

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**Department of Agriculture
Market and Warren Streets
1st Floor Auditorium
Trenton, NJ 08625**

REGULAR MEETING

May 23, 2013

Chairman Fisher called the meeting to order at 9:15 a.m. 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

Douglas H. Fisher, Chairperson
Cecile Murphy (rep. DEP Commissioner Martin)
James Requa (rep. DCA Commissioner Constable)
Ralph Siegel (rep. State Treasurer Sidamon-Eristoff)
Brian Schilling (rep. Executive Dean Goodman)
Denis C. Germano, Esq. (Arrived at 9:25 a.m.)
Alan A. Danser, Vice Chairman
Peter Johnson
Jane R. Brodhecker
James Waltman

Members Absent

Torrey Reade

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

Others present as recorded on the attendance sheet: Heidi Winzinger, Brian Smith, Timothy Brill, Steve Bruder, Paul Burns, Ed Ireland, Bryan Lofberg, David Kimmel, Cindy Roberts, Stefanie Miller, Dan Knox, Judy Andrejko, Hope

Gruzlovic, Patricia Riccitello and Sandy Giambrone, SADC staff; Kerstin Sundstrom, Governor's Authorities Unit; Dan Pace, Mercer County Agriculture Development Board; Brigitte Sherman, Cape May County Agriculture Development Board; Brian Wilson, Burlington County Agriculture Development Board; Nicole Goger, New Jersey Farm Bureau; Victoria Britton and Gail Smith, Township of Montgomery, Somerset County; Bernie Guthertz, BAM Energy, Ocean County; Glorianne Robbi, East Amwell Township, Hunterdon County; and Michael Cawthon and Nao Minami, Green Street Energy.

Minutes

A. SADC Regular Meeting of April 26, 2013 (Open and Closed Sessions)

It was moved by Mr. Requa and seconded by Mr. Danser to approve the open session minutes and the closed session minutes of the SADC regular meeting of April 26, 2013. The motion was approved. (Mr. Schilling abstained from the vote.)

REPORT OF THE CHAIRPERSON

Chairman Fisher discussed the following with the Committee:

- Jersey Fresh Event

Chairman Fisher stated that he attended the Jersey Fresh event held at the Horse Park of New Jersey a couple of weeks ago. New Jersey is launching a new campaign for Jersey Fresh this year titled "Another Great Season."

- Upcoming Bill in the Legislature

Chairman Fisher stated that Ms. Payne will be addressing a bill that is in the Legislature that will address many issues for landowners who preserved their farms without exception areas in the early years of the program. It also will help promote extended use of historic buildings on some of these properties. One-third of all barns in New Jersey were constructed before 1900 so they are in various states of disrepair and yet there are opportunities to bring old structures hopefully back to some new life. This bill intends to do some of that as well.

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Payne discussed the following with the Committee:

- NOFA Grant

Ms. Payne stated that Dave Kimmel from the SADC staff has been heading up the project for the Northeast Organic Farming Association (NOFA) grant that the SADC received through the USDA. We have spoken several times with the Committee regarding the Beginning Farmer project. The most recent event for this project will be on June 1st at the EcoComplex from 10 a.m. to 12:30 p.m. The workshop is aimed at landowners who are interested in making their land available for production to farmers who can rent the land. This can help landowners who may not know anything about farming to better understand what farmers need, what leased lands look like and to cultivate a better connection between people who are looking to lease their land and farmers who are looking to lease land.

- Soil Disturbance Committee (Deed of Easement Subcommittee)

Ms. Payne stated that staff will be reaching out to the Deed of Easement Subcommittee regarding dates for the next meeting of the subcommittee. Staff is ready to come back to the Subcommittee with a final proposal on soil disturbance standards based on the work that is being done.

- Rural Microenterprise Bill (A-4034)

Ms. Payne stated that this bill is sponsored by Assemblyman Burzichelli. The Legislature passed a law in 2005 that allows the SADC to issue special permits for nonagricultural uses. However, no one has applied in seven years because the language in that law is so limiting. A-4034 tries to deal with those limitations and make the law more flexible so that it would actually work and allow small-scale nonagricultural uses on farms that were preserved in the past without exception areas. As Chairman Fisher pointed out, the bill also allows for a greater amount of the building to be used for a nonagricultural use in exchange for historic preservation easements on such historic barns. She stated that we will see where it goes.

COMMUNICATIONS

Ms. Payne reminded the Committee to take home the various articles provided in the meeting binders.

PUBLIC COMMENT

None

NEW BUSINESS

A. Eight-Year Farmland Preservation Program – New Enrollments

Ms. Winzinger referred the Committee to the Program Summary Report for the Eight-Year Farmland Preservation Program showing two requests for new eight-year farmland preservation programs. She reviewed the specifics with the Committee and stated that staff recommendation is to grant approval to the new eight-year programs as presented and discussed.

It was moved by Ms. Brodhecker and seconded by Mr. Danser to grant certification to the following new Eight-Year Farmland Preservation Program enrollments as presented and discussed, subject to any conditions of said resolutions:

1. Still Run LLC (Block # 1), SADC # 08-0030-8F (Resolution FY2013R5(1))
Block 1, Lots 3 and 5, Mantua Twp., Glo. Co., 44 Acres
Soil and Water Conservation Cost Share Eligibility Amount
(subject to available funding): \$5,076.00
2. Still Run LLC (Block # 4), SADC # 08-0031-8F (Resolution FY2013R5(2))
Block 4, Lot 7, Mantua Twp., Glo. Co., 49 Acres
Soil and Water Conservation Cost Share Eligibility Amount
(subject to available funding): \$4,900.00

The motion was unanimously approved. (Copies of Resolution FY2013R5(1) and Resolution FY2013R5(2) are attached to and are a part of these minutes.)

B. Resolutions of Approval – FY2014 Planning Incentive Grant (PIG) Program

1. **Final Approval – Annual County PIG Program Plans Update**
2. **Final Approval – Municipal PIG Program Plans Update**

Mr. Brill and Mr. Bruder referred the Committee to Resolution FY2013R5(3) for a request for final approval for 15 County Planning Incentive Grant Program plans for FY2014. They reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

Mr. Bruder referred the Committee to Resolution FY2013R5(4) requesting final approval of 36 Municipal Planning Incentive Grant Program plans for FY2014. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2013R5(3) granting final approval of the FY2014 update to the County PIG Program plans as presented and discussed, subject to any conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY2013R5(3) is attached to and is a part of these minutes.)

It was moved by Mr. Germano and seconded by Mr. Siegel by to approve Resolution FY2013R5(4) granting final approval of the FY2014 update to the Municipal PIG Program plans as presented and discussed, subject to any conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY2013R5(4) is attached to and is a part of these minutes.)

C. Stewardship – Review of Activities

1. Hunter Farms, Montgomery Township, Somerset County

Mr. Roohr referred the Committee to Resolution FY2013R5(5) for a request by Princeton Show Jumping LLC, owner of Block 2601, Lot 1.02, in Montgomery Township, Somerset County, to utilize the property to expand his current equine operation and to host hunter-jumper shows. He stated that the request was presented for discussion purposes only to the Committee at its last meeting. He stated that this is a 100+ acre farm in Montgomery Township, Somerset County. Mr. Philbrick purchased the property and he also has two unpreserved farms, one just south of the preserved farm and that is his current main base of operations. Mr. Philbrick specializes in breeding, raising and training hunter-jumper sport horses such as the horses you see doing the jumps in the Olympics, not racehorses. Mr. Philbrick purchased the preserved farm to increase his operation. His 60-acre farm he currently uses for hay and this would be a substantial

increase and would allow him to increase his operation. One of the things we didn't understand at first is with racehorses, the way that you compete and your horse becomes more valuable is in races. Within the hunter-jumper world, the horses need to compete in these event shows and win, and that is how they increase in value. The SADC was unfamiliar with these types of shows and the reason for that is that they only occur in a couple of places in New Jersey. These competitions are where quite a few horses are brought together and compete against one another. These shows that Mr. Philbrick holds are all sanctioned by the United States Equine Federation and that gives them some status and clout, and if you compete and win one of those shows it would be much better than competing in one that is unsanctioned. Mr. Philbrick has been in this business for more than thirty years as an Olympic team competitor, coach, trainer and horse breeder and raiser. Over the thirty years in business, he has acquired nine licenses to host certain shows. In order to hold one of these shows, you have to have a license from the US Equine Federation. If he held every show, which are 3-5 day events, it would amount to 42 days of shows. It was established at the March meeting and also through staff research that in this segment of the equine world these shows are a necessity as far as marketing the output of the farm. If the animals don't compete in the shows there is no way to show the value of the animal. Therefore, this is a legitimate marketing tool.

