

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**Stony Brook-Millstone Watershed Association**

**31 Titus Mill Road**

**Pennington, NJ 08534**

**REGULAR MEETING**

**October 26, 2017**

Chairman Fisher called the meeting to order at 9:09 a.m.

The flag salute was conducted at the start of the meeting.

Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

Roll call indicated the following:

**Members Present**

Chairman Douglas Fisher

Ralph Siegel (rep. State Treasurer Scudder)

Renee Jones (rep. NJDEP Commissioner Martin)

Jane Brodhecker

Alan Danser, Vice Chairman

Scott Ellis

Brian Schilling (rep. Executive Dean Goodman)

Thomas Stanuikynas (rep. DCA Commissioner Richman)

Denis C. Germano, Esq. (arrived at 9:17 a.m.)

James Waltman

Pete Johnson

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**Members Absent**

None.

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Susan E. Payne, SADC Executive Director

Jason Stypinski, Esq., Deputy Attorney General

**Others present as recorded on the attendance sheet:** Kevin Kuchinski, Mayor of Hopewell Township; John Hart, Hopewell Township Committee; Lisa Wolff, Friends of Hopewell Valley Open Space; Sherry Dudas, Honey Brook Organic Farm; Brooke Kaplan, Day Pitney LLP; Dan Pace, Mercer County Agriculture Development Board (CADB); Tara Kenyon, Somerset CADB; Melanie Mason, Hunterdon CADB; Katherine Fullerton and Glorianne Robbi, East Amwell Township; Craig Ambrose, Governor's Authorities Unit, and Donna Rue, general public, Upper Freehold Township.

### **Minutes**

#### **A. SADC Regular Meeting of September 28, 2017 (Open and Closed Sessions)**

It was moved by Mr. Siegel and seconded by Mr. Danser to approve the Open Session and Closed Session minutes of the SADC regular meeting of September 28, 2017. The motion was approved. Mr. Johnson abstained from the vote and Mr. Germano was not present for the vote.

### **REPORT OF THE CHAIRMAN**

Secretary Fisher thanked Mr. Waltman for hosting the State Agriculture Development Committee at the Stony Brook-Millstone Watershed Association and for the work that he does on the Committee. He stated that he is optimistic that the SADC's appropriation bills will be dropped once the Legislature is back in session, which will make available new money to complete more projects.

### **REPORT OF THE EXECUTIVE DIRECTOR**

Ms. Payne stated that she would like to have Mr. Waltman orient everyone on his role at the Stony Brook-Millstone Watershed Association and introduce the local guests who would like to address the Committee.

Mr. Waltman stated that he is the Executive Director of the Stony Brook-Millstone Watershed Association, which is a 501c3 tax-exempt non-profit organization founded in 1949 by farmers and other large land owners out of concern for erosion of farmland and sedimentation of streams. The Watershed Association focuses on clean water and works in the Millstone Watershed and the adjacent part of the Delaware River Watershed, so that has them focused in a five-county area – Mercer, Middlesex, Monmouth, Somerset and Hunterdon counties – covering a little more than 24 towns. They host robust environmental

education programs for schools and the public every year and 10,000 to 12,000 or more kids, adults and teens come for programming. There is a team of scientists that monitors the water in the region at more than 50 locations looking out for evidence of water pollution, working closely with municipalities. There is also a policy team that works with towns and the State Legislature and agencies to promote sound environmental practices, often partnering with municipalities to create or amend their ordinances, working on their master plans and zoning in some cases as well.

The Watershed Center opened to the public in Spring 2015 and was designed to be a physical model or embodiment of the values and mission of the Watershed Association. It is a Leadership in Energy and Environmental Design (LEED) platinum-certified building. LEED platinum certification is the highest level and is hard to get in more rural areas. The LEED program places a lot of emphasis on trying to redevelop sites in urban areas and near transportation, which meant that the Watershed Association had to do a great job on energy conservation, renewable energy and water conservation management. Since 1982 there has been an organic farm on the property in keeping with the Watershed Association's organic mission. Some of the earlier farmers were involved with the Northeast Organic Farmers Association (NOFA). In 1991, the Watershed Association was fortunate that Jim Kinsel began what started out as the Watershed Organic Farm and brought the CSA (community supported agriculture) model to the farm. He and his partner Sherry Dudas have done an incredible job. The farm is about 90 acres and part of a larger reserve. In total, the Watershed Association manages 950 acres that have been pieced together over time. Mr. Waltman stated that he is delighted to have the Committee here so that members can learn what the Watershed Association does and invited everyone to come back and explore the more than 10 miles of hiking trails.

Mr. Waltman introduced the Mayor of Hopewell Township, Kevin Kuchinski; Lisa Wolff, Executive Director of Friends of Hopewell Valley Open Space; Sherry Dudas from Honey Brook Organic Farm, and John Hart, longtime member of the Hopewell Township Committee.

Mr. Kuchinski welcomed the Committee to Hopewell Township and thanked the SADC for its contribution to land preservation and support of agricultural tradition in Hopewell Township. Hopewell Township has a long history in agriculture and appreciates the programs that the SADC helps Hopewell with, both in retaining working farms through the Farmland Preservation Program and helping to keep farming sustainable and more profitable for farmers such as through deer fencing grants.

Ms. Wolff stated that the Friends of Hopewell Valley Open Space is a land trust for the Hopewell Valley region, which has preserved a great deal of farmland and open space. She encouraged those interested in the organization's work to take one of the brochures

provided outside the meeting room. Chairman Fisher thanked both Mr. Kuchinski and Ms. Wolff for all they do because farmland preservation is a partnership and takes collaborative efforts.

Sherry Dudas stated that she is a former employee of the SADC, having worked there 12 years ago helping to set up the Right to Farm program. After leaving the SADC, Ms. Dudas joined Mr. Kinsel in operating the farm at the Stony Brook-Millstone Watershed Association. The farm has an interesting history and the partnership with the Watershed Association is unique and a model for other environmental groups looking to partner with farms. Before the State Farmland Preservation Program was established, the Wargo family was considering getting out of farming or transferring their operations elsewhere. They wanted to sell their farm, but did not want to do so for development, so they approached Dr. Muriel Buttinger, a local environmentalist and philanthropist, who purchased the farm. The Wargos relocated and began to farm in New York where they still farm. A few years later when Dr. Buttinger was settling her estate she left her land to the Watershed Association and that is when the Watershed Association decided to make it a model organic farm. The farm was operated as an educational component of their programming for a number of years until they decided to have private farmers take over the farm. In 1991 Ms. Dudas' husband and partner took over the farm. The partner introduced the Community Supported Agriculture (CSA) model to the farm.

CSA is a marketing system where consumers pre-pay for a membership in a farm and then get a weekly bounty of produce. The CSA model was started in 1991. Ms. Dudas credited the Watershed Association for being one of the first organizations in the Northeast that incubated a farmer, allowing Mr. Kinsel and his partner to use its membership list. The farm and CSA started with 50 original members on 3.5 acres and now they are managing almost 300 acres, and 100 to 120 acres are actively being farmed. Some of the other areas are in wetlands, or in the compost operation or cover cropping. In 1992 there was a waiting list for people who wanted to join the CSA. They started looking for other land in 2005, first renting a preserved fee-simple farm and later purchasing two more preserved farms in Chesterfield, one of which was the first farm to be preserved through the State Farmland Preservation Program. They have been farming now for 23 years and serving 3,500 families with the CSA program, managing four farms in two different counties in two different municipalities. Ms. Dudas thanked the SADC for their work and fostering access to affordable preserved farmland for farmers, allowing them to expand their businesses. She hopes that the younger generation of farmers will be able to expand their businesses the same way.

John Hart stated that he is a farmer in Hopewell Township and that his farm was the first one preserved in Hopewell. Mr. Hart stated that he applied for farmland preservation in 1986-1987 to request to preserve farmland he wanted to purchase. He was told that he



could not purchase the land because 15 developers wanted to build on that land. Mr. Hart had several meetings with the mayor and council and could not persuade them to comply with his request. Fortunately, the county and the State supported Mr. Hart's endeavor and worked with him to preserve the farm. Mr. Hart stated that at the time of his request, he was a young 30-year-old farmer and could not otherwise afford the \$2.5 million it cost for the farm. The Farmland Preservation Program helped with that. He stated that he is grateful to have preserved farmland in Hopewell that he can still farm. He thanked the SADC for coming to Hopewell Township and Mr. Waltman for inviting him to the SADC meeting.

Chairman Fisher stated that he appreciates all the history associated with the Watershed Association and its farm, and the perspective it provides as the Committee and partners engage in the work of farmland preservation.

Ms. Payne stated that she wanted to highlight the SADC's deer fencing grant program. Jess Niederer, the owner of Chickadee Creek Farm, obtained a grant and her fence is up and has been inspected. SADC staff is planning to stop by today to examine the fence and solicit Ms. Niederer's feedback on the process. Ms. Payne deferred to Dave Clapp for more information. Mr. Clapp stated that Ms. Niederer was eligible for a maximum grant of approximately \$16,000. Tather than just fencing the area that she has in production today, she wanted to fence 46 acres, which is the bulk of her open crop fields. Chickadee Creek Farm is a family-owned business. The deer fence was installed by a fence contractor from Lancaster, PA, and more than a mile of fence installed. As a result, Ms. Niederer will be able to convert the rest of the hay ground by 2020 into cropland. Mr. Clapp showed the committee pictures of the fence and stated that it meets all of the SADC's standards.

Ms. Payne stated that regarding the remainder of the agenda, the SADC today will be getting its Soil and Water Conservation Cost-Share Program back under way. The Committee will review applications for grants since that funding was signed into law in August. The Natural Resources Conservation Service (NRCS) is working with landowners and all the counties to get in applications.

### **COMMUNICATIONS**

None.

### **PUBLIC COMMENT**

There was no public comment.

## **OLD BUSINESS**

### **A. Stewardship**

#### **1. Agricultural Labor Housing**

##### **a. SST 100, LP Farm, Bedminster Township, Somerset County**

Chairman Fisher stated that most of the discussion on this agenda item took place during the last meeting, so there is no need for staff to make a presentation again. Charles Roohr stated that this is just a memorialization of the conversation during the September meeting. Chairman Fisher asked if any of the members had any additional comments or a motion. Mr. Siegel asked whether the SADC has previously limited agricultural labor housing to a single person per unit and required that production be documented on an ongoing basis as part of easement monitoring. Ms. Payne stated that it has been done, particularly for some of the equine applications that have requested agricultural labor housing prospectively. This has been done to ensure the representations that have been made are happening and so the SADC can learn. Mr. Siegel asked how many farms there are where the SADC holds the easement and is monitoring production. Ms. Payne stated just a handful. Mr. Siegel asked if there were any issues with them. Mr. Roohr stated that staff would work with a landowner to correct a violation or, if unsuccessful in that, bring it to the Committee. He pointed to the Madadi farm last month, but stated such cases were very few and far between. Ms. Payne stated that regarding the one-person limit, that was the representation that was made to the Committee, so it was included. Mr. Schilling noted that the primary condition under discussion was that whoever resides in the agricultural labor unit must be employed exclusively on the farm. Mr. Roohr stated that language of the resolution was shared with the owner's attorney and SST 100 farm is good with the resolution.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to approve Resolution FY2018R10(1) approving the request by SST-100 LP Farm for three new one-bedroom, one-bathroom apartments at approximately 428 square feet each, totaling 1,284 square feet, on the premises for the purpose of housing agricultural labor in the existing barn, subject to any conditions of said resolution. The motion was unanimously approved. A copy of the Resolution FY2018R10(1) is attached and is a part of these minutes.

#### **2. Adoption of Winery Special Occasion Events Rules (N.J.A.C. 2:76-27)**

Mr. Smith referred the Committee members to the proposed adoption of the winery special occasion events rules in their binders. The proposed regulations were published in August in the New Jersey Register. Public comments were received from three individuals – Jean

Public, Montgomery Township Planner Lori Savron and Mark Villinger, administrator of the Ocean County Agriculture Development Board (CADB). Ms. Public's comments were a mix of policy questions, which are not really answerable by the Executive branch of government. Questions about traffic and competition that non-farm wineries will now be subject to were already addressed by the Legislature when the preserved farm winery law was enacted. Another comment was that the fines were not high enough, but that was a mandatory item in the legislation itself. With respect to Ms. Public's comments, staff has not made changes to the rules.

Mr. Smith stated that Ms. Savron requested that winery forms that need to be completed and submitted to the CADB should also be provided to the easement holder. Accordingly, staff made a change to the proposed rule that will appear in the adopted rule if the Committee so authorizes, providing that the winery registration and certification of compliance forms that are provided to the CADB, the SADC and the municipality in which the winery is located, shall also be provided to the easement holder.

Mr. Villinger's comments were more directed toward the ability to capture income that a winery earns as a result of food truck vendors. The statute addresses this indirectly, using the phrase "included but not limited to" various items of income that can be captured as part of winery financial reporting, but does not directly address the kind of income a winery could earn as a result of food and other vendors at winery events. The regulations do include income from food sales as a reportable item. In response to Mr. Villinger's comment, that observation was made. Mr. Smith stated that the statute also uses the language "income received by the winery" as a result of a special occasion event. The original draft of the proposed rules referred to "income generated" by the winery as a result of a special occasion event. Staff made an agency-initiated change to revise the word "generated" to "received" to be consistent with the statute. As far as digging deeper into Mr. Villinger's comments, that is something that the agency needs to address in conjunction with whatever legislation is enacted after the winery pilot program expires. There are a couple of minor changes that staff found valid based on Ms. Savron's comment and staff also has addressed Mr. Villinger's comment. There are also changes to the formatting in the text in accordance with Office of Administrative Law (OAL) requirements. Mr. Smith stated that if the Committee approves, the rules will be forwarded to the OAL for publication as adopted rules.

Mr. Siegel stated that the SADC had identified revenue generated by the winery's ancillary activities and staff now agrees that this was beyond the scope of the statute. Ms. Payne stated that the language in the original draft was not correct. The winery statute says that a winery can have special occasion events as long as at least 50 percent of the total income of the winery comes from the sale of the wine. The observation that Ocean County made is that they want the total that gets counted to be the total economic generation from all

events, whether the money flowed to the winery or not. That is a much bigger number. If a winery has to have 50 percent of that bigger number come from the wine, that would have a profound impact on how much wine they produce in order to have those events. Those are the questions that must be addressed and they are beyond what the SADC can address in these rules. It is really an issue for the Legislature to address when they decide to take up this issue again. The change in the rule was to make sure the language was exactly the same as the language in the statute, so that there was no misunderstanding.

Mr. Schilling stated that there is no constraint on a third party coming in and earning income at a winery on a preserved farm. Ms. Payne stated that is correct. Ms. Payne stated that if a food truck pays a winery \$100 for the privilege of being there, that \$100 counts because it was received by the winery. Mr. Schilling stated that he understood that concept, but the non-agricultural activity occurring on the farm is the issue – third parties coming in and earning income that is not accounted for because there is no transfer of revenue to the winery. That is a business activity occurring on the farm that is independent of the farm. He questioned whether that was a problem with the legislative mandate. Ms. Payne stated that the law provides that a special occasion event can occur on a preserved farm winery as defined by the CADB. It left wide open the ability for CADBs to decide what is and is not considered permitted as part of a special occasion event. Chairman Fisher stated that if the winery gets a fee for having a space that is one thing, but what happens if the winery gets 20 percent of the cut of the proceeds from a food truck or other vendor? Ms. Payne stated that if that money was received from the winery, it would go toward the count of the total economic value of the event – the 50 percent test. Mr. Siegel stated that if a caterer is providing food for a wedding and charging thousands of dollars, staff was contemplating that it would count, but now is changing it to say that it does not count. What counts is whatever the vendor has paid for the use of that facility to the landowner. Ms. Payne stated that this is the issue that Ocean County has raised. The language in the proposed rules to her was just a technical error and staff is just trying to adhere to the statute. But that is the question. If there is a \$200,000 wedding on a farm and the farm is paid \$5,000 for the space, is \$5,000 all that matters? That is what the statute says now. Ms. Payne stated that the purpose of the pilot is to understand what worked and what did not, and these issues will most likely be addressed again.

It was moved by Mr. Germano and seconded by Mr. Danser to approve adoption of the Winery Special Occasion Events rules (N.J.A.C. 2:76-27) as presented and discussed. The motion was approved. Mr. Siegel abstained from the vote.

## **NEW BUSINESS**

### **A. Approval of Soil and Water Conservation Project Cost-Sharing**

Dave Clapp noted that the SADC received a grant from the Natural Resources Conservation Service (NRCS) that will allow the matching of federal Environmental Quality Incentives (EQIP) program funding – NRCS’s version of soil and water – with funding from the Division of Agricultural and Natural Resources within the N.J. Department of Agriculture. The first round of that funding is open for sign-ups now. Successful applicants will receive up to 90 percent cost-sharing for eligible soil and water projects. The deadline for applying for that funding round is November 17. This is not the SADC’s soil and water program, but it is money that the SADC was able to bring into the state.

Mr. Clapp referred the Committee to seven requests for grants under the SADC’s Soil and Water Conservation program. He noted that there has not been funding for soil and water projects for some time, but these projects have been in the queue and have received all other necessary approvals. Approval of these projects – all of them irrigation projects – will clear the backlog. He reviewed the projects and stated that staff recommendation is for approval.

It was moved by Mr. Siegel and seconded by Ms. Jones to approve Resolutions FY2018R10(2) through FY2018R10(7), approving Soil and Water Conservation Cost-Share Grants for the following applicants as presented and discussed, subject to any conditions of said resolutions:

1. Douglas and Michele Mehaffey, SADC ID #06-0124-EP (Resolution FY2018R10(2))  
Upper Deerfield Twp., Cumberland County, 30.852 Acres
2. David Duffield, Agent for Johnson E. Hurff, Sr., SADC ID #08-0026 (Resolution FY2018R10(3))  
Upper Pittsgrove Township, Salem County, 234.16 Acres
3. Richard K. Wheeler, Sr. and Russell F. Catalano, SADC ID #08-0140-EP (Resolution FY2018R10(4))  
South Harrison Township, Gloucester County, 80.717 Acres
4. Richard K. Wheeler, Sr. and Russell F. Catalano, SADC ID #08-0140-EP (Resolution FY2018R10(5))  
South Harrison Township, Gloucester County, 80.717 Acres
5. Derek J. Zember and Victoria Nachimson, SADC ID #08-0096-PG (Resolution FY2018R10(6))

Woolwich Township, Gloucester County, 46.71 Acres

6. Michael and Carolyn Foote, SADC ID #17-0190-DE (Resolution FY2018R10(7))  
Upper Pittsgrove Twp., Salem County, 31.49 Acres

The motion was unanimously approved. Copies of Resolutions FY2018R10(2) through Resolution FY2018R10(7) are attached to and are a part of these minutes.

It was moved by Mr. Germano and seconded by Mr. Siegel to approve Resolution FY2018R10(8), approving a Soil and Water Conservation Cost Share Grant for the following applicant as presented and discussed, subject to any conditions of said resolution:

7. A.H. Lowe and Son, Inc., Agent for D. Patterson, R. Barnes and H. Davison  
SADC #12-0014-EP (Resolution FY2018R10(8))  
Cranbury Twp., Middlesex County, 182.8 Acres

The motion was approved. Mr. Schilling, who is on the Middlesex County Planning Board, and Mr. Danser, who is Chair of the Middlesex CADB, recused from the discussion and vote. A copy of Resolution FY2018R10(8) is attached to and is a part of these minutes.

#### **B. Eight Year Farmland Preservation Program – New Enrollment**

1. Haines Berry Farm, LLC, SADC ID #03-0038-8F (Resolution FY2018R10(9))  
Block 841, Lot 32, Pemberton Twp., Burlington County, 110.51 Acres

Dave Kimmel reviewed with the Committee the specifics of the request for the Committee to certify an eight-year farmland preservation program for the Haines Berry Farm. Ms. Payne stated that when she started with the SADC 12 years ago there were more than 30,000 acres and maybe as many as 50,000 acres in the eight-year program. Those numbers have declined every year since funding for soil and water conservation grants ran out because those grants were the major incentive to enroll in the program. Staff is hopeful that this new enrollment in an eight-year program will mark the bottoming out of those numbers. Staff anticipates that soil and water conservation grant funding will hold steady or increase over time so there will be more incentive for people to enroll in eight-year programs. Mr. Waltman asked if there was discussion with the Haines Berry Farm to do a permanent easement. Ms. Payne stated that this farm is already preserved through the Pinelands Development Credit program, so in order to obtain the Soil and Water Cost-Share money they must enroll with the SADC's program.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve Resolution FY2018R10(9), certifying an eight-year farmland preservation program for Haines Berry Farm, subject to any conditions of said Resolution. The motion was unanimously approved. A copy of Resolution FY2018R10(9) is attached and is part of these minutes.

### **C. Expenditure of Highlands Funds – Direct Easement Alternate Farms**

Stefanie Miller reviewed the specifics of two applications for preservation under the SADC's Direct Easement Purchase Program. They did not rank high enough to be selected as Priority farms, however the SADC has some FY2006 funding that is dedicated to the Highlands region. Both farms are in the Highlands Preservation Area and the landowners owned the properties prior to the Highlands Act. Staff is presenting the two farms as candidates for Highlands preservation funding and seeking approval to enter into 120-day option agreements with these landowners to secure appraisals, after which the Committee will certify values and make them offers.

Ms. Payne stated that the SADC's Highlands fund was created in 2005-2006. When Garden State Preservation Trust bonds were refinanced, there was an extra \$30 million allocated to the Farmland Preservation Program. The Highlands Act was passed in 2004, so the SADC dedicated that extra \$30 million to the Highlands only and approved a policy to that effect. The funding was intended to preserve farms in the Highlands that were not otherwise being funded. Of that \$30 million, \$1.3 million remains. Staff believes that these two farms can be funded with some money still left over.

It was moved by Mr. Schilling and seconded by Mr. Siegel to approve Resolutions FY2018R10(10) and FY2018R10(11), granting preliminary approval for easement acquisition to the following applications under the Direct Easement Purchase Program, subject to any conditions of said Resolutions:

1. Thomas and Heidi McKee, SADC ID #10-0246-DE (Resolution FY2018R10(10))  
Block 36, Lot 39, and Block 35, Lot 66, Lebanon Twp., Hunterdon County, approximately 64.8 Net Easement Acres
2. Douglas and Susan Tack, SADC ID #10-0228-DE (Resolution FY2018R10(11))  
Block 56, Lot 13, Lebanon Twp., Hunterdon County, approximately 30 Net Easement Acres

The motion was unanimously approved. Copies of Resolutions FY2018R10(10) and FY2018R10(11) are attached to and are a part of these minutes.

**D. Waiver of N.J.A.C. 2:76-17.2 County Average Quality Score**

1. Thomas and Michelle Grochowicz, SADC ID #10-0414-PG, (Resolution FY2018R10(12))  
Block 11, Lots 1, 2, and 2.2, Hampton Borough; Block 1, Lot 1.01, Glen Gardner Borough; and Block 46, Lot 2, Bethlehem Township, 74.3 Net Acres

Ms. Miller stated that the County Planning Incentive Grant (PIG) regulations include a requirement that an application have a minimum quality score ranking of at least 70 percent of the county's average quality score. This farm does not meet Hunterdon County's average. The Committee may grant a waiver of this score based on certain criteria. Ms. Miller reviewed the specifics of the farm with the Committee and factors that provide a reasonable opportunity for it to remain agriculturally viable, including its 86-acre size, high percentage of tillable acreage, a high proportion of prime and statewide soils, and an accessible location in the Highlands Preservation area. The staff recommendation is to approve a waiver of the minimum score criteria for the Grochowicz farm.

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolution FY2018R10(12), granting a waiver of the minimum score criteria for the Thomas and Michelle Grochowicz farm, as presented and discussed, subject to any conditions of said resolution. The motion was unanimously approved. A copy of Resolution FY2018R10(12) is attached to and is a part of these minutes.

**E. Resolution of Final Approval: Municipal Planning Incentive Grant (PIG)**

Staff referred the Committee to seven requests for final approval under the Municipal Planning Incentive Grant Program. Staff reviewed the specifics with the Committee and stated that the recommendation is to grant final approval.

It was moved by Danser and seconded by Mr. Waltman to approve Resolution FY2018R10(13) granting final approval to the following application under the Municipal Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said resolution:

1. Gaetano Desapio, SADC ID #10-0390-PG (Resolution FY2018R10(13))  
Block 5, Lot 6, Kingwood Twp., Hunterdon County, 62.4 Net Acres



The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. A copy of Resolution FY208R10(13) is attached to and is a part of these minutes.

It was moved by Mr. Ellis and seconded by Ms. Brodhecker to approve Resolution FY208R10(14) granting final approval to the following application under the Municipal Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said resolution:

2. Auer Associates, I, LLC, SADC ID #11-0179-PG (Resolution FY2018R10(14))  
Block 95, Lot 2, Hopewell Twp., Mercer County, 49 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. A copy of Resolution FY208R10(14) is attached to and is a part of these minutes.

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolutions FY2018R10(15) through FY2018R10(19) granting final approval to the following applications under the Municipal Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said resolutions:

3. William K. Stoms Trustee of the William K. Stoms Revocable Trust (Resolution FY2018R10(15))  
Block 24, Lot 5.03, Pilesgrove Twp., Salem County, 16.018 Surveyed Acres
4. Wayne and Marlene Wentzell, SADC ID #17-0153-PG  
(Resolution FY2018R10(16))  
Block 41, Lot 5, Pilesgrove Twp., Salem County, 33.912 Surveyed Acres
5. Philip Atanasio, SADC ID #17-0155-PG, Resolution FY2018R10(17))  
Block 22, Lot 2.03, Pilesgrove Twp., Salem County, 39.304 Surveyed Acres
6. Raymond A. and Regina M. McAlonan (Lot 10.01), SADC ID #17-0172-PG  
(Resolution FY2018R10(18))  
Block 18, Lot 10.01, Alloway Twp., Salem County, 28.546 Net Surveyed Acres
7. Raymond A. and Regina M. McAlonan (Lot 3.01 and 3.02), SADC ID #17-0171-PG  
(Resolution FY2018R10(19))  
Block 6, Lot 3.01, Alloway Twp., Salem County, 13.241 Net Surveyed

Discussion: Katie Mazzella noted that the funding charts in Resolutions FY2018R10(18) and FY2018R10(19) for the McAlonan farms incorrectly refer to federal Agricultural Land Easement (ALE) grants. They should be federal Farm and Ranch Lands Protection Program (FRPP) grants.

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. Copies of Resolution FY2018R10(15) through Resolution FY2018R10(19) are attached to and are a part of these minutes.

#### **F. Resolutions of Final Approval: County PIG**

Staff referred the Committee to three requests for final approval under the County Planning Incentive Grant Program. They reviewed the specifics with the Committee and stated that the recommendation is to grant final approval.

It was moved by Ms. Brodhecker and seconded by Mr. Danser to approve Resolutions FY2018R10(20) and FY2018R10(21) granting final approval to the following applications under the County Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said resolutions:

1. Estate of Shirley Hazelton, SADC ID #08-0167-PG, (Resolution FY2018R10(20))  
Block 33.01, Lot 3, Harrison Twp., Gloucester County, 41.026 Surveyed Acres
2. Mollie Ragusa, SADC ID #08-0165-PG (Resolution FY2018R10(21))  
Block 801, Lot 36, Logan Twp., Gloucester County, 46.431 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. Copies of Resolution FY208R10(20) and FY208R10(21) are attached to and are a part of these minutes.

It was moved by Mr. Schilling and seconded by Ms. Jones to approve Resolution FY2018R10(22) granting final approval to the following application under the County Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said resolutions:

3. Todd and Margret Casper (Lot 9.05), SADC ID #06-0149-PG (Resolution FY2018R10(22))

Block 501, Lot 9.05 and 17, Upper Deerfield Twp., Cumberland County, 32 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. A copy of Resolution FY2018R10(22) is attached to and is a part of these minutes.

### **G. Resolution of Final Approval: Nonprofit Grant Program**

Dan Knox and Ms. Miller referred the Committee to three requests for final approval under the Nonprofit Grant Program. They reviewed the specifics with the Committee and stated that the recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Mr. Germano to approve Resolution FY2018R10(23) granting final approval to the following application under the Nonprofit Grant Program, as presented and discussed, subject to any conditions of said resolutions:

1. The Estate of Alice Lorillard – (TLCNJ), SADC ID #10-0009-NP (Resolution FY2018R10(23))  
Block 13, Lots 7 & 8, Bedminster Township, Somerset County, approximately 81 Gross Acres

Discussion: Mr. Knox stated that there was discussion regarding the size of the 12-acre exception area and the potential impact it could have on the preserved land. The landowner and The Land Conservancy of New Jersey have agreed to include language in the Deed of Easement that “the use of the exception area shall not impair, hinder or negatively impact the agricultural use on the Premises as determined by the easement holder.”

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. A copy of Resolution FY2018R10(23) is attached to and is a part of these minutes.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve Resolution FY2018R10(24) granting final approval to the following application under the Nonprofit Grant Program, as presented and discussed, subject to any conditions of said resolution:

2. K-J – The Land Conservancy of New Jersey (Amended)

SADC ID #21-0028-NP (Resolution FY2018R10(24))  
Block 7, Lot 1, Harmony Twp., Warren County, approximately 103 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.  
A copy of Resolution FY2018R10(24) is attached to and is a part of these minutes.

### **PUBLIC COMMENT**

There was no public comment.

### **TIME AND PLACE OF NEXT MEETING**

**SADC Regular Meeting:** Thursday, December 7, 2017, beginning at 9 a.m.  
**Location:** Health/Agriculture Building, First Floor Auditorium.

**Chairman Fisher departed the meeting at this point.**

### **CLOSED SESSION**

At 11:08 a.m., Ms. Payne read the following resolution to go into Closed Session:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into Executive Session to discuss matters falling within the attorney-client privilege; the certification of values for property acquisitions under the Farmland Preservation Program; pending litigation in the Glassboro matter; personnel matters; and any pending or anticipated litigation, pursuant to N.J.S.A. 10:4-12b(7). The minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists.

It was moved by Mr. Siegel and seconded by Mr. Germano to approve the resolution to go into Closed Session. The motion was unanimously approved.

### **ACTION AS A RESULT OF CLOSED SESSION**

#### **A. Real Estate Matters - Certifications of Values**

It was moved by Mr. Germano and seconded by Mr. Siegel to approve the Certification of Value for the following application as discussed in Closed Session:

**Municipal Planning Incentive Grant Program**

1. Donald E. Williams, SADC ID# 19-0049-PG  
Block 19, Lot 8, Frankford Township, Sussex County, 38.085 Net Acres

The motion was approved. Ms. Brodhecker recused from the vote. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (A copy of the Certification of Value Report is attached to and is a part of the Closed Session minutes.)

It was moved by Mr. Siegel and seconded by Ms. Jones to approve the Certifications of Value for the following applications as discussed in Closed Session:

**County Planning Incentive Grant Program**

1. Barry and Joanne Tice, SADC ID #17-0182-PG  
Block 53.01, Lot 13, Upper Pittsgrove Township, Salem County, 42 Acres
2. Harold B. Coughlin, SADC ID #08-0198-PG  
Block 15, Lots 3, 92 and 93, South Harrison Twp., Gloucester County, 20.25 Net Acres
3. Dale F. Cruzan, Sr., et al, SADC ID #06-0196-PG  
Block 26, Lot 11.02, Stow Creek Twp., Cumberland County, 23 Acres

**Municipal Planning Incentive Grant Program**

1. Scott L. Ambruster, SADC ID #17-0180-PG  
Block 11, Lots 1 and 3, Upper Pittsgrove Twp., Salem County, 25.75 Net Acres

**Direct Easement Purchase Program**

1. Fred C. & Jo-Ann Doren & Lawrence Stratton, SADC ID #10-0244-DE

Block 20, Lots 11, 16, 16.01, and 30, East Amwell Twp., Hunterdon County, 141.3  
Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (Copies of the Certification of Value Reports are attached to and are a part of the Closed Session minutes.)

**B. Attorney/Client Matters**

1. Litigation

- Resolution in the Matter of Borough of Glassboro v. N.J. State Agriculture Development Committee

It was moved by Mr. Ellis and seconded by Mr. Stanuikynas to approve Resolution FY2018R10(25), amplifying the Committee's reasons for the grant in part of Summit City Farms' application for emergency relief. The motion was unanimously approved. A Copy of Resolution FY2018R10(25) is attached to and is a part of these minutes.

**ADJOURNMENT**

There being no further business, it was moved by Mr. Siegel and seconded by Mr. Ellis and unanimously approved to adjourn the meeting at 11:25 a.m.

Respectfully Submitted,



Susan E. Payne, Executive Director

State Agriculture Development Committee

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY18R10(1)**

**Construction of Onsite Agricultural Labor Housing**

**SST-100 LP Farm  
Michael and Jessica Perrone**

**October 26, 2017**

**Subject Property: Block 44, Lot 2  
Bedminster Township, Somerset County  
96.55 Acres**

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

WHEREAS, the development easement on the Premises was conveyed to Somerset County on December 19, 1997, by the previous owners, Scarlett and Gerald Doyle, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 2149, Page 145; and

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

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

WHEREAS, a previous owner had constructed two apartments above the stable without obtaining CADB, SADC or municipal approvals; and

WHEREAS, during the winter of 2016 - 2017, in an attempt to improve the two existing, second floor, barn apartments and to add a third unit, the Owner was informed by the Township that permits had never been issued for the existing units; and

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

WHEREAS, the new units would serve as housing for up to three laborers which would include a barn manager, a groom and either a second groom or a trainer; and

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

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

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

WHEREAS, the farm owns the 12 horses currently stabled onsite; and

WHEREAS, the Owner provided receipts for sales of five horses sold during the past year; and

WHEREAS, the Owner's operation consists primarily of purchasing young horses and training them as hunter/jumpers for resale; and

WHEREAS, the Owner has indicated that the lack of onsite labor is hindering its ability to expand but once they have the onsite labor situation resolved, they intend to acquire more horses with the ultimate goal of a full stable consisting of a majority of farm-owned horses with a smaller number boarded and trained for clients; and

WHEREAS, the Owner has stated that any horses that would be boarded onsite for clients would be there for training and that the operation and trainer would be entitled to a commission of 10-20% on the sale of any horse being trained at the farm; and

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

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



WHEREAS, application of the said regulations to the Bedminster Stables operations results in the SADC finding that the following sources of revenue will constitute production income: the sale of any horse owned and raised and/or trained by the operation for a period of at least 120 prior to sale; the commission stake of 10-20% due on the sale of any horse trained by the operation; the proceeds received from leasing such trained horses; and the proceeds received from sale or lease of horses bred from a mare owned by the farm operator, collectively referred to as "equine production activities"; and

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

WHEREAS, SST-100 farm currently has a trainer, barn manager and 2 grooms managing the horses under its care, all of whom currently live off-site; and

WHEREAS, the Owner has explained that affordable housing locally is not a viable option and that commuting help is far less reliable and less efficient than labor housed onsite; and

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

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

WHEREAS, on August 21, 2017, the Somerset CADB reviewed and approved the Owner's request for the agricultural labor units conditioned on use of the Premises as described herein, receipt of all required building permits, a requirement that the agricultural labor units be vacated in the event production levels decrease and conformance with the Deed of Easement and all relevant federal and state rules and regulations.

