and Landowner qualified for FRPP grant funds; and

WHEREAS, the FRPP grant will be based on the NRCS current easement value of \$6,300 per acre equating to an FRPP grant of \$3,150 per acre (50% of \$6,300) or approximately \$94,500 in total FRPP funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP Grant, including a 7.33% maximum impervious coverage restriction (approximately 2.2 acres available for impervious cover) on the lands being preserved outside of the exception area; and

WHEREAS, the anticipated cost share participation for the project will be as follows based on 30 acres:

NJCF FRPP Grant	\$ 94,500	\$3,150/acre (50% of \$6,300)
SADC Nonprofit Grant Funds	<u>\$ 93,000</u>	<u>\$3,100/acre (50% of \$6,200)</u>
Total	\$187,500	\$6,250/acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to NJCF for up to 50% of the eligible ancillary costs which will be deducted from its appropriation and subject to the availability of funds (Schedule B);

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the NJCF/Matthews easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$3,100 per acre (total of approximately \$ 93,000 based on 30 acres) to New Jersey Conservation Foundation for the development easement acquisition on the Matthews farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF Federal Farm and Ranch Land Protection Program funds for the preservation of the Matthews farm, which will include an impervious coverage limitation of 7.33% and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC's cost share grant to New Jersey Conservation Foundation for the development easement purchase 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 or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

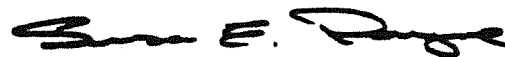
BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to the New Jersey Conservation Foundation for the acquisition of a development easement on the Matthews farm; and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; 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.

9-26-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

Wetlands

Schedule A



x:\counties\sarco\projects\matthews3_fww.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John and Margaret Matthews
Block 33 Lots P/O 2.01 (30.5 ac)
& P/O 2.01-EN (non-severable exception - 4.1 ac)
Gross Total = 34.6 ac
Alloway Twp., Salem County



Property In Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned OS & Recreation Easement

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

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.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJGIT/OGIS 2007/2008 Digital Aerial Image

September 13, 2012

New Jersey Farmland Preservation Program
2013 NON PROFIT GRANT ROUND

Applicant (Project)	County	Municipality	Acres	CMV	Negotiated & Approved	Total Cost	SADC Grant	Grant Amount/ Balance
New Jersey Conservation Foundation								2,169,237.00
McAlonan	Salem	Alloway	29,000	5,900.00	6,100.00	176,900.00	85,550.00	2,083,687.00
Matthews	Salem	Alloway	30,000	6,200.00	6,250.00	187,500.00	93,000.00	1,990,687.00
<i>Pending final approval</i>								
Doak	Salem	Alloway	69,000					
Timchal	Salem	Alloway	75,000					
Perozzi	Salem	Pilesgrove	74,000					
Rupert	Somerset	Bedminster	42,000					
Ziebarth	Somerset	Bedminster	22,000					

UNRECORDED

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Matthews Farm
17- 0045-NP
FY 2012 Easement Purchase - Nonprofit
30 Acres

Block 33 Lot 2.01 Alloway Twp. Salem County

SOILS:

Other	44% *	0	=	.00	
Prime	42% *	.15	=	6.30	
Statewide	14% *	.1	=	1.40	
					SOIL SCORE: 7.70

TILLABLE SOILS:

Cropland Harvested	52.7% *	.15	=	7.91	
Woodlands	47.3% *	0	=	.00	
					TILLABLE SOILS SCORE: 7.91

FARM USE:

Cash Grains		9 acres			
Horse & Other Equine		9 acres			hay cropland pastured

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st. four (4) acres for future SFR
Exception is not to be severable from Premises
Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions:
 1. FY2012 FRPP via NCF
 - d. Additional Conditions:

Pursuant to the Federal Farm and Ranch Land Protection Program the landowner has agreed to a maximum of 2.2 acres of impervious coverage or 7.33%.
 - e. Dwelling Units on Premises:

No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R9(22)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

MORRIS COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Betsy S. Michel (Farm #1)
Chester Township, Morris County