Mr. Roohr stated that at the last meeting the draft resolution had language that may have caused some concern with wording like "significant," "majority" and "high volume," and there were not actual numbers in some of the paragraphs so staff replaced that language with the actual numbers. For example, for the number of shows or the number of horses in a show -- Mr. Philbrick has indicated that he holds nine licenses so staff indicated he could have nine shows. The resolution does leave the door open if Mr. Philbrick is able to get another license and if the Committee is comfortable that this additional show is a part of his marketing of the output of his farm, it does leave the door open to request license #10. Also, at the last meeting Montgomery Township expressed some concerns about the project. Since that time the Township and Mr. Philbrick have met and have made progress on a number of issues. That is not to say that everything is 100% worked out but progress has been made. One of the Township's major concerns was the map. On this farm, one of the other unique things about it is that it has an impervious cover limit, which is five percent, and the Township also has a fifteen-foot easement along the perimeter to put in a walking path. The concern was, depending on how you calculated the acreage and the impervious cover that Mr. Philbrick already has planned, that the Township perhaps would not be able to get in its paved walking path. The dispute was whether we're counting the preserved farm as 103 or 101 acres. Mr. Philbrick has conceded and staff finds that the preserved part of the farm is 101 acres. That reduces Mr. Philbrick's amount of impervious cover that he is allowed by five percent of two acres,

and he is fine with that. His build-out plan still has him under five percent so he is comfortable with that. Also, it takes the walking path out of the picture and they will be perfectly fine to do that.

Mr. Roohr stated that at the last meeting Mr. Philbrick noted and the Township mentioned that there was a wetlands violation for a minor amount of fill that was put into a wetlands buffer area. That violation was self-reported by Mr. Philbrick and since that time the fill has been removed and Mr. Philbrick has had a private environmental company come out to make sure he did everything in the right way. A letter was then prepared and Mr. Philbrick provided a copy to the SADC that indicates he rectified this in the correct manner and that letter was also sent to the NJ DEP with a request for someone from that office to come out and visit to make sure that they are OK with what was done. That issue appears to be resolved. At the last meeting the Committee asked Mr. Philbrick to have his stormwater plan prepared before he did any further construction on the property. Mr. Philbrick did agree to that and would not put any barns or other structures up until he had his plan approved. Since that time the plan has been prepared and recently submitted to the Somerset Soil Conservation Office for review. Also, one of staff's concerns since the last meeting was the vendors at these shows. They come and sell their wares and equine-related items but one of the things mentioned was a possible farmers market, or hosting a winery show or wine-tasting event. Staff had concerns, saying we could agree that these shows are related to marketing the output of the farm but we were uncomfortable with marketing the output of things that are not raised on the farm, such as wine and vegetables from a farmers market. What we found out is that some of the vendors, such as the equine veterinarian, the horse-shoe person and the person who sells bridles, all work at the show taking care of the horses and the people who are participating in the show, so we are fine with that. If the vendor is a necessary component of having the show, either needed for the animal or the competition, staff feels that would be fine. There is language in the draft resolution that spells that out.

Chairman Fisher asked about horse blankets or saddles, or things that are related to the industry specifically. Mr. Roohr responded that the resolution says that the vendors who are permitted are those that are a necessary component of having the show so if you need to have a vet there or someone to fix the horse shoes or leather materials, that is fine and those folks can present their wares. So if you fix the leather material and you also sell saddles, you can do that. Blankets and other things that may be a component of the equine industry, the resolution doesn't address that. Chairman Fisher stated that when he was at the Jersey Fresh event at the Horse Park, some of the things that they sell there are just horse-related items that you get when you go to shows of this type so he is a little uncomfortable but in the opposite way as staff. If it is related, if you have certain events

and you have certain vendors that are somewhat related to those activities, staff is saying strictly related to the output, but the experience of being part of the output, and the experience of being there might be part of that as well. Mr. Roohr stated that is actually the case that Mr. Philbrick makes, that the vendors that he has at his shows are very common. When you go to these shows these are the types of vendors that you see there, but from a staff perspective we were having a difficult time with the ones that weren't necessary to hold the show, how to make that OK. Staff took a somewhat conservative approach because that we could justify. Ms. Payne stated that the language that staff is referring to can be found on page six, the third "Be It Further Resolved" paragraph, where it reads "that only suppliers of goods and services which are directly related to, and necessary to operate the show itself, may be permitted to advertise and offer their product or service during the show." She stated that if the Committee is interested in making that more flexible we'll need to focus on that. Chairman Fisher stated that where it says "necessary," they are not necessary because you can sell a horse without any of that other stuff. You can bring folks there and they can see the horses, see the competition and then decide to buy or not buy a horse, but they are there. He is just a little leery about totally squaring off and not allowing a little bit of flexibility. Usually if you go to a dog show there are dog items being sold. Whatever is there are usually things that are somewhat related. He understands why staff would say that but it may be just a little too far.

Mr. Germano stated he was going to ask about what he perceives to be an internal contradiction between the section that we are talking about in that paragraph and the second paragraph from the bottom on page five where it says food, beverage, necessary supplies are apparently permitted. Ms. Payne stated that staff thought that was an absolute necessity. If you are going to have 300 horses in a show, you could have say 500 or 600 people coming to a show. They cannot stand in the sun all day and not have food, drink and restrooms. To staff, that was a basic necessity type of thing and would be required. Mr. Siegel stated that at the Sussex County Fair and at the Horse Park when they have these events, they will set up as much farm marketing as they can, especially at the Sussex County Fair because it isn't just horses. But this is a different situation because those are public spaces that are set up as parks specifically to accommodate those kinds of activities. He stated that this is not a park but rather a preserved farm. He stated that if you have a local vendor who sets up his peppers and tomatoes, the thought is that cannot happen. Mr. Roohr stated that is exactly the situation that Mr. Philbrick proposed but staff was uncomfortable with that. It would be prohibited.

Mr. Roohr stated that Mr. Philbrick, his attorney Mr. Sposaro and Ms. Britton representing Montgomery Township are present today.

Victoria Britton, representing Montgomery Township, stated that since the last meeting of the SADC, the Township and property owner have met on the property and progress is being made. The Township still has a couple of concerns that it wanted to bring to the Committee for its consideration today. The Township continues to be concerned with the lack of current on-site agricultural production. Mr. Roohr mentioned the stormwater management submission. The Township believes that to be incomplete. It lacks a report with calculations demonstrating how excess runoff and changes in water quality will be addressed, and if such a report exists the Township would like to have a copy so that it can review that. She stated that regarding some of the paragraphs that the Committee was just discussing, on page five of the draft resolution, the last two paragraphs regarding the accommodations for show attendees and the temporary tents, the Township just asks for clarification on those. They deal with, specifically, the temporary food services, which are within the jurisdiction of the municipal Board of Health and we don't want that paragraph to be used to usurp any authority of the Board of Health. Ms. Payne responded that the SADC is saying what it considers consistent or inconsistent with the Deed and that in no way relieves the property owner from having to obtain all other necessary permits. Ms. Britton stated for the last issue, it is again a concern with the temporary tents. That falls within the scope of the Fire Prevention Code, which is a State code, so again the Township doesn't want this resolution to be used to usurp those regulations as well.

Ms. Payne stated that some of the issues that the Township is talking about would go to Right to Farm, whether the property owner has Right to Farm protection to override any municipal ordinance. The first point is that there is never an authority to override a State or federal law or regulation; that is never something that a farmer can get relief from. Secondly, if there are issues regarding the Township ordinance, they would be resolved through the Right to Farm venue. We are not discussing that today and the SADC's approval of anything on a preserved farm does not translate immediately to what is protectable under Right to Farm. That is a separate venue.