NOW THEREFORE BE IT RESOLVED, that the SADC has reviewed the Owner's request to construct three new, one-bedroom, one bathroom apartments at approximately 428 sq./ft., each, totaling 1,284 sq./ft., on the Premises for the purpose of housing agricultural labor in the existing barn as shown on Schedule "A", and finds;

- 1) That the size and location of the proposed units within an existing barn minimizes any adverse impact on the Premises;

2) Onsite labor housing is optimal due to the necessity of 24-hour care of the horses;

3) The Owner's proposal to construct agricultural labor housing on the premises for purposes of housing on-site labor who are regularly engaged in the production aspects of this equine operation is consistent with the requirements of the Deed of Easement; and

BE IT FURTHER RESOLVED, that these three units shall be limited to one occupant per unit; and

BE IT FURTHER RESOLVED, that the three residents of the three agricultural labor units shall be employed full-time, exclusively, on the farm and engaged in the day-to-day production activities on the Premises, which at this time include feeding, watering, turnout, exercise and training of horses, stall cleaning, administering medications, scheduling veterinary and other service needs, equipment work, 24- hour checks as needed, pasture/paddock care as well as labor management; and

BE IT FURTHER RESOLVED, that this approval and continued use of the three agricultural labor units is conditioned on the farm maintaining a significant production component, which at this time consists of 12 horses in various stages of training for sale by the owner and as well as 32 acres of pasture/paddocks and hay production; and

BE IT FURTHER RESOLVED, that only agricultural laborers employed on the Premises, in production aspects of the operation, may live in the agricultural labor units; and

BE IT FURTHER RESOLVED, that any horses, not owned by the operation, boarded onsite are being actively trained by the operation; and

BE IT FURTHER RESOLVED, that this approval is based on a compensation arrangement to the operation (either barn manger/trainer and/or owner) for the sale of any animal boarded onsite that is not owned by the farm, with an annual average of 10% of the value of all such sales; and

BE IT FURTHER RESOLVED, that as a condition of this approval, the Committee reserves its right to annually request documentation supporting the production aspects of the operation; and

BE IT FURTHER RESOLVED, that as a condition of this approval, for a period of not less than the next five (5) years, the Owner shall provide production records, which shall include breeding receipts, birth records, competition results, appraisals or lease/sales contracts for animals owned by the resident equine operation, currently Bedminster Stables, born, raised or trained on the Premises, as well as documentation of commissions received on horses leased or sold that have been trained onsite by any

entity operating from the Premises which houses laborers onsite, to the Somerset CADB and SADC as part of those entities' annual monitoring visits of the Premises; and

BE IT FURTHER RESOLVED, that the Owners shall provide a list of names of all residents of the agricultural labor units, and their job functions on the Premises, annually, to the Somerset CADB and SADC, as part of those entities' annual monitoring visits of the Premises; and

BE IT FURTHER RESOLVED, that production and commission records as well as the list of residents shall be evaluated by the SADC to ensure that there is sufficient equine production activity occurring on the farm to continue to warrant use of the agricultural labor units; and

BE IT FURTHER RESOLVED, that the SADC's approval acknowledges and affirms the conditions of approval set forth by the Township of Bedminster and the Somerset County Agriculture Development Board; and

BE IT FURTHER RESOLVED, that the Owner's use of any structures for housing agricultural laborers shall be in compliance with all applicable Federal, State, County and local regulations; and

BE IT FURTHER RESOLVED, that this approval is non-transferable; and

BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution, during which the Owner shall initiate the requested action; for the purpose of this provision "initiate" means applying for applicable local, state or federal approvals necessary to effectuate the approved SADC action; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

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

10/26/17  
DATE

  
\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

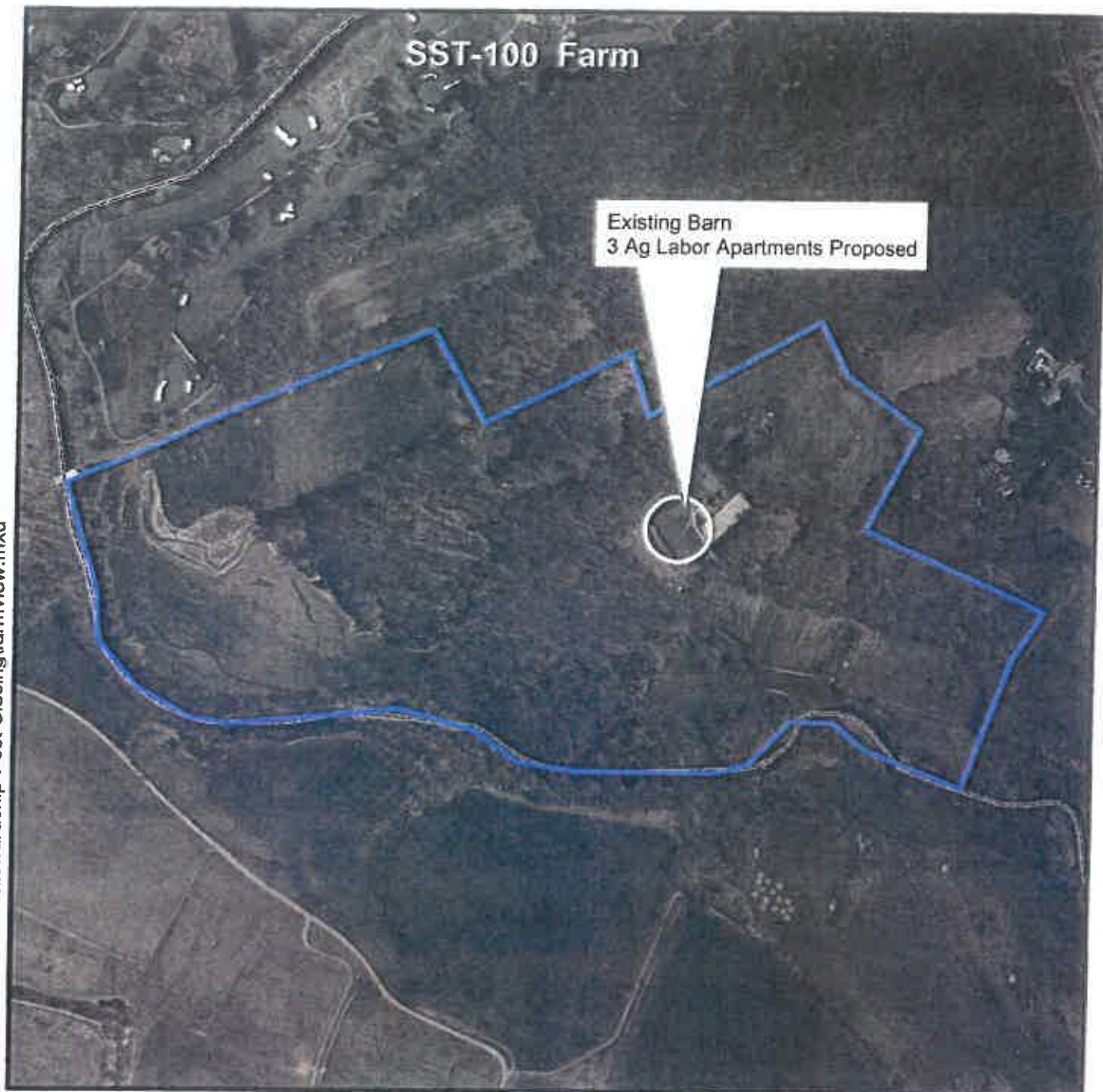
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# Schedule "A"

SST-100 Farm

Existing Barn  
3 Ag Labor Apartments Proposed

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

SST-100 Farm  
Block 44, Lot 2  
Bedminster Township, Somerset County  
96.55 Acres



10/5/2017

Farmland Preservation Program		State Planning Areas	
	PRESERVED EASEMENT		(PA1) METRO
	EXCEPTION AREA		(PA2) SUBURBAN
	PRESERVED EASEMENT / NR		(PA3) FRINGE
	EXCEPTION AREA / NR		(PA4) RURAL
	FINAL APPROVAL		(PA5) RURAL ENV SENS
	PRELIMINARY APPROVAL		(PA6) ENV SENS
	ACTIVE APPLICATION		(PA7) ENV SENSITIVE BARRIER IS
	8 YEAR PRESERVED		(P10) PINELANDS
	TARGETED FARM		PARK
	EXCEPTION AREA TARGETED		MILITARY
	INACTIVE APPLICATION		NEW JERSEY MEADOWLANDS
	INACTIVE/FEDERALLY FUNDED		WATER
	NO CORRESPONDING DATA		ELLIS ISLAND- NJ
	PRESERVED/FEDERALLY FUNDED		ELLIS ISLAND- NY
			Base Map
			County Boundaries
			Municipal Boundaries
			Highlands Planning Area
			Highlands Preservation Area
			Pinelands Area
			Green Acres Preserved Easements

## Schedule B

NEW JERSEY ADMINISTRATIVE CODE  
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\*\*\* This file includes all Regulations adopted and published through the \*\*\*  
\*\*\* New Jersey Register, Vol. 48, No. 12, June 20, 2016 \*\*\*

TITLE 2. AGRICULTURE  
CHAPTER 76. STATE AGRICULTURE DEVELOPMENT COMMITTEE  
SUBCHAPTER 2B. SUPPLEMENTAL AGRICULTURAL ACTIVITIES

N.J.A.C. 2:76-2B.3 (2016)

### § 2:76-2B.3 Eligibility of equine activities for right to farm protections

(a) As used in this section, the following words and terms shall have the following meanings:

"All other land not devoted to agricultural or horticultural use" means land other than that used in connection with the farmhouse that is not devoted to an agricultural or horticultural use nor is necessary to support or enhance land actively devoted to an agricultural or horticultural use. This land is assessed and taxed in accordance with the true value standard.

"Appurtenant woodland" means woodland that is part of a farm qualified for farmland assessment. Usually this land is restricted to woodlots because of slope, drainage capability, soil type or topography. Such land has limited productive use but it provides a windbreak, watershed, buffers or controls soil erosion.

"Boarding" means providing horses that are not owned by the owner or operator of a commercial farm with shelter, feed, and care on a continuing basis. "Boarding" shall not be construed to mean "raising" as defined in this section.

"Concrete and asphalt area" means the area of the farm occupied by buildings, or the portions of buildings, which have permanent concrete or asphalt flooring and are used in support of equine activities; and paved parking, driveway, and other paved areas used in support of equine activities.

"Contiguous" means parcels or lots sharing common boundaries. Parcels or lots separated by roads shall be deemed contiguous.

"Cropland harvested" means land that is the heart of a farming enterprise and represents the highest use of land in agriculture. All land from which a crop was harvested in the current year falls into this category.



"Cropland pastured" means land that can be and often is used to produce crops, but its maximum income may not be realized in a particular year. Land that is fallow or in cover crops as part of a rotational program falls in this classification.

"Equine-related infrastructure" means buildings and other related structures used to conduct equine activities, and paved areas, including parking and driveway areas, used in support of equine activities and any appurtenant non-production areas immediately adjacent to or between such buildings, structures, and parking and driveway areas. Equine-related infrastructure shall include agricultural labor housing used to conduct equine activities but shall not include race tracks, the land under and land used in connection with a farmhouse, and all other land not devoted to agricultural or horticultural use, as defined in this section.

"Keeping" means providing horses owned by the owner or operator of a commercial farm with shelter, feed, and care on a continuing basis. "Keeping" shall not be construed to mean "raising" as defined in this section.

"Land under and land used in connection with farmhouses" means land on which a farmhouse is located, together with such land area as may be devoted to lawns, flower gardens, shrubs, swimming pools, tennis courts and like purposes related to the use and enjoyment of the farmhouse. This is land not deemed to be in agricultural or horticultural use and, therefore, is assessed and taxed in accordance with the true value standard, that is at its residential value.

"Non-appurtenant woodland" means woodland which can only qualify for farmland assessment on the basis of being in compliance with a woodland management plan filed with the Department of Environmental Protection. It is actively devoted to the production for sale of tree and forest products.

"Non-contiguous" means parcels or lots not sharing common boundaries.

"Permanent pasture" means land that is not cultivated because its maximum economic potential is realized from grazing or as part of erosion control programs. Animals may or may not be part of a farm operation for land to fall in this category.

"Production area" means the area of the farm, not including the area occupied by equine-related infrastructure, that is in or available for agricultural production and falls within the land use classes "cropland harvested," "cropland pastured," "permanent pasture," "non-appurtenant woodland," or "appurtenant woodland" as established by the State Farmland Evaluation Advisory Committee, and defined in this section, not including freshwater wetlands that have not been modified for agriculture, as determined pursuant to (d) below.

"Raising" means promoting the physical growth of horses to their full-grown stage for the purpose of selling the horses for a profit.

"Rehabilitation" means the care of horses for the purposes of returning them to good health

or useful condition.

"Total usable area" means the sum of the production area and the area occupied by equine-related infrastructure, as defined in this section.

"Training" means educating horses to increase their salable value as well as enhance their ability to perform specific tasks and interact productively with people for the purpose of selling the horses for a profit.

(b) The following activities are eligible for the protections and benefits of the Right to Farm Act, subject to the requirements set forth in (c), (d), (e), and (f) below:

1. The raising, breeding, keeping, boarding, training, and rehabilitation of horses;
2. Complementary equine activities that are associated with the activities specified in (b)1 above, including, but not limited to, clinics, open houses, demonstrations, educational camps, farm events, competitions, and rodeos, as long as these activities are related to the marketing of horses that are raised, bred, kept, boarded, trained or rehabilitated on the farm, and are in compliance with municipal requirements; and
3. The sale and distribution of manure and composted products produced on the farm to off-farm users, subject to the following:
  - i. The manure must be generated on the farm, and composted products must be generated on the farm from materials generated on the farm, with the exception of soil amendments such as lime or super-phosphates that may be necessary;
  - ii. Vehicular activity occurring on the farm for the purposes of the sale and distribution of manure and composted products described in (b)3i above is eligible for the protections of the Right to Farm Act; and
  - iii. The sale or distribution of manure not generated on the farm, or of compost generated from either some or all off-farm components, is not eligible for the protections of the Right to Farm Act.

(c) The production area of a commercial farm must be greater than the area occupied by equine-related infrastructure in proportions set forth in (c)3 and 4 below.

1. The sum of the production area and the area occupied by equine-related infrastructure, as defined in this section, shall be referred to as the total usable area.
2. If a farm management unit consists of noncontiguous parcels of land, the total usable area shall be determined individually for each non-contiguous parcel.
3. For farms where the total usable area is 150 acres or less, the area occupied by equine-related infrastructure shall not exceed 15 percent to 25 percent of the total usable area.



i. It shall be the responsibility of each county agriculture development board (CADB) to determine the maximum permissible percentage of total usable area occupied by equine-related infrastructure based on the level of, or proximity of the farm to, non-agricultural development. In counties where no CADB exists, it shall be the responsibility of the Committee to make this determination. This maximum permissible percentage shall not be less than 15 percent nor more than 25 percent.

4. For farms where the total usable area is greater than 150 acres, the area occupied by equine-related infrastructure may not exceed the sum of 15 percent to 25 percent of the first 150 acres of total usable area, as determined by the CADB or Committee pursuant to (c)3(i) above, plus 10 percent of all additional acres of total usable area above the first 150 acres of total usable area.

5. Concrete and asphalt area shall not exceed 15 percent of the total usable area of each non-contiguous parcel of the farm management unit.

(d) Evaluation of the calculations under (c) above shall be based on the following:

1. Geographical Information Systems (GIS) aerial mapping and New Jersey Freshwater Wetlands Data provided by the New Jersey Department of Environmental Protection (NJDEP), which will be used to determine the total usable area, the area occupied by equine-related infrastructure, and the concrete and asphalt area.

i. If NJDEP wetlands maps are in dispute, further investigation and onsite analysis may be conducted by a licensed engineer or qualified wetlands consultant and/or a letter of interpretation may be issued by NJDEP to provide a more accurate assessment of the site conditions;

2. The farm's Form FA-1 filed pursuant to the Farmland Assessment Act of 1964, P.L. 1964, c. 48 (N.J.S.A. 54:4-23.1 et seq.), which will be used to determine the area occupied by land under and land used in connection with farmhouses, and all other land not devoted to agricultural or horticultural use;

3. A visual on-site inspection of existing equine-related infrastructure and concrete and asphalt areas to verify NJDEP GIS mapping, FA-1 form information, and CADB or Committee determinations.

i. Equine-related infrastructure and concrete and asphalt areas existing on the farm but not on NJDEP GIS maps shall be measured either on-site or through certified engineering drawings obtained from the farmer.

ii. If a matter involves proposed construction, the farmer shall provide written estimates of the area on which equine-related infrastructure would be constructed, as well as any proposed concrete and asphalt areas; and

4. The Committee retains final jurisdiction in any dispute regarding a CADB's evaluation under this subsection.

(e) The following income may be used to satisfy the production requirements in the definition of "commercial farm" set forth in N.J.S.A. 4:1C-3:

1. Income from breeding, which may include:

i. Income from insemination fees, which involves the collection of semen from horses owned by the farm operator or owner, preparation of semen for insemination, and insemination;

ii. Income from selling semen collected from horses owned by the farm operator or owner;

iii. Income from stallion fees; and

iv. Income from the sale of a horse that has been bred from a mare owned by the farm operator or owner;

2. Imputed income from pasturing horses, as determined by the productivity values set annually by the State Farmland Evaluation Advisory Committee;

3. Income from the sale of a horse that was trained or raised on the commercial farm for at least 120 days prior to the time of sale; and

4. Income from fees associated with raising a horse on the commercial farm for at least 120 days.

(f) The following income cannot be used to satisfy the production requirements in the definition of "commercial farm" set forth in N.J.S.A. 4:1C-3:

1. Fees from boarding;

2. Fees from riding and driving lessons;

3. Fees from equine assisted therapy;

4. Monetary proceeds from racing; and

5. Fees from training horses.

(g) To receive the protections of the Right to Farm Act, N.J.S.A. 4:1C-1 et seq., a commercial equine operation must be in compliance with a farm conservation plan prepared in accordance with the Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG), incorporated herein by reference, as amended and supplemented, available at [http://efotg.nrcs.usda.gov/efotg\\_locator.aspx?map=N](http://efotg.nrcs.usda.gov/efotg_locator.aspx?map=N) and must meet the eligibility criteria set forth in the Act, including the following:

1. The commercial farm must be located in an area, in which, as of December 31, 1997, or thereafter, agriculture is a permitted use under the municipal zoning ordinance and is consistent with the municipal master plan or which commercial farm is in operation as of July 2, 1998;

2. The operation or agricultural activity at issue shall conform to the agricultural management practice set forth in N.J.A.C. 2:76-2A.10 or in the event that N.J.A.C. 2:76-2A.10 does not completely address an agricultural activity being considered for protection under the Right to Farm Act, the activity shall comply with generally accepted agricultural operations or practices;

3. The operation or agricultural activity shall be in compliance with relevant Federal or State statutes or rules and regulations adopted thereto; and

4. The operation or agricultural activity shall not pose a direct threat to public health and safety.

**HISTORY:**

New Rule, R.2008 d.229, effective August 4, 2008.

See: 39 N.J.R. 2561(a), 40 N.J.R. 4503(a).

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(2)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**CUMBERLAND COUNTY**

**DOUGLAS AND MICHELE MEHAFFEY**

**OCTOBER 26, 2017**

WHEREAS, DOUGLAS AND MICHELE MEHAFFEY, hereinafter (“Applicant”) SADC ID# 06-0124-EP, are the current record owners of Block 607, Lot 13, as identified in the Township of Upper Deerfield, County of Cumberland, as recorded in the Cumberland County Clerk’s office by deed dated 1/25/2013 in Deed Book 41000, Page 71810, totaling approximately 30.852 Acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Cumberland County on 7/14/2005, by the previous owner, Michael P. Palischak, Sr., pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 2850, Page 207; and

WHEREAS, the above applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easements were conveyed to the Cumberland County Agriculture Development Board and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the applicant is eligible for a cost-share grant of up to \$18,511.20 expiring 7/14/2021 under the current cost-share formula; and

WHEREAS, the applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“application”); and

WHEREAS, the application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control

of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above applicant; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE REQUESTED</u>	<u>COST SHARE APPROVED</u>	<u>PROJECT TYPE</u>
Mehaffey, Douglas and Michele	06-0124- EP	\$23,500.00	\$18,511.20*	2:90-2.15 Irrigation System

\*Cost Share approved is based on the maximum eligibility for this farm.

**PROJECT DESCRIPTION:**

Installation of a 10" Well 200 feet deep, 1450 linear feet of 8" PVC mainline, and 8 - 8" valve tees.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

BE IT FURTHER RESOLVED that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

10/26/17  
Date

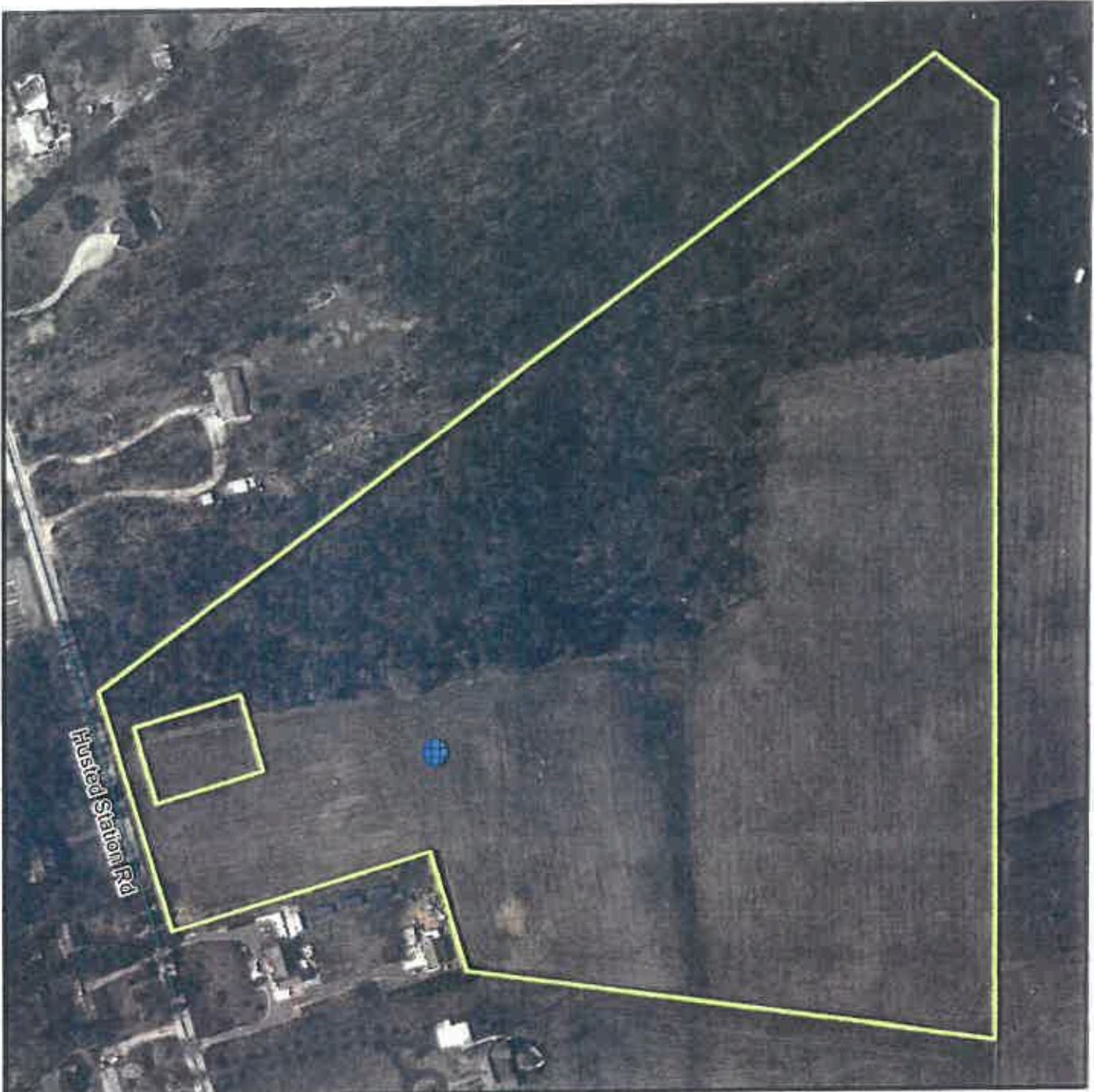
  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

# Schedule A - Soil and Water Cost Share Grant

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Douglas and Michelle Mehaffey  
Owner: Douglas and Michelle Mehaffey  
Application Number: 06-0124-EP  
County: Cumberland  
Municipality: Upper Deerfield

### Legend

#### PracticePoints

#### Practice Code

 2:90-2.15

 Premises



10/19/2017



**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(3)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**GLOUCESTER COUNTY**

**DAVID DUFFIELD, AGENT FOR JOHNSON E. HURFF, SR.**

**OCTOBER 26, 2017**

WHEREAS, DAVID DUFFIELD, AGENT FOR JOHNSON E. HURFF, SR., hereinafter (“Applicant”) SADC ID# 08-0026-EP, is the current record owner of Block 2701, Lots 21, 22, 23, Block 2702, Lots 22, 23, Block 2703, Lots 1,2,3,4,6, Block 2705, Lot 1, and Block 2706, Lot 1, as identified in the Township of Franklin, Block 45, Lot 12, Block 47, Lot 1, Block 48, Lot 2, and Block 49, Lot 1, as identified in the Township of Elk, County of Gloucester, as recorded in the Gloucester County Clerk’s office by deed dated 8/9/2000 in Deed Book 3149, Page 334, and Block 4, Lots 1,6 and Block 8, Lot 1, in the Township of Upper Pittsgrove, County of Salem, as recorded in the Salem County Clerk’s office by deed dated 10/18/2001 in Deed Book 1084, Page 006, totaling approximately 234.16 Acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Gloucester County on 7/6/2000, by the previous owner, Myron and Darlene Hurff, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et sec., PL 1983, c. 32 as recorded in Deed Book 3149, Page 334; and

WHEREAS, the above applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to the Gloucester County Agriculture Development Board and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the applicant is eligible for a cost-share grant of up to \$53,416.00 expiring 3/27/2024 under the current cost-share formula; and

WHEREAS, the applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“application”); and

WHEREAS, the application has been prioritized for soil and water cost-share funding pursuant



to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above applicant; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE REQUESTED</u>	<u>COST SHARE APPROVED</u>	<u>PROJECT TYPE</u>
David Duffield, Agent for Johnson E. Hurff, Sr.	08-0026-EP	\$18,587.50	\$18,587.50	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Installation of 3350 linear feet 6" irrigation mainline and 10 ea. valve tee couplings.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

BE IT FURTHER RESOLVED that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

10/26/17  
Date

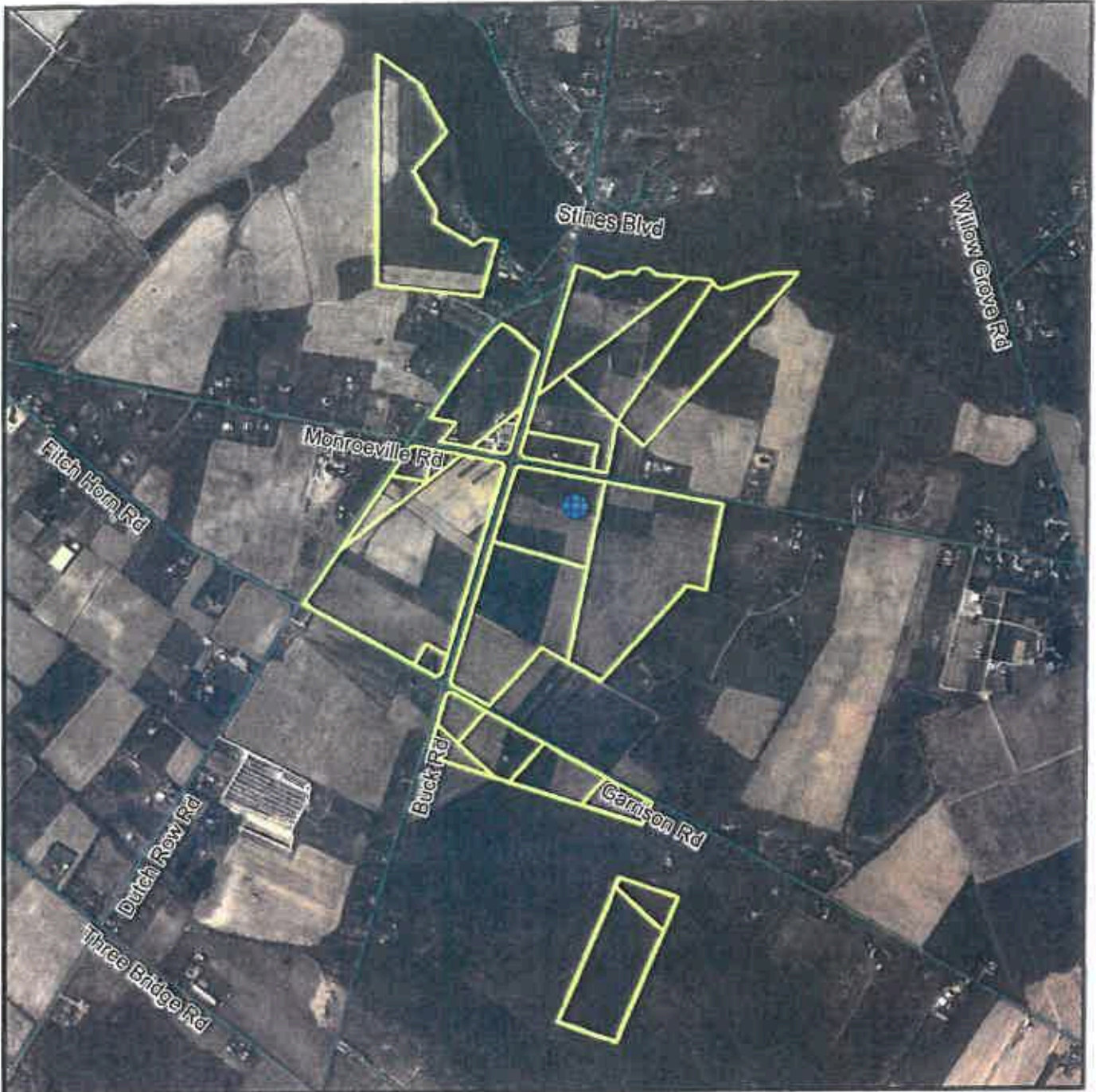
  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

# Schedule A - Soil and Water Cost Share Grant

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: David Duffield  
Owner: Johnson E. Hurff, Sr.  
Application Number: 08-0026-EP-01  
County: Gloucester/Salem  
Municipality: Elk, Franklin/Upper Pittsgrove

### Legend

#### PracticePoints

#### Practice Code

 2:90-2.15

 Premises



10/19/2017

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(4)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**GLOUCESTER COUNTY**

**Richard K. Wheeler Sr. and Russell F. Catalano**

**OCTOBER 26, 2017**

WHEREAS, RICHARD K. WHEELER SR. AND RUSSELL F. CATALANO, hereinafter (“Applicant”) SADC ID# 08-0140-EP, is the current record owner of Block 9, Lot 14, Block 16, Lot 1, and Block 3, Lot 14, as identified in the Township of South Harrison, County of Gloucester, as recorded in the Gloucester County Clerk’s office by deed dated 8/4/2009, in Deed Book 46790, Page 13500, totaling approximately 80.717 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Gloucester County on 9/1/1993, by the previous owner, May L. Gerlack, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 2344, Page 185; and

WHEREAS, the above applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to the Gloucester County Agriculture Development Board and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the applicant is eligible for a cost-share grant of up to \$36,143.40 expiring 9/1/2025 under the current cost-share formula; and

WHEREAS, the applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“application”); and

WHEREAS, the application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control

of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above applicant; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE REQUESTED</u>	<u>COST SHARE APPROVED</u>	<u>PROJECT TYPE</u>
Richard Wheeler Sr. and Russell F. Catalano	K. 08-0140-EP	\$10,000.00	\$10,000.00	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Install one sand media filter for an irrigation system.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

BE IT FURTHER RESOLVED that this approval is considered a final agency decision  
appealable to the Appellate Division of the Superior Court of New Jersey.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

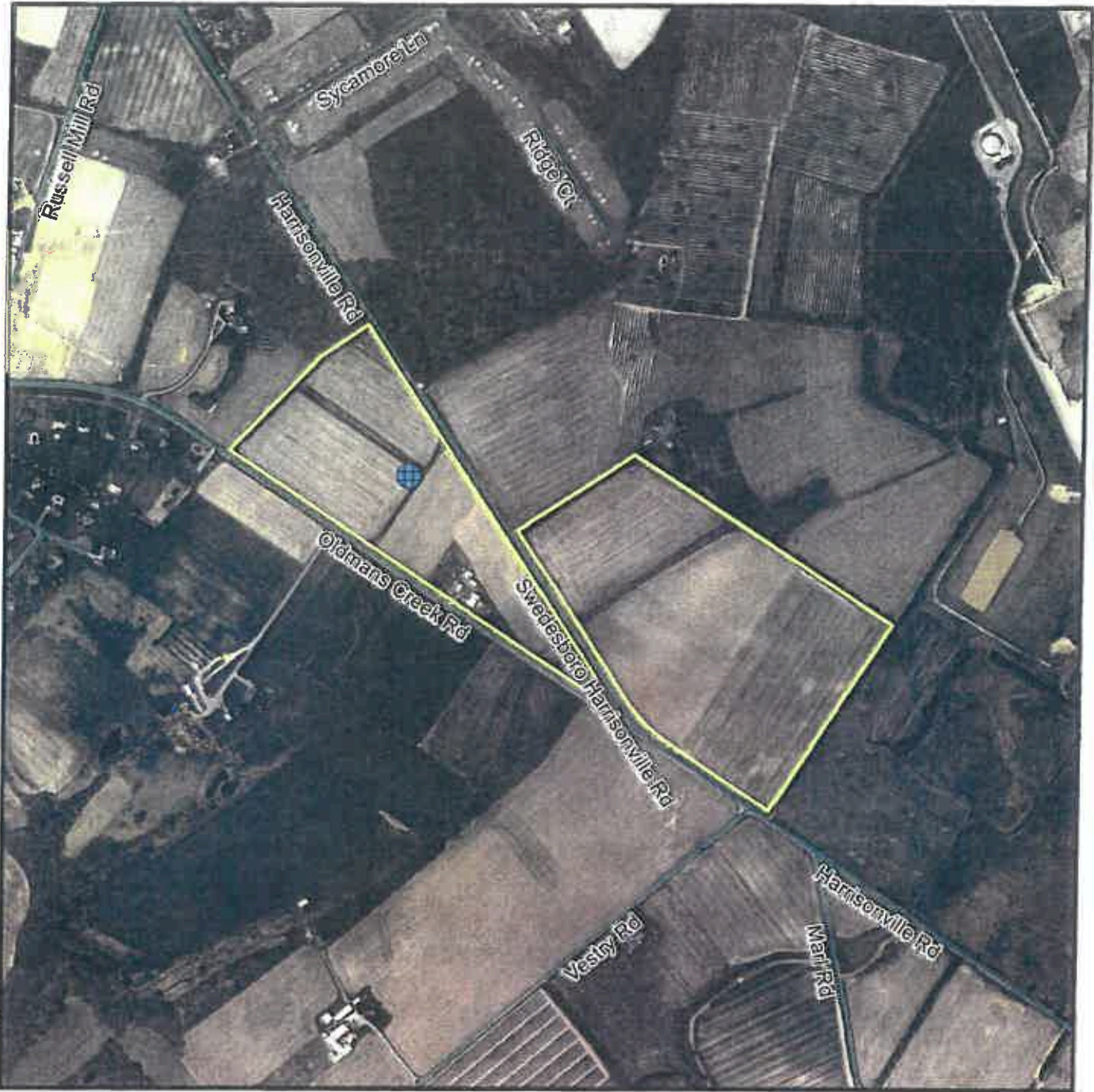
**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



# Schedule A - Soil and Water Cost Share Grant

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Richard K. Wheeler and Russell F. Catalano  
Owner: Richard K. Wheeler and Russell F. Catalano  
Application Number: 08-0140-EP-01  
County: Gloucester  
Municipality: South Harrison

### Legend

#### PracticePoints

 2:90-2.15 - Irrigation

 Premises



10/19/2017

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(5)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**GLOUCESTER COUNTY**

**Richard K. Wheeler Sr. and Russell F. Catalano**

**OCTOBER 26, 2017**

WHEREAS, RICHARD K. WHEELER SR. AND RUSSELL F. CATALANO, hereinafter (“Applicant”) SADC ID# 08-0140-EP, is the current record owner of Block 9, Lot 14, Block 16, Lot 1, and Block 3, Lot 14 as identified in the Township of South Harrison, County of Gloucester, as recorded in the Gloucester County Clerk’s office by deed dated 8/4/2009, in Deed Book 46790, Page 13500, totaling approximately 80.717 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Gloucester County on 9/1/1993, by the previous owner, May L. Gerlack, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 2344, Page 185; and

WHEREAS, the above applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to the Gloucester County Agriculture Development Board and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the applicant is eligible for a cost-share grant of up to \$36,143.40 expiring 9/1/2025 under the current cost-share formula; and

WHEREAS, the applicant already requested \$10,000.00 in funding for a project during the current funding cycle, leaving \$26,143.40 in eligibility for cost-share grants;

WHEREAS, the applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“application”); and

WHEREAS, the application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed



for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above applicant; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE REQUESTED</u>	<u>COST SHARE APPROVED</u>	<u>PROJECT TYPE</u>
Richard K. Wheeler Sr. and Russell F Catalano	08-0140-EP	\$22,400.00	\$22,400.00	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Installation of 340 feet of 8" well and a 10 horsepower submersible pump.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

BE IT FURTHER RESOLVED that this approval is considered a final agency decision

appealable to the Appellate Division of the Superior Court of New Jersey.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

# Schedule A - Soil and Water Cost Share Grant



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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Richard K. Wheeler and Russell F. Catalano  
Owner: Richard K. Wheeler and Russell F. Catalano  
Application Number: 08-0140-EP-02  
County: Gloucester  
Municipality: South Harrison

### Legend

#### PracticePoints

 2:90-2.15

 Premises



10/19/2017

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(6)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**GLOUCESTER COUNTY**

**DEREK J. ZEMBER AND VICTORIA NACHIMSON**

**OCTOBER 26, 2017**

WHEREAS, DEREK J. ZEMBER AND VICTORIA NACHIMSON, hereinafter (“Applicant”) SADC ID# 08-0096-PG, is the current record owner of Block 47, Lot 4, and Block 55, Lot 4 as identified in the Township of Woolwich, County of Gloucester, as recorded in the Gloucester County Clerk’s office by deed dated 5/15/2015, in Deed Book 53200, Page 22800, totaling approximately 46.71 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Gloucester County on 6/28/2011, by the previous owners, Willard and Patricia Eastlack, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 4880, Page 302; and

WHEREAS, the above applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to the Gloucester County Agriculture Development Board and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the applicant is eligible for a cost-share grant of up to \$28,026.00 expiring 6/28/2019 under the current cost-share formula; and

WHEREAS, the applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“application”); and

WHEREAS, the application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for

agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above applicant; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE REQUESTED</u>	<u>COST SHARE APPROVED</u>	<u>PROJECT TYPE</u>
Derek J. Zember and Victoria Nachimson	08-0096-PG	\$18,112.50	\$18,112.50	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Installation of a 6" well 325 feet deep, a 10 HP submersible pump, and a sand separator.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

BE IT FURTHER RESOLVED that this approval is considered a final agency decision  
appealable to the Appellate Division of the Superior Court of New Jersey.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

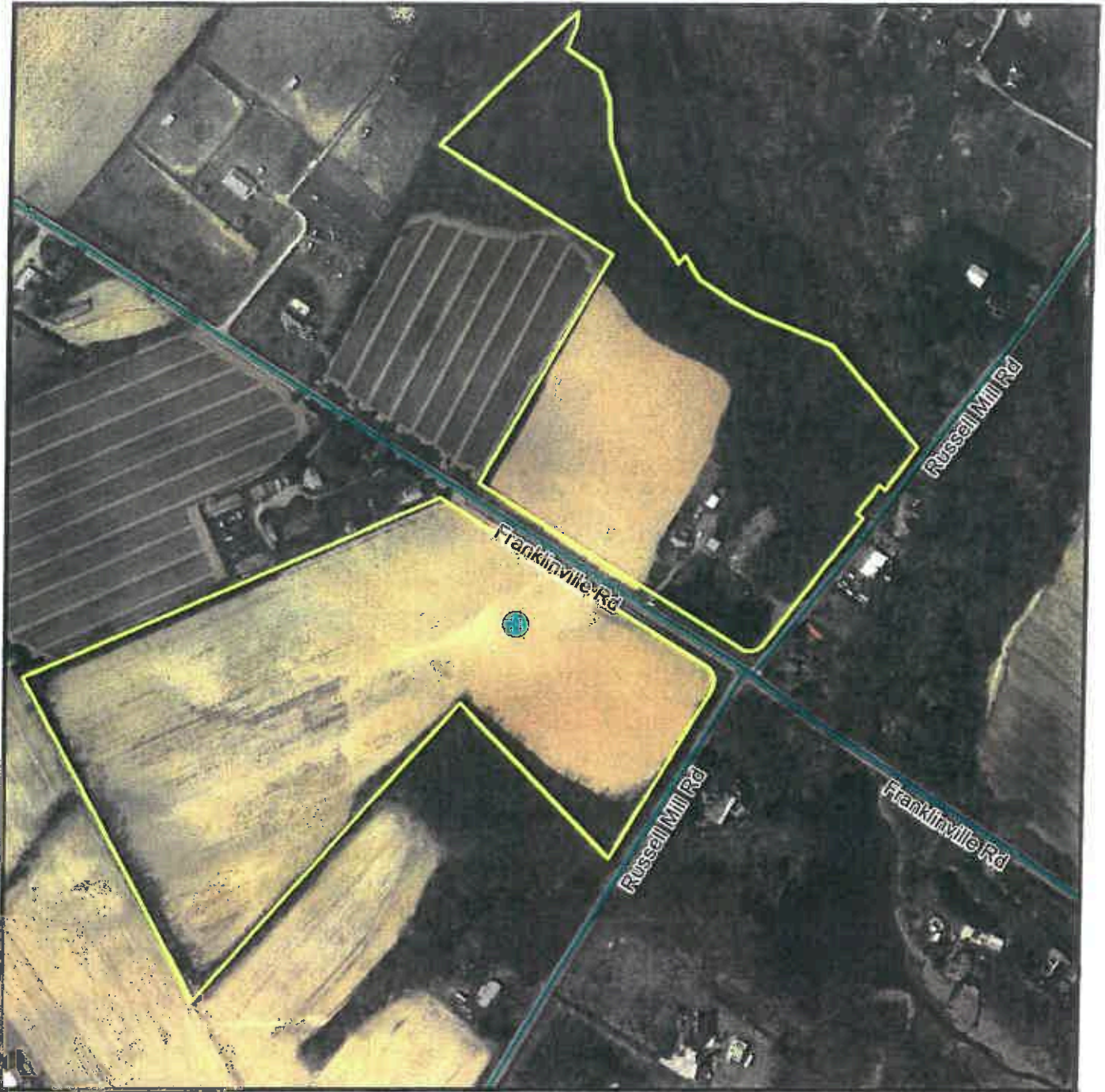
**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



# Schedule A - Soil and Water Cost Share Grant

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Derek J. Zember and Victoria Nachimson  
Owner: Derek J. Zember and Victoria Nachimson  
Application Number: 08-0096-PG-01  
County: Gloucester  
Municipality: Woolwich

### Legend

#### PracticePoints

#### Practice Code

 2:90-2.15

 Premises



10/19/2017

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(7)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**MIDDLESEX COUNTY**

**A.H. LOWE AND SON, INC., AGENT FOR PATTERSON, D.,  
BARNES, R., AND DAVISON, H.**

**OCTOBER 26, 2017**

WHEREAS, A.H. LOWE AND SON, INC., AGENT FOR PATTERSON, D., BARNES, R., AND DAVISON, H., hereinafter ("Applicant") SADC ID# 12-0014-EP, is the current record owner of Block 23, Lot 3, as identified in the Township of Cranbury, County of Middlesex, as recorded in the Middlesex County Clerk's office by deed dated 11/13/2000, in Deed Book 04843, Page 0186, totaling approximately 182.8 acres, hereinafter referred to as "Premises", see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Middlesex County on 8/6/1999, by the previous owners, D. Conard and G. Jones, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 04668, Page 0633; and

WHEREAS, the above applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to the Middlesex County Agriculture Development Board and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the applicant is eligible for a cost-share grant of up to \$48,280.00 expiring 8/3/2023 under the current cost-share formula; and

WHEREAS, the applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects ("application"); and

WHEREAS, the application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control



of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above applicant; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<b>APPLICANT</b>	<b>SADC ID#</b>	<b>COST SHARE REQUESTED</b>	<b>COST SHARE APPROVED</b>	<b>PROJECT TYPE</b>
A.H. LOWE AND SON, INC., AGENT FOR PATTERSON, D., BARNES, R., AND DAVISON, H.	12-0014-EP	\$29,946.40	\$29,946.40	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Installation of a 45.1 acre center pivot irrigation system.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

BE IT FURTHER RESOLVED that this approval is considered a final agency decision  
appealable to the Appellate Division of the Superior Court of New Jersey.