N.J.A.C. 2:76-17 et seq.
SADC ID# 14-0109-PG

September 26, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Morris County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Morris County received SADC approval of its FY2014 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on April 9, 2012 the SADC received an application for the sale of a development easement from Morris County for the Michel Farm (#1) identified as Block 7, Lot 44.02, Chester Township, Morris County, totaling approximately 111 net easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Morris County's West Project area and the Highlands Preservation Area; and

WHEREAS, the Property has one 3-acre non-severable exception restricted to one single family residence; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) agricultural labor housing units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

WHEREAS, there is a 40 foot by 50 foot (~2,000 square foot) "borrow pit", located on the western edge of the property; the sand and gravel obtained from the pit is exclusively used to maintain the farm roads on farms that are part of the Landowner's farm management unit, which currently include the Premises (Block 7, Lot 44.02) and the Landowner's contiguous farm located on Block 7 Lot 15, Chester Township, Morris

County (a pending application known as "Michel 2"; and

WHEREAS, the current borrow pit is considered a pre-existing non-agricultural use and the materials from which are restricted for use on the farm management unit of the owner of the Premises, and by the terms of the Deed of Easement ; and

WHEREAS, the Property includes an existing 16.5 foot wide trail easement for a segment of the Morris County Park System's Patriot's Path, which is currently unimproved (Schedule B-1); and

WHEREAS, the Morris County Park Commission acquired the easement for the continuation of Patriot's Path on September 29, 1997 which was recorded in Deed Book 84836, Page 143 (Schedule B-2); and

WHEREAS, the trail easement acquisition deed, on page 147, contains indemnification language protecting the "owner" against suits, claims, demands, other actions, and damages and expenses resulting from property damage and/or personal injuries associated with Patriots' Path (Schedule B-3); and

WHEREAS, the Property is in hay and livestock production; and

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, the Property has a rank score of 65.49 which exceeds 70% of the County's average quality score of 42, as determined by the SADC on July 28, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 13, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on February 28, 2013, the SADC certified a development easement value of \$36,500/acre based on January 1, 2004 zoning and environmental regulations and \$6,500/ acre based on current zoning and environmental regulations as of August 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the offer of \$36,500 per acre for the development easement for the Property; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 114.33 acres will be utilized to calculate the SADC grant need; and

WHEREAS, currently the County has \$1,568,056 of base grant funding available, and is eligible for up to \$3,000,000 in FY11 competitive funding and \$5,000,000 in FY13

competitive grant funding, subject to available funds (Schedule C); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13(d), the County prioritized its farms and submitted the Property to the SADC on June 25, 2013 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. 2:76-17.14 (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. 2:76-17.14e, competitive grant funds shall be awarded by the SADC based on a priority ranking of the individual farm applications applying for grants from the competitive grant fund based on cumulative points of the project area; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14 the Morris County Agriculture Development Board is requesting \$1,568,056 from the base grant, leaving a balance of \$0 and is requesting \$935,771 from the FY11 competitive grant (Schedule C); and

WHEREAS, the estimated cost share breakdown is as follows (based on 114.33 acres):

	<u>Cost Share</u>	
SADC	\$2,503,827	(\$21,900 per acre)
<u>Morris County</u>	<u>\$1,669,218</u>	<u>(\$14,600 per acre)</u>
Purchase Price	\$4,173,045	(\$36,500 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Chester Township approved the application on March 6, 2012, but is not participating financially; the Morris County Agriculture Development Board approved the application on July 11, 2013, and the Morris County Board of Chosen Freeholders approved the required local match (\$14,600/acre) on July 24, 2013; and

WHEREAS, the County will utilize base grant funding and FY11 competitive grant funding to cover the SADC cost share; 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to the Morris County for the purchase of a development easement on the Michel #1 Farm, comprising approximately 114.33 net acres, at a State cost share of \$21,900 per acre for a total grant need of approximately \$2,503,827, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule D); and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with Morris County pursuant to N.I.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.I.S.A. 4:1C-4.