Mr. Sposaro, attorney for Mr. Philbrick, stated that he concurs with Ms. Britton that they have made substantial progress in communications and meetings with the municipality. He respectfully disagrees with Ms. Britton on the issue of production. There is limited production on the property now, horses are being trained there and they have also informed staff that building plans have been completed and they are being reviewed now by the structural engineer. Once that is completed, they expect that within the next thirty days they will be submitting an application for construction permits to construct the barn and, barring any unforeseen events, they anticipate the barn being completed by year's end and the horses will then be there and there will be breeding and training in earnest on

the property. He stated that the production component is truly a non-issue. As to stormwater management, they have submitted their plan to the Somerset-Union Soil Conservation District as it was determined that they would be the governmental entity that would exercise jurisdiction and review stormwater management, and they have also provided the municipality with a copy of the plan. He personally doesn't know if there is a report that accompanies that but if there is they will provide it to the municipality. They anticipate that the municipality would provide its input to the soil conservation district. The only other issue that he would like to address is the issue raised by Secretary Fisher concerning vendors. Staff is correct, he did ask that that they be given some flexibility on not being tied directly and only to the production aspects of the equine that is occurring on the property. For example, they would like the opportunity to invite a few local farmers to bring their agricultural output to the competitions and offer it for sale. He can think of no better use of a preserved farm than affording local farmers that opportunity. He does agree with Secretary Fisher in his statement that going to a horse competition, part of the experience is to be able to walk through and see the different vendors. Perhaps at one end of the spectrum is, this is not going to turn into the flea market that you see in places, but he thinks there is some middle ground and he thinks that if it is agriculture-related and it is something that is done with taste and something typically seen at a horse show, he thinks it is something that we can all live with. His request is that the Committee give that opportunity. Have staff come out and take a look and you will be convinced that it is in keeping with the letter and spirit of what you are trying to accomplish and also consistent with what horse shows are all about. He stated that he would like to commend staff for the time they put in to this. As Mr. Roohr stated, it was a learning experience not only for staff but for him as well. He stated that Mr. Philbrick is a unique individual and he brings something to this operation that no one else in the state could bring. He also thanks the staff and Committee for keeping an open mind and he recognizes that the SADC wants to tread carefully as it is a preserved farm and you are into new territory. He felt that the Committee grasped the essence of what they are trying to do and also you have preserved and protected what the SADC holds dear to it, which is preserved farms and maintaining their integrity.

Mr. Germano stated he would like to suggest an addition to the resolution that sets a maximum number of vendors, a minimum number that have to be equine-related, and say a maximum percentage that have to be agriculture-related. He felt that a formula like that would work. Mr. Siegel stated that right now the resolution doesn't permit anything, -- it's equine and show-related people and it permits accommodation of the crowd in terms of refreshment and food. Mr. Germano stated he is thinking in terms of a maximum number of vendors to include equine-related vendors that aren't necessary to the production of the show and also permit a number of farm markets, for want of a better

term. The reason that he suggested a maximum number of vendors is so that we can then put caps or minimums on what the components of that total are; otherwise you lose control of it. Mr. Sposaro stated that they suggested to staff a maximum of thirty vendors, which is a modest number, and they occupy a 10 x 10 space and depending upon the weather are given a tent to operate under. Mr. Siegel stated that thirty vendors would be the total, including the vendors that are in compliance with the resolution as proposed plus the allowance of additional non-related vendors of local farmers. Mr. Sposaro stated that it would be a grand total of thirty vendors and some percentage of that would be directly related to the agricultural production and some percentage would be agriculture-related in some form.

Mr. Philbrick thanked Chairman Fisher for attending the Jersey Fresh Event. He stated that is an example of what he is aiming for. Chairman Fisher stated that they didn't have thirty vendors though. Mr. Philbrick stated no, but they wish they did and we all wish that we do, and we wish that we have a bigger audience and more public involvement in the sport. He stated that vendors really do help to have more people at these events. The horse show is a component of what goes on at the Sussex County Fair; it is a small part of that. They have car wrecking and that really is a county fair and has nothing to do with that he is doing.

Chairman Fisher stated that it sounds to him that, with the meetings that have taken place, the Committee is ready to vote on this proposal based on staff's work but before the Committee takes a vote he wanted to either open or close the door on this issue because it could become a disaster or it could be done in a way that we would imagine and expect -- a show with ancillary-type products and products related to that event. The Committee has heard a number of thirty vendors, you heard a number of four and you have heard what type of vendor that might be. Chairman Fisher stated that when it was mentioned about farmers and output, many folks have stands that are farm-related and the product has nothing to do with New Jersey; they bring it in from everywhere. It is felt as though it is local but it is not. The State Board of Agriculture is actually now dealing with the issue of "local" and it is thinking about how to define what local is, like some states already do. Then it would be easy for the Committee to say it has to be local output and it would feel better as a board knowing that. Ms. Murphy stated her concern is what we've done in the past and also setting a precedent moving forward and she would be interested in hearing staff's thoughts on that. This is a very unique operation but the issue of things being sold on a preserved farm that are from that farm or related to that farm's output is not a unique issue so she would appreciate staff's thoughts or concerns on what was done in the past and how it related to this or things that might crop up in the future.

Ms. Payne stated that most of the past thirty years the SADC position has been that what you sell at an event, a marketing event or your farm market on a preserved farm, comes from the farm. Then there was the Laurita case, where we got into the question of grapes. The Committee borrowed from the Right to Farm Act and said, of the wine that is produced here and sold, fifty-one percent of the grapes must come from this farm. Basically we understand that you may need to buy grapes from another place but you cannot have one acre of vineyard and sell ten million gallons of wine. There has to be this relationship. To her, we are stretching pretty far here when you talk about shows. You are talking about nine shows a year, 42 days, which is not an insignificant amount in the production calendar and we are saying only ten percent of the horses marketed at those shows have to come from this farm. Mr. Philbrick made and evidenced the argument that in order to have a show you have to have a lot of horses and even having ten or twenty-five shows of your own is significant. So to her we have already stretched to get to a point of recognizing that there is going to be a lot of people coming on to the property and the property is being used to market other peoples' horses, in a major way, because the majority of the horses are going to be someone else's. She stated that she would like to see this operate before we get too far out on a limb. It seems to her that if the Committee is open to opening the vendor list up to those that are directly related to the hunter-jumper equine industry, perhaps that would be a way of opening the vendors but still having this direct relationship to the shows. At the moment, she is very uncomfortable in saying you can have wine-tasting, farmers from the area, etc. The further we get away from the necessity of all of this to market your output, the further we get away from this being permitted. She felt she would like to proceed with caution. If we get two or three years of shows under our belt and we are able to go out and visit and come back and the Committee has a sense of wanting to be more flexible, that would be great. But at the moment, one of the Township's concerns is that there isn't a lot of horse breeding going on at this property and we would like to see that develop over the next few years as well. She stated that she cannot say that she would say to someone who has a regular farm market that grows fruits and vegetables that only ten percent of what you sell has to come from your farm and by the way you can sell and have all these other activities also. We have gotten to where we've gotten because of the uniqueness of this sector of the industry. Her feeling would be to proceed a little more cautiously and let time prove what is appropriate.

Mr. Schilling stated that the question he has is if we had a preserved farm come through and, say their business model would involve their hay farm and they had an interest in developing a produce marketing stand that sold someone else's product exclusively, we wouldn't permit it. Mr. Johnson stated that he has an interest in supporting the equine industry as he mentioned at the last meeting because he feels in the state we have done a

pretty poor job in general by the equine industry. He finds this exciting that someone of this caliber is bringing something different other than thoroughbred racing to the forefront in the equine industry and all the other things that the industry supports in our state through veterinary, farrier services, and all the things that go with it. He stated that if we agree that we are marketing the agricultural output of this enterprise, which we have done, the document that is headed down the pipeline currently for the direct marketing AMP already answers a lot of these questions. He didn't think the Committee needed to get into the minutiae of what types of vendors and how many but he likes Ms. Payne's approach, if we can do that. Let's see how this develops and get a better understanding of whether there will be issues with crowds in areas that are not used to it, and Mr. Philbrick will have to handle that properly. No one gets carte blanche on those issues. Mr. Roohr stated that to Ms. Payne's point about farm markets and consistency, the SADC has had a couple of farm markets come in seeking clarity on what they could sell and the language that we've used over the past couple of years has been that a farm stand on a preserved farm needs to sell fifty-one percent of the annual gross sales from what they produce on the farm and the forty-nine percent needs to be from items that are related to what it is they grow on the farm. The one big example was a nursery operation that was selling flowers and potted plants and they wanted to sell mulch and pots. We agreed that they had an enormous amount of value from the plants they sold and a little amount was from the mulch and pots, which were a complementary item. But had they come in and said they wanted to sell barbeque grills we would have said no.