10/20/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	ABSTAIN
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSTAIN
James Waltman	YES

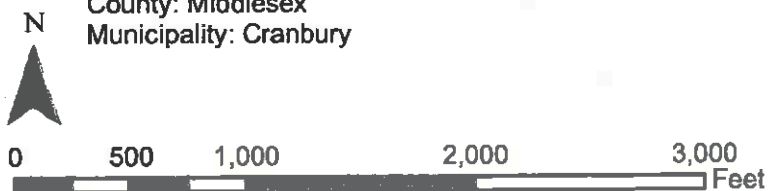
# Schedule A - Soil and Water Cost Share Grant

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee


Applicant: A.H. Lowe and Son, Inc.  
Owner: Patterson, D., Barnes, R., and Davison, H.  
Application Number: 12-0014-EP-01  
County: Middlesex  
Municipality: Cranbury



### Legend

#### PracticePoints

 2:90-2.15 - Irrigation

 Premises

10/19/2017

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(8)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**SALEM COUNTY**

**MICHAEL AND CAROLYN FOOTE**

**OCTOBER 26, 2017**

WHEREAS, MICHAEL & CAROLYN FOOTE, hereinafter (“Applicant”) SADC ID# 17-0190-DE, are the current record owners of Block 11, Lot 23, as identified in the Township of Upper Pittsgrove, County of Salem, as recorded in the Salem County Clerk’s office by deed dated 9/30/2003 in Deed Book 1140, Page 301, totaling approximately 31.49 Acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to the State Agriculture Development Committee on 6/23/2003, by the previous owner, William Platt, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 1132, Page 208; and

WHEREAS, the above applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easements were conveyed to the State Agriculture Development Committee and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the applicant is eligible for a cost-share grant of up to \$18,894.00 expiring 1/25/2019 under the current cost-share formula; and

WHEREAS, the applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“application”); and

WHEREAS, the application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum

agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above applicant; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE REQUESTED</u>	<u>COST SHARE APPROVED</u>	<u>PROJECT TYPE</u>
Foote, Michael & Carolyn	17-0190-DE	\$17,550.00	\$17,550.00	2:90-2.14 Water Impoundment Reservoir 2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Install a 2.46 acre-foot water impoundment reservoir and 1,000 feet of irrigation system mainline.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

BE IT FURTHER RESOLVED that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

10/24/17  
Date

  
\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



# Schedule A - Soil and Water Cost Share Grant

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Michael And Carolyn Foote  
Owner: Michael and Carolyn Foote  
Application Number: 17-0190-DE-01  
County: Salem  
Municipality: Upper Pittsgrove



### Legend

#### PracticePoints

#### Practice Code

● 2:90-2.15

● 2:90-2.14

■ Premises

10/19/2017

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2018R10(9)

FARMLAND PRESERVATION PROGRAM CERTIFICATION

NEW ENROLLMENT

BURLINGTON COUNTY

HAINES BERRY FARM, LLC

OCTOBER 26, 2017

**Property:** Block 841, Lot 32 (110.51 acres)  
Pemberton Twp., Burlington County  
SADC ID# 03-0038-8F

WHEREAS, the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, provides for the creation of FARMLAND PRESERVATION PROGRAMS; and

WHEREAS, the Burlington County Agriculture Development Board has submitted an approved PETITION, AGREEMENT, and supporting documents to the State Agriculture Development Committee for certification of a FARMLAND PRESERVATION PROGRAM involving **Haines Berry Farm, LLC, SADC ID# 03-0038-8F**, concerning the parcels of land located in Pemberton Twp., Burlington County, known and designated as Block 841, Lot 32, totaling 110.51 acres, hereinafter referred to as "the Premises" (Schedule "A"); and

WHEREAS, the State Agriculture Development Committee has reviewed said PETITION and accompanying documents to assure compliance with the provisions of N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-3 et seq.;

WHEREAS, the Premises is subject to a Pinelands Development Credit Deed Restriction, recorded on January 17, 2001 in the Burlington County Clerk's Office in Deed Book 5835, at Page 587, which contains certain deed restrictions in the Pinelands Agricultural Production Area; and

NOW THEREFORE, BE IT RESOLVED that the State Agriculture Development Committee, under the authority of N.J.S.A. 4:1C-7 and N.J.A.C. 2:76-3.7, certifies the FARMLAND PRESERVATION PROGRAM of **Haines Berry Farm, LLC, SADC ID# 03-0038-8F**, Block 841, Lot 32, totaling 110.51 acres, as identified in Schedule "A", which shall continue for an eight (8) year period beginning from the recording date



of the fully executed AGREEMENT with the Burlington County Clerk's Office; and  
BE IT FURTHER RESOLVED that upon the effective date of the FARMLAND  
PRESERVATION PROGRAM, the landowner is eligible to receive the benefits  
described in the AGREEMENT pursuant to N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32  
and N.J.A.C. 2:76-3 et seq.; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 2:76-5, the landowner or farm  
agent as an agent for the landowner shall be eligible to apply to the local Soil  
Conservation District for up to \$41,051 in State soil and water conservation cost-  
share grant funds, subject to availability of such funds, for soil and water  
conservation projects on the Premises; and


BE IT FURTHER RESOLVED that work performed on soil and water conservation  
projects prior to Soil Conservation District and State Soil Conservation Committee  
approval will not be eligible for cost sharing; and

BE IT FURTHER RESOLVED that all documents required for the creation of this  
FARMLAND PRESERVATION PROGRAM shall be subject to review and approval  
by the SADC and the Office of the Attorney General; and

BE IT FURTHER RESOLVED that this approval is considered a final agency decision  
appealable to the Appellate Division of the Superior Court of New Jersey; and

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

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

# Project Map

Schedule A

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Haines Berry Farm LLC  
Block 841 Lot 32 (110.51 ac)  
Gross Total – 110.51 ac  
Pemberton Twp. Burlington County



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



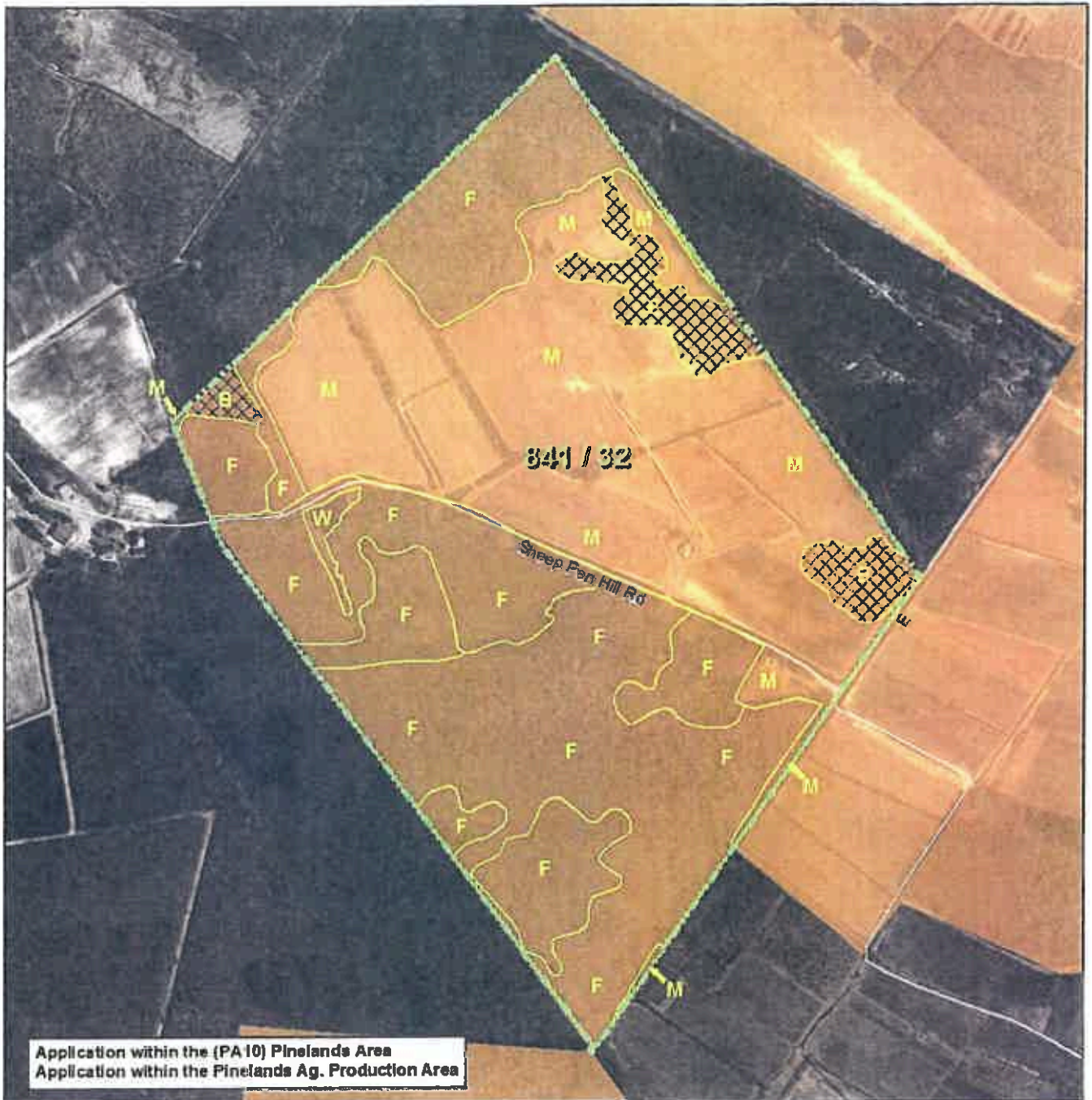
Sources:  
Green Acres Conservation Easement Data  
NJGIT/OGIS 2012 Digital Aerial Image

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

Date: 8/8/2017



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Application within the (PA10) Pinelands Area  
Application within the Pinelands Ag. Production Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Haines Berry Farm LLC  
Block 841 Lot 32 (110.51 ac)  
Gross Total – 110.51 ac  
Pemberton Twp. Burlington County



	Priority to Develop
	20-40m (66ft) Buffer
	10-15m (33ft) Buffer
	Wetland Boundaries
	100ft Buffer Wetlands
	Priority - Shaded Areas
	Priority or State Hwy
	County Roads
	Municipal/Local Roads
	Wetlands (or Photo) Development
	Channel, Gravel and Stone-Pit Preserve/Open Space
	100-150m (330-500) Buffer
	100-150m (330-500) Buffer



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

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

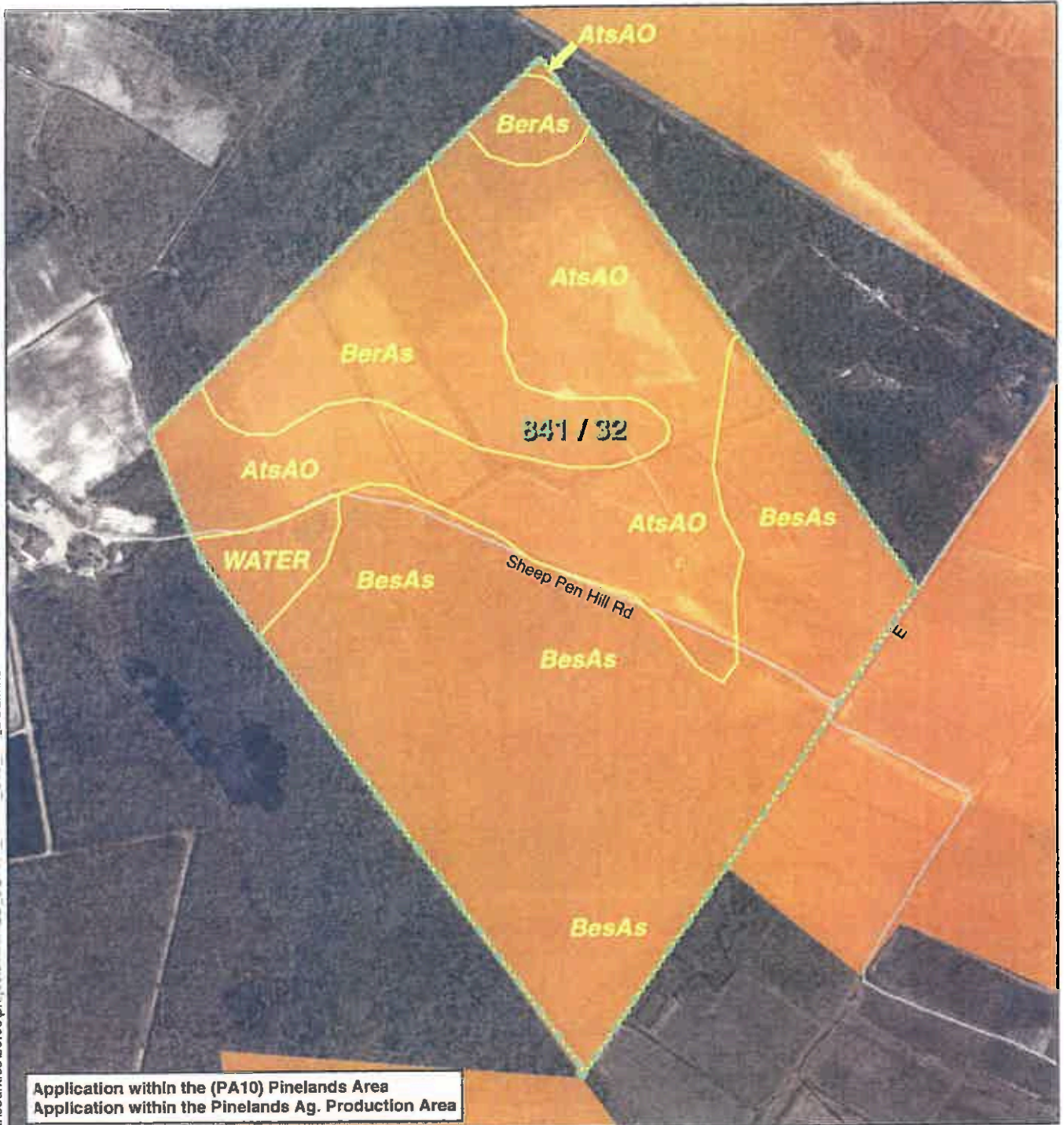
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 The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed  
 primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and  
 map shall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

**Sources:**  
 NJ Farmland Preservation Program  
 Green Acres Conservation Easement Data  
 NJDEP Wetlands Data  
 NJ Pinelands Commission POC Data  
 NJ Highlands Council Data  
 NJDOT GIS 2012 Digital Aerial Image

Date: 8/8/2017



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

Haines Berry Farm LLC  
Block 841 Lot 32 (110.51 ac)  
Gross Total – 110.51 ac  
Pemberton Twp. Burlington County



	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Soils Boundaries
	Primary - Limited Access
	Federal or State Highways
	County Roads
	Municipal/Local Roads
	Pinelands (or Highlands) Development Credits
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned OGS & Recreation Easements



Sources:  
NRCS - SSURGO 2016 Soil Data  
NJ Pinelands Commission PDC Data  
NJ Highlands Council Data  
Green Acres Conservation Easement Data  
NJDOT Road Data  
NJOT/OGIS 2015 Digital Aerial Image

Date: 10/17/2017

**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



# Preserved Farms and Active Applications Within Two Miles

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Application within the (PA10) Pinelands Area  
Application within the Pinelands Ag. Production Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Haines Berry Farm LLC  
Block 841 Lot 32 (110.51 ac)  
Gross Total – 110.51 ac  
Pemberton Twp. Burlington County



- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Active Applications
- Preserved With Federal Funds
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

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

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

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(10)**

**SADC EASEMENT ACQUISITION  
PRELIMINARY APPROVAL  
of an "ALTERNATE" FARM  
IN THE HIGHLANDS PRESERVATION AREA**

**OCTOBER 26, 2017**

Subject Farm: McKee, Thomas and Heidi  
Block 36, Lot 39 and Block 35, Lot 66  
Lebanon Township, Hunterdon County  
SADC ID# 10-0246-DE  
Approximately 64.8 net easement acres

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

WHEREAS, on March 1, 2017 the SADC received an SADC easement acquisition application from Thomas and Heidi McKee for Property identified Block 36, Lot 39 and Block 35, Lot 66, Lebanon Township, Hunterdon County, totaling approximately 64.8 net acres as shown on (Schedule A); and

WHEREAS, 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 27, 2017 which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff finds that the Property, has a quality score of 48.39 and 65 net acres (Schedule B); and

WHEREAS, the Property does not meet the SADC's Hunterdon County minimum ranking criteria for the "Priority" category which requires a quality score of at least 60 combined with at least 49 acres, however it is higher than the minimum quality score of 47 and 36 acres needed for an "Alternate" farm designation, therefore, this farm is categorized as an "Alternate" farm, requiring SADC preliminary approval (Schedule B); and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, the Property is a targeted farm in the Hunterdon County farmland preservation plan, however, it is not included in the Hunterdon County Agricultural Development Area (ADA) at this time; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.5, the SADC may pursue a Direct Easement application without the property being located within the County ADA; and

WHEREAS, Hunterdon County staff have informed SADC staff this Property will be included in the county's next comprehensive ADA update; and

WHEREAS, the Property is located within the New Jersey State Plan-designated Environmentally Sensitive Area (PA5) and within the Highlands Agriculture Resource Areas as well as the Highlands Preservation Area's "Protection Zone" (Schedule C); and

WHEREAS, the landowner provided a deed that shows the property was acquired on July 18, 2000, therefore, the property appears to be eligible, and must be appraised, along with current zoning, under 01/01/04 zoning and environmental conditions pursuant to the enactment of P.L.2015, c.5, which extends the dual-appraisal provision only to farms in the Highlands region.; and

WHEREAS, the Property has one (1) existing single family residence; and

WHEREAS, the majority of the farm's acreage is currently in hay and beef production; 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. The Property is a candidate for this funding source; and

WHEREAS, at this time there is approximately \$1.3 million available from the \$30 million originally designated as Highlands funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.6 there are no "Priority" or "Alternate" Ranked applications at this time in the Highlands Preservation Area which have not already been accepted for processing and have funding earmarked; and

NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:

1. Enter into a 120 day option agreement.
2. Secure two independent appraisals to estimate the fair market value of the Property.

3. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.

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

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

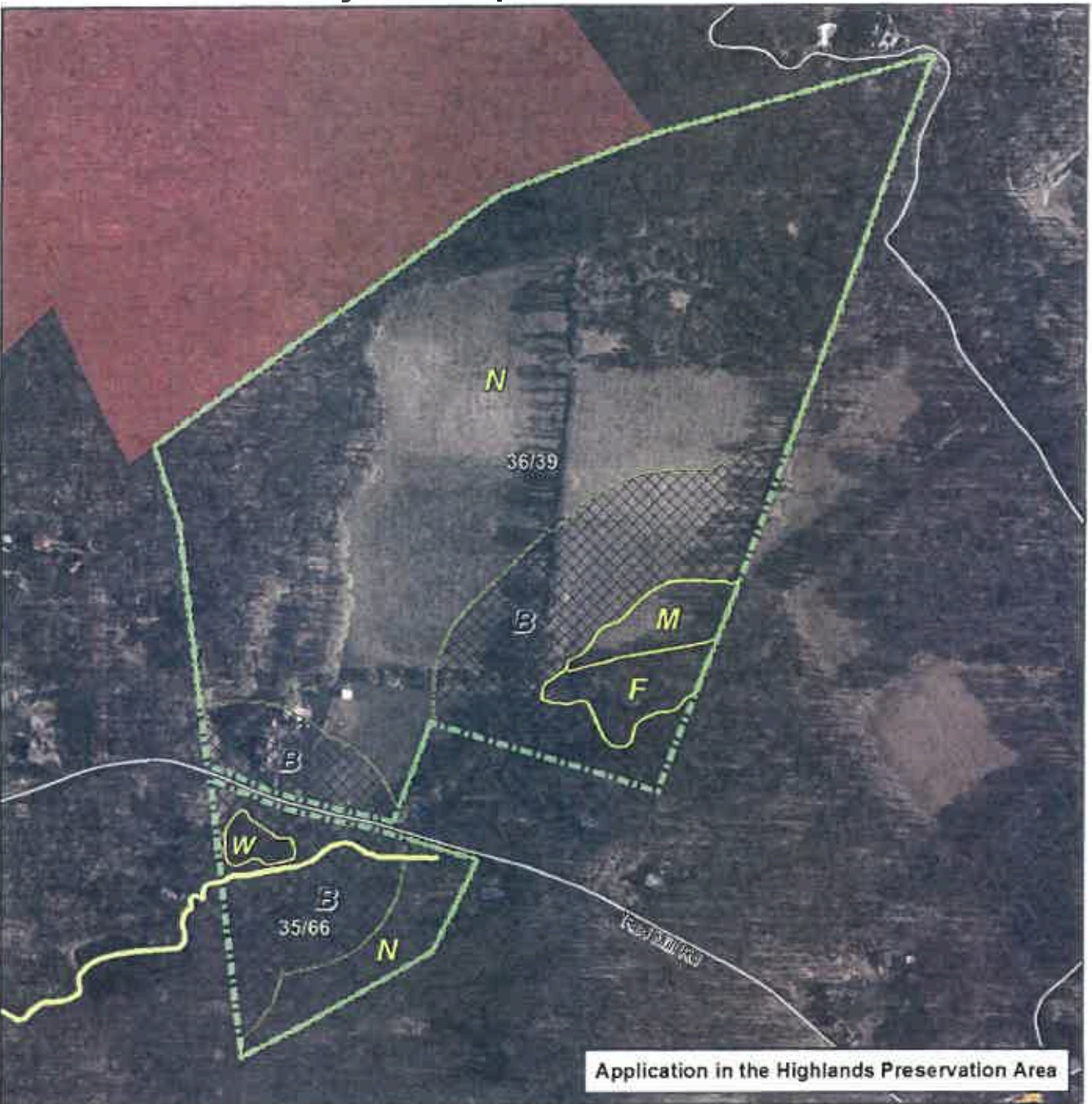
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



# Project Map with Wetlands

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Application in the Highlands Preservation Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McKee, Thomas and Heidi  
 Block 35 Lot 66 (7.2 ac);  
 and Block 36 Lot 39 (57.6 ac)  
 Gross Total = 64.8 ac  
 Lebanon Twp., Hunterdon County



Sources:  
 NJ Farmland Preservation Program  
 Green Acres Conservation Easement Data  
 NJDEP Wetlands Data  
 NJ Highlands Council Data  
 NJDOT GIS 2015 Digital Aerial Image

- Property in Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- 300 ft Buffered Wetlands
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Municipal, County and Non-Profit Preserved Open Space



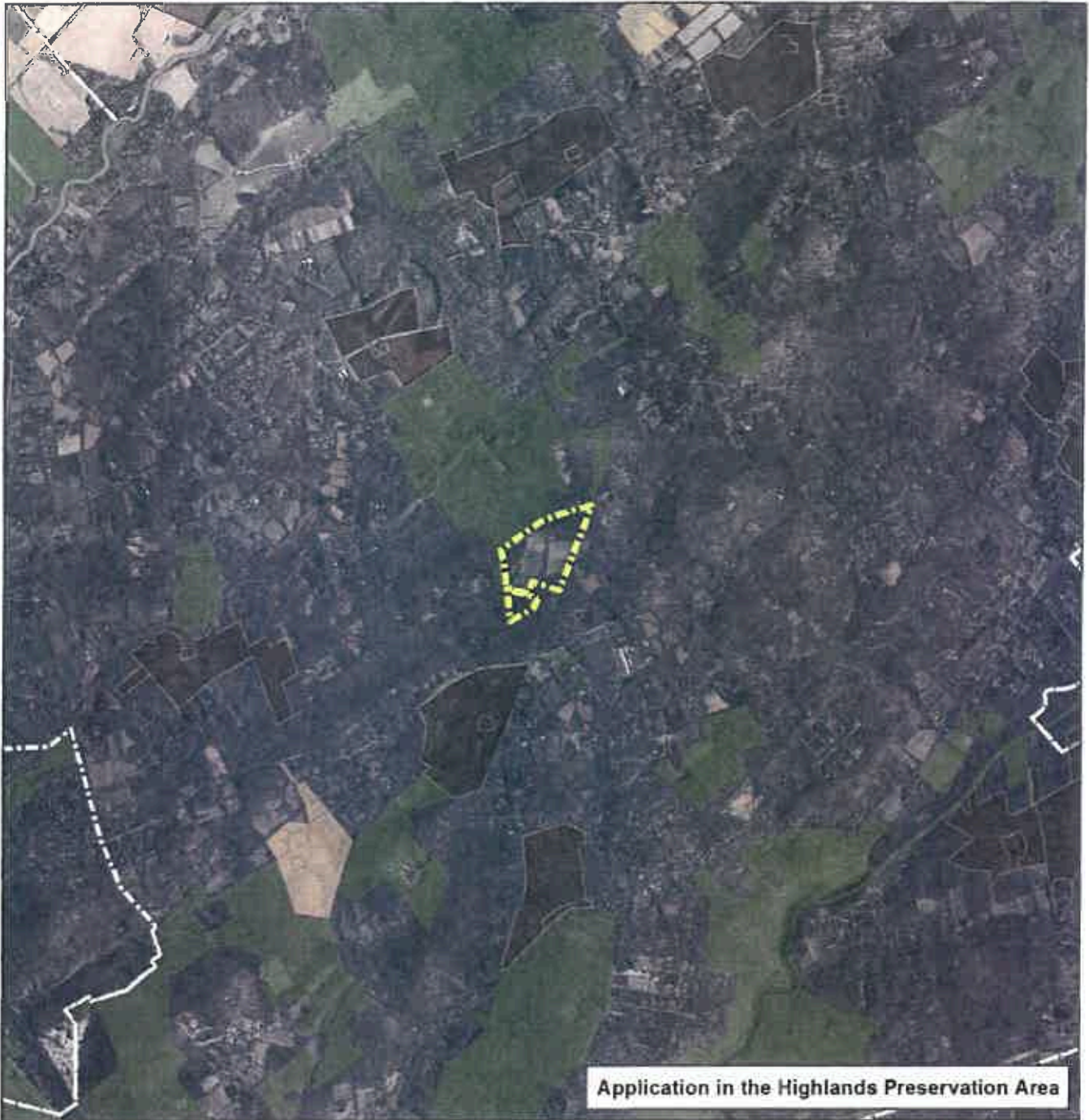
Wetlands Legend:  
 F - Freshwater Wetlands  
 L - Linear Wetlands  
 M - Wetlands Modified for Agriculture  
 N - Non-Wetlands  
 T - Tidal Wetlands  
 B - 300' Buffer  
 W - Water

**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 geospatial 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.



# Preserved Farms and Active Applications Within Two Miles

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Application in the Highlands Preservation Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McKee, Thomas and Heidi  
Block 35 Lot 66 (7.2 ac);  
and Block 36 Lot 39 (57.6 ac)  
Gross Total = 64.8 ac  
Lebanon Twp., Hunterdon County



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

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

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

August 22, 2017

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

**GENERAL INFORMATION**

COUNTY OF Hunterdon Lebanon Twp. 1019  
 APPLICANT McKee, Thomas & Heidi

**PRIORITIZATION SCORE**

<b>SOILS:</b>	Other	85% *	0	=	.00
	Prime	15% *	.15	=	2.25

**SOIL SCORE: 2.25**

<b>TILLABLE SOILS:</b>	Cropland Harvested	42% *	.15	=	6.30
	Other	2% *	0	=	.00
	Wetlands	3% *	0	=	.00
	Woodlands	53% *	0	=	.00

**TILLABLE SOILS SCORE: 6.30**

<b>BOUNDARIES AND BUFFERS:</b>	Farmland (Unrestricted)	5% *	.06	=	.30
	Parks (limited use)	19% *	.14	=	2.66
	Residential Development	21% *	0	=	.00
	Streams and Wetlands	6% *	.18	=	1.08
	Woodlands	49% *	.06	=	2.94

**BOUNDARIES AND BUFFERS SCORE: 6.98**

<b>CONTIGUOUS PROPERTIES / DENSITY:</b>	McKee	Restricted Farm or Current Application	2
	Tucker	Restricted Farm or Current Application	2
	Sekela	Restricted Farm or Current Application	2

**DENSITY SCORE: 6.00**

**LOCAL COMMITMENT:** 100% \* 20 = 20.00

**LOCAL COMMITMENT SCORE: 20.00**

**SIZE:** **SIZE SCORE: 4.92**

**IMMIMENCE OF CHANGE:** SADC Impact factor = 1.94

**IMMINENCE OF CHANGE SCORE: 1.94**

**COUNTY RANKING:**

**EXCEPTIONS:** **EXCEPTION SCORE: .00**

**TOTAL SCORE: 48.39**

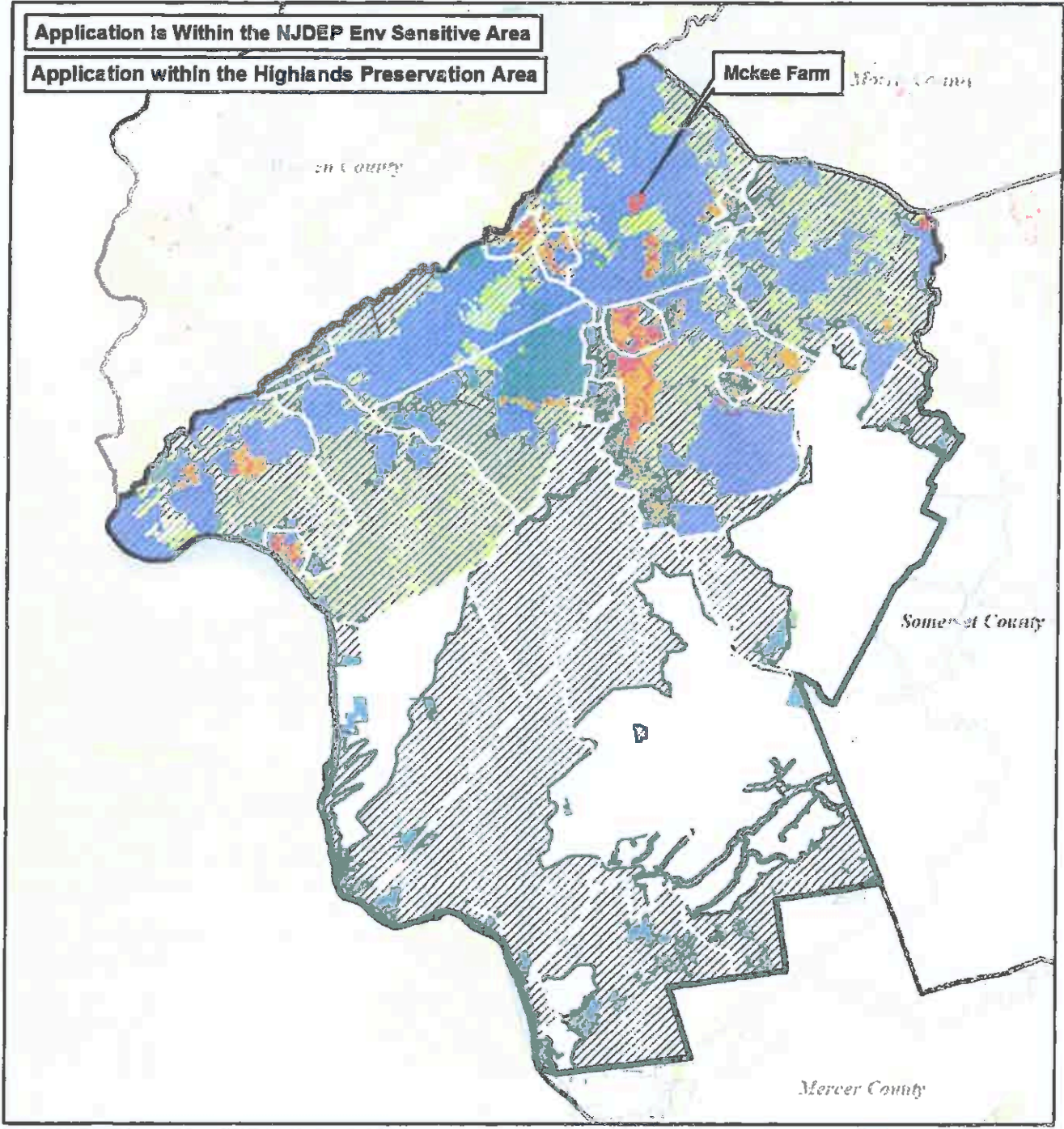


# McKee Farm - Schedule C

Application is Within the NJDEP Env Sensitive Area

Application within the Highlands Preservation Area

McKee Farm



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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McKee, Thomas and Heidi  
Block 35 Lot 66 (7.2 ac);  
and Block 36 Lot 39 (57.6 ac)  
Gross Total = 64.8 ac  
Lebanon Twp., Hunterdon County



- Property to be Served
- NJDEP Environmentally Sensitive Area
- Municipal County and Non-Profit Preserved Open Spaces
- State Owned Conservation Easement
- State Owned OTR & Recreation Easement
- Highlands Planning Area
- Highlands Preservation Area
- Celebration Zone
- Early Community Development Zone
- Early Community Zone
- Late Community Zone
- Protection Zone
- Hunterdon County Project Areas

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Source:  
Green Acres Conservation Easement Data  
NJDEP Environmentally Sensitive Areas  
(pursuant to the Permit Extension Act of 2008)  
NJDEP Highlands Data

June 14, 2013

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(11)**

**SADC EASEMENT ACQUISITION  
PRELIMINARY APPROVAL  
of an "OTHER" FARM  
IN THE HIGHLANDS PRESERVATION AREA**

**OCTOBER 26, 2017**

Subject Farm: Tack, Douglas and Susan  
Block 56, Lot 13  
Lebanon Township, Hunterdon County  
SADC ID# 10-0228-DE  
Approximately 30 net easement acres

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

WHEREAS, on June 27, 2104 the SADC received an SADC easement acquisition application from Douglas and Susan Tack for Property identified Block 56, Lot 13 and 13.02, Lebanon Township, Hunterdon County, totaling approximately 105.20 net acres as shown on (Schedule A); and

WHEREAS, subsequently Lot 13.02 was approved for preservation through the Highlands Transfer of Development Rights (TDR) program and was removed from this application; and

WHEREAS, the current application for Block 56, Lot 13 is approximately 30 net acres as shown on (Schedule B); and

WHEREAS, 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 27, 2017 which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff finds that the Property, has a quality score of 50.31 and 30 net acres (Schedule C); and

WHEREAS, the Property does not meet the SADC's Hunterdon County minimum ranking criteria for the "Priority" category which requires a quality score of at least 60 combined with at least 49 acres, nor does it meet the County minimum ranking criteria for an "Alternate" farm category which requires a quality score of 47 and 36 acres, therefore, this farm is categorized as an "Other" farm, requiring SADC preliminary approval; and

WHEREAS, the Property is a targeted farm in the Hunterdon County farmland preservation plan, however, it is not included in the Hunterdon County Agricultural Development Area (ADA) at this time; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.5, the SADC may pursue a Direct Easement application without the property being located within the County ADA; and

WHEREAS, Hunterdon County staff have informed SADC staff that this Property will be included in the county's next comprehensive ADA update; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, the Property is located within the New Jersey State Plan-designated Environmentally Sensitive Area (PA5) and within the Highlands Agriculture Priority and Resource Areas as well as partially in the Highlands Preservation Area's "Conservation Zone" and partially in the "Protection Zone" (Schedule D); and

WHEREAS, the landowner provided a deed that shows the property has been in the family since 1999, therefore, the property appears to be eligible, and must be appraised, along with current zoning, under 01/01/04 zoning and environmental conditions pursuant to the enactment of P.L.2015, c.5, which extends the dual-appraisal provision only to farms in the Highlands region.; and

WHEREAS, the Property has one 1-acre exception area for flexibility of use but zero (0) single family residences; and

WHEREAS, the portion of the Property to be preserved outside of the exception area includes one (1) single family residential units, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

WHEREAS, the majority of the farm's acreage is currently in hay production; 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. The Property is a candidate for this funding source; and

WHEREAS, at this time there is approximately \$1.3 million available from the \$30 million originally designated as Highlands funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.6 there are no "Priority" or "Alternate" Ranked applications ready for selection at this time in the Highlands Preservation Area which have not already been accepted for processing and have funding earmarked; and

NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:

1. Enter into a 120 day option agreement.
2. Secure two independent appraisals to estimate the fair market value of the Property.
3. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.