9-26-13

Date

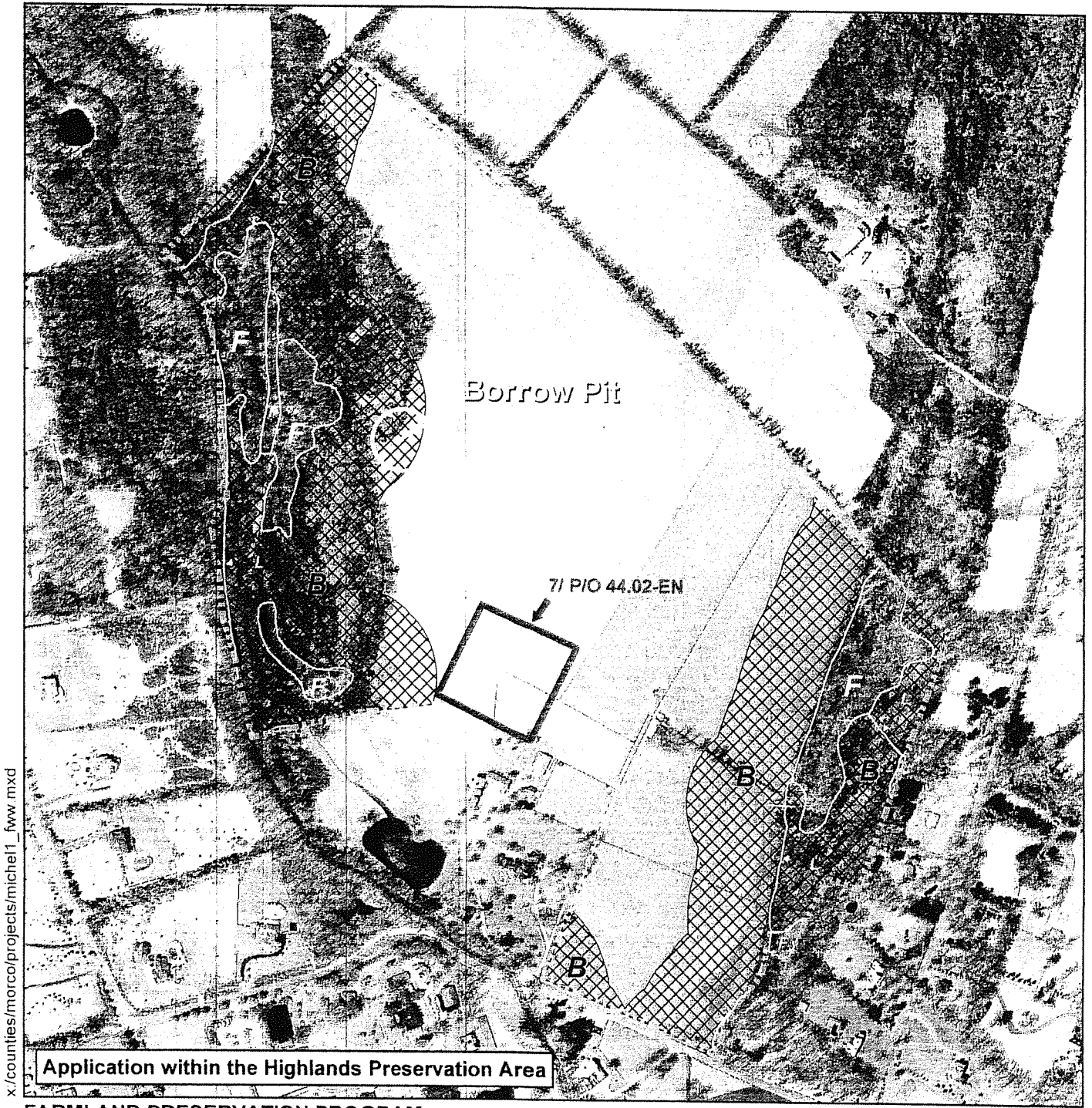


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	ABSENT
Denis C. Germano	YES
Torrey Reade	YES