Mr. Danser stated that was right, the fifty-one percent is what is tough because this is unique and they might sell a \$100,000 horse and they might sell one that is a lot more than that and we probably don't want them selling fifty percent of that in other things, and yet if they don't sell any, that's fifty percent of nothing is nothing. . Mr. Siegel stated that leeway is good but there has to be this bright line difference at some point. The best case that the SADC had over the years was when John Deere bought a nursery of trees and they wanted to open a garden center on the property under the guise that they would be selling at least some of their trees, along with everything else that a Home Depot has, in the garden center. That was a good bright line and the Committee was clear that you don't get to do that on a preserved farm. So regarding "related to agriculture," he thinks it is OK for the Committee to use discretion, use judgment in terms of, yes he is selling Christmas trees, he can sell ornaments and tree stands. We may go back in a few years and say they overdid it, so less ornaments, more trees. However, there are certain things where there has to be a line. The idea of going to this preserved farm for a horse show and seeing agricultural produce that has nothing to do with that production, basically you are creating a small Somerset County Horse Fair where everything is available. That is the bright line. He felt that we should pass the resolution exactly as it is written. We may

see saddles and all of that but when we start seeing Breyer horses and corn, it's a preserved farm and they got it at a deal, way below market because it is a preserved farm and taxpayers made it available for sale at a deep discount. He thinks the idea of vegetables and wine and other things from neighboring farmers would be at the bright line.

Ms. Payne stated that if the Committee wants to change the third paragraph at the bottom of page six and expand vendors beyond those that are necessary to operate the show, then we could use language that says that only suppliers of goods and services that are directly related to the hunter-jumper equine industry or are necessary to operate the show itself may be permitted. So that would be things like horse blankets, saddles that are not strictly those that actually may be literally necessary at the show, like someone who fixes horse shoes. Chairman Fisher felt that expands it just enough. It is clearly not enough of what they are looking for but it gives an opportunity to show exactly how that would work and then they would have to come back at another time to see if it could be further expanded out. He asked the Committee if someone would be willing to consider amending the draft resolution to reflect the amended language.

It was moved by Mr. Siegel and seconded by Mr. Requa to approve Resolution FY2013R5(5) granting a request by Princeton Show Jumping, LLC/Hunter Farms North, owner of Block 26001, Lot 1.02, 101.46 acres, to utilize the Premises to expand his current equine operation and to host hunter/jumper shows, as outlined in said Resolution with the following amendment:

Page 6 of Resolution – 7th Paragraph

Be it Further Resolved, that only suppliers of goods and services which are directly related to the hunter-jumper equine industry or are necessary to operate the show itself may be permitted to advertise and offer their product or service during the show. The motion was unanimously approved. (A copy of Resolution FY2013R5(5) is attached to and is a part of these minutes.)

D. Resolutions for Final Approval – County Planning Incentive Grant Program

Mr. Johnson recused himself from any discussion/action pertaining to the Francis and Robert Bush request for final approval to avoid the appearance of a conflict of interest. Mr. Johnson is a member of the Burlington County Agriculture Development Board.

SADC staff referred the Committee to two requests for final approval under the County Planning Incentive Grant Program. Staff reviewed the specifics with the Committee and stated that the recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Danser to grant final approval to the following application, as presented and discussed, subject to any conditions of said Resolution:

1. Francis and Robert Bush, SADC # 03-0372-PG (Resolution FY2013R5(6))
Block 841, Lots 3, 4, 5 and 6; Block 842, Lots 71 and 76
Pemberton Township, Burlington County, 60.689 Surveyed Acres
State cost share of \$2,000.50 per acre (67.76% of the certified value and 50% of the actual purchase price), for a total grant need of \$121,408.34, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "D."

Discussion: The property is located in the Pinelands Agricultural Production Area. There are 2.75 Pinelands Development Credits (PDCs) allotted to the property. As a result of the conveyance of the deed of easement to Burlington County, all of the PDCs were retired since the County pre-acquired the property. The owners were provided the SADC guidance documents regarding exceptions, division of the premises and nonagricultural uses but the owner's attorney has advised that the owners are unwilling to sign the acknowledgement of receipt of the documents. These are now new owners, since the original owners sold the property. The county will utilize base grant funding to cover the SADC cost share. The Department of Defense contributed fifty percent of the easement purchase price; therefore, the SADC's cost share was reduced from \$2,166.40 to \$2,000.50.

The motion was approved. (Mr. Johnson recused himself from the vote.) (A copy of Resolution FY2013R5(6)) is attached to and is a part of these minutes.)

It was moved by Mr. Danser and seconded by Mr. Siegel to grant final approval to the following application, as presented and discussed, subject to any conditions of said Resolution:

2. Edward and Patricia McConnell, SADC # 21-0516-PG (Resolution FY2013R5(7))
Block 25, Lots 10 and 11, Oxford Township, Warren County, 56 Net Acres
State cost share of \$4,000 per acre (64.51% of the certified market value) for a total grant need of \$230,720, pursuant to N.J.A.C. 2:76-6.11 and the conditions

contained in Schedule "C."

Discussion: The property is located in the Highlands Planning Area. The applicant had originally applied in 2011 when the 70 percent average quality score was 40, but the application was not located in an agricultural development area. The county revised its maps to include the subject farm, however upon resubmission the 70 percent average quality score had increased to 43. The property's score of 40.75 does not exceed 43, which is 70 percent of the County's average quality score. The Committee granted a waiver of the minimum score criteria at its meeting on May 24, 2012 that allowed this to proceed toward preliminary/Green Light approval. The County has requested to encumber an additional three percent buffer for possible final surveyed acreage increases; therefore, 57.68 acres will be utilized to calculate the grant need. Base grant funds will be utilized for this property.

The motion was unanimously approved. (Copies of Resolution FY2013R5(6) and Resolution FY2013R5(7) are attached to and are a part of these minutes.)

E. Resolutions for Final Approval – Municipal Planning Incentive Grant Program

SADC staff referred the Committee to four 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 as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Waltman to grant final approval to the following applications as presented and discussed, subject to any conditions of said resolutions:

1. Estate of Frank A. Fox, SADC # 06-0121-PG (Resolution FY2013R5(8))
Block 404, Lot 32, Upper Deerfield Township, Cumberland Co., 59 Acres
State cost share of \$3,450 per acre (67.65% of the certified market value) for an estimated total grant need of \$203,550, pursuant to N.J.A.C. 2:76-6.11.

Discussion: The property has one existing single-family residence. In November 2009, the SADC certified the development easement value for this property. From the time of certification of values, the County and the town were actively moving forward to preserve this property. The landowner accepted the value back in 2009. Subsequently, Upper Deerfield Township had a municipal PIG application approved so the County

chose to transfer some of its applications that it was processing to the Upper Deerfield Township Municipal PIG Program. At the same time that they did that transfer, Mr. Fox authorized the continuation of the offer between himself and the County to the Township. Then Mr. Fox died. The lag between moving forward on all of these approvals in 2009 and 2010 happened as the estate was being settled. In order to be able to use a value that was certified that long ago, there has to be this continuous commitment to the application, and the local government had encumbered the funds in order to make this happen.

2. Barbara Hay, SADC # 10-0341-PG (Resolution FY2013R5(9))
Block 21, Lot 16.03, East Amwell Township, Hunterdon County, 24 Net Acres
State cost share of \$9,030 per acre for an estimated total of \$216,720 (60% of the certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "B."
3. Richard and Marjorie Yard, SADC # 10-0333-PG (Resolution Fy2013R5(10))
Block 44, Lot 15, Delaware Township, Hunterdon County, 33 Net Acres
State cost share of \$5,970 per acre for an estimated total grant need of \$197,010 (60% of the certified market value and estimated total cost), pursuant to N.J.A.C. 2:76-6.11 (Schedule C).