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

10/20/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

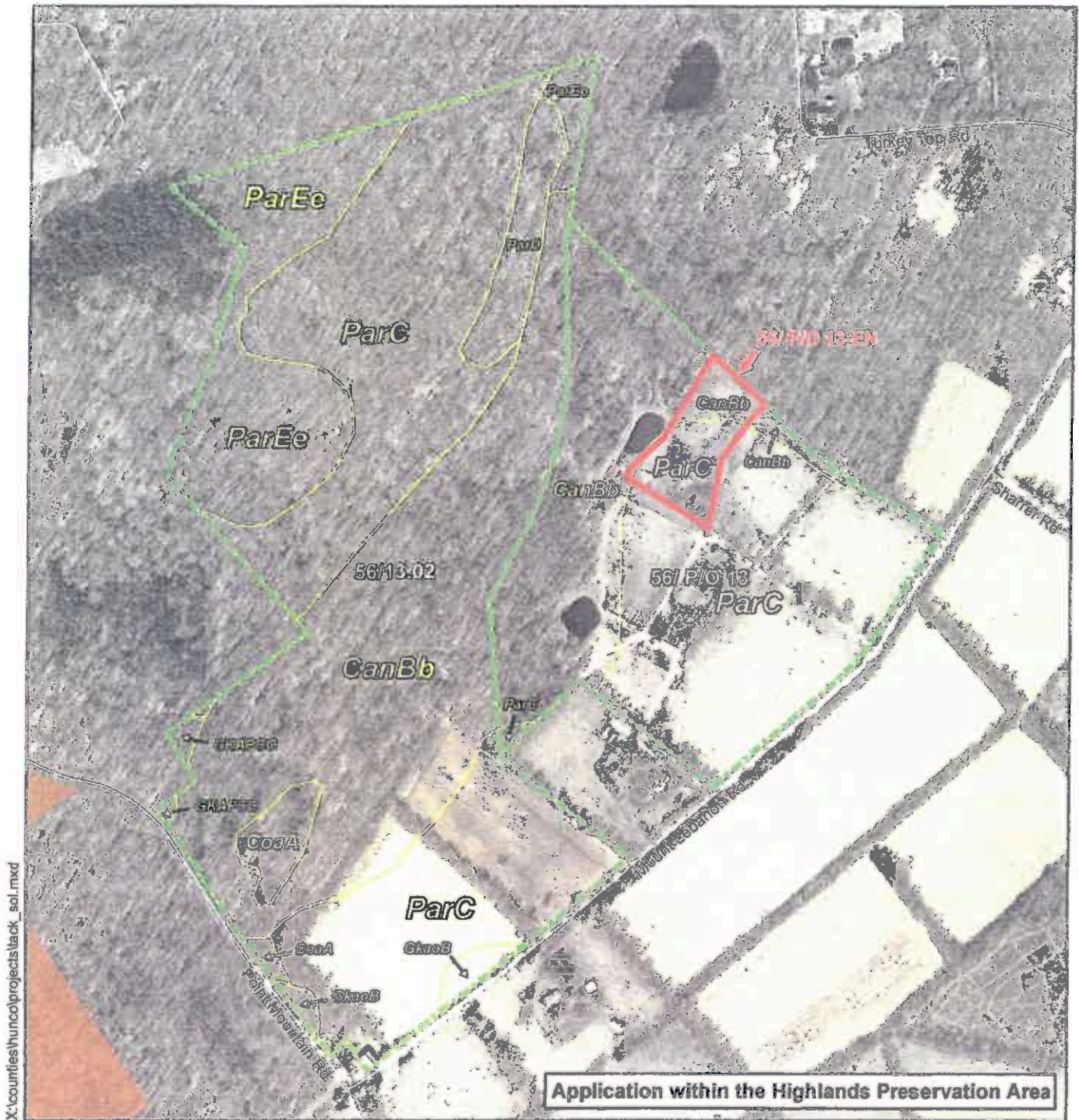
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



# Soils

# Schedule A



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

Douglas and Susan Tack  
Block 56 Lots 13.02 (72.7 ac); P/O 13 (30.0 ac)  
& P/O 13-EN (non-severable exception - 2.5 ac)  
Gross Total = 105.2 ac  
Lebanon Twp., Hunterdon County



- Property in Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Soils Boundaries
- Primary - Limited Access
- Federal or State Highways
- County Roads
- Municipal/Local Roads
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned O/S & Recreation Easement



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Sources:  
NRCS - SSURGO 2013 Soil Data  
NJDOT Road Data  
Green Acres Conservation Easement Data  
NJOT/OGIS 2012 Digital Aerial Image



# Wetlands

Schedule B

Application within the Highlands Preservation Area



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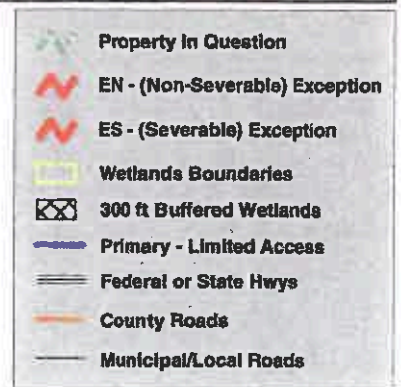
## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Tack, Douglas and Susan  
Block 56 Lots P/O 13 (31.5 ac)  
& P/O 13-EN (non-severable exception - 1.0 ac)  
Gross Total = 32.5 ac  
Lebanon Twp., Hunterdon County



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

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

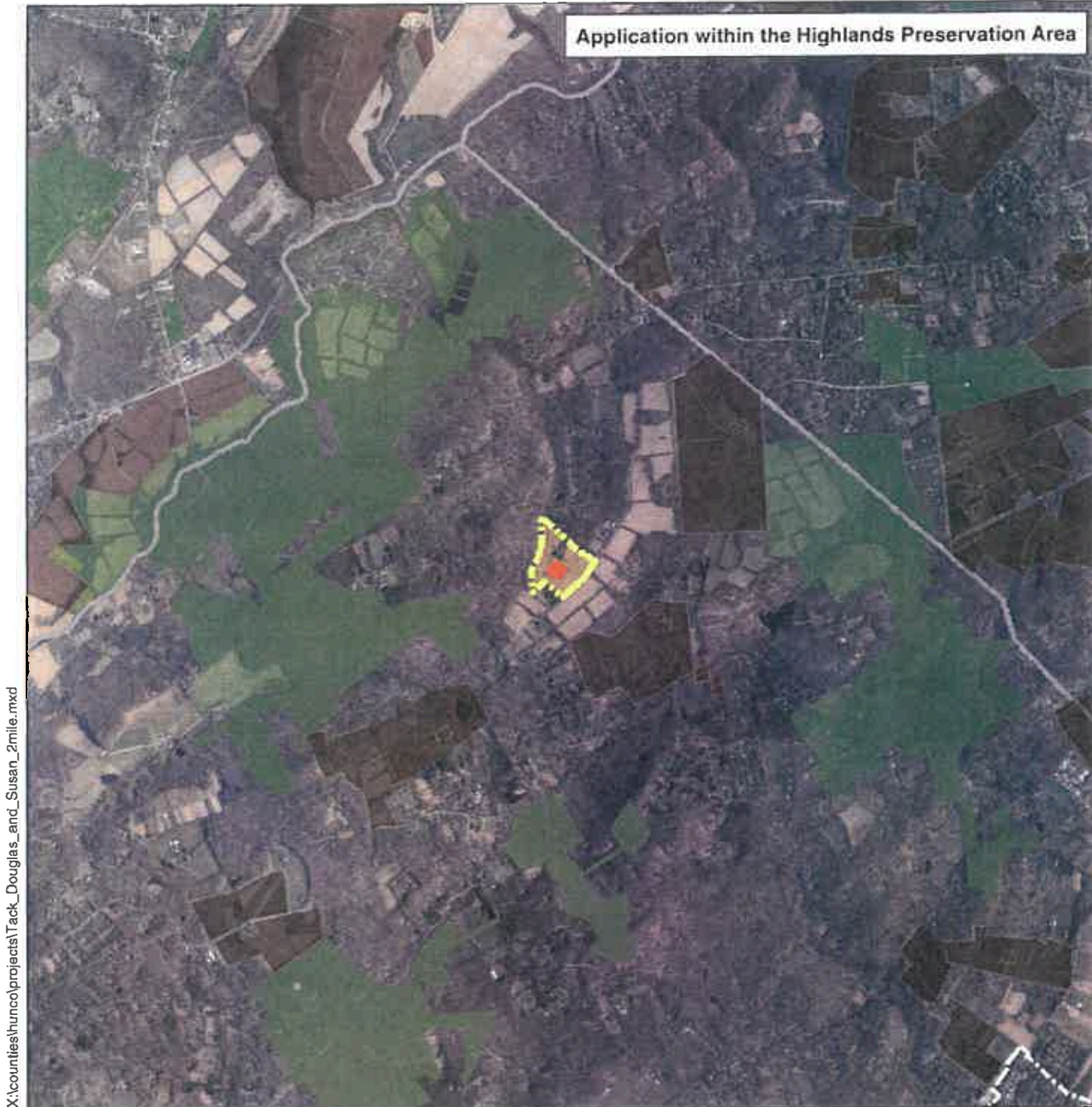


Wetlands Legend:  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water

October 11, 2017



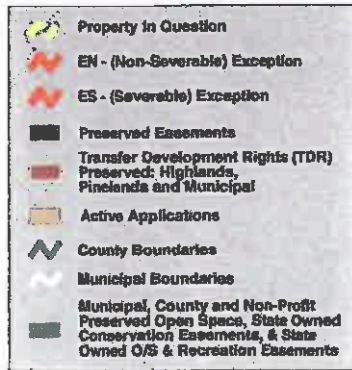
# Preserved Farms and Active Applications Within Two Miles



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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Tack, Douglas and Susan  
 Block 56 Lots P/O 13 (31.5 ac)  
 & P/O 13-EN (non-severable exception - 1.0 ac)  
 Gross Total = 32.5 ac  
 Lebanon Twp., Hunterdon County



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

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

GENERAL INFORMATION

COUNTY OF Hunterdon Lebanon Twp. 1019  
APPLICANT Tack, Douglas & Susan

PRIORITIZATION SCORE

**SOILS:** Other 100% \* 0 = .00  
**SOIL SCORE:** .00

**TILLABLE SOILS:** Cropland Harvested 51% \* .15 = 7.65  
Other 2% \* 0 = .00  
Wetlands 16% \* 0 = .00  
Woodlands 31% \* 0 = .00  
**TILLABLE SOILS SCORE:** 7.65

**BOUNDARIES AND BUFFERS:** Farmland (Unrestricted) 20% \* .06 = 1.20  
Residential Development 19% \* 0 = .00  
Streams and Wetlands 41% \* .18 = 7.38  
Woodlands 12% \* .06 = .72  
Parks (limited use) 6% \* .14 = .84  
Commercial 2% \* 0 = .00  
**BOUNDARIES AND BUFFERS SCORE:** 10.14

**CONTIGUOUS PROPERTIES / DENSITY:** Tack Restricted Farm or Current Application 2  
Weeks Restricted Farm or Current Application 2  
Stonegate Farms Restricted Farm or Current Application 2  
Tullo Restricted Farm or Current Application 2  
**DENSITY SCORE:** 8.00

**LOCAL COMMITMENT:** 100% \* 20 = 20.00  
**LOCAL COMMITMENT SCORE:** 20.00

**SIZE:** **SIZE SCORE:** 2.58

**IMMIMENCE OF CHANGE:** SADC Impact factor = 1.94  
**IMMINENCE OF CHANGE SCORE:** 1.94

**COUNTY RANKING:**  
**EXCEPTIONS:** **EXCEPTION SCORE:** .00

**TOTAL SCORE: 50.31**



# Tack Farm

Application is Within the NJDEP Env Sensitive Area

Application within the Highlands Preservation Area

Tack Farm

Morris County

Warren County

Somerset County

Mercer County

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Douglas and Susan Tack  
Block 56 Lot13 (30.0 ac)  
& P/O 13-EN (non-severable exception - 2.5 ac)  
Gross Total = 32.5 ac  
Lebanon Twp., Hunterdon County



**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 geodesic 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

Source:  
Green Acres Conservation Easement Data  
NJDEP Environmentally Sensitive Areas  
(pursuant to the Permit Extension Act of 2008)  
NJDEP Highlands Data

June 14, 2013

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2018R10(12)**

**ELIGIBLE FARM REVIEW AND WAIVER**

**For**

**HUNTERDON COUNTY PLANNING INCENTIVE GRANT**

**On the Property of**

**Grochowicz, Thomas & Michelle (Boro)**

**SADC ID# 10-0414-PG**

**Boroughs of Glen Gardner and Hampton and Bethlehem Township**

**OCTOBER 26, 2017**

WHEREAS, on December 15, 2008, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Hunterdon County ("County") pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the County received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on February 28, 2012, the SADC received a Planning Incentive Grant ("PIG") application from Hunterdon County for the Grochowicz Farm, identified as Block 11, Lots 1, 2, & 2.2 Hampton Boro and Block 1, Lot 1.01 Glen Gardner Boro, Block 46, Lot 2 Bethlehem Township, totaling approximately 86.3 gross acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the property is in the Highlands Preservation Area and has been owned by the family since before 2004 and appears to be eligible, and must be appraised, along with current zoning, under 01/01/04 zoning and environmental conditions pursuant to the enactment of P.L.2015, c.5, which extends the dual-appraisal provision only to farms in the Highlands region; and

WHEREAS, the Property is located in the County's Bethlehem East Project Area; and

WHEREAS, the Property is not located within the County Agriculture Development Area (ADA) however, the County is in the process of updating its comprehensive ADA plan and have confirmed this farm will be included; and

WHEREAS, pursuant to N.J.A.C. 2:76-6.3 the Property is required to be included within the ADA, therefore, this waiver is conditioned upon County adoption and SADC certification, of an amended ADA which includes the Property prior to requesting SADC Final Approval; and

WHEREAS, the Property currently supports a corn, hay and beef operation; and

WHEREAS, the application for the Property submitted by the County includes:

- One(1), approximately 1-acre non-severable exception area for and limited to one future single family residential unit; and

- two (2), approximately 2-acre severable exception areas each for and limited to one future single family residential units; and
- one (1) 7-acre severable exception for future flexibility of use and zero residential uses, resulting in approximately 74.3 net acres to be preserved; and

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

WHEREAS, SADC staff has reviewed the application and determined that it is complete and accurate and meets the minimum standards as per N.J.A.C. 2:76-6.20 and has a quality score of 41.12 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7 and 17.2 the SADC is responsible for establishing standards for determining an "eligible farm" by determining minimum score requirements in the County Planning Incentive Grant Program (PIG); and

WHEREAS, Pursuant to N.J.A.C. 2:76-17.2 an "eligible farm" means a targeted farm that qualifies for grant funding under subchapter (17) by achieving an individual rank score pursuant to N.J.A.C. 2:76-6.16 that is equal to or greater than 70 percent of the county's average quality score of all farms granted preliminary approval by the SADC through the County Easement Purchase Program and/or the County Planning Incentive Grant Program within the previous three fiscal years, as determined by the SADC ; and

WHEREAS, on July 28, 2016 Resolution #FY2017R7(5) was approved by the SADC memorializing standards for determining Eligible farms for the County PIG program, (effective January 1, 2017 - December 31, 2017); and

WHEREAS, the quality score for the property is 41.12 which is lower than the approved 70% Average Quality score for Hunterdon County of 47; and

WHEREAS, because the Property does not meet the minimum score, the SADC will consider on a case by case basis, a waiver of the minimum score criterion pursuant to N.J.A.C. 2:76-17.9(a)7 for applications submitted under the county planning incentive grant program; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7i the Committee may grant a waiver of the minimum score criteria upon a finding that any of the following apply:

- (A) The conversion of the farm to non-agricultural use will likely cause a substantial negative impact on the public investment made in farmland preservation within the project area;
- (B) The subject property is of exceptionally high agricultural resource value based on soil characteristics; or
- (C) The subject property represents a unique and valuable agricultural resource to the surrounding community, and the Committee finds that it has a reasonable opportunity to remain agriculturally viable.



WHEREAS, the Hunterdon County Agriculture Development Board (CADB) has requested that the SADC provide a waiver of the minimum score criteria based on the following which meet the requirements of N.J.A.C. 2:76-17.9(a)7i (1)(B) and (C) above (Schedule C):

- The farm is a multi-generational operation providing a unique and valuable resource to the surrounding community.
- The farm is prominently located on the southbound side of State Highway 31 facilitating the farm's capacity for direct marketing and agricultural tourism in the area.
- The farm is situated within three municipalities and it would become the only preserved farm in both Glen Gardner and Hampton Boroughs where both municipalities are supportive of preservation and recognize the farm as one the last remaining tracts of farmland in their jurisdictions.
- The farm is adjacent to an elementary school where it serves as an educational backdrop, reflecting New Jersey's solvent agrarian industry for the students and staff.
- The physical characteristics of the farm otherwise qualify it as a high quality application including road frontage and access to the north and east of the property.
- The tillable acreage is high at almost 80% and 76% of the soils are classified as Prime and Statewide Important.
- The size of the farm, at 86 gross acres, make it well suited for a variety of agriculture.

WHEREAS, based on the factors presented by the CADB above SADC staff recommends the SADC provide a waiver for the Grochowicz Farm; and

NOW THEREFORE BE IT RESOLVED, pursuant to N.J.A.C. 2:76-17.9(a)7i (1) (C) the SADC finds that the subject property represents a unique and valuable agricultural resource to the surrounding community and the Committee finds that it has a reasonable opportunity to remain agriculturally viable based on the following:

- The tillable acreage is high at almost 80%.
- 76% of the soils are classified as Prime and Statewide Important.
- The Property, at 86 gross acres, make it well suited for a variety of agriculture uses
- The Property's accessible location provides a unique and valuable resource to the surrounding community.
- The Property is located in the Highlands Preservation area which is identified as an area most critically in need of protection by the Highlands Act and farmland preservation is one of the few protection tools for the landowner; and

BE IT FURTHER RESOLVED, the SADC grants a waiver of the minimum score criteria for the Grochowicz Farm; and

BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 2:76-6.3 the Property is required to be included within the ADA, therefore, this waiver is conditioned upon County adoption and SADC certification, of an amended ADA which includes the Property prior to requesting SADC Final Approval; and

BE IT FURTHER RESOLVED, that the SADC shall notify the County in writing that the application has been granted a waiver and SADC staff will finalize the preliminary approval as per N.J.A.C. 2:76-17.9 ; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

# Wetlands



X:\counties\huncol\projects\Grochowicz\_Thomas\_and\_Michelle\_(Boro)\_fww.mxd

Application in the Highlands Preservation Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Grochowicz, Thomas and Michelle (Boro)  
 Bethlehem Twp. - Block 46 Lot 2 (16.0 ac);  
 Glen Gardner Boro - Block 1 Lots P/O 1.01 (27.8 ac) & P/O 1.01-ES (severable exception - 7.0 ac);  
 Hampton Boro - Block 11 Lots P/O 1 (8.1 ac); P/O 1-ES (severable exception - 2.0 ac);  
 P/O 2.2 (7.7 ac); P/O 2.2-EN (non-severable exception - 1.0 ac);  
 P/O 2 (14.7 ac) & P/O 2-ES (severable exception - 2.0 ac)  
 Gross Total = 86.3 ac  
 Hunterdon County



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

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

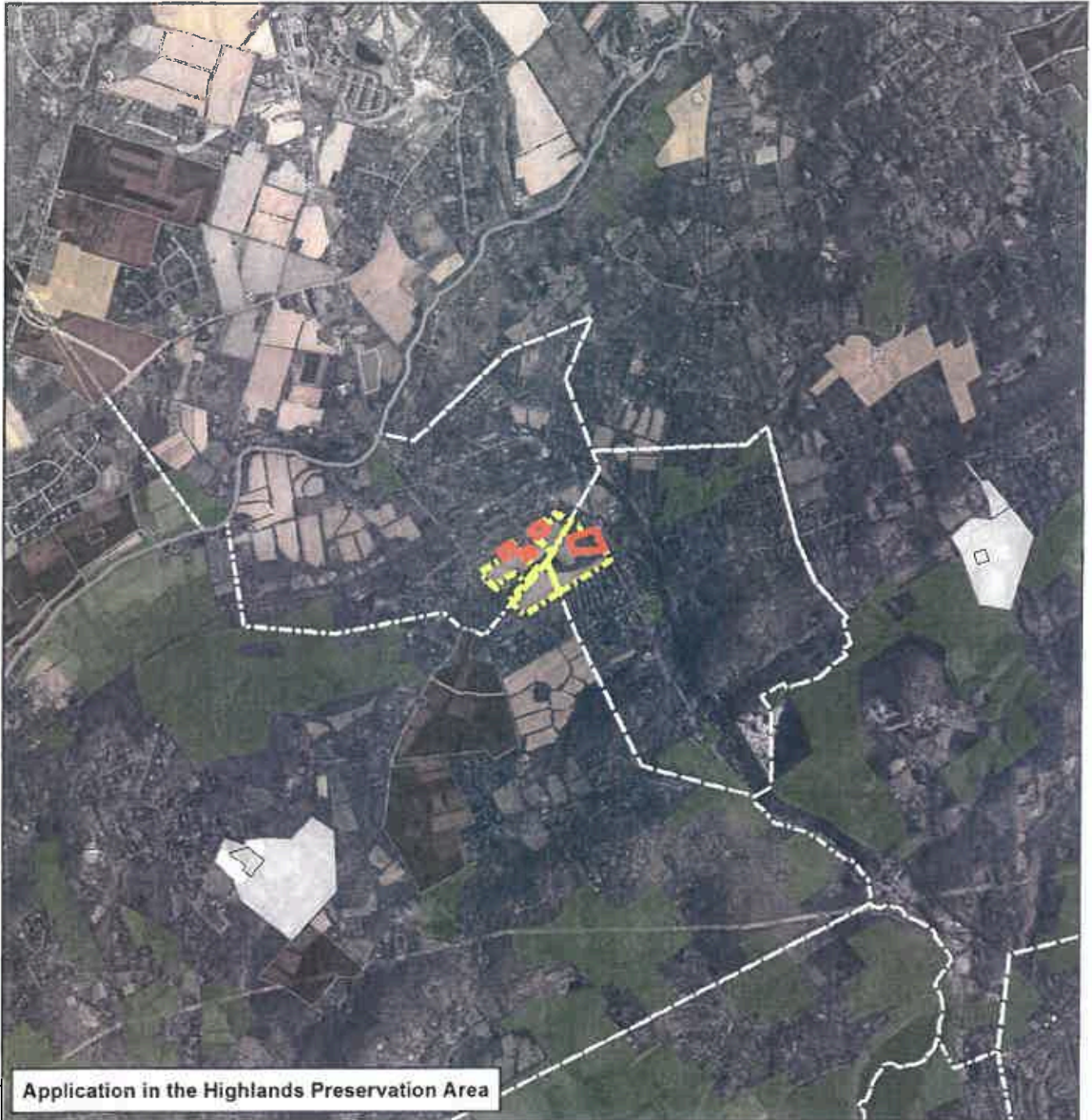


**Wetlands Legend:**  
 F - Freshwater Wetlands  
 L - Linear Wetlands  
 M - Wetlands Modified for Agriculture  
 T - Tidal Wetlands  
 N - Non-Wetlands  
 B - 300' Buffer  
 W - Water



# Preserved Farms and Active Applications Within Two Miles

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Application in the Highlands Preservation Area

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

Grochowicz, Thomas and Michelle (Boro)  
 Bethlehem Twp. - Block 46 Lot 2 (16.0 ac);  
 Glen Gardner Boro - Block 1 Lots P/O 1.01 (27.8 ac) & P/O 1.01-ES (severable exception - 7.0 ac);  
 Hampton Boro - Block 11 Lots P/O 1 (8.1 ac); P/O 1- ES (severable exception - 2.0 ac);  
 P/O 2.2 (7.7 ac); P/O 2.2-EN (non-severable exception - 1.0 ac);  
 P/O 2 (14.7 ac) & P/O 2-ES (severable exception - 2.0 ac)  
**Gross Total = 86.3 ac**  
 Hunterdon County

	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Precovered Easements
	Active Applications
	Preserved With Federal Funds
	County Boundaries
	Municipal Boundaries
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned Q/S & Recreation Easements



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

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

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

**GENERAL INFORMATION**

COUNTY OF Hunterdon Glen Gardner Boro 1012  
APPLICANT Grochowicz, Thomas & Michelle (Boro)

**PRIORITIZATION SCORE**

<b>SOILS:</b>	Other	27% * 0	=	.00	
	Prime	33% * .15	=	4.95	
	Statewide	40% * .1	=	4.00	
					<b>SOIL SCORE: 8.95</b>
<b>TILLABLE SOILS:</b>	Cropland Harvested	79% * .15	=	11.85	
	Wetlands	10% * 0	=	.00	
	Woodlands	11% * 0	=	.00	
					<b>TILLABLE SOILS SCORE: 11.85</b>
<b>BOUNDARIES AND BUFFERS:</b>	Commercial	16% * 0	=	.00	
	Farmland (Unrestricted)	9% * .06	=	.54	
	Parks (high use)	9% * .05	=	.45	
	Residential Development	60% * 0	=	.00	
	Streams and Wetlands	3% * .18	=	.54	
	Woodlands	3% * .06	=	.18	
					<b>BOUNDARIES AND BUFFERS SCORE: 1.71</b>
<b>CONTIGUOUS PROPERTIES / DENSITY:</b>	Grochowicz	Restricted Farm or Current Application		2	
	Grochowicz	Restricted Farm or Current Application		2	
	Bartnett	Restricted Farm or Current Application		2	
	Bunting	Restricted Farm or Current Application		2	
					<b>DENSITY SCORE: 8.00</b>
<b>LOCAL COMMITMENT:</b>		100% * 9	=	9.00	
					<b>LOCAL COMMITMENT SCORE: 9.00</b>
<b>SIZE:</b>					<b>SIZE SCORE: 5.61</b>
<b>IMMIMENCE OF CHANGE:</b>					<b>IMMINENCE OF CHANGE SCORE: .00</b>
<b>COUNTY RANKING:</b>					
<b>EXCEPTIONS:</b>	Exceptions amount to more than 10% of Property				<b>EXCEPTION SCORE: -4.00</b>
					<b>TOTAL SCORE: 41.12</b>

## Hunterdon County Agriculture Development Board

Hunterdon County Administration Building #1  
Route 12 County Complex  
PO Box 2900  
Flemington, New Jersey 08822-2900

9/27/17

Mr. Douglas H. Fisher, Chairman  
State Agriculture Development Committee  
PO Box 330  
Trenton, New Jersey 08625-0330

RE: County Planning Incentive Grant  
Grochowicz, Thomas and Michelle (Grochowicz North Farm)  
Block 46 Lot 2- Bethlehem Township  
Block 1 Lot 1.01- Glen Gardner Borough  
Block 11 Lots 1, 2, and 2.2- Hampton Borough

Dear Secretary Fisher,

Hunterdon County is in receipt of a County Planning Incentive Grant application for the Grochowicz North Farm. This farm is novel in ways which may not be reflected in the scoring parameters typical of the program. Because of this, Hunterdon County feels that the insufficient score that it has received utilizing State Agriculture Development Committee's criteria should not disqualify it from the program. This letter serves as a request for the SADC to waive the minimum score criterion for Grochowicz Farm pursuant to N.J.A.C. 2:27-17.9(a) 7.

The Grochowicz Farm is a multi-generational operation prominently located on the southbound side of State Highway 31 and it is primarily this location that makes it a unique and valuable resource to the surrounding community. The farm is situated within three municipalities and has consistently remained a viable and focal point of agricultural tourism in the area. It would become the only preserved farm in both Glen Gardner and Hampton Boroughs where both municipalities are supportive of preservation and recognize the farm as one the last remaining tracts of farmland in their jurisdictions. The farm surrounds the playground at Hampton Borough's Elementary School and draws the eye to the sweeping vistas of the highlands landscape. CADB members have remarked that although this farm's location is superficially atypical of the program, its value to the community is high, particularly for the elementary school children where it serves as an educational backdrop reflecting New Jersey's solvent agrarian industry.

The physical characteristics of the farm otherwise qualify it as a high quality application including road frontage and access to the north and east of the property. Tillable acreage is high at almost 80%, 76% of the soils are classified as Prime and Statewide importance, and its sheer size of 86 acres make it well suited for a variety of agriculture. The inherent direct marketing capacity for local customers is extraordinary as is the proximity to the highway for ease of transport of farm products to further markets. This combination of quality land and strategic location clearly demonstrate the farm's future viability.

Thank you for taking the time to understand what makes the Grochowicz North Farm such a unique preservation application. I sincerely hope that Committee concurs that this is a valuable preservation endeavor and approves the minimum score waiver request for the Grochowicz Farm.

Sincerely,



Melanie J. Mason  
Hunterdon County CADB and  
Farmland Preservation Program Administrator



**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2018R10(13)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**KINGWOOD TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Gaetano DeSapio ("Owner")  
Kingwood Township, Hunterdon County**

**N.J.A.C. 2:76-17A. et seq.  
SADC ID# 10-0390-PG**

**OCTOBER 26, 2017**

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Kingwood Township, Hunterdon County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Kingwood Township received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on February 1, 2016 the SADC received an application for the sale of a development easement from Hunterdon County for the subject farm identified as Block5, Lot 6, Kingwood Township, Hunterdon County, totaling approximately 64.4 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Hunterdon County's South Project Area and Kingwood Township's Project Area; and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area for one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 62.4 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and (0) non-agricultural uses; and

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

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



WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on January 11, 2017 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 22, 2017 the SADC certified a development easement value of \$8,300 per acre based on zoning and environmental regulations in place as of the current valuation date April 2017; and

WHEREAS, the Owner accepted the Township's offer of \$8,300 per acre for the development easement for the Property; and

WHEREAS, the Hunterdon Land Trust submitted a parcel application to the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) FY17 Agriculture Conservation Easement Program (ACEP) for an Agricultural Land Easement (ALE); and

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

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including a restriction to one (1) future Division of the Premises and a 4.33% maximum impervious coverage restriction (approximately 2.6 acres) for the construction of agricultural infrastructure on the Property outside of the exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, the ALE grant will be based on an estimated current easement value of \$8,300 per acre equating to an ALE grant of \$4,150 per acre (50% of \$8,300) or approximately \$258,960 in total RCPP funds; and

WHEREAS, since submission of the application to the SADC, the Hunterdon County Agriculture Development Board (CADB) has not approved the use of ALE grants; therefore and in order to move the application forward, the Township asked to move the application forward in the Township's Municipal Planning Incentive Grant; and

WHEREAS, due to a shortage of available Township funds, the Township requested the ALE grant funds be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant need; and

WHEREAS, should alternate federal funding become available from other funding years or through other qualified entities such as the SADC, a Non-Profit organization or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of ALE funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15, since the County is not providing any funding, the SADC shall hold the development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on October 5, 2017 the Kingwood Township Committee approved the application but is not participating financially in the easement purchase due to the anticipated receipt of the ALE funds; and

WHEREAS, this final approval is conditioned upon ALE funding in an amount sufficient enough to cover the County and Township's cost share; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 62.4 net easement acres):

	Total	ALE \$	New Cost Share	New Cost Share/Acre
SADC	\$315,120 (5,050/acre)	\$56,160	\$258,960	\$4,150/acre
Kingwood Township	\$202,800 (3,250/acre)	\$202,800	\$0	\$0
ALE Grant			\$258,960	\$4,150/acre
<b>TOTAL</b>	<b>\$517,920</b> <b>(8,300/acre)</b>	<b>\$258,960</b>	<b>\$517,920</b>	<b>\$8,300/acre</b>

WHEREAS, because the ALE grant amount has not been solidified, Kingwood Township is requesting the SADC encumber the full grant amount \$5,050 per acre or approximately \$315,120 from the available municipal PIG funding and sufficient funds are available (Schedule B);and

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Kingwood Township for the purchase of a development easement on the Property, comprising approximately 62.4 net easement acres, at a State cost share of \$5,050 per acre, (60.84% of certified easement value and purchase price), for a total grant need of approximately \$315,120 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C);

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 2-acre non-severable exception area for one (1) future single family residential unit and to afford future flexibility of uses; and

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining ALE grant funds (estimated \$54,360) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of ALE funds sufficient enough to cover the Township's cost share or in absence of ALE funding a resolution by the Township to commit the funds needed to cover the total local cost share; and

BE IT FURTHER RESOLVED, that the SADC will hold title to the easement; and

BE IT FURTHER RESOLVED, should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds; and


BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C; 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 approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/20/17  
Date

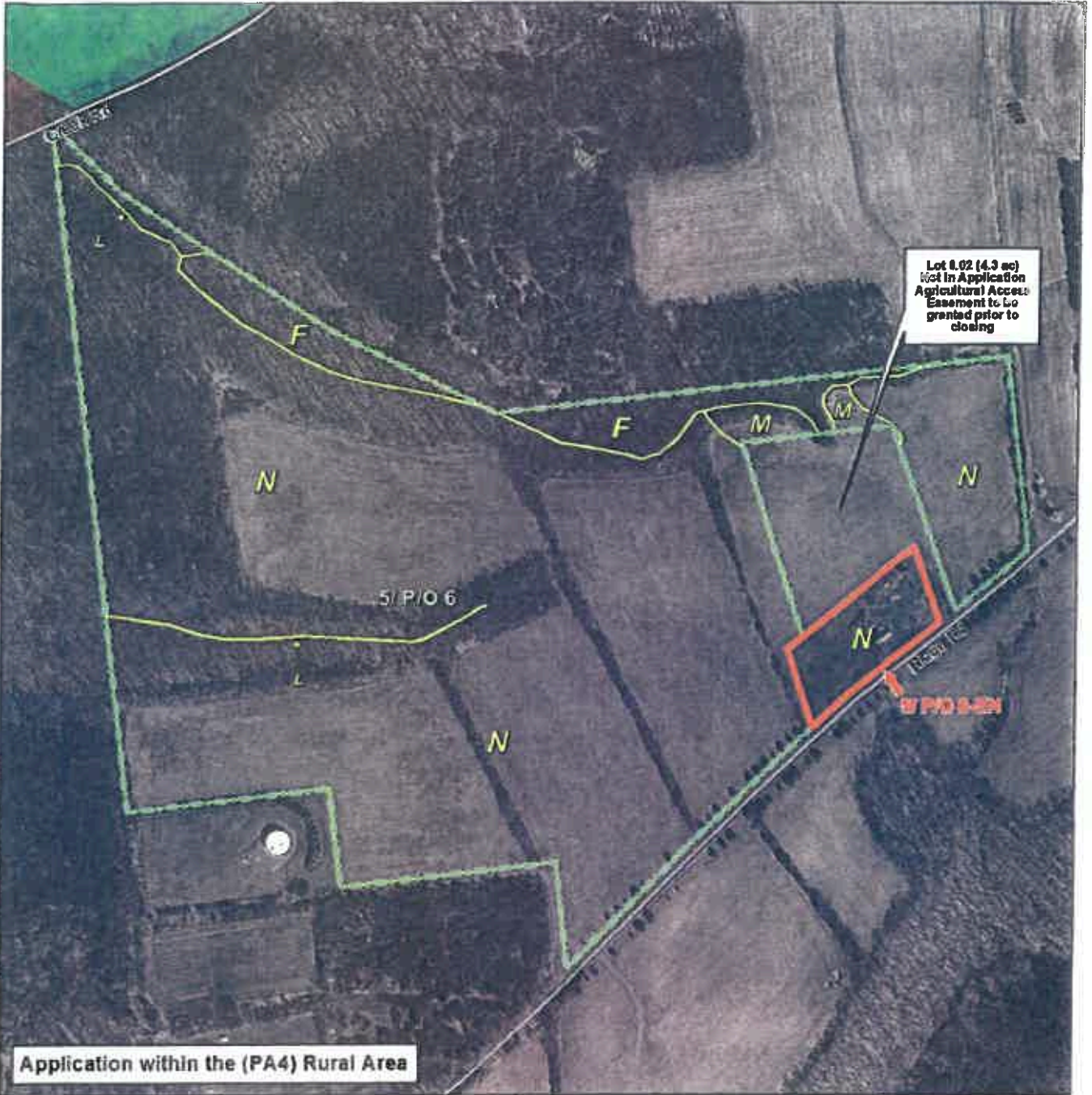
  
\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

# Wetlands

Schedule A



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Application within the (PA4) Rural Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Gaetano De Sapio/Brown Farm  
Block 5 Lots P/O 6 (62.4 ac)  
& P/O 6-EN (non-severable exception - 2.0 ac)  
Gross Total = 64.4 ac  
Kingwood Twp., Hunterdon County



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

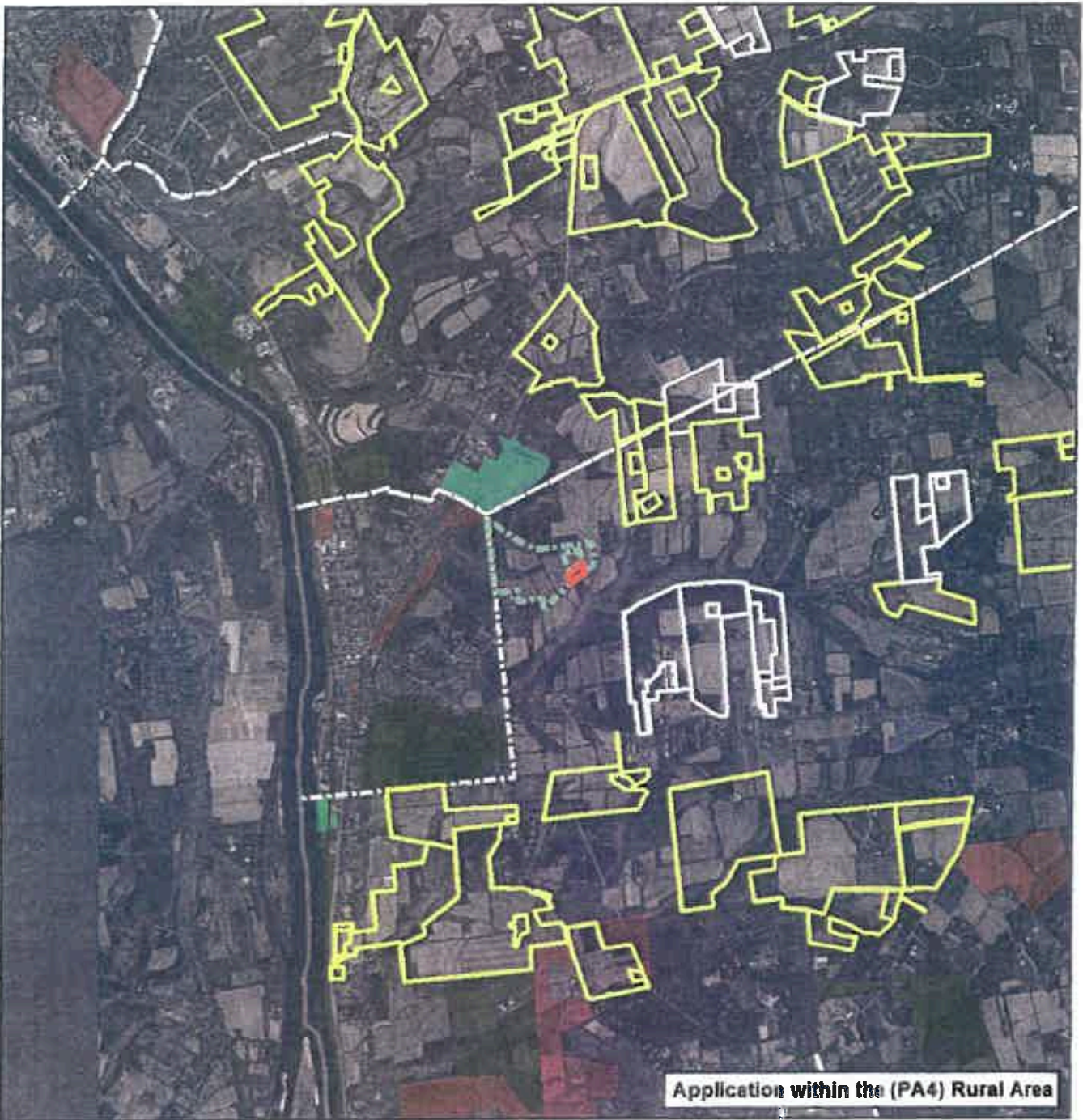
**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and 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:  
 NJ Farmland Preservation Program  
 Green Acres Conservation Easement Data  
 NJDEP Wetlands Data  
 NJGIT/OGIS 2012 Digital Aerial Image