Schedule A



x:\counties\morco\projects\michel1_fwv.mxd

Application within the Highlands Preservation Area

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

Betsy S. Michel (#1)
Block 7 Lots P/O 44.02 (111.1 ac)
& P/O 44.02-EN (non-severable exception - 3.0 ac)
Gross Total = 114.2 ac
Chester Twp., Morris County



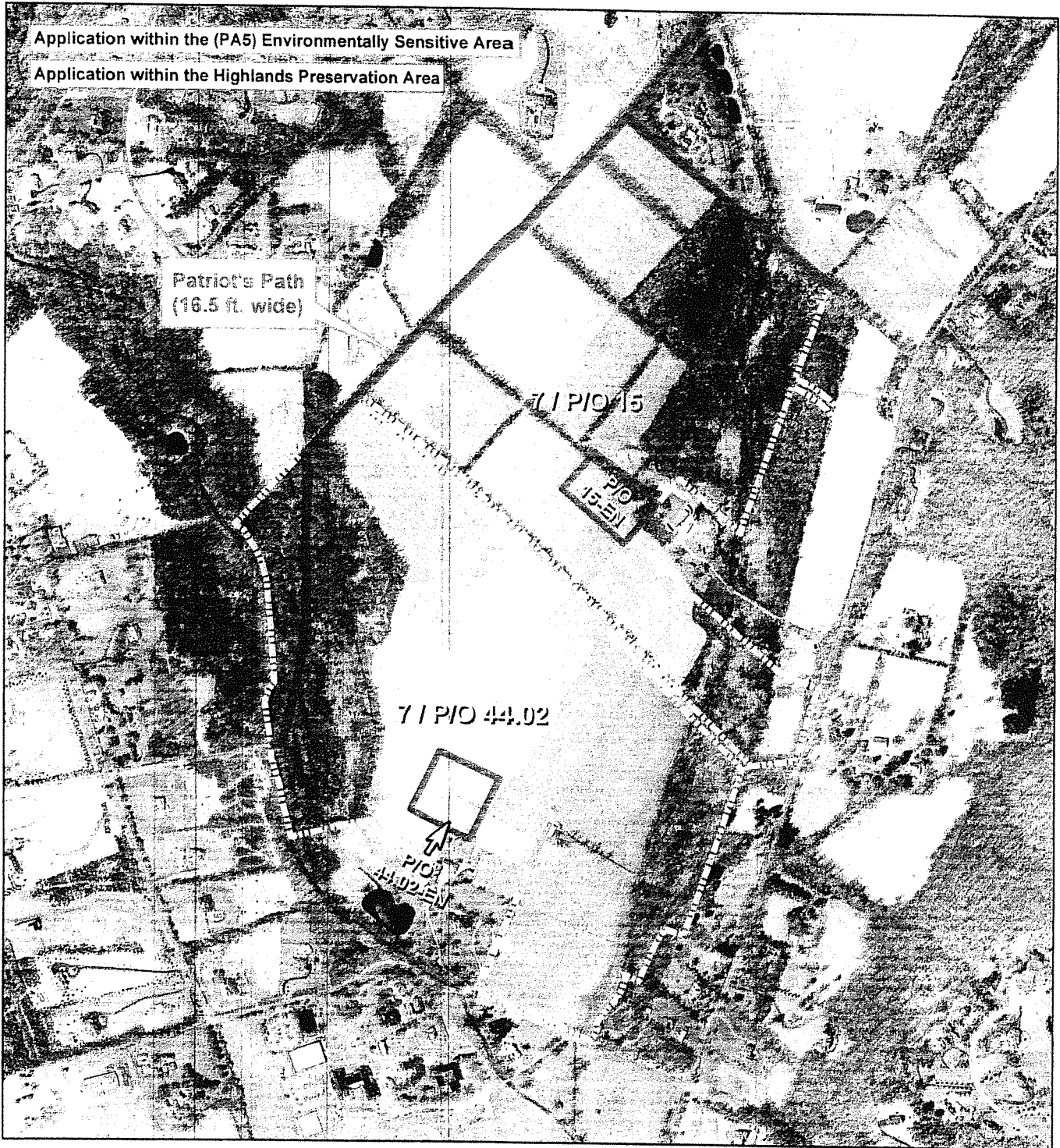
Property In Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	300 ft Buffered Wetlands
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned OIS & Recreation Easement