Discussion: The property includes a two-acre nonseverable exception for one future single-family residence. Through the New Jersey Conservation Foundation, the landowner has applied to utilize USDA-NRCS FY2012 Farm and Ranch Lands Protection Program (FRPP) grant funding to further leverage available funding for farmland preservation. The NRCS has determined that the property and landowner qualify for FRPP grant funds and approved a grant not to exceed fifty percent of the federal appraised current value, subject to final surveyed acreage. Based on the appraisals submitted, the estimated FRPP federal appraised current value is \$9,300 per acre for a federal grant of \$4,650 per acre (50 percent of \$9,300) or approximately \$153,450 in federal funding. The landowner has agreed to the additional restrictions involved with federal funding, including a 6.33% maximum impervious coverage restriction or approximately 2.08 acres available for impervious cover on the lands being preserved outside of the exception area.

4. Marjorie Y. Lovenberg Revocable Trust/Joel R. Higgins, SADC #10-0334-PG (Resolution FY2013R5(11))
Block 27, Lot 20, Delaware Township, Hunterdon County, 42 Net Acres
State cost share of \$5,300 per acre for a total grant need of \$222,600 (60.22% of the certified market value and estimated total cost) pursuant to N.J.A.C. 2:76-6.11

(Schedule "C").

Discussion: The property includes a two-acre nonseverable exception for one future single-family residence. Through the New Jersey Conservation Foundation, the landowner has applied to utilize USDA-NRCS FY2012 Farm and Ranch Lands Protection Program (FRPP) grant funding to further leverage available funding for farmland preservation. Based on the appraisals submitted, the estimated federal appraised current value is anticipated to be approximately \$9,100 per acre for a federal grant of \$4,550 per acre (50 percent of \$9,100) or approximately \$191,100 total. The landowner has agreed to the additional restrictions involved with federal funding, including a 6.33% maximum impervious coverage restriction or approximately 2.67 acres available for impervious cover on the lands being preserved outside of the exception area.

The motion was unanimously approved. (Copies of Resolution FY2013R5(8) through Resolution FY2013R5(11) are attached to and are a part of these minutes.)

F. Resolutions for Final Approval – State Acquisition Program

SADC staff referred the Committee to four requests for final approval under the State Acquisition Program. Staff reviewed the specifics with the Committee and stated that the recommendation is to grant final approval, as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Waltman to grant final approval to the following applications, as presented and discussed, subject to any conditions of said Resolutions:

1. Linden Associates, SADC # 10-0208-DE (Resolution FY2013R5(12))
Block 12, Lot 1.01, Union Township, Hunterdon Co., 11.3 Net Easement Acres
Direct acquisition of the development easement at a value of \$15,000 per acre for a total of approximately \$169,500, subject to the conditions contained in Schedule "B."

Discussion: The property has one 1-acre nonseverable exception area for one future single-family residence. The property is categorized as an "Other" farm under the SADC's Policy P-14-E Prioritization Criteria and the State Acquisition Selection Criteria, which categorized applications into "Priority, Alternate and Other" groups. The property is located in the Highlands.

2. Elizabeth Wydner, SADC # 10-0153-DE (Resolution FY2013R5(13))
Block 14, Lot 20, Kingwood Township, Hunterdon Co., 82.6 Net Easement Acres
Direct acquisition of the development easement at a value of \$7,000 per acre for a total of approximately \$578,200, subject to the conditions contained in Schedule "B."

Discussion: The property has one 1-acre nonseverable exception area for one future single-family residence. The property is categorized as a "Priority" farm under the SADC's Policy P-14-E Prioritization Criteria and the State Acquisition Selection Criteria, which categorized applications into "Priority, Alternate and Other" groups. The property is located in the Highlands. The owner has requested a +/- 3.1-acre severable exception area for an existing duplex residence. The owner had originally requested a 4-acre nonseverable exception but has since requested enlargement to a +/- 6-acre nonseverable exception area for one future single-family or duplex residential opportunity. The SADC real estate appraiser indicated the acreage change would not impact the certified easement value. A portion of the +/- 6-acre nonseverable exception area is currently rented out for a nonagricultural use to a small truck repair shop business.

3. Joseph Yelencsics, SADC # 10-0207-DE (Resolution FY2013R5(14))
Block 13, Lots 11 and 23, Alexandria Twp., Hun. Co., 180 Net Easement Acres
Direct acquisition of the development easement at a value of \$6,400 per acre on an estimated 180 acres for an estimated total of approximately \$1,152,000, subject to the conditions contained in Schedule "B."

Discussion: The owner has requested a 2.5-acre nonseverable exception area for one future single-family residence and an 11.5-acre severable exception area for one future single-family residence. There is one dilapidated, uninhabitable former residence on the property. This residence will not be considered an existing single-family residence on the farm to be preserved. The structure may be demolished, but it may not be renovated or relocated on the preserved land.

4. Cassaday Farm, SADC # 17-0084-DE (Resolution FY2013R5(15))
Blk. 18, Lot 8.02; Blk. 21, Lots 11.03 and 12; Blk. 22, Lot 16; Blk. 24, Lot 5
Upper Pittsgrove Township, Salem County, 151 Net Easement Acres
Direct acquisition of the development easement at a value of \$5,600 per acre for a total of approximately \$845,600, based on 151 easement acres and subject to the conditions contained in Schedule "B."

Discussion: The property has one single-family residence on Block 21, Lot 12. Because the property consists of non-contiguous parcels, the landowner has signed the SADC Division of the Premises guidance document for non-contiguous parcels.

The motion was unanimously approved. (Copies of Resolution FY2013R5(12) through Resolution FY2013R5(15) are attached to and are a part of these minutes.)

D. SADC Appraisal Handbook 2013 – Adoption

Mr. Burns referred the Committee to the revised Summary of Changes to the SADC Appraisal Handbook - 2013. He stated that the SADC originally recommended to mandate electronic appraisals but instead we are now recommending that it be on a voluntary basis. We have changed the language in the Summary of Changes and in the draft handbook to reflect that. Ms. Payne stated that the goal is to make sure that we are not putting any undue burden on any particular existing appraisal firm so we are making the submission of electronic appraisals an option and we will certainly be recommending it. She felt that eventually it is going to be required and staff would like to work with the appraisers over the next couple of years to get them all on board. She stated that the Governor's Office brought this to our attention recently to make sure we are being sensitive to New Jersey businesses. Staff said that would be fine and we could work with the appraisers over time. Mr. Burns stated there were some minor corrections but everything else pretty much stayed the same in the draft. Regarding the SSURGO soils, the instructions on how to find prime and other agricultural soils were added to the Septic Suitability instructions. Also, there were minor corrections to the Pinelands worksheet. Staff recommendation is to adopt the 2013 handbook.

It was moved by Mr. Siegel and seconded by Mr. Germano to adopt the 2013 Appraisal Handbook, as presented and discussed. The motion was unanimously approved. (Copies of the Summary of Changes to the SADC Appraisal Handbook - 2013 and the 2013 Appraisal Handbook are attached to and are a part of these minutes.)

PUBLIC COMMENT

Michael Cawthon and Nao Minami from Green Street Energy addressed the Committee. They are based in New York and the mission of their firm is that they want to own and operate solar generation arrays. The first two states that they are doing this in are New Jersey and Hawaii. The mission is to make clean energy and environmental stewardship viable among small commercial entities. There are people who are doing this at a very large scale for utility-scale generation assets

and people who are doing it on residential homes. He stated they are trying to find that middle ground and develop that market.