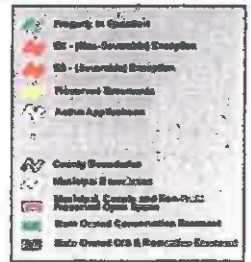
# Preserved Farms and Active Applications Within Two Miles

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Gaetano De Sapio/Brown Farm  
Block 5 Lots P/O 6 (62.4 ac)  
& P/O 6-EN (non-severable exception - 2.0 ac)  
Gross Total = 64.4 ac  
Kingwood Twp., Hunterdon County



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJOT/OGIS 2012 Digital Aerial Image

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



SADC Municipal Pig Financial Status  
Schedule B

Kingwood Township, Hunterdon County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant					
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year '08	Fiscal Year '11	Fiscal Year '13	Fiscal Year '17	Expended	Balance
10-0281-PG	Felix ancillary costs	169.9700	1,529,730.00	917,838.00	645,886.00	387,531.60	917,838.00	530,306.40	530,306.40	1,489,693.60	2,000,000.00	
10-0322-PG	Makatural/Maplewood	108.1500	1,081,490.00	616,449.30	508,289.49	97,323.29	616,449.30	519,126.01	519,126.01	9,824.00	1,459,869.60	
10-0390-PG	Desaplo, Gaetano (Brown)	60.4000	501,320.00	305,020.00			305,020.00				635,723.59	
Cleared		2	278,120	1,534,287.30	1,154,175.49	484,854.89						
Encumbered		1	60,400	305,020.00								
					Encumber/Expended FY09						750,000.00	
					Encumber/Expended FY11						190,743.59	
					Encumber/Expended FY13						114,276.41	
					Encumber/Expended FY17						-	
					Total						635,723.59	

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

DeSapio, Gaetano M. (Brown Farm)  
10- 0390-PG  
PIG EP - Municipal 2007 Rule  
62 Acres

Block 5	Lot 6	Kingwood Twp.	Hunterdon County		
<b>SOILS:</b>		Other	26% * 0	=	.00
		Prime	33% * .15	=	4.95
		Statewide	41% * .1	=	4.10
					<b>SOIL SCORE: 9.05</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	60% * .15	=	9.00
		Wetlands	6% * 0	=	.00
		Woodlands	34% * 0	=	.00
					<b>TILLABLE SOILS SCORE: 9.00</b>
<b>FARM USE:</b>	Hay	38 acres			

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions:
    - 1st two (2) acres for Existing residence
    - Exception is not to be severed from Premises
  - c. Additional Restrictions:
    1. FY16 ALE via Hunterdon Land Trust Regional Conservation Partnership Program (RCPP) restricted to one (1) future Division of the Premises and subject to 4.33% maximum impervious cover restriction on the Premises outside of the exception area.
  - 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 FY2018R10(14)**  
**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**  
**HOPEWELL TOWNSHIP**  
**for the**  
**PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**  
**Auer Associates I, LLC ("Owners")**  
**Hopewell Township, Mercer County**

**N.J.A.C. 2:76-17A. et seq.**  
**SADC ID# 11-0179-PG**

**OCTOBER 26, 2017**

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Hopewell Township, Mercer County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Hopewell Township received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on September 7, 2016 the SADC received an application for the sale of a development easement from Hopewell Township for the subject farm identified as Block 95, Lot 2, Hopewell Township, Mercer County, totaling approximately 51 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the Property is located in Hopewell Township's PIG Project Area; and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area for one (1) future single family residential unit resulting in approximately 49 net acres to be preserved; and

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

WHEREAS, the Property is currently an equine operation with approximately 31.9 acres in production as pasture and hay production (Schedule B); and

WHEREAS, approximately 0.7 acres is devoted to equine service (boarding and riding ring); and

WHEREAS, the equine map (Schedule B) and specialized "Equine Schedule B" (Schedule B) 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, pursuant to N.J.A.C. 2:76-17.9A(b) on December 1, 2016 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on May 25, 2017 the SADC certified a development easement value of \$13,500 per acre based on current zoning and environmental regulations in place as of February 4, 2017; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the Township's offer of \$13,500 per acre for the development easement for the Property; and

WHEREAS, on October 2, 2017 the Mercer County Agriculture Development Board (CADB) passed a resolution supporting the preservation of the Auer Associates farm, although the County is not participating financially and will not hold the easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15, since the County is not providing any funding, the SADC shall hold the development easement; 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; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on August 28, 2017 the Hopewell Township Committee passed Resolution #17-267 approving the application and a funding commitment of \$5,400 per acre; and

WHEREAS, the cost share breakdown is as follows (based on approximately 49 net easement acres):

	<u>Total</u>	
SADC	\$396,900	(\$ 8,100 per acre and 60% of CMV)
Hopewell Twp.	<u>\$264,600</u>	<u>(\$ 5,400 per acre and 40% of CMV)</u>
Total Easement Purchase	\$661,500	(\$13,500 per acre)

WHEREAS, Hopewell Township is requesting \$396,900 and sufficient funds are available (Schedule C); and

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Hopewell Township for the purchase of a development easement on the Property, comprising approximately 49 net easement acres, at a State cost share of \$8,100 per acre, (60% of certified easement value and purchase price), for a total grant need of approximately \$396,900 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule D);

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 2-acre non-severable exception area for one (1) future single family residential unit; and

BE IT FURTHER RESOLVED, the portion of the Property outside of the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved; and

BE IT FURTHER RESOLVED, the SADC shall enter into a three way agreement for Sale of Development Easement with the owner and Hopewell Township; and

BE IT FURTHER RESOLVED, that the SADC will hold title to the easement; and

BE IT FURTHER RESOLVED, with the approval of the Township, the SADC's Planning Incentive Grant to the Township shall be paid directly to the landowner, via the title company, upon the SADC's acquisition of the development easement; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C; 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; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



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

**Auer Associates I, LLC  
Block 95 Lots P/O 2 (49.2 ac)  
& Lot P/O 2-EN (non-severable exception – 2.0 ac)  
Gross Total = 51.2 ac Hopewell Twp., Mercer County**



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJDEP Wetlands Data  
NOI/7/06/15 Digital Aerial Image

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

Application within the (PA3) Fringe Area

- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation 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 - Buff Buffer  
W - Water



# Auer Associates I, LLC - Equine Areas Schedule B



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

**Auer Associates I, LLC  
Block 95 Lots P/O 2 (49.2 ac)  
& Lot P/O 2-EN (non-severable exception – 2.0 ac)  
Gross Total = 51.2 ac Hopewell Twp., Mercer County**



	Property In Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Equine Production Area - 35.5 ac
	Equine Service Area - 0.7 ac

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The certification 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 definition 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:  
NJDOT Road Data  
NJGIT/OGIS 2015 Digital Aerial Image

October 12, 2016

## 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, 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.

# SADC Municipal Pig Financial Status Schedule C

## Hopewell Township, Mercer County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant					
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance		
											Encumber/Expended FY09	Encumber/Expended FY11
11-01169-PG	Stony Brook	48.683	424,957.40	254,974.44	275,443.51	114,271.22	254,974.44	140,703.22	140,703.22	1,750,000.00	1,609,296.78	141,504.80
11-01176-PG	Hopewell Twp. (Eise)	92.249	959,387.52	575,632.51			575,632.51	570,891.98	570,891.98	500,000.00	500,000.00	
11-01179-PG	Auer Associates I, LLC	49.000	661,500.00	396,900.00			396,900.00			641,504.80	641,504.80	
Closed		2	1,40,932	1,384,344.92	275,443.51	114,271.22	254,974.44	140,703.22	140,703.22	711,595.20	711,595.20	
Encumbered		1	49,000	661,500.00			396,900.00			641,504.80	641,504.80	



Schedule D

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Auer Associates I, LLC  
11- 0179-PG  
PIG EP - Municipal 2007 Rule  
49 Acres

Block 95	Lot 2	Hopewell Twp.	Mercer County		
<b>SOILS:</b>		Local	6% *	.05	= .30
		Prime	74% *	.15	= 11.10
		Statewide	20% *	.1	= 2.00
					<b>SOIL SCORE: 13.40</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	72% *	.15	= 10.80
		Wetlands	5% *	0	= .00
		Woodlands	23% *	0	= .00
					<b>TILLABLE SOILS SCORE: 10.80</b>
<b>FARM USE:</b>		Horse & Other Equine		10 acres	
		Hay		25 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.
4. Execution of and agreement between the Municipality, State Agriculture Development Committee and Landowner.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions:
    - 1st two (2) acres for future single family residence
    - Exception is not to be severed from Premises
    - Right to Farm language is to be included in Deed of Easement
    - Exception is to be limited to one future single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 FY2018R10(15)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**PIESGROVE TOWNSHIP**

**for the**

**PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**

**William K. Stoms Trustee of the William K. Stoms Revocable Trust ("Owner")  
Pilesgrove Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.  
SADC ID#17-0154-PG**

**October 26, 2017**

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Pilesgrove Township, Salem County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Pilesgrove Township received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on October 19, 2015, the SADC received an application for the sale of a development easement from Pilesgrove Township for the subject farm identified as Block 24, Lot 5.03, Pilesgrove Township, Salem County, totaling 16.018 surveyed acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Pilesgrove Township's Northern Pilesgrove Project Area; and

WHEREAS, the Property has zero (0) housing opportunities, zero (0) agricultural labor units and (0) non-agricultural uses; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on December 1, 2015, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 24, 2016, the SADC certified a development easement value of \$7,500 per acre based on zoning and environmental regulations in place as of the current valuation date February 4, 2016; and

WHEREAS, the Owner accepted the Township's offer of \$7,500 per acre for the development easement for the Property; and

WHEREAS, a parcel application was submitted by the New Jersey Conservation Foundation (NJCF) to the FY214 United States Department of Agriculture, Natural Resources Conservation Service (NRCS), Agriculture Conservation Easement Program (ACEP) for an Agricultural Land Easement (ALE) grant; and

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

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the ALE grant will be calculated based on the per acre value of the ALE appraisal submitted for approval on July 26, 2017 equating to an ALE grant of \$5,125.00 per acre (50% of \$10,250.00) or approximately \$82,092.25 in total ALE funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including a 7.33% maximum impervious coverage restriction (approximately 1.174 acres) for the construction of agricultural infrastructure on the Property, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, due to a shortage of available funds from the Township and Salem County the requested ALE grant funds are to be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant need; and

WHEREAS, should alternate ALE funding become available from other funding years or through other qualified entities such as the SADC, a Non-Profit organization or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of ALE funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on February 14, 2017, the Pilesgrove Township Committee approved the application but is not participating financially in the easement purchase due to the anticipated receipt of the ALE funds; and

WHEREAS, the Salem County Agriculture Development Board approved the application on March 22, 2017 and the Salem County Board of Chosen Freeholders approved the application on May 3, 2017; but is not participating financially in the easement purchase due to the anticipated receipt of the ALE funds; and

WHEREAS, this final approval is conditioned upon ALE funding in an amount sufficient enough to cover the County and Township's cost share; and

WHEREAS, the cost share breakdown is approximately as follows (based on 16.018 surveyed easement acres) when the ALE Grant is finalized and applied:

	Total	ALE \$	New Cost Share	New Cost Share/Acre
SADC	\$74,483.70	\$36,440.95	\$38,042.75	\$2,375/acre
Salem County	\$22,825.65	\$22,825.65	0	\$0
Pilesgrove Twp	\$22,825.65	\$22,825.65	0	\$0
ALE Grant			\$82,092.25	\$5,125/acre
<b>TOTAL</b>	<b>\$120,135.00</b>	<b>\$82,092.25</b>	<b>120,135.00</b>	<b>\$7,500/acre</b>

WHEREAS, Pilesgrove Township is requesting the SADC encumber \$2,375 per acre or approximately \$38,042.75 from the available municipal PIG funding and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Pilesgrove Township for the purchase of a development easement on the Property, comprising 16.018 net surveyed easement acres, at a State cost share of \$2,375 per acre, (32% of certified easement value and purchase price), for a total grant of approximately \$38,042.75 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C);

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining ALE grant funds (estimated \$36,440.95) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of ALE funds sufficient enough to cover the Township and County's cost share or in absence of ALE funding a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the total local cost share; and

BE IT FURTHER RESOLVED, should additional funds be needed and grant funding becomes available the grant may be adjusted to utilize unencumbered grant funds; and

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C; 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 approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

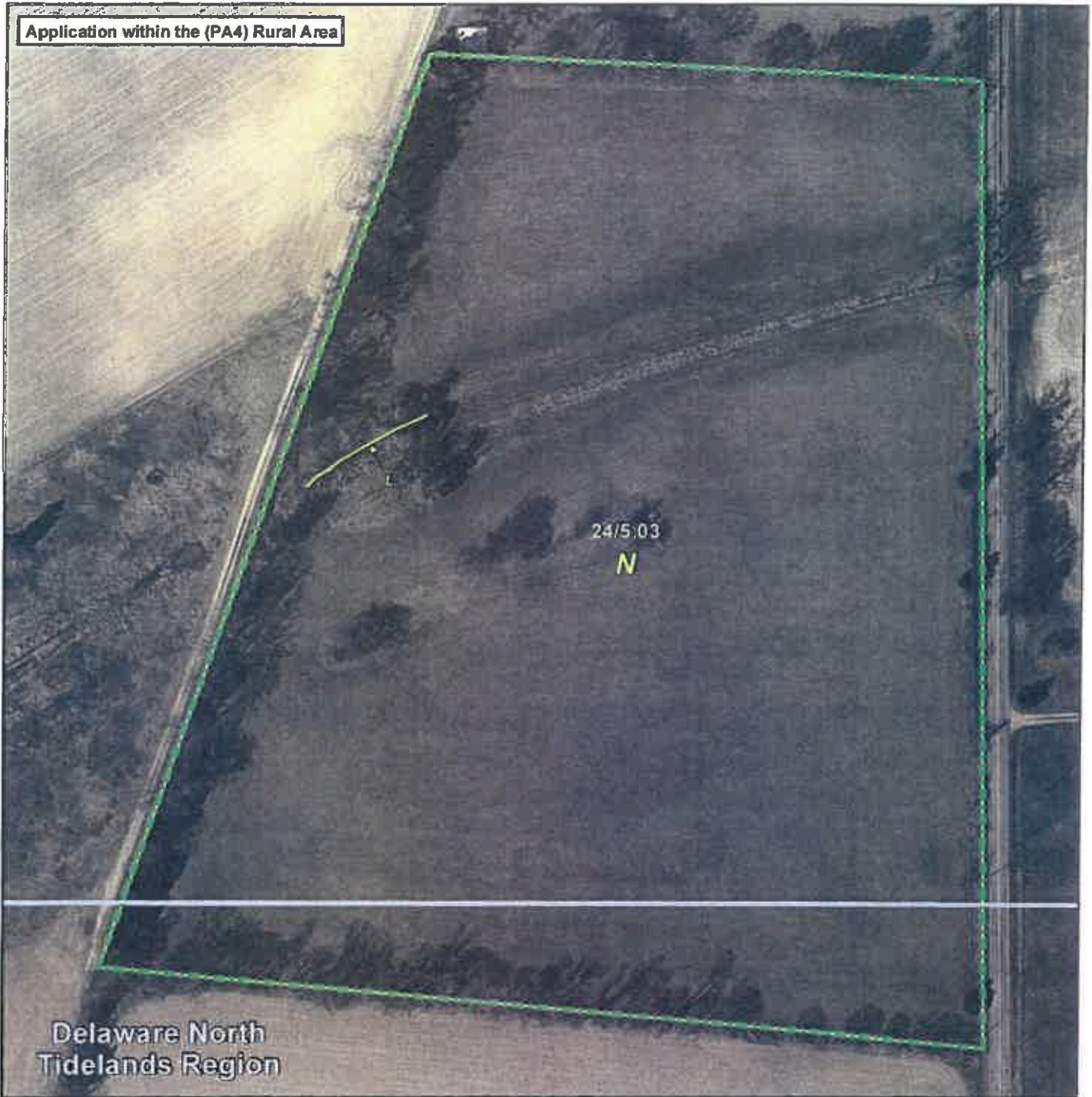
10/26/17  
Date

  
\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee



VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



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

William K. Stoms Trust/William K Stoms Trustee  
Block 24 Lot 5.03 (16.3 ac)  
Gross Total = 16.3 ac  
Pilesgrove Twp., Salem County



	Property in Question
	ES - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundaries
	Primary Limited Access
	Federal or State Highways
	County Roads
	Municipal/Local Roads
	Tidelands Boundary
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned GIS & Preservation 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

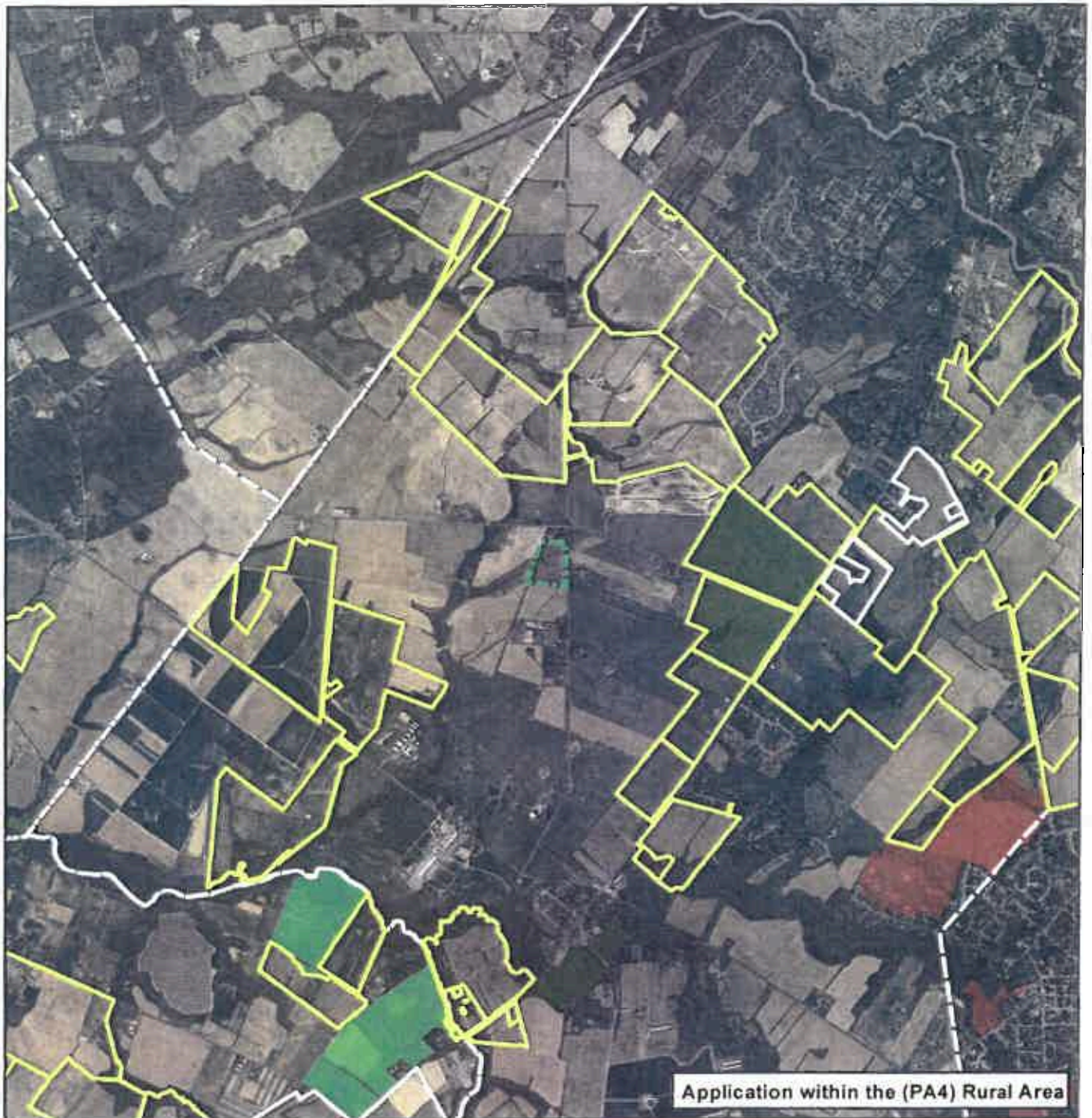
**TIDELANDS DISCLAIMER:**  
The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4, "Tidelands Claims Maps". These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Tidelands Management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

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

**Sources:**  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJDEP Wetlands Data  
NJGIT/OGIS 2012 Digital Aerial Image



# Preserved Farms and Active Applications Within Two Miles



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Application within the (PA4) Rural Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

William K. Stoms Trust/William K Stoms Trustee  
Block 24 Lot 5.03 (16.3 ac)  
Gross Total = 16.3 ac  
Pilesgrove Twp., Salem County

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



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJGIT/OGIS 2012 Digital Aerial Image

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

SADC Municipal Pig Financial Status  
Schedule B

Pilesgrove Township, Salem County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant			
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
17-0094-PG	Williams Lot 1	29.7190	291,246.20	174,747.72	146,139.28	28,640.80	146,106.92	146,106.92	146,106.92	2,103,893.08
17-0092-PG	Lippincott	162.8340	1,253,238.80	764,170.00	643,536.12	154,469.32	609,700.68	609,700.68	609,700.68	1,494,192.40
17-0126-PG	Robbins	72.6190	662,559.30	391,536.58	331,687.59	70,663.88	320,871.70	320,871.70	320,871.70	1,173,320.70
17-0064-PG	Lippincott Ancillary									1,159,713.70
17-0143-PG	Williams Ancillary									9,127.50
17-0144-PG	Fittou	50.0610	485,591.70	291,355.02	291,355.02	291,355.02	291,355.02	291,355.02	291,355.02	859,231.18
17-0154-PG	Peters	37.0200	344,286.00	206,571.60	206,571.60	206,571.60	206,571.60	206,571.60	206,571.60	652,659.58
17-0155-PG	Fittou and Peters Ancillary									13,972.00
17-0153-PG	Ostrum, Gordon J. Jr.	31.6400	253,120.00	124,977.97	128,142.00	18,193.00	124,977.97	124,977.97	124,977.97	513,709.61
17-0154-PG	Robbins Ancillary									8,433.50
17-0154-PG	Wentzell, Wayne & Marlene	33.9120	235,010.16	75,741.43	159,268.73	61,602.17	75,741.43	75,741.43	75,741.43	505,276.11
17-0155-PG	Stroms, William K. (Revocable Trust)	16.0180	120,135.00	38,042.75	120,135.00	36,440.95	38,042.75	38,042.75	38,042.75	429,534.68
17-0155-PG	Atanasio, Philip R.	39.3040	276,700.16	94,306.62	182,394.53	66,840.97	94,306.63	94,306.63	94,306.63	391,491.93
Closed		5	342,2530	3,026,922.00	1,828,379.92	1,120,384.99	253,774.00			
Encumbered		4	120,8740	884,986.32	333,067.78	589,940.26	183,077.09			
					Encumber/Expended FY09		62,815.08	-	759,000.00	-
					Encumber/Expended FY11		67,439.00	-	437,184.92	-
					Encumber/Expended FY13		202,813.70	-	432,561.00	-
					Encumber/Expended FY17			-		297,186.30
					Total					297,186.30

Schedule C

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Willlliam K Stoms Trustee of the William K. Stoms Revocable Trust  
17- 0154-PG  
FY 2016 PIG EP - Municipal 2001 Rule  
16 Acres

Block 24	Lot 5.03	Pilesgrove Twp.	Salem County		
<b>SOILS:</b>		Prime	80% *	.15	= 12.00
		Statewide	20% *	.1	= 2.00
					<b>SOIL SCORE: 14.00</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	93% *	.15	= 13.95
		Woodlands	7% *	0	= .00
					<b>TILLABLE SOILS SCORE: 13.95</b>
<b>FARM USE:</b>	Hay			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: No Nonagricultural Uses
  - b. Exceptions: No Exceptions Requested
  - 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 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. 2:76-6 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 FY2018R10(16)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

PILESGROVE TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of  
Wayne and Marlene Wentzell ("Owner")  
Pilesgrove Township, Salem County

N.J.A.C. 2:76-17A. et seq.  
SADC ID#17-0153-PG

October 26, 2017

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Pilesgrove Township, Salem County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Pilesgrove Township received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on October 19, 2015, the SADC received an application for the sale of a development easement from Pilesgrove Township for the subject farm identified as Block 41, Lot 5, Pilesgrove Township, Salem County, totaling 33.912 surveyed acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Pilesgrove Township's Route 40 Project Area; and

WHEREAS, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and (0) non-agricultural uses; and

WHEREAS, at the time of application the Property was 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, pursuant to N.J.A.C. 2:76-17.9A(b) on November 15, 2015, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 24, 2016, the SADC certified a development easement value of \$6,300 per acre based on zoning and environmental regulations in place as of the current valuation date February 4, 2016; and

WHEREAS, the Owner accepted the Township's offer of \$6,930 per acre for the development easement for the Property which is (higher than the certified easement, but not higher than the highest appraised value of \$9,400); and

WHEREAS, a parcel application was submitted by the New Jersey Conservation Foundation (NJCF) to the FY2014 United States Department of Agriculture, Natural Resources Conservation Service (NRCS), Agriculture Conservation Easement Program (ACEP) for an Agricultural Land Easement (ALE) grant; and

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

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the ALE grant will be calculated based on the per acre value of the ALE appraisal submitted for approval on July 26, 2017 equating to an ALE grant of \$4,696.53 per acre (50% of \$9,393.06) or approximately \$159,268.73 in total ALE funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including a 6% maximum impervious coverage restriction (approximately 2.03 acres) for the construction of agricultural infrastructure on the Property, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, due to a shortage of available funds from the Township and Salem County the requested ALE grant funds are to be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant need; and

WHEREAS, should alternate ALE funding become available from other funding years or through other qualified entities such as the SADC, a Non-Profit organization or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of ALE funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on February 14, 2017, the Pilesgrove Township Committee approved the application and a funding commitment of an estimated \$315.00 per acre to cover the local cost share; and

WHEREAS, the Salem County Agriculture Development Board approved the application on March 22, 2017 and the Salem County Board of Chosen Freeholders approved the application on May 3, 2017, but is not participating financially in the easement purchase due to the anticipated receipt of the ALE funds; and

WHEREAS, the County has agreed to hold the development easement; and

WHEREAS, this final approval is conditioned upon ALE funding in an amount sufficient enough to cover the County and Township's cost share; and

WHEREAS, the cost share breakdown is approximately as follows (based on 33.912 surveyed easement acres):

	Total	ALE \$	New Cost Share	New Cost Share/Acre
SADC	\$137,343.60	\$61,602.17	\$75,741.43	\$2,233.47/acre
Pilesgrove Twp	\$59,515.56	\$59,515.56	\$0	\$0
Salem County	\$38,151.00	\$38,151.00	\$0	\$0
ALE Grant			\$159,268.73	\$4,696.53/acre
<b>TOTAL</b>	<b>\$235,010.16</b>	<b>\$159,268.72</b>	<b>\$235,010.16</b>	<b>\$6,930.00/acre</b>

WHEREAS, Pilesgrove Township is requesting the SADC to encumber \$2,344.47 per acre or approximately \$75,741.43 from the available municipal PIG funding and sufficient funds are available (Schedule B); and

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Pilesgrove Township for the purchase of a development easement on the Property, comprising 33.912 surveyed easement acres, at a State cost share of \$2,233.47 per acre, (35.45% of certified easement value and 32.23% purchase price), for a total grant of approximately \$75,741.43 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C);

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining ALE grant funds (estimated \$61,602.17) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of ALE funds sufficient enough to cover the Township and County's cost share or in absence of ALE funding a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the total local cost share; and

BE IT FURTHER RESOLVED, should additional funds be needed and grant funding becomes available the grant may be adjusted to utilize unencumbered grant funds; and

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C; 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 approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



# Project Map

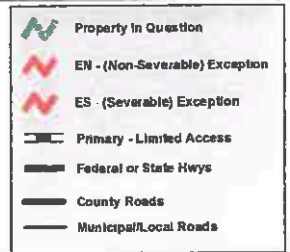
Schedule A



X:\counties\salc\projects\wentzell\_w\_project\_map.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Wayne and Marlene Wentzell  
Block 41 Lot 5 (34.6 ac)  
Gross Total = 34.6 ac  
Pilesgrove Twp., Salem County



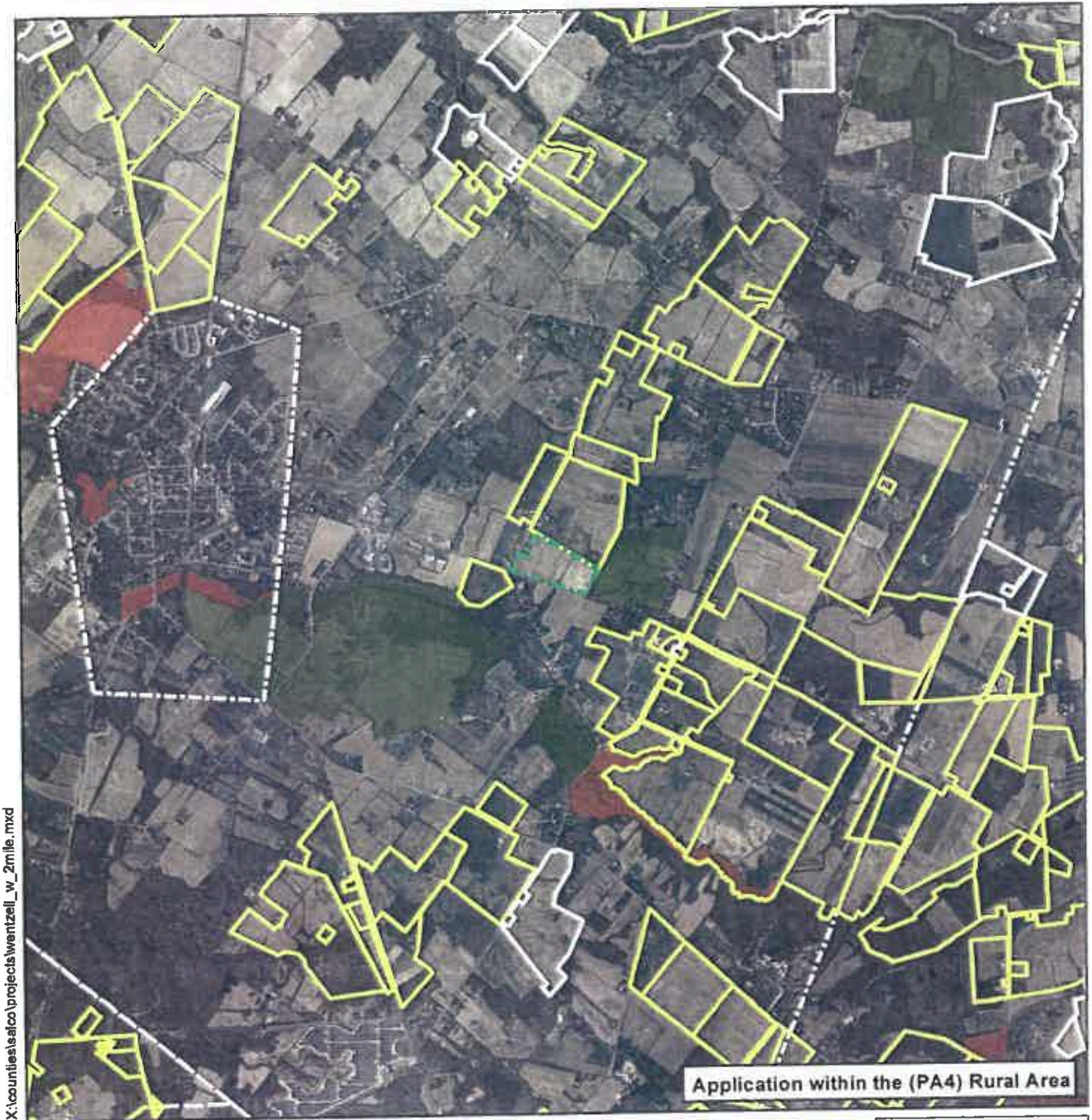
**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and 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 2012 Digital Aerial Image

October 30, 2015



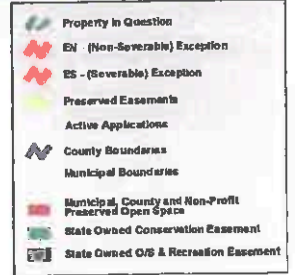
# Preserved Farms and Active Applications Within Two Miles



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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Wayne and Marlene Wentzell  
Block 41 Lot 5 (34.6 ac)  
Gross Total = 34.6 ac  
Pilesgrove Twp., Salem County



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJOIT/OGIS 2012 Digital Aerial Image

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

SADC Municipal Pig Financial Status  
Schedule B

Pilesgrove Township, Salem County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant		Balance
			Cost Base	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	
17-0094-PG	Williams Lot 1	29.7190	291,246.20	174,747.72	145,139.28	28,640.80	146,106.92	146,106.92	2,103,893.08
17-0092-PG	Lippincott	152.8340	1,253,238.80	764,170.00	643,538.12	154,469.32	609,700.68	609,700.68	1,494,192.40
17-0126-PG	Robbins Lippincott Ancillary	72.6190	552,559.30	391,535.58	331,587.59	70,663.88	320,871.70	320,871.70	1,173,320.70
17-0054-PG	Williams Ancillary	50.0610	485,591.70	291,355.02			291,355.02	291,355.02	859,231.18
17-0143-PG	Fiton Peters	37.0200	344,288.00	206,571.60			206,571.60	206,571.60	652,659.58
17-0144-PG	Fiton and Peters Ancillary Ostrum, Gordon J. Jr.	31.6400	253,120.00	124,977.97	128,142.00	18,193.00	124,977.97	124,977.97	513,709.64
17-0153-PG	Robbins Ancillary Wentzell, Wayne & Marlene	33.9120	235,010.16	75,741.43	159,288.73	61,602.17	75,741.43	75,741.43	429,534.68
17-0154-PG	Stroms, William K. (Revocable Trust)	16.0780	120,135.00	38,042.75	120,135.00	36,440.95	38,042.75	38,042.75	391,481.93
17-0155-PG	Atanasio, Phillip R.	39.3040	276,700.16	94,305.62	182,394.53	66,840.97	94,305.63	94,305.63	297,186.30
Closed		5	342,2530	1,828,379.92	1,120,364.99	253,774.00	1,120,364.99	1,120,364.99	750,000.00
Encumbered		4	120,8740	884,965.32	589,940.26	183,077.09	589,940.26	589,940.26	437,184.92
									432,561.00
									297,186.30
									297,186.30

Schedule C

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Wayne & Marlene Wentzell  
17- 0153-PG  
PIG EP - Municipal 2007 Rule  
35 Acres

Block 41	Lot 5	Pilesgrove Twp.	Salem County		
<b>SOILS:</b>		Other	3% * 0	=	.00
		Prime	76% * .15	=	11.40
		Statewide	21% * .1	=	2.10
					<b>SOIL SCORE: 13.50</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	97% * .15	=	14.55
		Other	3% * 0	=	.00
					<b>TILLABLE SOILS SCORE: 14.55</b>
<b>FARM USE:</b>	Soybeans-Cash Grain		33 acres		

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions: No Exceptions Requested
  - 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 FY2018R10(17)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**PILESGROVE TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Philip R. Atanasio ("Owner")  
Pilesgrove Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.  
SADC ID#17-0155-PG**

**October 26, 2017**

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Pilesgrove Township, Salem County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Pilesgrove Township received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on November 5, 2015, the SADC received an application for the sale of a development easement from Pilesgrove Township for the subject farm identified as Block 22, Lot 2.03, Pilesgrove Township, Salem County, totaling 39.304 surveyed acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Pilesgrove Township's Northern Project Area; and

WHEREAS, the Property includes one (1) single family residential unit, zero (0) agricultural labor units and (0) non-agricultural uses; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on December 1, 2015, 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. 2:76-17A.9(a); and



WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 24, 2016, the SADC certified a development easement value of \$6,400 per acre based on zoning and environmental regulations in place as of the current valuation date February 9, 2016; and

WHEREAS, the Owner accepted the Township's offer of \$7,040 per acre for the development easement for the Property which is (higher than the certified easement, but not higher than the highest appraised value of \$9,300); and

WHEREAS, a parcel application was submitted by the New Jersey Conservation Foundation (NJCF) to United States Department of Agriculture, Natural Resources Conservation Service (NRCS), Agriculture Conservation Easement Program (ACEP) for an Agricultural Land Easement (ALE) grant; and

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

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the ALE grant will be calculated based on the dollar per acre value of the ALE appraisal submitted for approval on July 26, 2017 equating to an ALE grant of approximately \$4,640.61 per acre (50% of \$9,281.21) or \$182,394.53 in total ALE funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including a 7% maximum impervious coverage restriction (approximately 2.75 acres) for the construction of agricultural infrastructure on the Property, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, due to a shortage of available funds from the Township and Salem County the requested ALE grant funds are to be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant need; and

WHEREAS, should alternate ALE funding become available from other funding years or through other qualified entities such as the SADC, a Non-Profit organization or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of ALE funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on February 14, 2016 the Pilesgrove Township Committee approved the application and a funding commitment of an estimated \$359.30 per acre to cover the local cost share; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 22, 2017 the Salem CADB passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 3, 2017, the Board of Chosen Freeholders of the County of Salem passed a resolution granting final approval but is not participating financially in the easement purchase due to the anticipated receipt of ALE funds; and

WHEREAS, the County has agreed to hold the development easement; and

WHEREAS, this final approval is conditioned upon ALE funding in an amount sufficient enough to cover the County and Township's cost share; and