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

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.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJDOT/OGIS 2007/2008 DigitalAerial Image

Schedule B-1



X:/counties/morco/projects/michel1_2_PatriotsPath.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Betsy S. Michel (#1)
Block 7 Lots P/O 44.02 (111.1 ac)
& P/O 44.02-EN (non-severable exception - 3.0 ac)
Betsy S. Michel (#2)
Block 7 Lots P/O 15 (97.0 ac)
& P/O 15-EN (non-severable exception - 3.0 ac)
Gross Total = 214.2 ac
Chester Twp., Morris County

Property In Question

- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned O/S & Recreation Easement



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.

Sources:
Green Acres Conservation Easement Data
NJGIT/OGIS 2007/2008 Digital Aerial Image

Schedule B-2

X:\counties\merco\projects\michel2_10mile_PatriotsPath.mxd



Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Betsy S. Michel (#1)
Block 7 Lots P/O 44.02 (111.1 ac)
& P/O 44.02-EN (non-severable exception - 3.0 ac)
Gross Total = 114.2 ac
Chester Twp., Morris County



Farmland Preservation Program	
	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Preserved Easements	
	Active Applications
	Patriot's Path Trail
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O/S & Recreation Easement
Base Map	
	County Boundary
	Municipal Boundary



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
NJGIT/OGIS 2007/2008 Digital Aerial Image
Date: 9/12/2013

Control Act, N.J.S.A. 58:10-23.11 et seq., and any requirements under the Industrial Site Recovery Act, P.L. 1993, Ch. 139.

11. Grantee shall indemnify, defend and hold Grantor harmless from any and all suits, actions, claims, demands, damages and expenses, including reasonable attorneys fees, resulting from property damage and/or personal injuries which occur or are alleged to occur as a result of Grantee's development, installation or maintenance of the Patriots' Path on or across the Easement Area pursuant to the terms of this Easement and/or use of the Easement Area by members of the public for Patriots' Path recreational trail purposes.

12. The Grantee, or its successors or assigns, does not waive or forfeit the right to take action as may be necessary to insure compliance with the terms, conditions and purposes of this easement by a prior failure to act.

13. In the event that any part or parts of this recreational trail easement is or are found to be invalid by a court of competent jurisdiction, the remaining provisions of this Easement shall nevertheless be binding with the same force and effect as though the invalid parts were deleted therefrom.

14. The Grantor agrees that this recreational trail easement will be referenced in any subsequent deed, or other legal instrument, by which Grantor divests himself of either the fee simple title or of his possessory interest in the Property.

15. It is understood that any interest in the Easement Areas retained by the Grantor shall not be utilized by the Grantor.

084835 PM#7

7000

State Agriculture Development Committee
 SADC Final Review: Development Easement Purchase

Michel, Betsy S. #1 (Lot 44.02)
 14- 0109-PG
 County PIG Program
 111 Acres

Block 7	Lot 44.02	Chester Twp.	Morris County	
SOILS:		Other	56% * 0	= .00
		Prime	43% * .15	= 6.45
		Statewide	1% * .1	= .10
				SOIL SCORE: 6.55
TILLABLE SOILS:		Cropland Pastured	3% * .15	= .45
		Cropland Harvested	48% * .15	= 7.20
		Permanent Pasture	14% * .02	= .28
		Wetlands	9% * 0	= .00
		Woodlands	26% * 0	= .00
				TILLABLE SOILS SCORE: 7.93
FARM USE:		Hay	101 acres	
		Beef Cattle Except Feedlots	acres	34
		Hogs	acres	6
		Sheep & Goats	acres	9
		Fowls, Broilers & Fryers	acres	38

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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st three (3) acres for future single family residence
 Exception is not to be severed from Premises
 Exception is to be restricted to one single family residential unit(s)
 exception can not be further subdivided and will contain RTF language.
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.