Mr. Cawthon provided some background to the Committee. He stated that thus far they are usually not at the front end of project development. In the case of Laurita Winery, they were approached by BAM Solar, their contractor for that project, back in the middle of 2011. They have four projects at this point, three of which are operational including one in New Jersey in Paramus. The Laurita project was a big step for their company but very logical in that this will be the largest system that they will have owned/created at 295 kilowatts. It was rural and it would be mounted on a canopy. Thus far they had done roof-mounted. His understanding is that the Committee is familiar with the site. For a variety of reasons, the shape of the existing buildings there and some of the canopies they have over their parking lot, from an engineering perspective and from a shading perspective, it didn't make sense to use either one of those surfaces so here was the adjacent unshaded area, which was very nice from the perspective of generating power because they were able to in a very customized way address the sun and design the system in a very efficient way.

Mr. Cawthon stated that this business represents a substantial portion of his life's savings and Mr. Minami's life's savings. They have almost 1 million invested in the project and it is sitting there idle right now for reasons that the Committee knows. It represents a real monthly economic loss for them. He is the owner of the system; they have no connection or relationship with the farm itself or the winery itself and they are going to be the owners for the next twenty years. In terms of designing the system and sizing it, it was based on the 2010 electrical use on the property and that has remained stable through time. He stated that the annual numbers are provided on the slide that he presented to the Committee. He stated that the vast majority of the electricity is being used by very large commercial grade equipment for pumping, refrigeration and climate control and lighting in the main site where they are actually making the wine. At the sizing and what they project the solar output to be, they think they are at about 101 percent of the site's electricity usage.

Mr. Cawthon stated he didn't want to walk through the entire timeline but wanted to give some sense of when their involvement was. They first heard about the site in 2011. One of the main things he wants the Committee to take away from the slide was that there has been, at various points in time, a flow of communication between the SADC and his contractor. For example, in September 2011, there

was a letter from the SADC stewardship manager getting feedback regarding various questions about the site and the application process. He took that as a good thing that there was consultation back and forth between the Committee and his contractor. Later in 2011, they began funding the project. In early 2012 before construction had begun, their contractor indicated that they had approval from the SADC and that they had successfully pulled permits from the local municipal building department. Again, they took that as anything but a red flag, that things were progressing as they should. They got a copy of the building permits. Mr. Siegel commented that the contractor indicated verbal approval. Mr. Cawthon stated that was right. Chairman Fisher commented that they were told they (Mr. Cawthon and Mr. Minami) had the green light. Mr. Cawthon stated that was right, in that these rules had been promulgated by the State of New Jersey and it was just a matter of time before the SADC went through its process but all was fine at that point as evidenced by the building permits.

Mr. Cawthon stated that by May of last year primary construction was completed. In June they became aware of a no-action letter and there were a couple of resolutions that they didn't know about and basically the State Attorney General instructed the utility not to activate their system. At the same time, he is not exactly sure, it is more recently that they have become aware of a lot of the controversy or noise around this particular property, that they were still getting feedback. They got feedback -- for example most of it was about the language governing the 20-year term of ownership. The SADC attorney wanted them to strengthen that up a little bit so they had a revision of the documents that they then executed with Laurita's owners, etc. He stated that he basically tells the Committee all of this, that for the most part they have been unaware of this dispute between the SADC and the property owners and they know, at least per the resolution that addresses the solar facility, that it perhaps gives the appearance that we acted willfully in defiance of this Committee. He wanted the Committee to hear loud and clear that was not the case. The mismanagement of the project, in no way do they feel like it is the SADC's fault. If anything, they are to blame for not being here before today, but again, as they are sort of building this business around ownership and the facilitation of these kinds of assets, it was considered a real asset to have someone who was local, with local knowledge and the ability to know about something, like what this Committee does. They take it as an asset. In this case, it was probably too much of insulation. That is why they are here today. They think that their contracts and the site are fully in compliance with the SADC guidelines and so their requests are the following: #1 – and the SADC has already done this, they wish to separate consideration of the project's application

from on-going other issues at the site and therefore, have their application considered. They think the main thing is to rescind the letter that went to JCPL.

Chairman Fisher stated he personally doesn't think Mr. Cawthon was remiss in not showing up earlier because of all that was going on. Mr. Cawthon explained that they were a company that was hired by BAM. Mr. Cawthon stated they were approached by BAM and since then they are working for his company, they are his contractors. He and Mr. Minami are the investors. Chairman Fisher commented that he thinks what Mr. Cawthon and Mr. Minami are saying is that they are caught in the crossfire. Mr. Cawthon stated that is right. Chairman Fisher stated that they obtained written evidence from the Township saying they had constructions permits and a verbal from the contractor that said they had the green light, and the rules were being promulgated so it was a formality or a memorialization of something. Mr. Cawthon stated that was right. He stated that not only were we not just willfully going ahead and doing this, we didn't even think we were taking any risks by doing this or saying yeah, we're going to proceed at our own risk and hope that it's good. That is not the type of business we do.

Mr. Siegel asked if Mr. Cawthon's business does the engineering – whether they install or they are strictly financiers. Mr. Cawthon stated at this point, technically they are strictly financiers. Mr. Siegel commented then that BAM did the hard installation, they bought the cells, put them in and put the structure up. Mr. Cawthon stated that they managed the procurement and he provided the financing to buy the equipment.

Ms. Payne stated that the facility is constructed, financed by Green Street Energy, installed by BAM and it is sized to meet the needs of the farm operation. She stated that the juice gets turned on. How does the money flow, what is the benefit of the project to the property owner, versus what is the benefit of the project to Green Street Energy? Mr. Cawthon stated there are basically three benefits to them: 1) The facility is obviously using/buying a lot of electricity right now from the utility, generated by traditional sources. They are going to sell the electricity that they are generating to them at a discount to what they are currently paying. He hasn't seen their latest electricity bill but they pay about fifteen cents per kilowatt hour and he'll be selling it to them for about ten cents, which is a substantial discount. 2) In New Jersey, as in many other states, there is a mechanism in place whereby registering the project and generating power by this means, you create an SREC. The utility is required to meet certain renewal

portfolio standards and you can do so by buying this SREC and, therefore, they have market value. The majority of benefit to them comes from the value of the SRECs. Right now, if they are selling the power to Laurita at ten cents a kilowatt hour, SRECs are about fourteen cents per kilowatt hour. There are other benefits as well. 3) There are tax treatments for depreciation. There is a federal investment tax credit, etc. Ms. Payne asked if they own the SRECs, or if they have the rights to own and sell those SRECs? Mr. Cawthon stated that was correct. Ms. Payne asked if they would sell them to JCP&L or can you sell them to any power provider in the state to meet their portfolio? Mr. Cawthon responded yes, they are fungible among any of the three major utilities and they are traded along the secondary market but ultimately they are only used for utilities.

Mr. Siegel stated that right now these things are sitting there, doing nothing. Mr. Cawthon stated that was correct. Mr. Siegel stated that JCP&L will hook them up if the SADC rescinded the letter and then the revenue flow would begin from the SRECs and from the electric bill they carry across the pathway to Laurita Winery. Mr. Cawthon stated that was correct. Chairman Fisher commented that they own the land and Green Street Energy owns the facility on the land and the generation capacity of the facility that you own on the land and if nothing happened then Green Street would own a nonproductive facility. Then what would be the relationship to the landowner? Mr. Cawthon stated it would be a terrible situation and would be a devastating financial loss for him and his partner. Chairman Fisher asked Mr. Cawthon whether he could say, with conviction, that he didn't know that the approvals weren't there and that the green light wasn't there. Mr. Cawthon responded that is exactly right.

Mr. Danser commented that early on Mr. Cawthon stated that he was selling the power to JCP&L and then later he said he was selling it to Laurita for ten cents per kilowatt hour. He asked if Mr. Cawthon could clarify that. Mr. Cawthon stated that the actual electrons themselves are going through the meter and when Laurita is using power it goes to them first and when they are not using power it goes to the grid. The utility, the way the net metering works, is it doesn't actually allocate the individual bits of power. In a situation where they are producing more power than they are using in a given moment in time, that actually spins the meter backwards so they effectively get credit from the utility. So they are producing power, selling it to the winery and at the exact same moment there is a meter keeping track of exactly how much they have produced and they get credit for doing that. A piece of paper is created by the State of New Jersey and that piece of paper has value. Mr. Danser stated he understands net metering but you must

have another meter that determines his total production so that you can compare it to Laurita's meter. If it was just their net metering they would know at the end of the month whether they owed JCP&L or JCP&L owed someone else money but you would have no idea how much power they owed you for. Mr. Cawthon stated that JCP&L will have another device in between.