WHEREAS, the cost share breakdown is approximately as follows (based on 39.304 net surveyed easement acres):

	Total	ALE \$	New Cost Share	New Cost Share/Acre
SADC	\$161,146.60 based on CMV	\$66,840.97	\$94,305.63	\$2,399.39/acre
Pilesgrove Township	\$115,553.56 based on \$7,040/acre	\$115,553.56	\$0	\$0
ALE Grant			\$182,394.53	\$4,640.61/acre
<b>TOTAL</b>	\$276,700.16	\$182,394.53	\$276,700.16	\$7,040.00/acre

WHEREAS, Pilesgrove Township is requesting the SADC encumber \$2,399.39 per acre or approximately \$94,305.63 from the available municipal PIG funding and sufficient funds are available (Schedule B); and

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Pilesgrove Township for the purchase of a development easement on the Property, comprising 39.304 net surveyed easement acres, at a State cost share of \$2,399.39 per acre, (37.49% of certified easement value and 34.08% of the purchase price), for a total grant of approximately \$94,305.63 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C);

BE IT FURTHER RESOLVED, the Property includes one (1) single family unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining ALE grant funds (estimated \$66,840.97) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of ALE funds sufficient enough to cover the Township and County's cost share or in absence of ALE funding a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the total local cost share; and

BE IT FURTHER RESOLVED, should additional funds be needed and grant funding becomes available the grant may be adjusted to utilize unencumbered grant funds; and

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C; 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 approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Wetlands

Schoeller



Application within the (PA4) Rural Area

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

**Philip Atanasio**  
**Block 22 Lot 2.03 (39.3 ac)**  
**Gross Total = 39.3 ac**  
**Pilesgrove Twp., Salem County**



**Property In Question**

- 22 - gross acreage by Esri/Google
- 22 - 2.03 acreage by Esri/Google
- Wetlands Identification
- Preserve - Limited Access
- Preserve or State Traps
- County Route
- Marsh/Wetland/Coastal Buffer
- Marsh/Wetland/Coastal Buffer - 100'
- Marsh/Wetland/Coastal Buffer - 300'
- State Route 689 & Surrounding Buffer

**Wetlands Legend:**

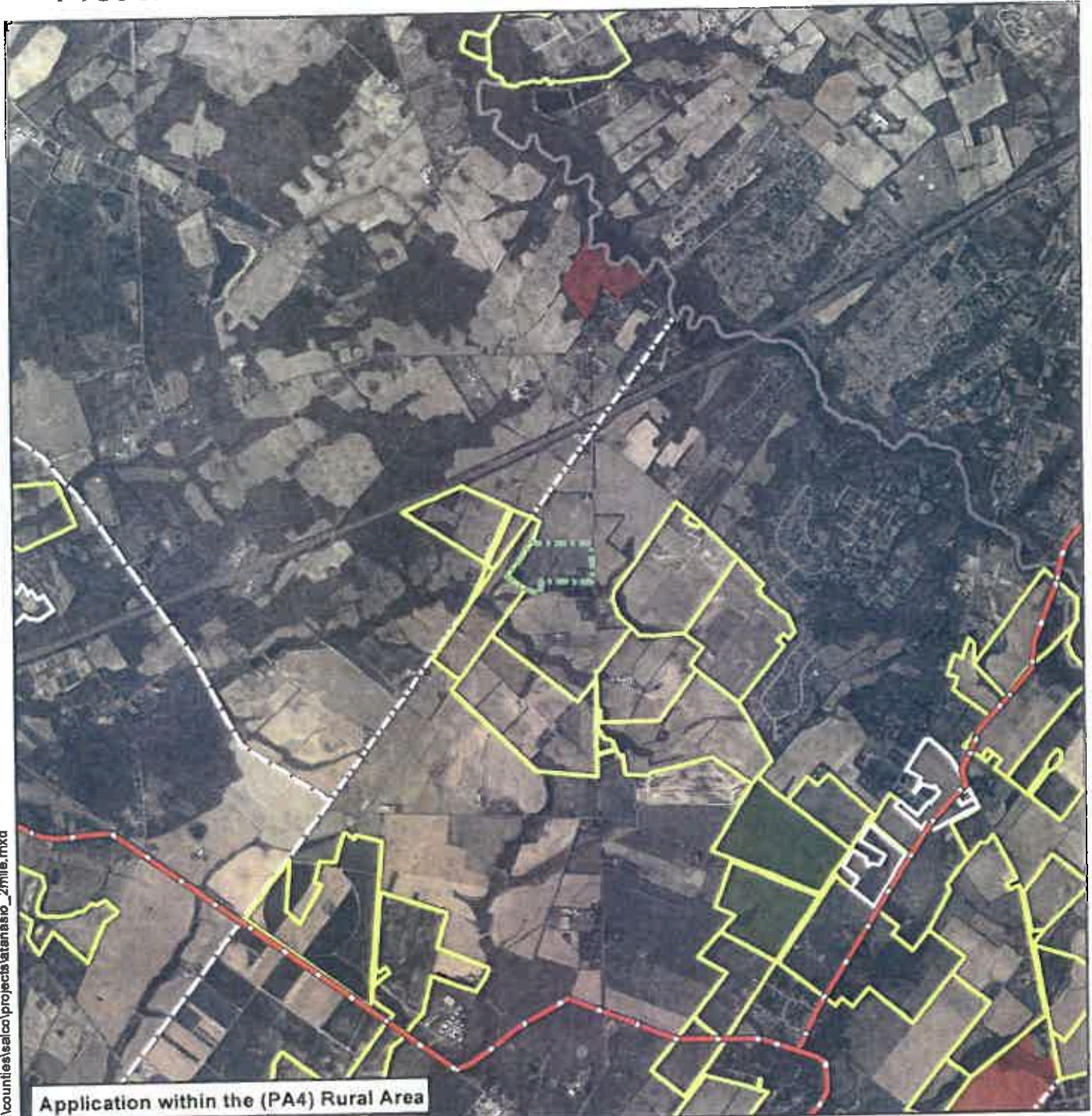
- F - Freshwater Wetlands
- L - Linear Wetlands
- M - Wetlands Modified for Agriculture
- T - Tidal Wetlands
- B - 300' Buffer
- W - Water

**DISCLAIMER:** This configuration primarily for planning purposes. The geographic accuracy and precision shall not be guaranteed or warranted. This product with respect to accuracy and precision shall be the sole responsibility of the user. The user is advised to verify the location of parcels and other features on the ground. The user is also advised to verify the location and location of true ground corners as would be obtained by an actual ground survey conducted by a licensed Professional L.S.M.

**Source:** NJ Farmland Preservation Program  
NJ Department of Agriculture  
NJDOT Road Data  
NJDOT/ODIS 2012 Digit  
Date: 1/13/2015



# Preserved Farms and Active Applications Within Two Miles



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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Philip Atanasio  
Block 22 Lot 2.03 (39.3 ac)  
Gross Total = 39.3 ac  
Pilesgrove Twp., Salem County

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



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJGIT/OGIS 2012 Digital Aerial Image

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

SADC Municipal Pig Financial Status  
Schedule B

Pilesgrove Township, Salem County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant			
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
17-0094-PG	Williams Lot 1	29.7190	291,246.20	174,747.72	146,139.28	28,640.80	146,106.92	146,106.92	2,103,893.08	
17-0092-PG	Lippincott	152.8340	1,253,238.80	764,170.00	643,538.12	154,469.32	609,700.68	609,700.68	1,494,192.40	
17-0126-PG	Robbins	72.6190	652,559.30	391,535.58	331,987.59	70,663.88	320,871.70	320,871.70	1,173,320.70	
17-0064-PG	Lippincott Ancillary							9,127.50	1,159,713.70	
17-0143-PG	Williams Ancillary								1,150,586.20	
17-0144-PG	Fitton and Peters Ancillary								859,231.18	
17-0153-PG	Fitton	50.0610	485,591.70	291,355.02	291,355.02	291,355.02	291,355.02	291,355.02	652,659.58	
17-0154-PG	Peters	37.0200	344,286.00	206,571.60	206,571.60	206,571.60	206,571.60	206,571.60	639,687.58	
17-0155-PG	Fitton and Peters Ancillary								513,709.61	
17-0154-PG	Ostrum, Gordon J. Jr.	31.6400	253,120.00	124,977.97	128,142.00	18,193.00	124,977.97	124,977.97	505,276.11	
17-0154-PG	Robbins Ancillary								429,534.68	
17-0154-PG	Wentzell, Wayne & Marlene	33.9120	235,010.16	75,741.43	159,268.73	61,602.17	75,741.43	75,741.43	391,491.93	
17-0154-PG	Stroms, William K. (Revocable Trust)	16.0180	120,135.00	38,042.75	120,135.00	36,440.95	38,042.75	38,042.75	297,186.30	
17-0154-PG	Atanasio, Philip R.	39.3040	276,700.16	94,306.62	182,394.53	66,840.97	94,306.63	94,306.63		
Closed										
Encumbered										
		5	342,2530	3,026,922.00	1,828,379.92	1,120,364.99	253,774.00	62,815.08	750,000.00	
		4	120,6740	884,985.32	333,067.78	599,940.26	183,077.09	67,439.00	437,184.92	
									432,561.00	
									297,186.30	
									297,186.30	

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10/3/2017

Schedule

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Atanasio, Philip R.  
17- 0155-PG  
PIG EP - Municipal 2007 Rule  
Acres

Block 22	Lot 2.03	Pilesgrove Twp.	Salem County	
<b>SOILS:</b>		Prime	34% * .15	= 5.10
		Statewide	60% * .1	= 6.00
		Unique zero	6% * 0	= .00
				<b>SOIL SCORE: 11.10</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	78% * .15	= 11.70
		Other	10% * 0	= .00
		Wetlands	5% * 0	= .00
		Woodlands	7% * 0	= .00
				<b>TILLABLE SOILS SCORE: 11.70</b>
<b>FARM USE:</b>			15 acres	
		Hay	15 acres	
		Beef Cattle Except Feedlots		

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions: No Exceptions Requested
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:  
Standard Single Family
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 FY2018R10(18)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**ALLOWAY TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Raymond A. and Regina M. McAlonan (Lot 10.01) ("Owner")  
Alloway Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.  
SADC ID#17-0172-PG**

**October 26, 2017**

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Alloway Township, Salem County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Alloway Township received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on July 6, 2016, the SADC received an application for the sale of a development easement from Alloway Township for the subject farm identified as Block 18, Lot 10.01, Alloway Township, Salem County, totaling 29.546 gross surveyed acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 1 acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in 28.546 net surveyed acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and (0) non-agricultural uses; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on August 1, 2016, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 3, 2016, the SADC certified a development easement value of \$6,500 per acre based on zoning and environmental regulations in place as of the current valuation date October 2, 2016; and

WHEREAS, the Owner accepted the Township's offer of \$6,500 per acre for the development easement for the Property; and

WHEREAS, the New Jersey Conservation Foundation submitted a parcel application to the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on the McAlonan Farm; and

WHEREAS, the FRPP grant will be based on an approved current easement value of \$7,118.06 per acre equating to an FRPP grant of \$3,559.03 per acre (50% of \$7,118.06) or approximately \$101,596.07 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 2.09 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the FRPP program at this time; and

WHEREAS, due to a shortage of available funds from the Township and Salem County the requested FRPP grant funds are to be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant need; and

WHEREAS, should alternate FRPP funding become available from other funding years or through other qualified entities such as the SADC, a Non-Profit organization or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of FRPP funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on July 20, 2017, the Alloway Township Committee approved the application, but is not participating financially in the easement purchase due to the anticipated receipt of the FRPP funds; and

WHEREAS, the Salem County Agriculture Development Board approved the application on May 24, 2017, and the Salem County Board of Chosen Freeholders approved the application on June 21, 2017 but is not participating financially in the easement purchase due to the anticipated receipt of the FRPP funds; and



County has agreed to hold the development easement; and  
 WHEREAS, this final approval is conditioned upon FRPP funding in an amount sufficient  
 enough to cover the County and Township's cost share; and

WHEREAS, the cost share breakdown is approximately as follows (based on 28.546 net  
 surveyed easement acres):

	Total	FRPP \$	New Cost Share	New Cost Share/Acre
SADC	\$118,465.90	\$34,512.97	\$83,952.93	\$2,940.97/acre
Alloway Twp.	\$67,083.10	\$67,083.10	\$0	\$0
ALE Grant			\$101,596.07	\$3,559.03/acre
<b>TOTAL</b>	<b>\$185,549.00</b>	<b>\$101,596.07</b>	<b>\$185,549.00</b>	<b>\$6,500/acre</b>

WHEREAS, Alloway Township is requesting SADC to encumber \$2,940.97 per acre or  
 approximately \$83,952.93 from the municipal PIG funding and sufficient funds are  
 available (Schedule B); and

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a  
 cost share grant to Alloway Township for the purchase of a development easement on  
 the Property, comprising approximately 28 net easement acres, at a State cost share of  
 \$2,940.97 per acre, (45.25% of certified easement value and purchase price), for a total  
 estimated grant of \$83,952.93 pursuant to N.J.A.C. 2:76-6.11 and the conditions  
 contained in (Schedule C);

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 1 acre non-  
 severable exception area for and limited to one (1) future single family residential unit  
 and to afford future flexibility of uses; and

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0)  
 agricultural labor units and no pre-existing non-agricultural uses on the area to be  
 preserved outside of the exception area; and

- BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (\$34,512.97) to offset SADC grant needs on the Property; and
- BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of FRPP funds sufficient enough to cover the Township and County's cost share or in absence of FRPP funding a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the total local cost share; and
- BE IT FURTHER RESOLVED, should additional funds be needed and grant funding becomes available the grant may be adjusted to utilize unencumbered grant funds; and
- BE IT FURTHER RESOLVED, the SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and
- BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C; 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 approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

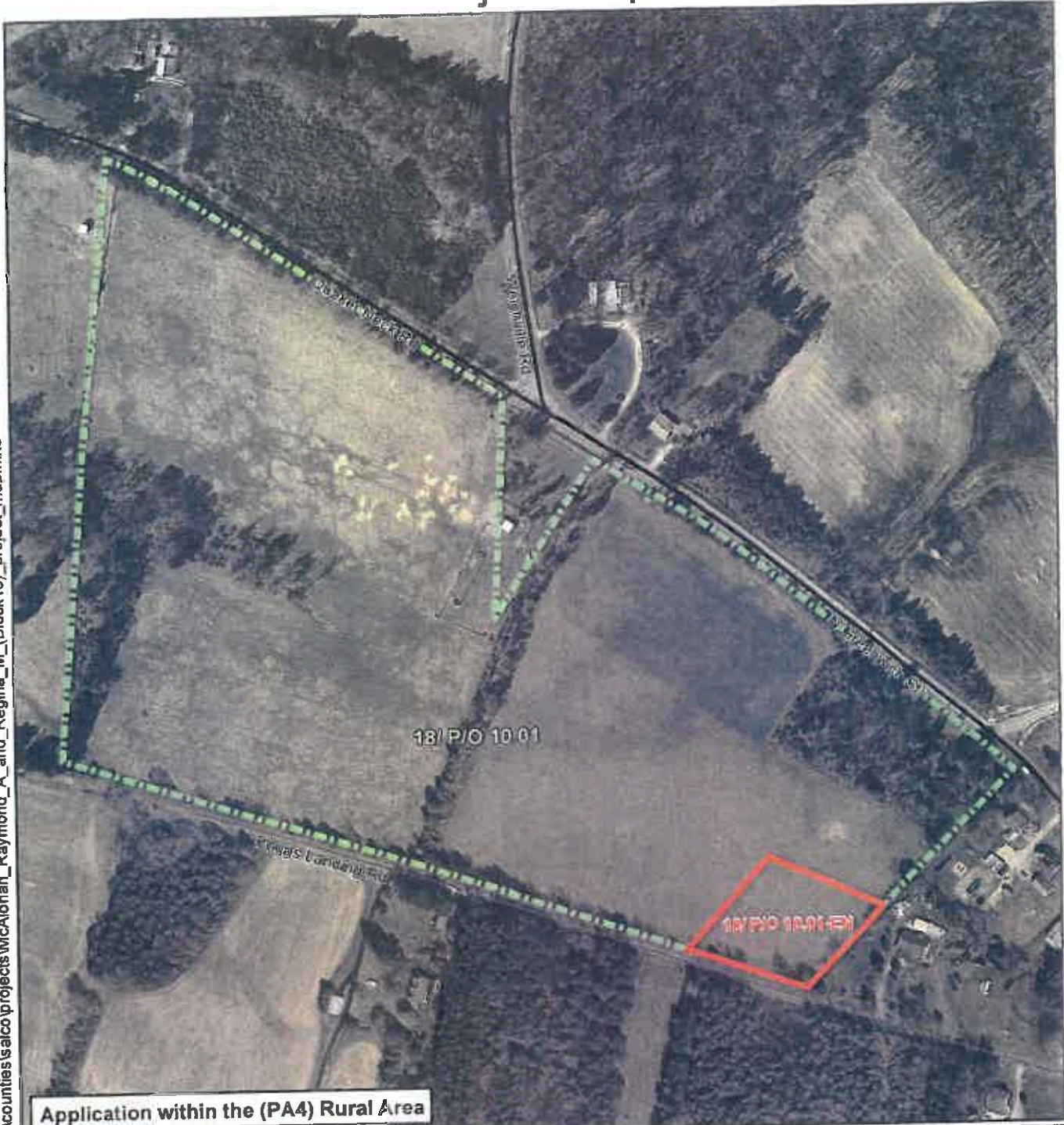
10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

X:\counties\salco\projects\McAlonan\_Raymond\_A\_and\_Regina\_M\_(Block18)\_project\_map.mxd



Application within the (PA4) Rural Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McAlonan, Raymond A. and Regina M. (Block 18)  
 Block 18 Lots P/O 10.01 (28.8 ac);  
 & P/O 10.01-EN (non-severable exception - 1.0 ac)  
 Gross Total = 29.8 ac  
 Alloway Twp., Salem County

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



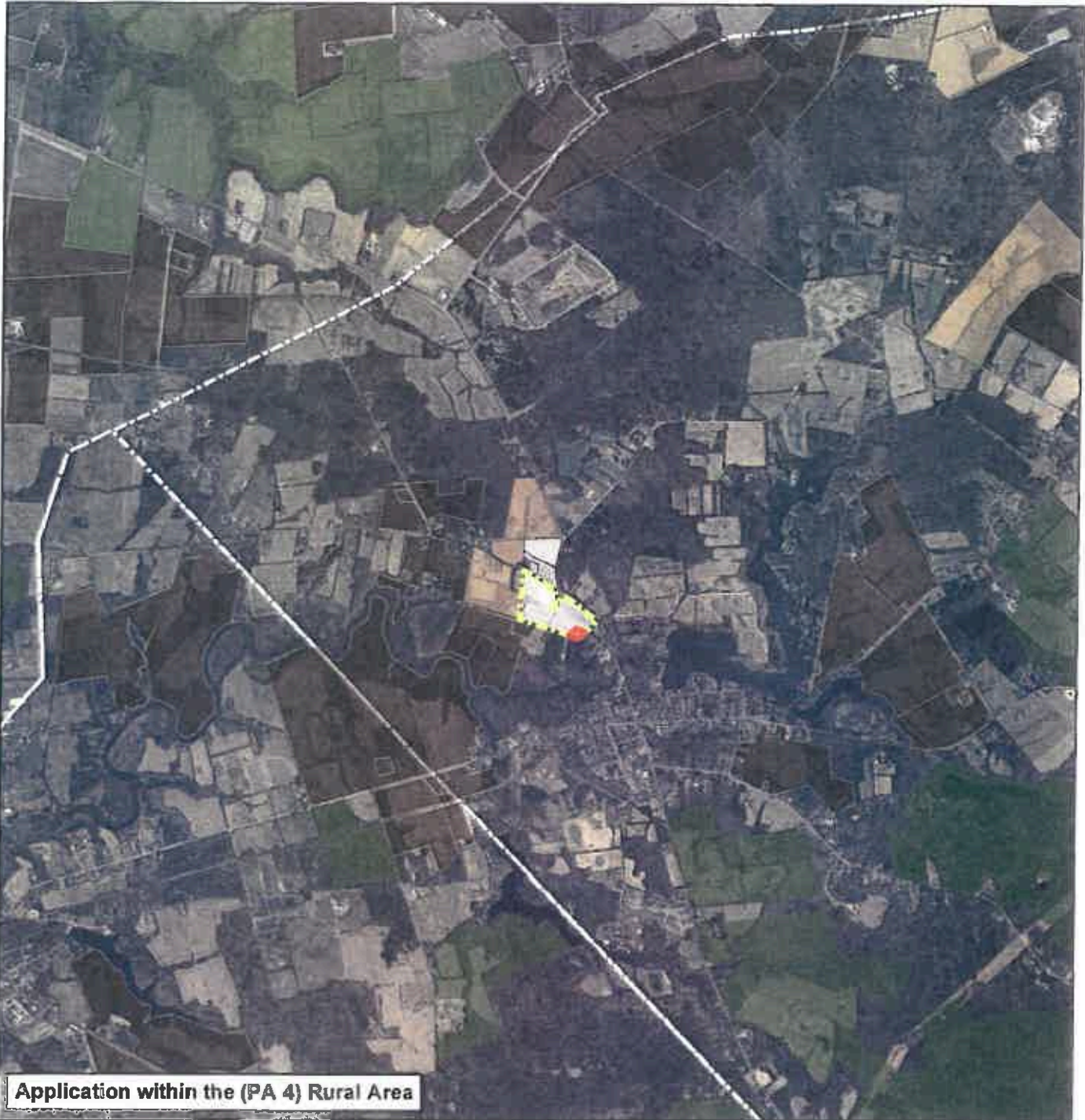
Sources:  
 Green Acres Conservation Easement Data  
 NJGIT/OGIS 2012 Digital Aerial Image

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



# Preserved Farms and Active Applications Within Two Miles

X:\counties\alco\projects\McAlonan\_Raymond\_A\_and\_Regina\_M\_(Block18)\_2mile.mxd



**Application within the (PA 4) Rural Area**

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McAlonan, Raymond A. and Regina M. (Block18)  
Block 18 Lots P/O 10.01 (28.8 ac);  
& P/O 10.01-EN (non-severable exception - 1.0 ac)  
Gross Total = 29.8 ac  
Alloway Twp., Salem County



	Property In Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Preserved Easements
	Active Applications
	Preserved With Federal Funds
	County Boundaries
	Municipal Boundaries
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



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

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJGIT/OGIS 2012 Digital Aerial Image



SADC Municipal Pig Financial Status  
Schedule B

Alloway Township, Salem County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant				
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Expended
17-0116-PG	Yanus Sickler	81.047	461,523.30	303,633.75			303,633.75			303,633.75	946,366.25
17-0115-PG	Yanus Ancillary Costs Sickler	11.492	75,847.20	48,266.40			48,266.40			48,266.40	898,099.85
17-0132-PG	Chard Sickler Ancillary Costs	24.067	168,469.00	105,894.80	84,234.50		84,234.50			84,234.50	803,909.85
17-0140-PG	Ray Ancillary Costs	63.435	386,172.70	195,848.04	190,324.66		196,232.07			195,848.04	608,061.81
	Ray Ancillary Costs Reprogram FY17									5,100.00	602,961.81
	Chard Ancillary									107,677.78	495,284.03
17-0171-PG	McAlonan, Raymond A. & Regina M. (Lot 3.01)	13.2410	92,687.00	41,945.90	50,741.04		16,314.44			41,945.96	445,753.07
17-0172-PG	McAlonan, Raymond A. & Regina M. (Lot 10.01)	28.5460	185,549.00	83,952.93	101,596.07		34,512.97			83,952.93	361,800.14
Closed		4	180,041	653,842.99	274,599.16		75,874.91				
Encumbered		2	41,787	125,898.83	152,337.11		50,827.41				
											750,000.00
											125,898.89
											12,300.97
											361,800.14
											361,800.14

State Agriculture Development Committee *through*

SADC Final Review: Development Easement Purchase

Mc Alonan, Raymond A. & Regina M. (Block 18)  
17- 0172-PG  
PIG EP - Municipal 2007 Rule  
29 Acres

Block 18	Lot 10.01	Alloway Twp.	Salem County	
<b>SOILS:</b>		Prime	100% * .15	= 15.00
				<b>SOIL SCORE: 15.00</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	86% * .15	= 12.90
		Woodlands	14% * 0	= .00
				<b>TILLABLE SOILS SCORE: 12.90</b>
<b>FARM USE:</b>		Hay	10 acres	
		General Livestock NEC	17 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions:
    - 1st one (1) acres for Future dwelling  
Exception is not to be severed from Premises  
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 FY2018R10(19)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**ALLOWAY TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Raymond A. and Regina M. McAlonan (Lot 3.01) ("Owners")  
Alloway Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.  
SADC ID#17-0171-PG**

**October 26, 2017**

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Alloway Township, Salem County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Alloway Township received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on July 6, 2016, the SADC received an application for the sale of a development easement from Alloway Township for the subject farm identified as Block 6, Lots 3.01 and 3.02, Alloway Township, Salem County, totaling 14.241 gross surveyed acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), 1 acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in 13.241 net surveyed acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and (0) non-agricultural uses; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on August 1, 2016, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 3, 2016, the SADC certified a development easement value of \$7,000 per acre based on zoning and environmental regulations in place as of the current valuation date October 2, 2016; and

WHEREAS, the Owner accepted the Township's offer of \$7,000 per acre for the development easement for the Property; and

WHEREAS, the New Jersey Conservation Foundation submitted a parcel application to the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on the McAlonan Farm; 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 approved current easement value of \$7,664.23 per acre equating to an FRPP grant of \$3,832.12 per acre (50% of \$7,664.23) or approximately \$50,741.04 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 0.97 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the FRPP program at this time; and

WHEREAS, due to a shortage of available funds from the Township and Salem County the requested FRPP grant funds are to be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant need; and

WHEREAS, should alternate FRPP funding become available from other funding years or through other qualified entities such as the SADC, a Non-Profit organization or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of FRPP funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on July 20, 2017 the Alloway Township Committee approved the application but is not participating financially in the easement purchase due to the anticipated receipt of the FRPP funds; and

WHEREAS, the Salem County Agriculture Development Board approved the application on May 24, 2017, and the Salem County Board of Chosen Freeholders approved the application on June 21, 2017, but is not participating financially in the easement purchase due to the anticipated receipt of the FRPP funds; and

WHEREAS, the County has agreed to hold the development easement; and

WHEREAS, this final approval is conditioned upon FRPP funding in an amount sufficient enough to cover the County and Township's cost share; and

WHEREAS, the cost share breakdown is approximately as follows (based on 13.241 net surveyed easement acres) if the FRPP Grant is finalized and applied:

	Total	FRPP \$	New Cost Share	New Cost Share/Acre
SADC	\$58,260.40	\$16,314.44	\$41,945.96	\$3,167.88/acre
Salem County	\$17,213.30	\$17,213.30	\$0	\$0/acre
Alloway Twp	\$17,213.30	\$17,213.30	\$0	\$0/acre
ALE Grant			\$50,741.04	\$3,832.12/acre
TOTAL	\$92,687.00	\$50,741.04	\$92,687.00	\$7,000/acre

WHEREAS, Alloway Township is requesting SADC to encumber \$3,167.88 per acre or approximately \$41,945.96 from the municipal PIG funding and sufficient funds are available (Schedule B); and

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Alloway Township for the purchase of a development easement on the Property, comprising 13.241 net surveyed easement acres, at a State cost share of \$3,167.88 per acre, (45.26% of certified easement value and purchase price), for a total grant of approximately \$41,945.96 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C);



BE IT FURTHER RESOLVED, the Property includes one (1), approximately 1 acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses; and

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$16,314.44) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of FRPP funds sufficient enough to cover the Township and County's cost share or in absence of FRPP funding a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the total local cost share; and

BE IT FURTHER RESOLVED, should additional funds be needed and grant funding becomes available the grant may be adjusted to utilize unencumbered grant funds; and

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C; 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 approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

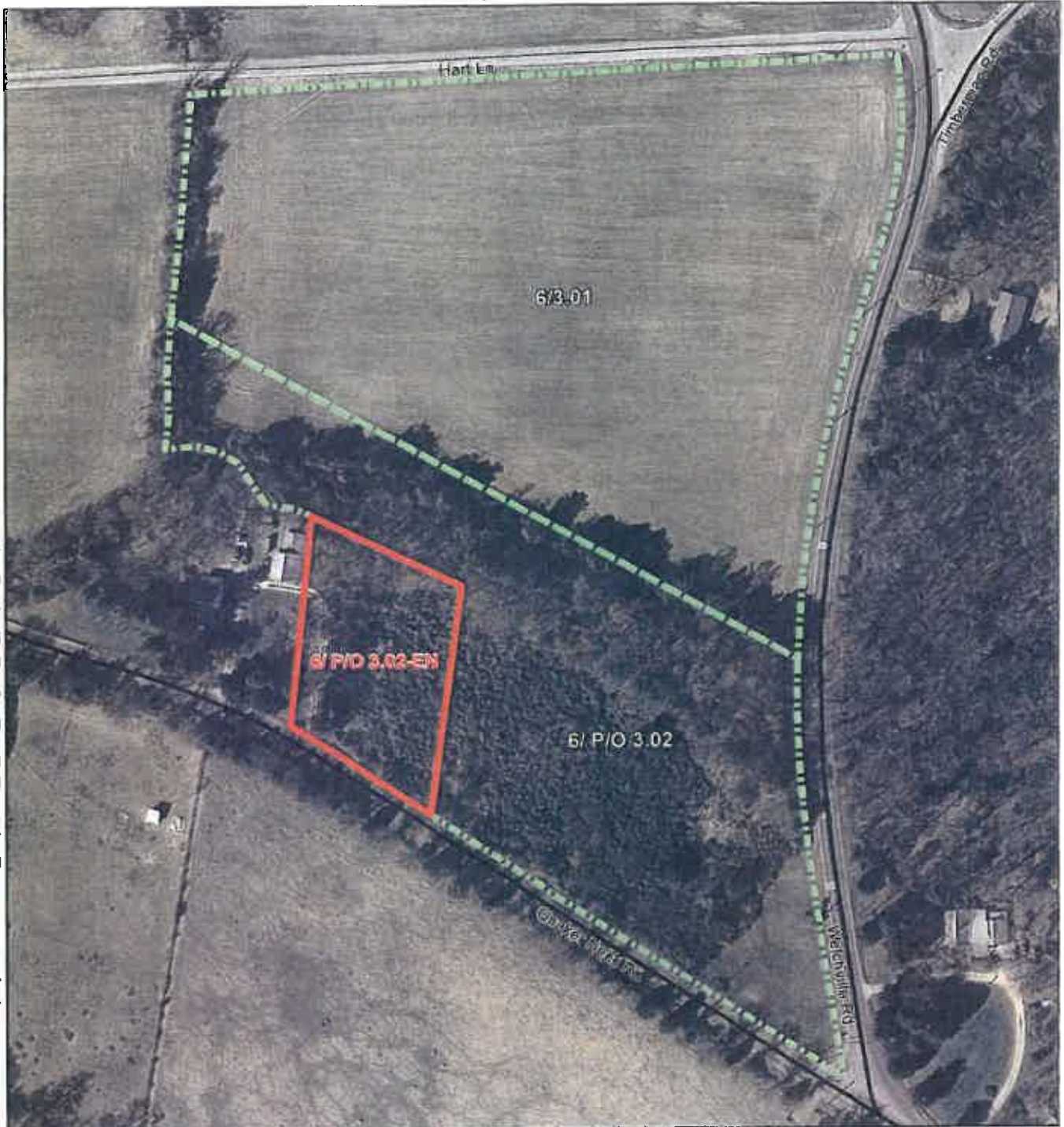
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

# Project Map

Schedule A

X:\counties\sarco\projects\McAlonan\_Raymond\_A\_and\_Regina\_M\_project\_map.mxd



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McAlonan, Raymond A. and Regina M.  
Block 6 Lots 3.01 (8.6 ac); P/O 3.02 (5.1 ac);  
P/O 3.02-EN (non-severable exception - 1.0 ac)  
Gross Total = 14.7 ac  
Alloway Twp., Salem County

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



**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and precision of the GIS data contained 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 2012 Digital Aerial Image

July 25, 2016



# Preserved Farms and Active Applications Within Two Miles

X:\counties\salco\projects\McAlonan\_Raymond\_A\_and\_Regina\_M\_(Block18)\_2mile.mxd



**Application within the (PA 4) Rural Area**

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McAlonan, Raymond A. and Regina M. (Block18)  
 Block 18 Lots P/O 10.01 (28.8 ac);  
 & P/O 10.01-EN (non-severable exception - 1.0 ac)  
 Gross Total = 29.8 ac  
 Alloway Twp., Salem County



	Property In Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Preserved Easements
	Active Applications
	Preserved With Federal Funds
	County Boundaries
	Municipal Boundaries
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned OIS & Recreation Easements

Sources:  
 NJ Farmland Preservation Program  
 Green Acres Conservation Easement Data  
 NJOT/OGIS 2012 Digital Aerial Image

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





Schedule

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Mc Alonan, Raymond A. & Regina M.  
17- 0171-PG  
PIG EP - Municipal 2007 Rule  
14 Acres

Block 6	Lot 3.01	Alloway Twp.	Salem County
Block 6	Lot 3.02	Alloway Twp.	Salem County
<b>SOILS:</b>		Other	19% * 0 = .00
		Prime	80% * .15 = 12.00
		Statewide	1% * .1 = .10
			<b>SOIL SCORE: 12.10</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	66% * .15 = 9.90
		Wetlands	10% * 0 = .00
		Woodlands	24% * 0 = .00
			<b>TILLABLE SOILS SCORE: 9.90</b>
<b>FARM USE:</b>	Soybeans-Cash Grain		8 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions:
    - 1st one (1) acres for future dwelling
    - Exception is not to be severed from Premises
    - Exception is to be limited to one future single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 FY2018R10(20)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO  
GLOUCESTER COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Hazelton, Shirley Estate of ("Owner")  
Harrison Township, Gloucester County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 08-0167-PG**

**October 26, 2017**

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Gloucester 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, Gloucester County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on February 19, 2013 the SADC received an application for the sale of a development easement from Gloucester County for the subject farm identified as Block 33.01, Lot 3, Harrison Township, Gloucester County, totaling 41.026 surveyed acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the targeted Property is located in Raccoon Creek Project Area; and

WHEREAS, the Property includes zero (0) exception areas; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

WHEREAS, at the time of application the Property was in grain (corn) 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 quality score of 62.34 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on May 17, 2013 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 December 12, 2013 the SADC certified a development easement value of \$12,500 per acre based on zoning and environmental regulations in place as of September 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$12,500 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 14, 2014 the Harrison Township Committee approved the Owners' application for the sale of a development easement, and is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 19, 2014, the Board of Chosen Freeholders of the County of Gloucester passed a resolution granting final approval and a commitment of funding for \$12,500 per acre; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on October 23, 2014 for \$512,825 (\$12,500 per acre) which was recorded on October 27, 2014 in the Gloucester County Clerk's Office in Deed Book 5248, Page 232; and

WHEREAS, due to insufficient funding, the SADC had not been able to provide a cost share for the Property and therefore the County's request for SADC final approval and a cost share were significantly delayed; and

WHEREAS, on January 21, 2016 the Gloucester CADB passed a resolution requesting SADC cost share funding for the Estate of Shirley Hazelton farm; and

WHEREAS, at this time funding has become available and in order to provide a cost share and pursuant to SADC Policy P-52 an updated easement value was needed in order to establish a current date of value, the basis for the SADC cost share grant; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 28, 2017 the SADC certified an updated development easement value of \$12,500 per acre based on a valuation date of June 12, 2017; and

WHEREAS, the updated easement value of \$12,500 per acre is the same as previously certified by the SADC and will be the basis for the SADC cost share as per N.J.A.C. 2:76-6.11 (d) and SADC Policy P-52; and

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

WHEREAS, the cost share breakdown is as follows (based on 41.026 acres):

	<u>Cost Share</u>	
SADC	\$ 307,695.00	(\$ 7,500/acre; 60%)
Gloucester County	\$ 205,130.00	(\$ 5,000/acre; 40%)
Total Easement Purchase	\$ 512,825.00	(\$12,500/acre); and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Gloucester County Agriculture Development Board is requesting \$307,695.00 in FY17 competitive funding (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm 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 Gloucester County for the purchase of a development easement on the Property, comprising 41.026 acres, at a State cost share of \$7,500 per acre, (60% of the updated certified easement value), for a total estimated grant of \$307,695.00 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes zero (0) exception areas; and

BE IT FURTHER RESOLVED, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; 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); and

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

BE IT FURTHER RESOLVED, the SADC shall enter into a Cost Sharing Grant Agreement with the 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 be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17

Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

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# Wetlands

Schedule H



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Application within the (PA3) Fringe Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Shirley A. Hazelton Estate  
Block 33.01 Lot 3 (41.5 ac)  
Gross Total = 41.5 ac  
Harrison Twp., Gloucester County

	Property in Question
	DR - (non-Sewerage) Easement
	SR - (Sewerage) Easement
	Wetlands Boundaries
	Ordinary + Limited Access
	Federal or State Right
	County Roads
	Abandoned/Armed Roads
	Proposed, Approved and Non-Proposed PA3A Open Space
	State Nature Conservation Easement
	State Owned GIS Easement Examination