Chairman Fisher thanked Mr. Cawthon and Mr. Minami for addressing the Committee and stated that the discussion will continue in closed session.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, June 27, 2013 beginning at 9 a.m. Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 11:30 a.m., Mr. Siegel moved the following resolution to go into Closed Session. The motion was seconded by Mr. Danser and unanimously approved.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, and attorney-client matters, pursuant to N.J.S.A. 10:4-12, the N.J. State Agriculture Development Committee declares the next one-half hour to be private to discuss these matters. The minutes will be available one year from the date of this meeting.”

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certification of Values County Planning Incentive Grant Program

It was moved by Mr. Danser and seconded by Mr. Requa to certify the development easement values as discussed in closed session for the County Planning Incentive Grant Program and the Nonprofit Grant Program as follows:

1. J. Price, J. Osborne, E. LaPollo (Price Farm), SADC # 04-0020-PG
Block 6312, Lot 1.01, Winslow Township, Camden County, 13 Acres
2. Aram Papazian (Lot 27.01), SADC # 10-0311-PG
Block 15, Lot 27.01, Alexandria Township, Hunterdon County, 44 Acres

3. Patricia Cooke, SADC # 21-0523-PG
Block 701, Lots 1, 1.03, Frelinghuysen Twp., Warren County
Block 3200, Lot 300, Hope Township, Warren County
47 Total Acres

Nonprofit Grant Program (10% Rule)

Ms. Brodhecker recused herself from any discussion/action pertaining to the following agenda item to avoid the appearance of a conflict of interest. Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.

1. The Land Conservancy of New Jersey/Allison-Wintergreen Tree Farm
SADC #19-0017-NP
Block 23, Lots 2.03 and 3, Lafayette Twp., Sussex Co., 137 Net Acres

The motion was approved. (Ms. Brodhecker abstained from the vote.) (Copies of the Certification of Value Reports are attached to and are a part of the closed session minutes.)

PUBLIC COMMENT

None

ADJOURNMENT

There being no further business, it was moved by Mr. Brodhecker and seconded by Mr. Requa and unanimously approved to adjourn the meeting at 12:31 p.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R5(1)

FARMLAND PRESERVATION PROGRAM CERTIFICATION

NEW ENROLLMENT

GLOUCESTER COUNTY

STILL RUN PROPERTIES, LLC (Block 1)

MAY 23, 2013

**Property: Block 1, Lots 3 & 5
Mantua Township, Gloucester County, 44 Acres
SADC ID# 08-0030-8F**

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 Gloucester 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 **Still Run Properties, LLC, SADC ID# 08-0030-8F**, concerning the parcels of land located in **Mantua Township, Gloucester County**, known and designated as Block 1, Lots 3 & 5, totaling 44 acres; 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.;

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 **Still Run Properties, LLC, SADC ID# 08-0030-8F, Block 1, Lots 3 & 5, Mantua Township, Gloucester County, totaling 44 acres**, as identified in the attached map marked Schedule "A", which shall continue for an eight (8) year period beginning from the recording date of the fully executed AGREEMENT with the Gloucester 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. 2:76-5.4(d), 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 the following soil and water state cost-share grant in the total amount of **\$5,076.70**, subject to availability of such funds; and

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

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.

5-23-13
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Date Agreement (F3-A) Recorded

Authorized CADB Signature

Wetlands

Schedule A



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Still Run Properties, LLC (# 2)
 Block 1 Lots 3 (20.1 ac) & 5 (23.0 ac)
 Gross Total = 43.1 ac
 Mantua Twp., Gloucester County



- Property In Question**
- EN - (Non-Reversible) Eription
 - EB - (Reversible) Eription
- Wetlands Boundaries**
- Primary - Limited Access
 - Federal or State Hwy
 - County Roads
 - Municipal, Local Roads
 - Municipal, County and Non-Profit
 - Private Open Space
 - State Owned Open Space
 - State Owned Oils & Recreation Eriement

- Wetlands Legend:**
- F - Freshwater Wetlands
 - M - Wetlands Modified for Agriculture
 - N - Total Wetlands
 - B - 300' Buffer
 - W - Water

Sources:
 Freshwater Wetlands Data
 Green Acres Conservation Eriement Data
 NJDOT/GIS 2012 Digital Aerial Image

April 12, 2013

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 relied upon in matters requiring delineation and location of true ground. All data were collected as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

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STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R5(2)

FARMLAND PRESERVATION PROGRAM CERTIFICATION

NEW ENROLLMENT

GLOUCESTER COUNTY

STILL RUN PROPERTIES, LLC (Block 4)

MAY 23, 2013

**Property: Block 4, Lot 7
Mantua Township, Gloucester County, 49 Acres
SADC ID# 08-0031-8F**

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 Gloucester 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 **Still Run Properties, LLC, SADC ID# 08-0031-8F**, concerning the parcels of land located in **Mantua Township, Gloucester County**, known and designated as Block 4, Lot 7, totaling 49 acres; 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.;

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 **Still Run Properties, LLC, SADC ID# 08-0031-8F, Block 4, Lot 7, Mantua Township, Gloucester County, totaling 49 acres**, as identified in the attached map marked Schedule "A", which shall continue for an eight (8) year period beginning from the recording date of the fully executed AGREEMENT with the Gloucester 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. 2:76-5.4(d), 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 the following soil and water state cost-share grant in the total amount of **\$4,900**, subject to availability of such funds; and

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

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.

5-23-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Date Agreement (F3-A) Recorded

Authorized CADB Signature



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

Still Run Properties, LLC
Block 4 Lot 7 (50.2 ac)
Gross Total = 50.2 ac
Mantua 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.

Application within the (PA4) Rural Area

Delaware
North
Tideland
Region

- Property in Question**
- ER - (Non-Annexable) Easement
 - ER - (Annexable) Easement
- Wetlands Boundaries**
- Primary - Limited Access
 - Isolated or State Home
- County Boundaries**
- Municipal/Local Water
 - Tidelands Boundary
- Wetlands - Contour and Non-Point**
- Preserved Open Space
 - State Owned Conservation Easement
 - State Owned DQB & 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
NJGIT/GIS 2012 Digital Aerial Image

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R5(3)

FINAL APPROVAL

Of

BURLINGTON, CAMDEN, CAPE MAY, CUMBERLAND, GLOUCESTER, HUNTERDON,
MERCER, MIDDLESEX, MONMOUTH, MORRIS, PASSAIC, SALEM, SOMERSET, SUSSEX
AND WARREN COUNTIES' PLANNING INCENTIVE GRANT ("PIG")

APPLICATIONS

INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLANS AND PROJECT AREA
SUMMARIES

FY 2014 PIG PROGRAM

May 23, 2013

WHEREAS, the State Agriculture Development Committee ("SADC") is authorized under the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1), to provide a grant to eligible counties and municipalities for farmland preservation purposes based on whether the identified project area provides an opportunity to preserve a significant area of reasonably contiguous farmland that will promote the long term viability of agriculture as an industry in the municipality or county; and

WHEREAS, to be eligible for a grant, a county shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agriculture development area authorized pursuant to the "Agriculture Retention and Development Act," P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish a county agriculture development board (CADB), pursuant to N.J.S.A. 4:1C-14, to serve as the agricultural advisory committee;
3. Prepare a comprehensive farmland preservation plan; and
4. Establish and maintain a dedicated source of funding for farmland preservation pursuant to P.L. 1997, c.24 (C.40:12-15.1 et seq.), or an alternative means of funding for farmland preservation, including, but not limited to, a dedicated tax, repeated annual appropriations or repeated issuance of bonded indebtedness; and

WHEREAS, a county, in submitting an application to the SADC shall outline a multi-year plan for the purchase of multiple targeted farms in a project area and indicate its annual share of the estimated purchase price; and

WHEREAS, the application shall include a copy of the comprehensive farmland preservation plan element; an estimate of the cost of purchasing development easements on all the farms in a designated project area, to be determined in consultation with the CADB or through an appraisal for the entire project area; and an inventory showing the characteristics of each farm in

the project area which may included, but not be limited to, size, soils and agricultural use; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17 (N.J.A.C. 2:76-17) to implement the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1) by establishing a county farmland preservation planning incentive grant program; and