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



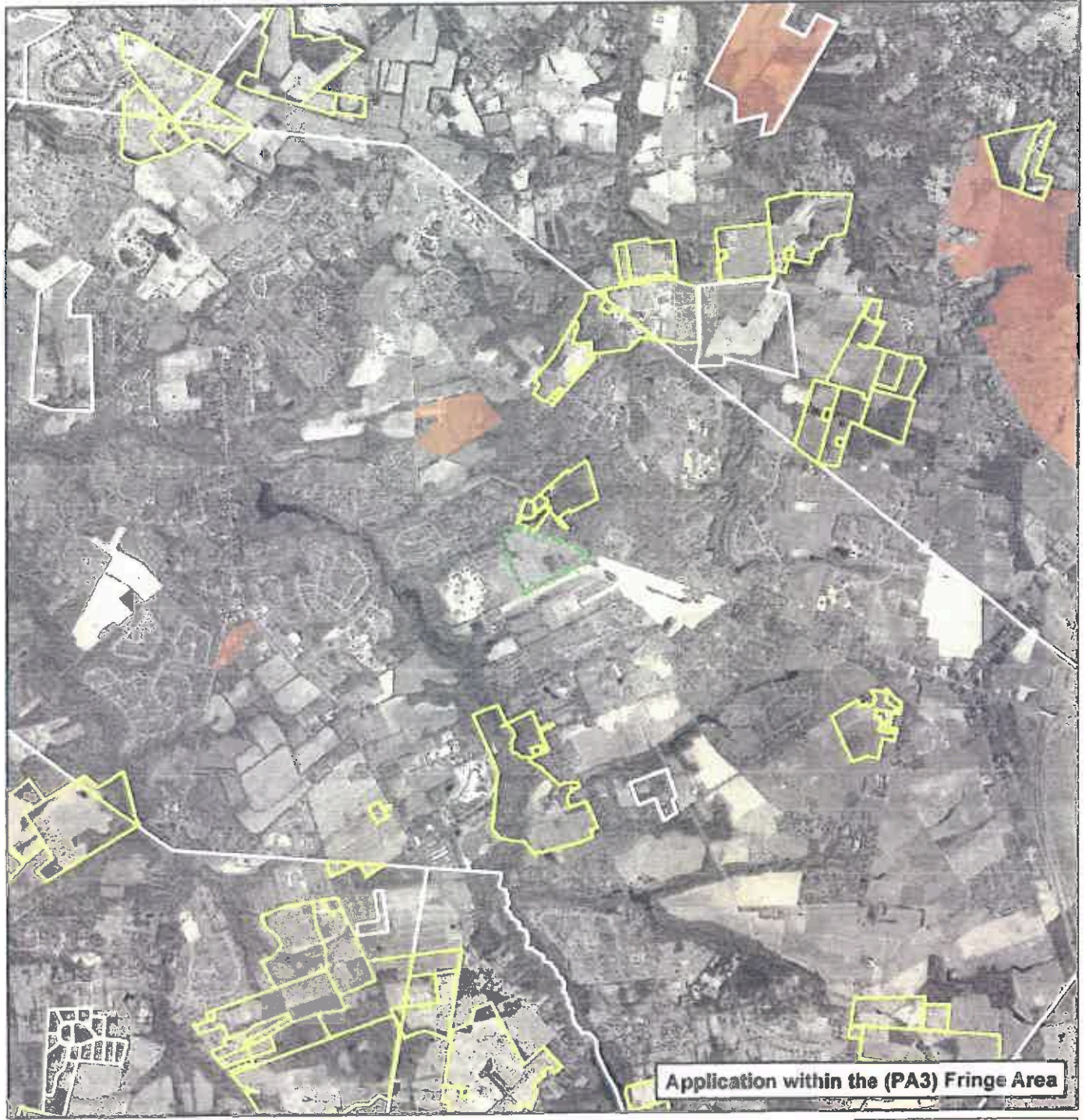
**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and 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  
 DVRPC 2010 Digital Aerial Image



# Preserved Farms and Active Applications Within Two Miles

x:\counties\gloc\projects\hazellon\_2mile.mxd



Application within the (PA3) Fringe Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Shirley A. Hazellon Estate  
Block 33.01 Lot 3 (41.5 ac)  
Gross Total = 41.5 ac  
Harrison Twp., Gloucester County



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

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
DVRPC 2010 Digital Aerial Image  
NJOTI/GIS 2007/2030S Digital Aerial Image

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

SADC County Pig Financial Status  
Schedule B

Gloucester County

SADC ID#	Farm	Acre	SADC		Federal Grant		Base Grant		Competitive Funds							
			Cost Basis	Cost Share	Total	SADC	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Encumbered	PV	Expended	Fund Balance	FY11	FY13	FY17
08-0102-PG	Dibella, JAW, Rosemary	128,0180	1,528,869.30	917,317.98	917,317.98	917,317.98	917,317.98	2,582,882.02	89,446.08	89,446.08	89,446.08	2,910,533.92	0.00	874,104.73	0.00	4,593,704.48
08-0101-PG	Dibella, Michael & Jane	91,4460	1,150,273.50	672,128.10	672,128.10	672,128.10	1,000,000.00	894,950.40	894,950.40	894,950.40	2,015,603.52	0.00	1,330,503.52	0.00	4,325,161.13	
08-0116-PG	Still Run Properties LLC	59,2330	1,491,988.00	894,950.40	894,950.40	894,950.40	1,000,000.00	476,100.00	476,100.00	476,100.00	1,330,755.12	0.00	3,991,099.88	0.00	3,503,974.03	
08-0100-PG	Chicorrallo, Matthew	52,9000	793,500.00	476,100.00	476,100.00	476,100.00	1,000,000.00	208,748.40	208,748.40	208,748.40	829,907.92	0.00	3,048,831.03	0.00	2,982,660.03	
08-0111-PG	Prove, Gary	24,8510	347,914.00	208,748.40	208,748.40	208,748.40	1,000,000.00	504,847.20	504,847.20	504,847.20	334,222.32	0.00	2,054,309.03	0.00	1,889,632.95	
08-0128-PG	Heatherwood Farms III, L.L.C.	77,9920	841,412.00	504,847.20	504,847.20	504,847.20	1,000,000.00	481,585.60	481,585.60	481,585.60	4,489,758.32	0.00	3,582,066.38	0.00	3,582,066.38	
08-0104-PG	W.W. Heritage Sons, Inc.	33,4480	819,476.00	491,685.60	491,685.60	491,685.60	1,000,000.00	864,464.00	864,464.00	864,464.00	1,695,833.52	0.00	1,099,353.52	0.00	875,274.72	
08-0132-PG	Bezz Homes LLC (Zeck)	111,8000	3,107,460.00	1,864,484.00	1,864,484.00	1,864,484.00	1,000,000.00	787,691.94	787,691.94	787,691.94	1,139,400.00	0.00	544,183.94	0.00	303,142.89	
08-0125-PG	Mechrezone, Sanno J/	710,3210	1,312,819.80	787,691.94	787,691.94	787,691.94	1,000,000.00	1,139,400.00	1,139,400.00	1,139,400.00	606,480.00	0.00	1,695,833.52	0.00	1,289,622.85	
08-0076-PG	Holtzhauser, Charles & Son	90,0000	1,899,000.00	846,832.86	846,832.86	846,832.86	1,000,000.00	606,480.00	606,480.00	606,480.00	2,140,783.80	0.00	2,140,783.80	0.00	4,759,304.48	
08-0119-PG	Urban, George and Robert	116,1000	1,010,800.00	606,480.00	606,480.00	606,480.00	1,000,000.00	251,585.80	251,585.80	251,585.80	2,140,783.80	0.00	2,140,783.80	0.00	4,593,704.48	
08-0114-PG	Skerka, Robert Sr. & William Jr. (K4)	33,2850	419,276.80	244,078.80	244,078.80	244,078.80	1,000,000.00	331,089.18	331,089.18	331,089.18	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0109-PG	Macherson, Sanno J., Parcelia	77,1150	1,998,330.00	331,089.18	331,089.18	331,089.18	1,000,000.00	241,042.95	241,042.95	241,042.95	2,331,354.24	0.00	2,331,354.24	0.00	4,593,704.48	
08-0104-PG	Brown	37,4180	401,738.25	241,042.95	241,042.95	241,042.95	1,000,000.00	231,354.24	231,354.24	231,354.24	71,788.35	0.00	71,788.35	0.00	4,593,704.48	
08-0185-PG	Dorran, John & Karen	16,9800	151,200.00	81,692.00	81,692.00	81,692.00	1,000,000.00	91,892.00	91,892.00	91,892.00	214,078.80	0.00	214,078.80	0.00	4,593,704.48	
08-0147-PG	Perrot Homes	46,8240	1,434,931.20	771,275.52	771,275.52	771,275.52	1,000,000.00	228,724.48	228,724.48	228,724.48	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0175-PG	Pivitera et al.	96,8000	766,400.00	456,420.00	456,420.00	456,420.00	1,000,000.00	165,600.00	165,600.00	165,600.00	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0185-PG	Bardolomew, Claire	22,0800	287,040.00	165,600.00	165,600.00	165,600.00	1,000,000.00	18,641.00	18,641.00	18,641.00	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0189-PG	Disaro, Marco	16,6410	66,243.50	41,602.50	41,602.50	41,602.50	1,000,000.00	384,061.25	384,061.25	384,061.25	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0184-PG	Shute, Mark et al.	42,6190	383,562.50	228,940.85	228,940.85	228,940.85	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0187-PG	Cotswold Road, LLC	32,3610	806,788.75	364,061.25	364,061.25	364,061.25	1,000,000.00	295,941.00	295,941.00	295,941.00	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0161-PG	Harlan Corporation	54,3470	595,209.75	357,125.85	357,125.85	357,125.85	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0172-PG	Ausin, Jeanette	46,0000	437,000.00	262,200.00	262,200.00	262,200.00	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0174-PG	Still Run Properties, LLC #4	42,8990	501,813.00	295,941.00	295,941.00	295,941.00	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0174-PG	Harlan Corporation	43,5650	596,025.00	357,125.85	357,125.85	357,125.85	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0170-PG	Leppin, Herbert & April	43,3000	530,425.00	296,172.00	296,172.00	296,172.00	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0169-PG	Musumeci, Joseph, Victoria & Anna	56,3900	597,734.00	338,340.00	338,340.00	338,340.00	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0187-PG	Hazzell, Shirley (Estelle)	29,4780	274,126.80	164,476.08	164,476.08	164,476.08	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0185-PG	Ragusa, Mollie	41,0280	512,925.00	307,695.08	307,695.08	307,695.08	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
08-0185-PG		46,4310	487,525.50	292,815.30	292,815.30	292,815.30	1,000,000.00	357,125.85	357,125.85	357,125.85	2,413,542.95	0.00	2,413,542.95	0.00	4,593,704.48	
Total		17	14,860,975.36	10,619,903.66	10,619,903.66	10,619,903.66	1,000,000.00	2,413,542.95	2,413,542.95	2,413,542.95	2,413,542.95	0.00	2,413,542.95	0.00	1,289,622.85	
Total		15	8,088,624.80	4,710,377.35	4,710,377.35	4,710,377.35	1,000,000.00	2,413,542.95	2,413,542.95	2,413,542.95	2,413,542.95	0.00	2,413,542.95	0.00	1,289,622.85	

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Hazelton, Shirley - Estate of  
08- 0167-PG  
County PIG Program  
43 Acres

Block 33.01	Lot 3	Harrison Twp.	Gloucester County
<b>SOILS:</b>		Other	3% * 0 = .00
		Prime	62% * .15 = 9.30
		Statewide	24% * .1 = 2.40
		Unique .125	9% * .125 = 1.13
		Unique zero	2% * 0 = .00
			<b>SOIL SCORE: 12.83</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	81% * .15 = 12.15
		Woodlands	19% * 0 = .00
			<b>TILLABLE SOILS SCORE: 12.15</b>
<b>FARM USE:</b>	Corn-Cash Grain		35 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions: No Exceptions Requested
  - 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 FY2018R10(21)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO  
GLOUCESTER COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Ragusa, Mollie ("Owner")  
Logan Township, Gloucester County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 08-0165-PG**

**October 26, 2017**

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Gloucester 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, Gloucester County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on February 8, 2013 the SADC received an application for the sale of a development easement from Gloucester County for the subject farm identified as and Block 801, Lot 36, Logan Township, Gloucester County, totaling 47.431 surveyed acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the targeted Property is located in Delaware River Project Area; and

WHEREAS, the Property includes one (1), one - acre non-severable exception area limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in 46.431 net acres to be preserved; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

WHEREAS, at the time of application the Property was 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 quality score of 77.27 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC on September 27, 2012; and



WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on May 17, 2013 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 September 26, 2013 the SADC certified a development easement value of \$10,500 per acre based on zoning and environmental regulations in place as of July 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$10,500 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on November 7, 2013 the Logan Township Council approved the Owners' application for the sale of a development easement, and is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on December 4, 2013, the Board of Chosen Freeholders of the County of Gloucester passed a resolution granting final approval and a commitment of funding for \$10,500 per acre; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on January 16, 2014 for \$487,525.50 (\$10,500 per acre) which was recorded on February 20, 2014 in the Gloucester County Clerk's Office in Deed Book 5165, Page 86;; and

WHEREAS, due to insufficient funding, the SADC had not been able to provide a cost share for the Property and therefore the County's request for SADC final approval and a cost share were significantly delayed; and

WHEREAS, on January 21, 2016 the Gloucester CADB passed a resolution requesting SADC cost share funding for the Ragusa farm; and

WHEREAS, at this time funding has become available and in order to provide a cost share and pursuant to SADC Policy P-52 an updated easement value was needed in order to establish a current date of value, the basis for the SADC cost share grant; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 28, 2017 the SADC certified an updated development easement value of \$10,500 per acre based on a valuation date of June 12, 2017; and

WHEREAS, the updated easement value of \$10,500 per acre is the same as previously certified by the SADC and will be the basis for the SADC cost share as per N.J.A.C. 2:76-6.11 (d) and SADC Policy P-52; and

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

WHEREAS, the cost share breakdown is as follows (based on 46.431 acres):

	<u>Cost Share</u>	
SADC	\$ 292,515.30	(\$ 6,300/acre; 60%)
<u>Gloucester County</u>	<u>\$ 195,010.20</u>	<u>(\$ 4,200/acre; 40%)</u>
Total Easement Purchase	\$ 487,525.50	(\$10,500/acre); and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Gloucester County Agriculture Development Board is requesting \$292,515.30 in FY17 competitive funding (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm 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 Gloucester County for the purchase of a development easement on the Property, comprising 46.431 acres, at a State cost share of \$6,300 per acre, (60% of the updated certified easement value), for a total estimated grant of \$292,515.30 FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1), one-acre non-severable exception area limited to one (1) future single family residential unit and to afford future flexibility of use; and

BE IT FURTHER RESOLVED, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; 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); and

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


BE IT FURTHER RESOLVED, the SADC shall enter into a Cost Sharing Grant Agreement with the 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 be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



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**Application within the (PA3) Fringe Area**

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

Mollie Ragusa/D. Bennett Estate  
Block 801 Lots P/O 36 (46.5 ac)  
& P/O 36-EN (non-severable exception - 1.0 ac)  
Gross Total = 47.5 ac  
Logan Twp., Gloucester County



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

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

**Property in Question**

- 00 - (non-severable) Exception
- 00 - (severable) Exception
- Wetlands Boundaries**
- Priority - Limited Access
- Priority or State Ways
- County Roads
- Municipal Local Roads
- Tidelands Boundary
- Municipal, County and Non-Profit
- State Owned Open Space
- State Owned Open Space
- State Owned O&S & Recreation Easement



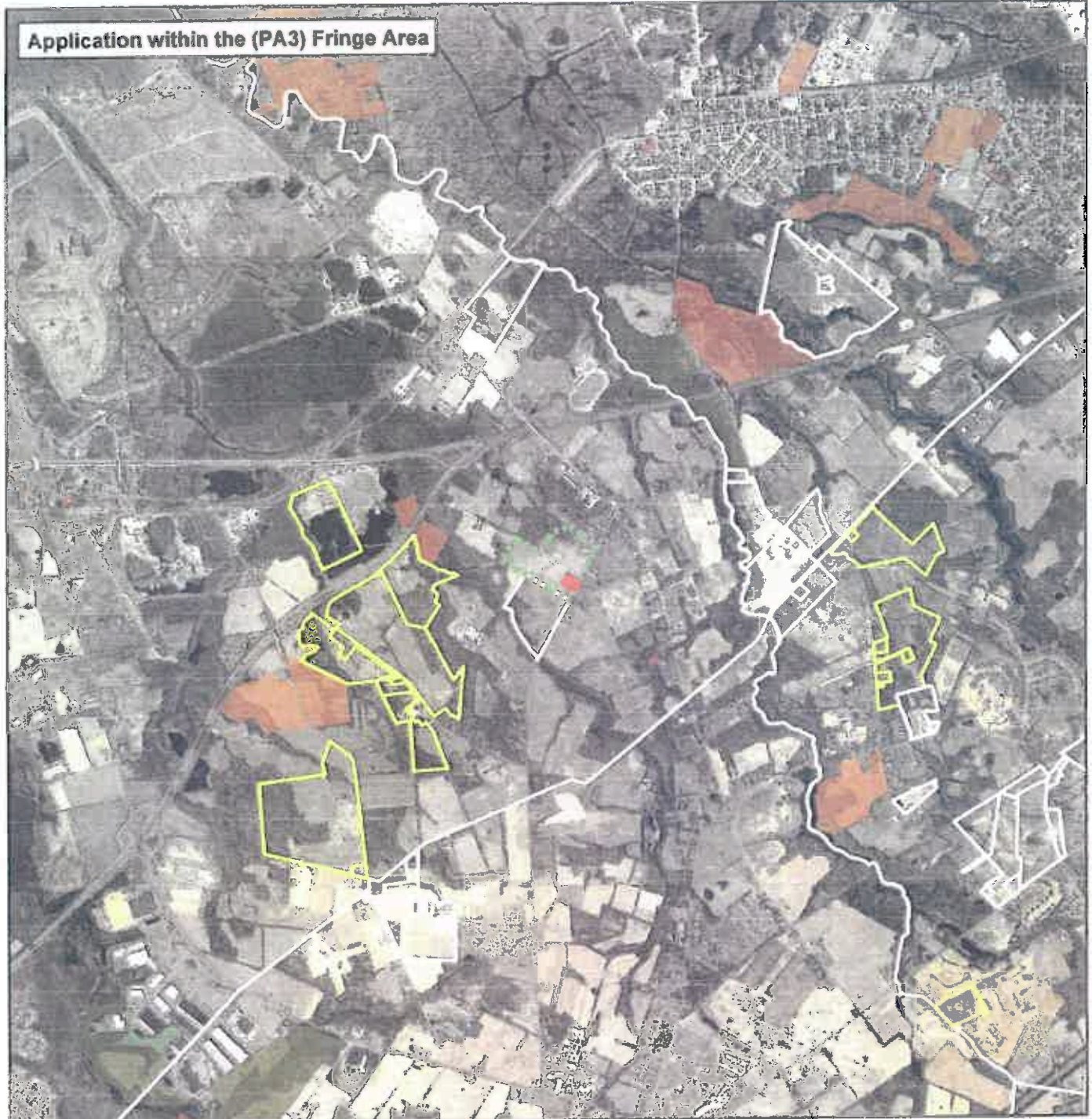
**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
DVRPC 2010 Digital Aerial Image



# Preserved Farms and Active Applications Within Two Miles

Application within the (PA3) Fringe Area



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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mollie Ragusa/D. Bennett Estate  
Block 801 Lots P/O 36 (46.5 ac)  
& P/O 36-EN (non-severable exception - 1.0 ac)  
Gross Total = 47.5 ac  
Logan Twp., Gloucester County



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

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
DVRPC 2010 Digital Aerial Image  
NJGIT/OGIS 2007/2008 Digital Aerial Image

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



SADC County Pig Financial Status  
Schedule B

Gloucester County

SADC P#	Farr	Acres	SADC		Federal Grant		Bare Grant		Competitive Funds							
			Cost	Share	Total	SADC	Encumbered	PV	Expended	Balance	Maximum Grant		Fund Balance			
											Fiscal Year 11	Fiscal Year 13	Fiscal Year 11	Fiscal Year 13	FY11	FY13
08-0102-PG	Dibella, J&W, Rosemary	129,0180	1,529,883.30	917,317.98	917,317.98	917,317.98	582,682.02	582,682.02	582,682.02	2,582,682.02	89,446.08	89,446.08	89,446.08	2,810,653.92	0.00	4,759,304.48
08-0101-PG	Dibella, Michael & Jane	91,4450	1,120,213.50	672,128.10	672,128.10	672,128.10	476,100.00	476,100.00	476,100.00	1,500,000.00	894,950.40	894,950.40	894,950.40	2,015,603.52	574,104.73	4,592,704.48
08-0118-PG	Skill Run Properties LLC	53,2330	1,491,584.00	894,950.40	894,950.40	894,950.40	476,100.00	476,100.00	476,100.00	2,000,000.00	476,100.00	476,100.00	1,539,603.52	12,484,771.08	503,142.59	
08-0100-PG	Chiuccarella, Matthew	52,9000	793,500.00	476,100.00	476,100.00	476,100.00	208,748.40	208,748.40	208,748.40	1,000,000.00	208,748.40	208,748.40	1,330,756.12		1,289,822.85	
08-0111-PG	Prove, Gary	24,8510	347,914.00	208,748.40	208,748.40	208,748.40	504,847.20	504,847.20	504,847.20	825,907.92	491,585.60	491,585.60	334,222.32			
08-0120-PG	Heatherwood Farms III, L.L.C.	77,9920	841,412.00	504,847.20	504,847.20	504,847.20	864,654.00	864,654.00	864,654.00	1,000,000.00	864,654.00	864,654.00	4,465,758.32		4,465,758.32	
08-0104-PG	W.V. Heritage Sons, Inc.	33,4480	819,478.00	1,864,464.00	1,864,464.00	1,864,464.00	787,691.94	787,691.94	787,691.94	1,339,400.00	1,339,400.00	1,339,400.00	1,696,533.62		1,696,533.62	
08-0132-PG	Beer Homes LLC (Zech)	111,8000	3,107,440.00	1,864,464.00	1,864,464.00	1,864,464.00	1,139,400.00	1,139,400.00	1,139,400.00	1,000,000.00	1,139,400.00	1,139,400.00	875,274.72		875,274.72	
08-0078-PG	Maccherone, Santo J.J.	140,3210	1,312,818.90	787,691.94	787,691.94	787,691.94	919,990.80	919,990.80	919,990.80	1,000,000.00	919,990.80	919,990.80	1,089,553.52		1,089,553.52	
08-0076-PG	Holtzhauser, Charles & Son	90,0000	1,899,000.00	846,832.66	846,832.66	846,832.66	606,480.00	606,480.00	606,480.00	806,480.00	606,480.00	606,480.00	1,089,553.52		1,089,553.52	
08-0110-PG	Palano, Alfio & Mary T.	124,6500	1,533,318.00	808,480.00	808,480.00	808,480.00	231,354.24	231,354.24	231,354.24	1,000,000.00	231,354.24	231,354.24	544,185.54		544,185.54	
08-0090-PG	Urbani, George and Robert	118,1000	1,010,800.00	608,480.00	608,480.00	608,480.00	71,788.35	71,788.35	71,788.35	1,000,000.00	71,788.35	71,788.35	71,788.35		71,788.35	
08-0119-PG	Stefka, Robert Sr. & William Jr. (F&I)	33,2820	419,276.00	214,078.80	214,078.80	214,078.80	231,354.24	231,354.24	231,354.24	1,000,000.00	231,354.24	231,354.24	1,089,553.52		1,089,553.52	
08-0108-PG	Maccherone, Santo J., Lowell, Ferdella Brown	37,4780	1,686,530.00	331,089.18	331,089.18	331,089.18	241,042.95	241,042.95	241,042.95	1,000,000.00	241,042.95	241,042.95	544,185.54		544,185.54	
08-0164-PG	Dorrmann, John & Karen	37,0760	385,600.40	231,354.24	231,354.24	231,354.24	71,788.35	71,788.35	71,788.35	1,000,000.00	71,788.35	71,788.35	71,788.35		71,788.35	
08-0147-PG	Pivtora et al.	18,8800	151,200.00	771,275.82	771,275.82	771,275.82	228,724.48	228,724.48	228,724.48	1,000,000.00	228,724.48	228,724.48	4,759,304.48		4,759,304.48	
08-0171-PG	Pivtora et al.	49,8240	1,434,931.20	469,420.00	469,420.00	469,420.00	165,600.00	165,600.00	165,600.00	1,000,000.00	165,600.00	165,600.00	4,592,704.48		4,592,704.48	
08-0175-PG	Bartholomew, Claire	22,0800	766,400.00	169,502.00	169,502.00	169,502.00	41,602.80	41,602.80	41,602.80	1,000,000.00	41,602.80	41,602.80	4,592,704.48		4,592,704.48	
08-0185-PG	Diano, Marco	16,6410	58,243.50	41,502.50	41,502.50	41,502.50	226,940.85	226,940.85	226,940.85	1,000,000.00	226,940.85	226,940.85	3,961,099.86		3,961,099.86	
08-0184-PG	Shute, Mark et al	42,6180	383,562.00	226,940.85	226,940.85	226,940.85	364,061.25	364,061.25	364,061.25	1,000,000.00	364,061.25	364,061.25	3,603,974.03		3,603,974.03	
08-0187-PG	Coleman Road, LLC	32,3610	608,766.75	364,061.25	364,061.25	364,061.25	282,200.00	282,200.00	282,200.00	1,000,000.00	282,200.00	282,200.00	3,341,774.03		3,341,774.03	
08-0161-PG	Hanan Corporation	64,3470	595,209.75	357,125.85	357,125.85	357,125.85	295,941.80	295,941.80	295,941.80	1,000,000.00	295,941.80	295,941.80	3,046,833.03		3,046,833.03	
08-0172-PG	Austin, Jeanette	46,0000	437,000.00	282,200.00	282,200.00	282,200.00	357,012.00	357,012.00	357,012.00	1,000,000.00	357,012.00	357,012.00	2,389,649.03		2,389,649.03	
08-0173-PG	Skill Run Properties, LLC #4	42,8800	501,813.00	295,941.00	295,941.00	295,941.00	338,340.00	338,340.00	338,340.00	1,000,000.00	338,340.00	338,340.00	2,054,308.03		2,054,308.03	
08-0170-PG	Leone, Russell & April	49,5850	595,025.00	296,172.00	296,172.00	296,172.00	164,476.08	164,476.08	164,476.08	1,000,000.00	164,476.08	164,476.08	1,889,832.95		1,889,832.95	
08-0176-PG	Maurum, Herbert & Sylvades George	43,3000	530,425.00	338,340.00	338,340.00	338,340.00	29,4760	29,4760	29,4760	1,000,000.00	29,4760	29,4760	1,582,137.85		1,582,137.85	
08-0168-PG	Maurum, Joseph Victoria & Anna	56,3900	597,734.00	307,695.00	307,695.00	307,695.00	48,4310	48,4310	48,4310	1,000,000.00	48,4310	48,4310	1,289,822.85		1,289,822.85	
08-0197-PG	Hezkan, Shirley (Estate)	41,0260	51,2825.00	292,515.30	292,515.30	292,515.30				1,000,000.00						
08-0186-PG	Rigasas, Imbille	48,4310	487,525.50	292,515.30	292,515.30	292,515.30				1,000,000.00						
Totals Encumbered			1,286,6100	18,860,673.35	10,519,903.65	10,519,903.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,289,822.86
Totals Encumbered			878,7690	8,069,824.50	4,710,377.38	4,710,377.38	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,289,822.85
Totals							1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,289,822.85

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Ragusa, Mollie  
08- 0165-PG  
County PIG Program  
50 Acres

Block 801	Lot 36	Logan Twp.	Gloucester County	
<b>SOILS:</b>		Other	8% * 0	= .00
		Prime	90% * .15	= 13.50
		Statewide	2% * .1	= .20
				<b>SOIL SCORE: 13.70</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	91% * .15	= 13.65
		Wetlands	5% * 0	= .00
		Woodlands	4% * 0	= .00
				<b>TILLABLE SOILS SCORE: 13.65</b>
<b>FARM USE:</b>	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:
  - b. Exceptions:
    - 1st one (1) acres for one future single family residence  
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 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 FY2018R10(22)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**Cumberland COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Todd and Margret Casper (Lot 9.05) ("Owners")  
Upper Deerfield Township, Cumberland County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID#06-0149-PG**

**October 26, 2017**

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland 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, Cumberland County received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on July 10, 2013, the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 501, Lot 9.05 & 17, Upper Deerfield Township, Cumberland County, totaling approximately 33 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Cumberland County's Upper Deerfield North Project Area; and

WHEREAS, the Property includes one (1), approximately 1 acre severable exception area for and limited to one existing single family residential unit and to afford future flexibility of uses resulting in approximately 32 net acres to be preserved; and

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

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

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

WHEREAS, the Property has a quality score of 66.03 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on April 16, 2015, 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 July 23, 2015, the SADC certified a development easement value of \$5,100 per acre based on zoning and environmental regulations in place as of the current valuation date May 1, 2013; and

WHEREAS, subsequent to certifying the easement value on July 23, 2015, the County and Landowner requested to amend the application to designate the house as a single family residence rather than an office and make the severable exception a non-severable exception area, which required updated appraisals; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 23, 2017 the SADC certified an amended development easement value of \$4,800 per acre based on zoning and environmental regulations in place as of the current valuation date January 1, 2017; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,800 per acre for the development easement for the Property; and

WHEREAS, on August 28, 2017, the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on June 1, 2016, the Upper Deerfield Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on April 11, 2017, the Cumberland CADB passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on April 26, 2017, the Board of Chosen Freeholders of the County of Cumberland passed a resolution granting final approval and a commitment of funding for \$1,520 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 33.99 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 33.99 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$111,487.20	(\$3,280/acre)
<u>Cumberland County</u>	<u>\$51,664.80</u>	<u>(\$1,520/acre)</u>
Total Easement Purchase	\$163,152	(\$4,800/acre)

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

fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Cumberland County Agriculture Development Board is requesting \$111,487.00 in FY17 competitive grant funding which is available at this time (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm and 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 Cumberland County for the purchase of a development easement on the Property, comprising approximately 33.99 net easement acres, at a State cost share of \$3,280 per acre, (68.33% of certified easement value and purchase price), for a total grant not to exceed \$111,487.20 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 1 acre severable exception area for and limited to one existing single family residential unit and to afford future flexibility of uses resulting in approximately 32 net acres to be preserved; and

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

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

BE IT FURTHER RESOLVED, that if unencumbered base grant funds become available subsequent to this final approval and prior to executing the grant agreement, the SADC shall utilize those funds before utilizing competitive funding; and

BE IT FURTHER RESOLVED, should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the 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 be subject to review and approval by the SADC; and



BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

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

Todd and Margaret Casper (#1)  
Block 501 Lots P/O 9.05 (26.43 ac);  
P/O 9.05-EN (severable exception - 1.0 ac) & 17 (5.81 ac)  
Gross Total = 33.24 ac  
Upper Deerfield Twp., Cumberland County



	Property In Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundaries
	Primary - Limited Access
	Federal or State Highways
	County Roads
	Municipal/Local Roads
	Highlands (or Pinelands) Development Credits
	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  
W - Water

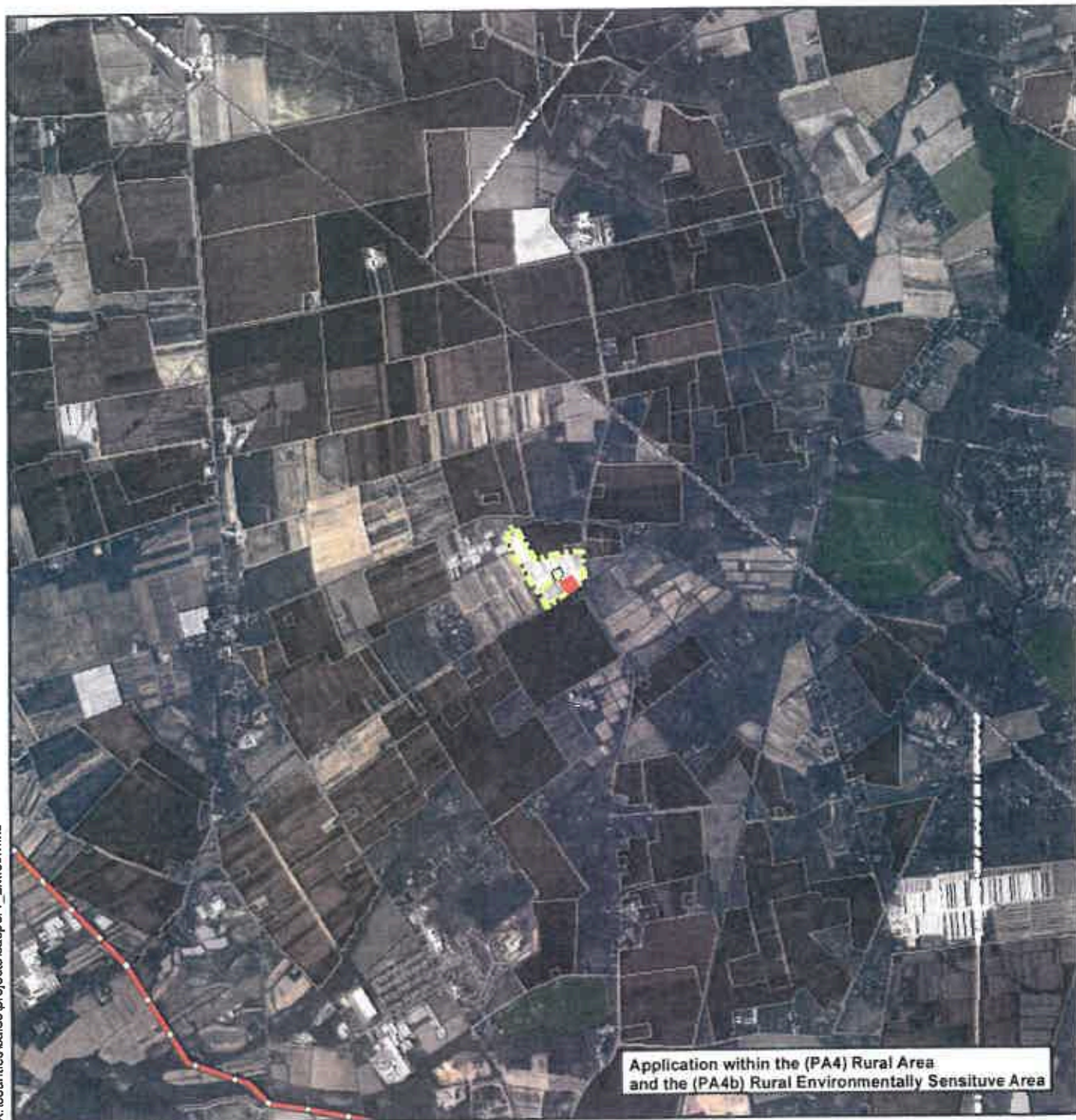
**Sources:**  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJDEP Wetlands Data  
NJ Pinelands Commission PDC Data  
NJ Highlands Council Data  
NJGIS/OGIS 2012 Digital Aerial Image

Date: 3/3/2017

**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 definition 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.



# Preserved Farms and Active Applications Within Two Miles



X:\counties\calco\projects\casper1\_2Miles3.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Todd and Margaret Casper (#1)  
 Block 501 Lots P/O 9.05 (26.43 ac);  
 P/O 9.05-EN (severable exception - 1.0 ac) & 17 (5.81 ac)  
 Gross Total = 33.24 ac  
 Upper Deerfield Twp., Cumberland County



	Property In Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Preserved Easements
	Active Applications
	Preserved With Federal Funds
	County Boundaries
	Municipal Boundaries
	Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

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

Sources:  
 NJ Farmland Preservation Program  
 Green Acres Conservation Easement Data  
 NJOITOGIS 2015 Digital Aerial Image

SADC County Pig Financial Status  
Schedule B

Cumberland County

SADC ID#	Farm	Acres	SADC		Base Grant				Competitive Funds						
			Cost	Share	Federal Grant	SADC	Enunb	PV	Expended	Balance	Maximum Grant		Fund Balance		
											Fiscal Year 11	Fiscal Year 13	Fiscal Year 11	Fiscal Year 13	FY11
06-0135-PG	Porter	43.6190	230,995.20	154,723.20	1,500,000.00	157,294.50	154,723.20	134,723.20	2,554,730.44	0.00	2,433,413.04	2,554,730.44	2,433,413.04	4,988,143.48	4,988,143.48
06-0146-PG	Scranton 2	34.2560	181,196.40	121,367.40	1,000,000.00	127,977.30	121,367.40	121,367.40	2,257,246.88	574,104.73	2,153,934.14	2,257,246.88	2,153,934.14	4,411,178.92	4,411,178.92
06-0137-PG	Watson #2	67.2690	248,734.30	176,156.18	1,000,000.00	180,806.20	176,156.18	176,156.18	3,000,000.00	12,484,771.09	3,000,000.00	12,484,771.09	3,000,000.00	12,484,771.09	3,000,000.00
06-0138-PG	Casper, Kathleen A.	28.5690	136,595.20	93,312.72		99,973.60	93,312.72	93,312.72	4,864,109.95		4,864,109.95		4,864,109.95		4,864,109.95
06-0136-PG	Gilson	103.9450	436,669.00	303,619.40		309,783.80	303,619.40	303,619.40							
06-0144-PG	McAlister	29.0000	128,934.50	89,908.70		89,908.70	74,578.77	74,578.77							
06-0145-PG	Scranton 1	31.6790	168,395.00	107,708.60		122,570.00	107,708.60	73,925.04	1,604,202.33	1,604,202.33	1,604,202.33	1,604,202.33	1,604,202.33	1,604,202.33	1,604,202.33
06-0147-PG	Casper #2	23.9440	107,612.40	73,925.04		73,925.04	73,925.04	73,925.04							
06-0160-PG	Ulland	28.6000	131,694.00	90,224.40		78,415.20	82,839.20	62,639.20	1,554,683.13	1,554,683.13	1,554,683.13	1,554,683.13	1,554,683.13	1,554,683.13	1,554,683.13
06-0167-PG	Hubschmidt #2	64.5330	296,842.60	203,917.96		222,974.40	211,123.78	211,123.78	2,111,123.78	2,111,123.78	2,111,123.78	2,111,123.78	2,111,123.78	2,111,123.78	2,111,123.78
06-0193-PG	Garrison	44.0080	189,234.40	131,143.84		144,261.80	203,917.96	131,143.84	995,577.57	995,577.57	995,577.57	995,577.57	995,577.57	995,577.57	995,577.57
06-0158-PG	McCracken	38.2930	134,025.50	95,732.50		121,025.00	95,732.50	95,732.50	899,649.07	899,649.07	899,649.07	899,649.07	899,649.07	899,649.07	899,649.07
06-0184-PG	Riley	23.0010	121,905.30	80,443.00		80,443.00	80,443.00	80,443.00	819,202.07	819,202.07	819,202.07	819,202.07	819,202.07	819,202.07	819,202.07
06-0184-PG	Coleman #2	32.9430	116,500.30	82,357.50		84,975.00	82,357.50	82,357.50	736,444.57	736,444.57	736,444.57	736,444.57	736,444.57	736,444.57	736,444.57
06-0159-PG	Casper, Mary Ann	13.4810	89,411.30	61,338.55		65,811.00	81,338.55	81,338.55	675,506.02	675,506.02	675,506.02	675,506.02	675,506.02	675,506.02	675,506.02
06-0161-PG	Hubschmidt #1	51.0440	172,802.64	168,869.75		168,869.75	168,869.75	168,869.75	506,336.22	506,336.22	506,336.22	506,336.22	506,336.22	506,336.22	506,336.22
06-0134-PG	Watson #1	30.8310	114,041.03	114,041.03		114,041.03	114,041.03	114,041.03	392,395.19	392,395.19	392,395.19	392,395.19	392,395.19	392,395.19	392,395.19
06-0143-PG	Mason	12.0000	64,890.00	43,569.00		43,569.00	43,569.00	43,569.00	349,325.19	349,325.19	349,325.19	349,325.19	349,325.19	349,325.19	349,325.19
06-0152-PG	Coleman #1	75.2170	284,480.80	200,640.88		200,640.88	200,640.88	200,640.88	148,888.31	148,888.31	148,888.31	148,888.31	148,888.31	148,888.31	148,888.31
06-0174-PG	Ruseell, Velma M. (Ray, William Henry)	8.8000	40,050.00	27,580.00		27,580.00	27,580.00	27,580.00	121,085.31	121,085.31	121,085.31	121,085.31	121,085.31	121,085.31	121,085.31
06-0172-PG	Snoenmaker, Joseph C. & Betty P. #1	27.9980	178,587.40	112,482.88		112,482.88	112,482.88	112,482.88	8,812.45	8,812.45	8,812.45	8,812.45	8,812.45	8,812.45	8,812.45
06-0171-PG	Snoenmaker, Joseph C. & Betty P. #2	57.2610	320,661.60	211,065.70		211,065.70	211,065.70	211,065.70							
06-0167-PG	App, Bonnie L. #1	122.5700	272,392.00	170,368.00		170,368.00	170,368.00	170,368.00							
06-0167-PG	App, Bonnie L. #2	37.6000	148,520.00	498,408.50		498,408.50	498,408.50	498,408.50							
06-0173-PG	Coleman & Chanton (Fleewood)	19.5700	107,635.00	71,430.50		71,430.50	71,430.50	71,430.50							
06-0176-PG	Ale, Kenneth & Carol #1	71.0700	447,741.00	287,833.50		287,833.50	287,833.50	287,833.50							
06-0181-PG	Balinger, Shirley (Balinger #1)	40.1700	211,989.75	142,101.38		142,101.38	142,101.38	142,101.38							
06-0192-PG	Balinger, Shirley (Balinger #2)	22.6600	135,960.00	89,374.00		89,374.00	89,374.00	89,374.00							
06-0177-PG	Ale, Kenneth & Carol #2	33.9900	163,152.00	111,487.20		111,487.20	111,487.20	111,487.20							
06-0149-PG	Casper, Todd & Margret (Lot 9.0)	60	3,186,104.00	10,789,993.02	2,586,850.52	686,987.99	686,987.99	686,987.99	4,981,260.25		4,981,260.25	4,981,260.25	4,981,260.25	4,981,260.25	4,981,260.25
Closed		60	16,209,544.34	10,789,993.02	2,586,850.52	686,987.99	686,987.99	686,987.99	4,280,023.87		4,280,023.87	4,280,023.87	4,280,023.87	4,280,023.87	4,280,023.87
Enunb		11	495,650.00	2,886,214.35	1,819,868.38	796,746.75	796,746.75	796,746.75	4,280,023.87		4,280,023.87	4,280,023.87	4,280,023.87	4,280,023.87	4,280,023.87
Total		71	16,705,194.34	13,676,257.37	5,403,701.04	1,483,734.74	1,483,734.74	1,483,734.74	8,761,288.12		8,761,288.12	8,761,288.12	8,761,288.12	8,761,288.12	8,761,288.12

Planning Initiative Grant -2007 rules County\Fund tracking\2013ctypig Financialstatus.xls AL 4/24, 2017

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Casper #1\Caspers Nurseries, LLC  
06- 0149-PG  
County PIG Program  
31 Acres

Block 501 Lot 9.05 Upper Deerfield Twp. Cumberland County  
Block 501 Lot 17 Upper Deerfield Twp. Cumberland County

<b>SOILS:</b>	Prime	100% * .15 = 15.00	
			<b>SOIL SCORE: 15.00</b>
<b>TILLABLE SOILS:</b>	Cropland Harvested	79% * .15 = 11.85	
	Other	20% * 0 = .00	
	Wetlands	1% * 0 = .00	
			<b>TILLABLE SOILS SCORE: 11.85</b>
<b>FARM USE:</b>	Ornament Nursery Products	27 acres	
	Field Crop Except Cash Grain	5 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions:
    - 1st one (1) acres for current housing unit
    - Exception is severable
    - Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: Standard Single Family
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 #FY2018R10(23)**

**Final Approval**

**Lorillard, Alice Estate of - (TLCNJ)("Owner")  
FY2013 Non Profit Round - SADC #18-0009 NP**

**October 26, 2017**

WHEREAS, on May 21, 2012 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from The Land Conservancy of New Jersey ("TLCNJ") for the Alice Lorillard farm identified as Block 13, Lots 7 and 8, Bedminster Township, Somerset County, totaling approximately 81 gross acres, hereinafter referred to as "the Property"; and

WHEREAS, the original application included a 2 acre non-severable exception around a structure containing 3 apartments (one, 3 bedroom and two, 2 bedroom) and a 3.75 acre non-severable exception around a single family residence (Schedule A); and

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

WHEREAS the Property is in hay production; and

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

WHEREAS, on September 27, 2012 the SADC granted preliminary approval by Resolution #FY2013R9(26) to the TLCNJ application and appropriated \$1,516,983 for the acquisition of development easement on five farms including the Lorillard farm; and

WHEREAS, at the time of SADC preliminary approval the Property had a quality score of 63.27; and

WHEREAS, on September 24, 2015 the SADC certified a development easement value of the Property to be \$30,000 per acre based on current zoning and environmental regulations in place as of July 27, 2015; and

WHEREAS, the SADC advised TLCNJ 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 TLCNJ's eligible costs and subject to available funds appropriated in the FY2013 Nonprofit round; and

WHEREAS, TLCNJ informed the SADC that it accepted the SADC certified easement value of \$30,000 per acre and the SADC 50% per acre cost share of \$15,000; and

WHEREAS, on September 29, 2015 the original Owner, Alice Lorillard passed away; and

WHEREAS, subsequently representatives of her Estate indicated they would like to continue with the farmland preservation application; and

WHEREAS, TLCNJ and Somerset County approved the Estate's request to combine the two nonseverable exceptions (5.75 acres total) and increase the size resulting in one approximately 12 acre nonseverable exception; and

WHEREAS, the exception area is limited to the existing single family residence and the three apartments (one, 3 bedroom and two, 2 bedroom) and the apartments cannot be replaced with single family residences; and

WHEREAS, the increased exception area results in approximately 69 net acres to be preserved, Schedule A-1; and

WHEREAS, TLCNJ and the Owner agreed to include the following language in the Deed of Easement "the use of the exception area shall not impair, hinder or negatively impact the agricultural use on the Premises as determined by the easement holder"; and

WHEREAS, the change in the exception size increases the quality score to 64.98; and

WHEREAS, both appraisers reviewed the change to the application and provided letters that the change in the size of the exception had no impact on the easement per acre value. SADC review appraiser concurs with the appraisers; and

WHEREAS, the Owner accepted TLCNJ offer of \$32,745 per acre for the development easement for the Property, which is higher than the certified easement value, but not higher than the highest appraised value of \$35,000 per acre; and

WHEREAS, TLCNJ passed a resolution on May 24, 2017 approving the acquisition and entered into a purchase agreement with the Owner on June 16, 2017; and

WHEREAS, on May 15, 2017 the Somerset County Agriculture Development Board endorsed the TLCNJ/Lorillard application and agreed to hold the easement and be responsible for annual monitoring; and

WHEREAS, on July 11, 2017 the Somerset County Board of Chosen Freeholders endorsed the TLCNJ/Lorillard application and agreed to provide \$12,500 per acre towards the acquisition on the condition that the Deed of Easement is assigned to and held by the County of Somerset; and

WHEREAS, N.J.A.C. 2:76-16.1(a)3.iii allows for the conveyance of the development easement to the Federal Government, the State, the County, or another qualifying tax exempt organization for farmland preservation purposes; and

WHEREAS, on June 19, 2017 by Resolution #2017-073 Bedminster Township endorsed the TLCNJ/Lorillard application and agreed to contribute \$5,000 per acre toward the acquisition; and

WHEREAS, on May 22, 2017 the Lamington Conservancy passed a resolution agreeing to contribute up to \$16,905 toward the acquisition; and

WHEREAS, the estimated cost share participation for the project is as follows (based on 69 acres); and

Somerset County	\$ 862,500	\$12,500/acre
Bedminster Township	\$ 345,000	\$ 5,000/acre
Lamington Conservancy	\$ 16,905	\$ 245/acre
SADC Nonprofit Grant Funds	<u>\$1,035,000</u>	<u>\$15,000/acre (50% of \$30,000)</u>
Total	\$2,259,405	\$32,745/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 TLCNJ for up to 50% of the eligible ancillary costs which will be deducted from its appropriation and subject to the availability of funds; and

WHEREAS, TLCNJ is requesting \$1,035,000 in FY13 funding, which is available at this time;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to The Land Conservancy of New Jersey/Lorillard easement acquisition application subject to compliance with N.J.A.C. 2:76-16 and the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$15,000 per acre (total of approximately \$1,035,000 based on 69 acres) to The Land Conservancy of New Jersey for the development easement acquisition on the Lorillard farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, the SADC approves the assignment of the Deed of Easement from TLCNJ to Somerset County provided the SADC reviews and approves in advance all documentation to accomplish the assignment, including but not limited to review of survey, title, and assignment document; and

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 12 acre non-severable exception limited to one single family residential unit and a structure containing 3 apartments (one, 3 bedroom and two, 2 bedroom), the apartments cannot be replaced with single family residences; and

BE IT FURTHER RESOLVED, the following language shall be included in the Deed of Easement "the use of the exception area shall not impair, hinder or negatively impact the agricultural use on the Premises as determined by the easement holder"; and

BE IT FURTHER RESOLVED, the Property to be preserved outside of the non-severable exception area includes zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; 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 The Land Conservancy of New Jersey for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Property to be preserved outside of any exception area 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-C; 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 Land Conservancy of New Jersey for the acquisition of a development easement on the Lorillard 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 approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17  
Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

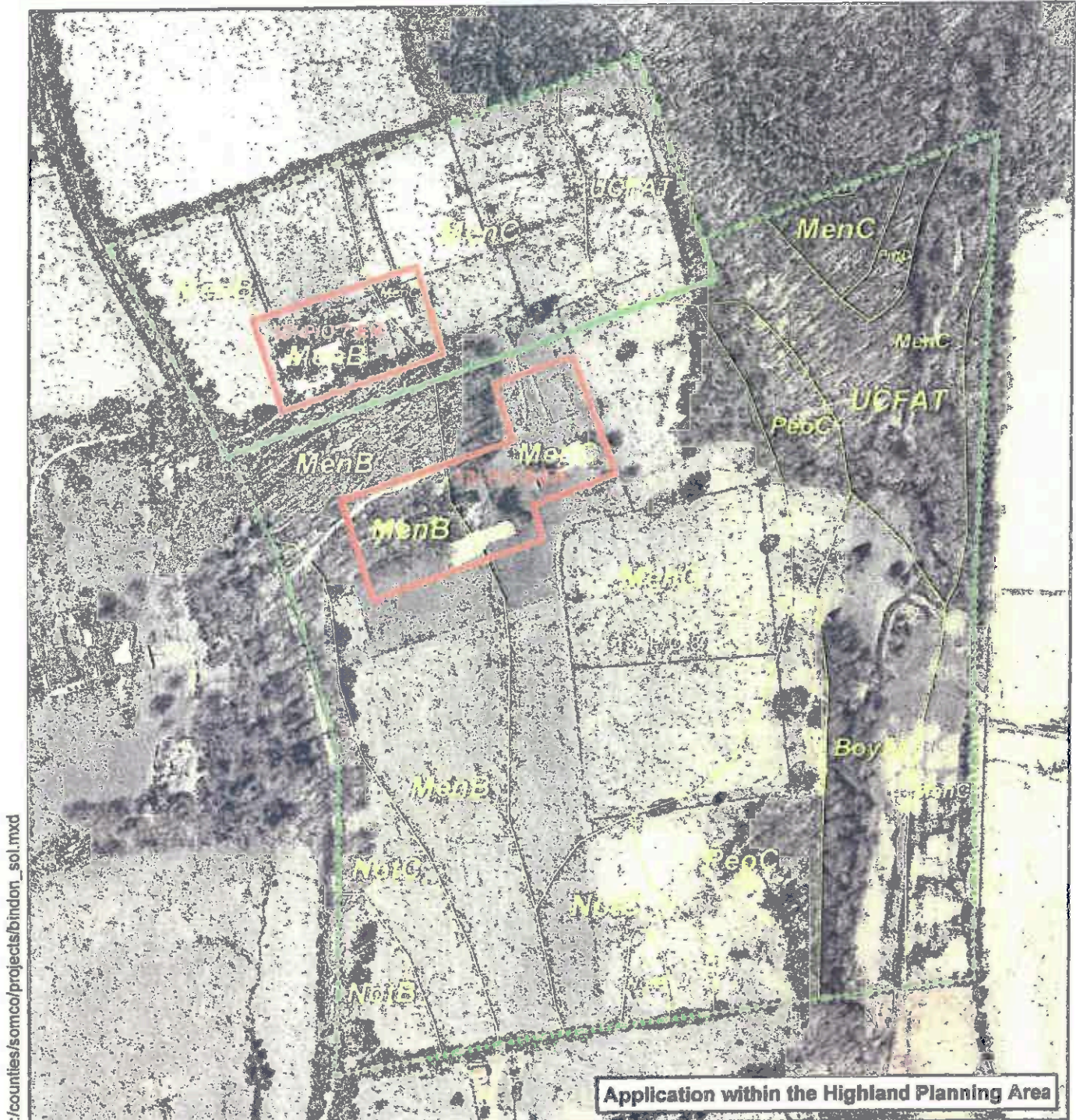
**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



# Soils

JUNE 2011



x:\counties\somco\projects\bindon\_sol.mxd

Application within the Highland Planning Area

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

Bindon Farm/Alice W Lorillard/LCNJ  
 Block 13 Lots P/O 7 (14.1 ac);  
 P/O 7-EN (non-severable exception - 2.1 ac);  
 P/O 8 (59.3 ac) & P/O 8-EN (non-severable exception 3.8 ac)  
 Gross Total = 79.2 ac  
 Bedminster Twp., Somerset County

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



Sources:  
 NRCS - SSURGO 2010 So2 Data  
 Green Acres Conservation Easement Data  
 NJOT/IGIS 2007/2008 Digital Aerial Image

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



Application within the Highland Planning Area

x:\counties\somco\projects\bindon\_2mile.mxd



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

Bindon Farm/Alice W Lorillard/LCNJ  
 Block 13 Lots P/O 7 (14.1 ac);  
 P/O 7-EN (non-severable exception - 2.1 ac);  
 P/O 8 (59.3 ac) & P/O 8-EN (non-severable exception 3.8 ac)  
 Gross Total = 79.2 ac  
 Bedminster Twp., Somerset County



**Farmland Preservation Program**

- Property in Question
- EN - (Non-Severable) Exception
- EB - (Severable) Exception
- Preserved Easements
- Active Applications
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned OS & Recreation Easement

**Base Map**

- County Boundary
- Municipal Boundary



Sources:  
 NJ Farmland Preservation Program  
 Green Acres Conservation Easement Data  
 NJCIT/OGIS 2007/2008 Digital Aerial Image

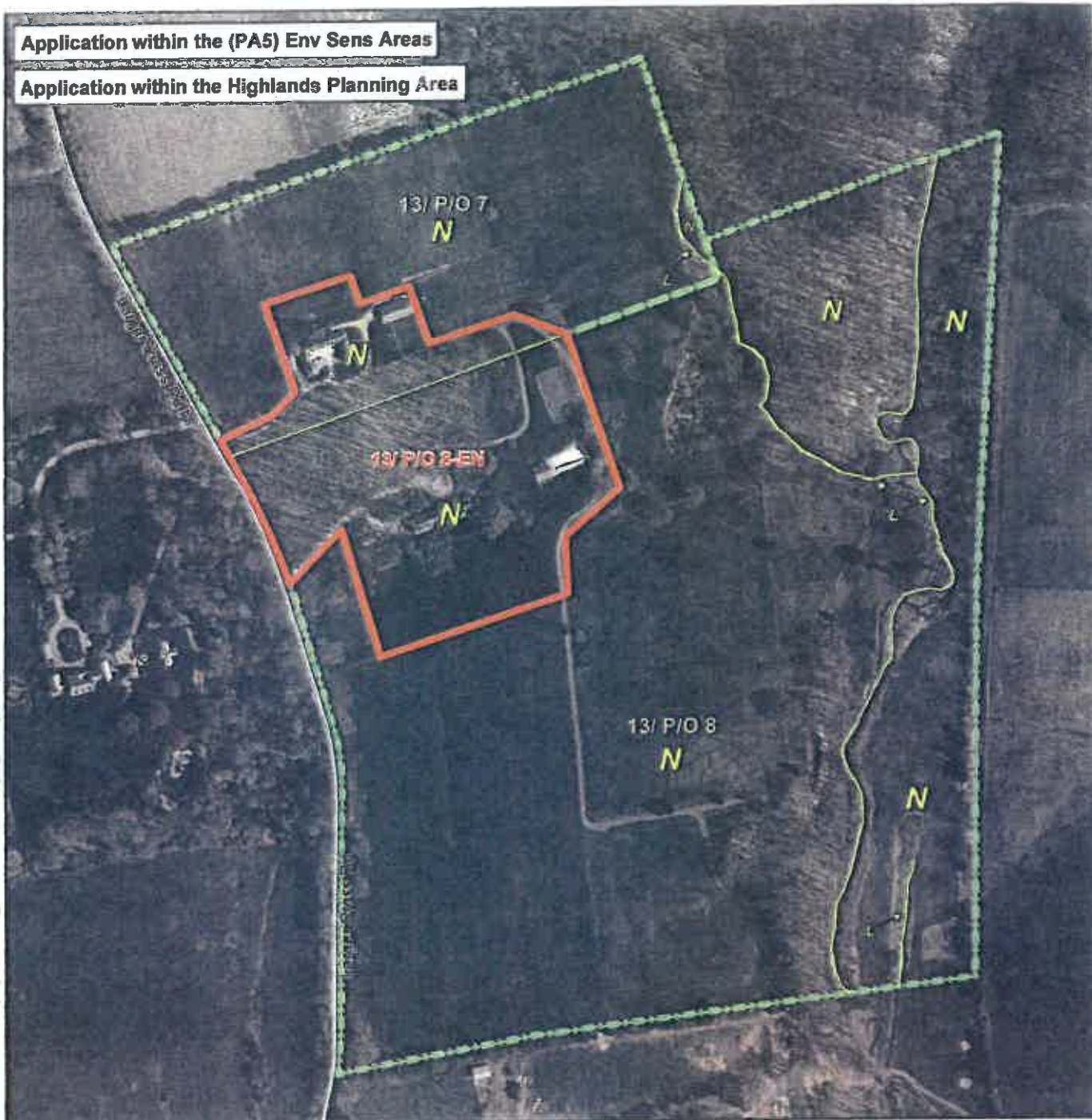
**NOTE:**  
 The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors



Application within the (PA5) Env Sens Areas

Application within the Highlands Planning Area

X:\counties\someco\projects\Land\_Conservancy-Urgo\_S\_Ursin\_John\_fwv.mxd



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

Land Conservancy-Urgo, S/Ursin, John  
 Block 13 Lots P/O 7 (13.2 ac); P/O 8 (54.0 ac);  
 & P/O 8-EN (non-severable exception - 12.0 ac)  
 Gross Total = 79.2 ac  
 Bedminster Twp., Somerset County

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



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

**Sources:**  
 NJ Farmland Preservation Program  
 Green Acres Conservation Easement Data  
 NJDEP Wetlands Data/NJ Highlands Council Data  
 NJOT/OGIS 2015 Digital Aerial Image

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State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Lorillard, Alice - Estate of (TLCNJ)  
18- 0009-NP  
FY 2012 Easement Purchase - Nonprofit  
67 Acres

Block 13	Lot 7	Bedminster Twp.	Somerset County	
Block 13	Lot 8	Bedminster Twp.	Somerset County	
<b>SOILS:</b>		Other	20% * 0	= .00
		Prime	19% * .15	= 2.85
		Statewide	61% * .1	= 6.10
				<b>SOIL SCORE: 8.95</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	72% * .15	= 10.80
		Woodlands	28% * 0	= .00
				<b>TILLABLE SOILS SCORE: 10.80</b>
<b>FARM USE:</b>	Field Crop Except Cash Grain	24 acres	hay/alfalfa	

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 twelve (12) acres for single family residence and 3 apartments, apartments cannot be replaced with SF residences
    - Exception is not to be severable from Premises
  - c. Additional Restrictions:
    1. 3 apartments: 2, 2 bedroom, 1, 3 bedroom
    2. Use of exception shall not impair, hinder or negatively impact the agricultural use of the premises as determined by easement holder
  - 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 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 FY2018R10(24)

Amended FINAL REVIEW AND APPROVAL

K-J -The Land Conservancy of New Jersey

2012 Non Profit Round - SADC #21-0028 NP

OCTOBER 26, 2017

**Amendment Synopsis:**

- Recognize the 40.9-acre severable exception.
- Recognize a new easement value \$3,850 /acre.
- Approve a new cost share based on the new easement value.

WHEREAS, on May 21, 2012 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from The Land Conservancy of New Jersey (TLCNJ) for the K-J farm identified as Block 7, Lot 1, Harmony Township, Warren County, totaling approximately 103 net acres hereinafter referred to as "Property"; and

WHEREAS, on July 25, 2013 the SADC granted final approval by Resolution #FY14R7(11) to the K-J Farm application (Schedule A); and

WHEREAS, the original K-J Farm application contained one (1), 3-acre non-severable exception restricted to one (1) future single family residence; and

WHEREAS, during the title search, certain interests were noted between the K-J landowners and the adjacent property owner (Block 7 Lot 14). Specifically, the owner of neighboring Block 7 Lot 14 retained an interest in a haul road which lies between the K-J quarried area and the quarried area on Block 7 Lot 14. This interest allows the adjoining property owner the right to remove a portion of the haul road which would result in the merger of the quarry ponds between the two properties; and

WHEREAS, SADC staff, TLCNJ and K-J Farm owners agreed to except out the formerly quarried area; and

WHEREAS, the Property has one (1) previously approved 3-acre non-severable exception and one (1) new 40.9-acre severable exception, each restricted to one future single family residence and for future flexibility of use, resulting in approximately 61 net acres to be preserved (Schedule B); and

WHEREAS, the Property has zero (0) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; 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, this change to the application results in a quality score of 54.71 which continues to meet the standards as required in the SADC preliminary approval by Resolution #FY2013R9(26); and

WHEREAS, TLC-NJ updated the appraisals to consider the addition of the new exception area and in accordance with N.J.A.C. 2:76-15.1 if two appraisals have been obtained on a parcel and the difference between the two appraisal values is 10 percent of the higher appraisal value or less, the eligible land cost shall be the average of the appraisal values.

WHEREAS, on July 27, 2017 the SADC certified the amended easement value of \$3,850 per acre based upon the two revised appraisals which were within 10 percent of the highest appraisal value; and

WHEREAS, on September 27, 2012 the SADC granted preliminary approval by Resolution #FY2013R9(26) to the TLCNJ's application and appropriated \$1,516,983 for the acquisition of development easements on five farms including the K-J Farm; and

WHEREAS, TLCNJ has received final approval for the Star D farm which used approximately \$138,000 of the appropriated funds, leaving a balance of approximately \$1,378,983 for the K-J farm; and

WHEREAS, the Warren County Board of Chosen Freeholders entered into a Farmland Preservation Agreement with TLCNJ dated January 25, 2013 which provides 50% matching funds from Warren County for TLCNJ easement acquisition on the K-J farm; and

WHEREAS, the cost share breakdown based on approximately 61 acres is as follows:

Warren County	\$ 117,425	\$1,925/acre
SADC Nonprofit Grant Funds	<u>\$ 117,425</u>	<u>\$1,925/acre</u>
Total	\$ 234,850	\$3,850/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 TLCNJ for up to 50% of the eligible ancillary costs which will be deducted from its 2013 appropriation and subject to the availability of funds; and

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to The Land Conservancy of New Jersey for the K-J farm easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, the Property has one (1), 3-acre non-severable exception and one (1), 40.9-acre severable exception, each restricted to one future single family residence; and

BE IT FURTHER RESOLVED the Property has zero (0) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and

BE IT FURTHER RESOLVED, all other provisions of the July 25, 2013 final approval #FY14R7(11) shall remain in effect; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$1,925 per acre (total of approximately \$117,425 based on 61 acres) to The Land Conservancy of New Jersey for the development easement acquisition on the K-J farm subject to the availability of funds; 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 The Land Conservancy of New Jersey 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 Land Conservancy of New Jersey for the acquisition of a development easement on the K-J farm; 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 this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; 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.

10/26/17  
Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
W. Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY14R7(11)

Final Approval and Authorization to  
Execute Deed of Easement, Project Agreement, and Closing Documents  
The Land Conservancy of New Jersey - K-J Farm  
2012 Non Profit Round - SADC #21-0028 NP

July 25, 2013

WHEREAS, on May 21, 2012 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from The Land Conservancy of New Jersey (TLCNJ) for the K-J farm identified as Block 7, Lot 1, Harmony Township, Warren County, totaling approximately 103 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the K-J farm and the Star D farm are contingent upon on the subdivision of Block 7, Lot 1, Harmony Township, Warren County (approximately 151 gross acres), into the respective Lots 1 (103 acres) and 1.03 ( 40 acres) prior to closing (Schedule A-1); and

WHEREAS, Harmony Township Land Use Board approved the subdivision on March 6, 2013; and

WHEREAS, the Property will be designated as Block 7, Lot 1; and

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

WHEREAS, the farm is approximately 56 percent tilled, was in field corn 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 TLCNJ's application and appropriated \$1,516,983 for the acquisition of development easements on five farms including the K-J Farm; and

WHEREAS, TLCNJ has received final approval for the Star D farm which used approximately \$138,000 of the appropriated funds, leaving a balance of approximately \$1,378,983 for the K-J farm (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, the Property has a quality score of 51.99 which is greater than 70% of the County average quality score of 42 as determined by the Committee on September 27, 2012; and

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

WHEREAS, in accordance with N.J.A.C. 2:76-15.1 if two appraisals have been obtained on a parcel and the difference between the two appraisal values is 10 percent of the higher appraisal value or less, the eligible land cost shall be the average of the appraisal values. The two appraisals submitted were within 10 percent of the highest appraisal value and the resulting average was \$3,175 per acre; and

WHEREAS, on June 27, 2013 the SADC certified the development easement value of the Property to be \$3,175 per acre based on current zoning and environmental regulations in place (as of April 1, 2013); and

WHEREAS, this certification was contingent upon a subdivision deed being filed in the County Clerk's office prior to the preservation of Lot 1 perfecting the creation of Lot 1; and

WHEREAS, on June 27, 2013 the SADC informed TLCNJ 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 eligible costs and subject to available funds; and

WHEREAS, on July 2, 2013 TLCNJ informed the SADC that it will accept the SADC cost share of \$1,587.50 per acre for a total value of \$3,175 per acre; and

WHEREAS, the Warren County Board of Chosen Freeholders entered into a Farmland Preservation Agreement with TLCNJ dated January 25, 2013 which provides 50% matching funds from Warren County for TLCNJ easement acquisition on the K-J farm; and

WHEREAS, the cost share breakdown based on 103 acres is as follows:

Warren County	\$ 163,512.50	\$1,587.50/acre
SADC Nonprofit Grant Funds	\$ 163,512.50	\$1,587.50/acre
Total	\$ 327,025	\$3,175/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 TLCNJ for up to 50% of the eligible ancillary costs which will be deducted from its 2013 appropriation and subject to the availability of funds (Schedule B); and

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to The Land Conservancy of New Jersey for the K-J farm easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, that one three (3) acre non-severable exception for a future single family residence is recognized; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$1,587.50 per acre (total of approximately \$163,512.50 based on 103 acres) to The Land Conservancy of New Jersey for the development easement acquisition on the K-J farm subject to the availability of funds; and



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

BE IT FURTHER RESOLVED, that closing cannot take place until the subdivision deed is filed in the  
County Clerk's office perfecting the creation of Lot 1; 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 The Land Conservancy of New Jersey  
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 Land Conservancy of New Jersey for the  
acquisition of a development easement on the K-J farm; 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 this action is not effective until the Governor's review period  
expires pursuant to N.J.S.A. 4:1C-4f.

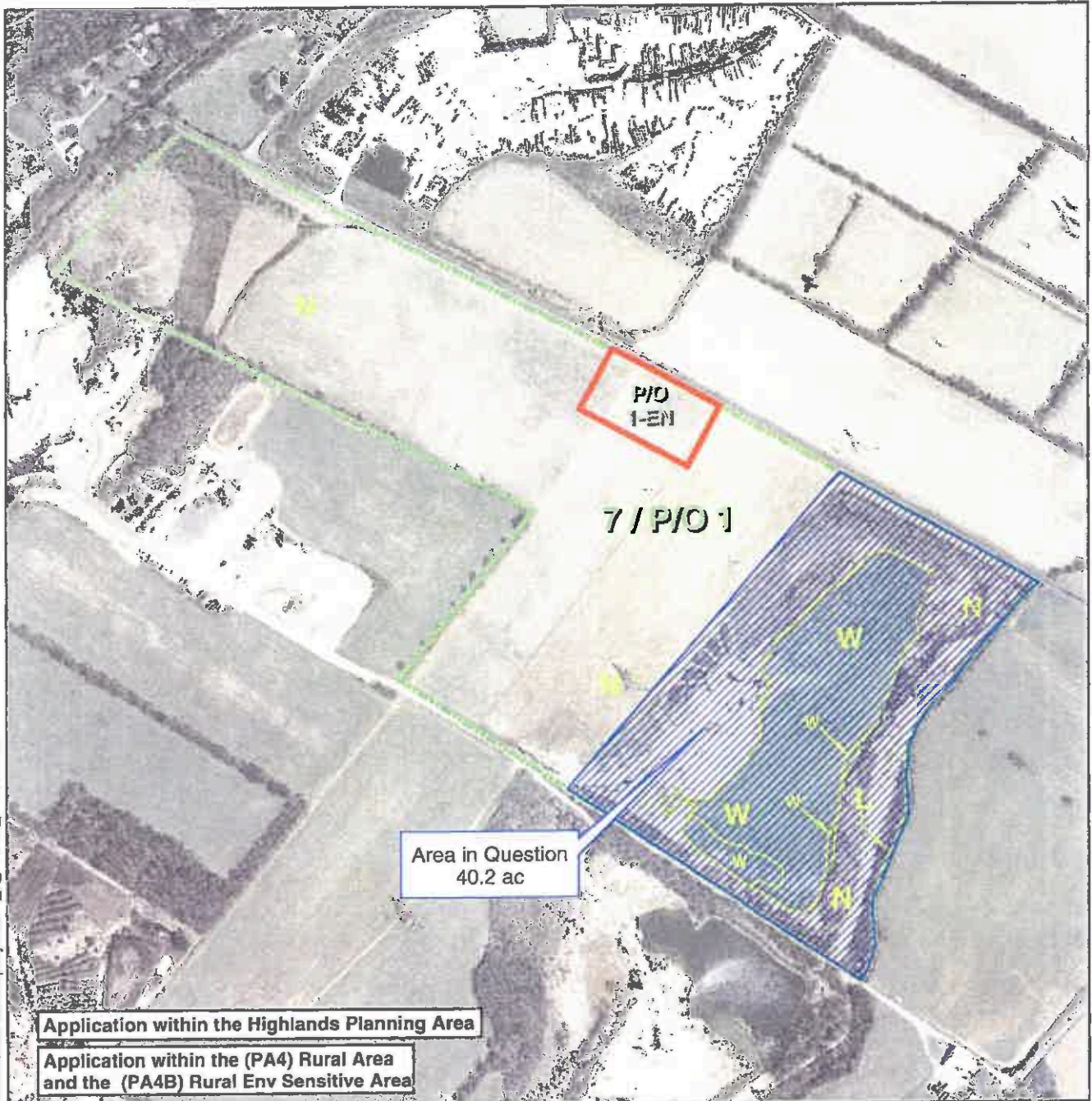
7/25/13  
Date



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
Gina Fischetti (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	YES
James Waltman	ABSENT
Denis C. Germano	YES
Torrey Reade	YES
Peter Johnson	YES



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**Application within the Highlands Planning Area**  
**Application within the (PA4) Rural Area and the (PA4B) Rural Env Sensitive Area**

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

**K-J FARM**  
 Block 7 P/O Lot 1 (101.69 ac) & P/O Lot 1-EN (non-severable exception - 3.03 ac)  
 Gross Total = 104.72 ac  
 Harmony Twp., Warren County



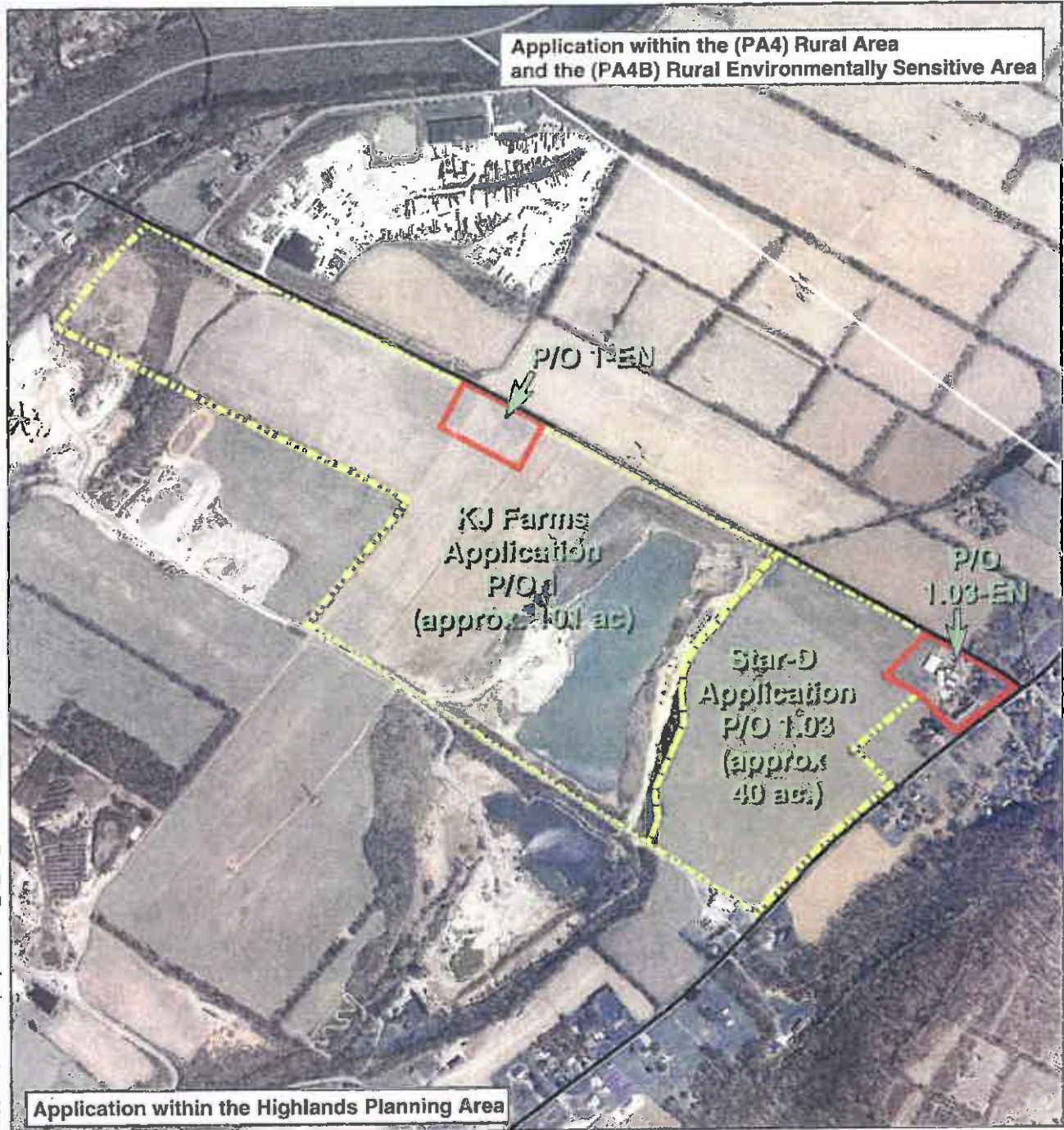
**Wetlands Legend:**  
 F - Freshwater Wetlands  
 L - Linear Wetlands  
 M - Wetlands Modified for Agriculture  
 T - Tidal Wetlands  
 N - Non-Wetlands  
 B - 300' Buffer  
 W - Water

**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  
 NJOT/OGIS 2007/2008 Digital Aerial Image



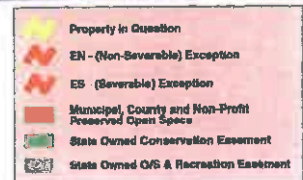
# Schedule A-1



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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

KJ Farms  
Block 7 P/O Lot 1 (101.68 ac) & P/O Lot 1-EN (non-severable exception – 3.0 ac)  
Star-D Farm  
To Be Block 7 P/O Lot 1.03 (39.73 ac) & P/O Lot 1.03-EN (non-severable exception – 4.02 ac)  
Gross Total = 148.47 ac  
Harmony Twp. Twp., Burlington County



Sources:  
Green Acres Conservation Easement Data  
NJOT/OGIS 2012 Digital Aerial Image

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

Date: 7/12/2013



State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

LCNJ\K-J Farm  
21- 0028-NP  
FY 2012 Easement Purchase = Nonprofit  
102 Acres

Block 7	Lot 1	Harmony Twp.	Warren County		
SOILS:		Other	40.57% *	0	= .00
		Prime	57.48% *	.15	= 8.62
		Statewide	1.95% *	.1	= .20
					SOIL SCORE: 8.82
TILLABLE SOILS:		Cropland Harvested	56% *	.15	= 8.40
		Other	38% *	0	= .00
		Woodlands	6% *	0	= .00
					TILLABLE SOILS SCORE: 8.40
FARM USE:	Corn-Cash Grain		57 acres		corn

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 three (3) acres for 1 future SFR
    - Exception is not to be severable from Premises
    - Exception is to be restricted to one single family residential unit
  - 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 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.



# Schedule B



X:\counties\warco\project\LCNJ\_K-J\_Farm\_ScheduleB.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

LCNJ/K-J Farm  
Block 7 Lots P/O 1 (60.8 ac); P/O 1-ES (severable exception - 40.9 ac);  
& P/O 1-EN (non-severable exception - 3.0 ac)  
Gross Total = 104.7 ac  
Harmony Twp., Warren County

500 250 0 500 1,000 Feet

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

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

	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundaries
	Primary - Limited Access
	Federal or State Highways
	County Roads
	Municipal/Local Roads

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

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

K-J (TLCNJ)  
21- 0028-NP  
FY 2012 Easement Purchase = Nonprofit  
61 Acres

Block 7	Lot 1	Harmony Twp.	Warren County	
<b>SOILS:</b>		Other	30% * 0	= .00
		Prime	67% * .15	= 10.05
		Statewide	3% * .1	= .30
				<b>SOIL SCORE: 10.35</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	86% * .15	= 12.90
		Woodlands	14% * 0	= .00
				<b>TILLABLE SOILS SCORE: 12.90</b>
<b>FARM USE:</b>	Corn-Cash Grain		57 acres	corn

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 three (3) acres for 1 future SFR  
Exception is not to be severable from Premises  
Exception is to be limited to one future single family residential unit(s)
    - 2nd (40.9) acres for Quarry/pond  
Exception is severable  
Right to Farm language is to be included in Deed of Future Lot  
Exception is to be limited to one future 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 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.