WHEREAS, a county, applying for a grant to the SADC shall submit a copy of the county comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, on December 14, 2006, the SADC adopted *Guidelines for Developing County Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17 and provide uniform, detailed plan standards, update previous planning standards, and incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey, the Planning Incentive Grant Statute (N.J.S.A. 4:1C-43.1) and the New Jersey Department of Agriculture Guidelines for Plan Endorsement under the State Development and Redevelopment Plan; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.6(a), the SADC received 15 county planning incentive grant applications for the 2009 County Planning Incentive Grant round, consisting of a copy of the county's draft comprehensive farmland preservation plan and all applicable project area summaries; and

WHEREAS, between June 2008 and January 2009 the SADC granted Final Approval to all 15 county planning incentive grant applications for the 2009 County Planning Incentive Grant round; and

WHEREAS, Burlington, Cape May, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Salem, Somerset, Sussex and Warren Counties were included among the 15 aforementioned applicants for the 2009 County Planning Incentive Grant; and

WHEREAS, in addition to the 15 applications submitted for the 2009 County Planning Incentive Grant Program the SADC received an additional 2 county planning incentive grant applications from Bergen and Cumberland Counties for the 2010 County Planning Incentive Grant round and 1 county planning incentive grant application from Atlantic County for the 2013 County Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17.6(a); and

WHEREAS, the SADC granted Final Approval to the Cumberland County planning incentive grant application and comprehensive farmland preservation plan on December 10, 2009; and

WHEREAS, SADC staff are actively working with Bergen and Atlantic Counties to complete their comprehensive farmland preservation plans; and

WHEREAS, the 17 total applications for the County Planning Incentive Grant Program identified 121 project areas targeted 4,429 farms and 222,575 acres at an estimated total cost of \$2,413,000,000, with a ten-year preservation goal of 143,851 acres, as summarized in the attached Schedule A; and

WHEREAS, Ocean County decided not to apply for the 2014 County Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17.6(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.6(b)1 and N.J.A.C. 2:76-17.6(b)2, in order to improve county and municipal farmland preservation coordination, the counties notified all municipalities in which targeted farms are located within a project area and provided evidence of municipal review and comment and, if appropriate, the level of funding the municipality is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, SADC staff reviewed and evaluated the counties' applications to determine whether all the components of the comprehensive farmland preservation plans are fully addressed and complete and whether the project area summaries are complete and technically accurate, and that the application is designed to preserve a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry.

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Burlington, Camden, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Salem, Somerset, Sussex and Warren Counties' Planning Incentive Grant applications as summarized in the attached Schedule B.

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17.8(a), and that the SADC's approval of State funding is subject to the Garden State Preservation Trust approval, the Legislative appropriation of funds and the Governor signing the respective appropriation bills; and

BE IT FURTHER RESOLVED, that Ocean county decision to not apply to the 2014 County Planning Incentive Grant Program does not preclude its use of previously appropriated funds in a manner consistent with their existing Planning Incentive Grant plans; and

BE IT FURTHER RESOLVED, that the SADC will monitor each county's funding plan pursuant to N.J.A.C. 2:76-17.17 and adjust the eligibility of funds based on the county's progress in implementing the proposed funding plan. Each Planning Incentive Grant county should expend its grant funds within two years of the date the funds are appropriated. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within two years are subject to reappropriation and may no longer be available to the county; and

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

5-23-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

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2014 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANTS
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0. / \$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Atlantic	15	10	423	\$2,162	27,724	423	1,500	2,500	5.0	\$2,700	No Set Amount
Bergen	8	40	525	\$67,227	10,887	30	150	300	1.0	\$19,000	No Set Amount
Burlington	4	192	20,187	\$115,000	111,985	1,000	5,000	10,000	4.0	\$20,000	\$5,000
Cape May	6	189	12,312	\$221,766	15,982	151	936	1,207	1.0	\$5,300	No Set Amount
Camden	5	65	3,145	\$25,672	15,116	258	1,383	3,147	2.0	\$7,000	No Set Amount
Cumberland	16	474	18,852	\$112,672	61,997	1,885	9,428	18,852	1.0	\$0,970	No Set Amount
Hopewell	1	45	1,576	\$9,420	5,689	158	788	1,576	0.0	\$0,000	No Set Amount
Upper Deerfield	1	54	3,591	\$21,575	9,233	366	1,979	3,958	0.0	\$0,050	\$0,050
Gloucester	11	900	19,958	\$265,200	115,875	750	3,500	6,800	4.0	\$11,000	\$5,000
Elk	2	30	1,005	\$11,050	3,520	75	377	754	1.0	\$0,038	\$0,038
Franklin	5	122	5,036	\$30,280	-10,406	598	-1,789	-3,290	1.0	\$0,076	No Set Amount
Woolwich	3	73	3,366	\$50,475	5,183	265	1,920	3,984	5.0	\$0,314	No Set Amount
Hunterdon	7	156	9,161	\$116,545	178,126	1,500	7,500	15,000	3.0	\$7,000	\$2,000
Alexandria	4	67	3,962	\$39,625	16,912	550	1,300	2,080	4.0	\$0,528	No Set Amount
Delaware	2	21	1,657	\$21,021	23,707	300	1,500	3,000	6.0	\$0,540	No Set Amount
East Amwell	1	21	1,848	\$24,024	13,515	185	925	1,848	4.0	\$0,315	\$0,315
Franklin	1	15	1,508	\$13,580	10,644	158	632	790	5.0	\$0,270	\$0,270
Holland	4	38	2,222	\$22,225	11,335	703	1,700	2,222	2.0	\$0,079	\$0,079
Kingwood	1	28	1,819	\$18,190	12,645	176	705	881	3.0	\$0,182	No Set Amount
Ranlen	4	23	1,554	\$31,079	6,111	100	300	600	1.5	\$0,602	No Set Amount
Readington	1	41	2,317	\$41,706	16,774	100	600	1,100	2.0	\$0,569	No Set Amount
Tewksbury	3	3	409	\$9,700	4,557	100	300	1,000	5.0	\$0,425	No Set Amount
Union	3	20	640	\$5,894	4,189	70	325	600	2.0	\$0,137	\$0,007
West Amwell	1	9	780	\$9,358	10,440	100	100	780	6.0	\$0,315	No Set Amount
Mercer	7	32	2,499	\$40,651	14,570	50	250	500	3.0	\$8,900	No Set Amount
Hopewell	1	11	958	\$29,274	10,761	96	383	479	3.0	\$1,217	No Set Amount
Middlesex	5	125	4,951	\$190,247	20,983	225	1,125	2,250	3.0	\$30,145	No Set Amount
Morristown	6	122	10,710	\$260,755	60,623	1,200	3,000	6,000	1.5	\$17,900	\$1,100
Collis Neck	1	6	318	\$12,812	9,321	17	104	199	1.2	\$0,368	No Set Amount
Holmdel	1	14	587	\$27,182	2,572	10	70	338	2.5	\$0,980	No Set Amount
Howell	3	12	524	\$9,919	12,666	127	370	453	2.0	\$1,396	\$0,700
Manalapan	1	38	1,318	\$26,343	9,223	131	659	1,318	2.0	\$1,141	No Set Amount
Marlboro	3	19	677	\$33,850	19,690	47	216	298	1.0	\$0,689	No Set Amount
Milstone	4	52	3,204	\$96,120	14,359	30	150	300	6.0	\$0,950	No Set Amount
Upper Freehold	1	207	8,813	\$176,260	27,358	550	1,000	1,500	4.0	\$0,328	No Set Amount

2014 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANTS
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0-\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Morris	3	81	6,000	\$145,920	169,342	610	2,974	5,962	1.3	\$14,249	\$2,472
Passaic	1	9	182	\$5,676	6,415	100	500	1,000	1.0	\$5,000	\$0,750
Salem	3	431	35,574	\$284,590	80,424	2,600	13,000	26,000	2.0	\$1,140	\$1,140
Alloway	1	7	384	\$3,072	5,055	38	194	384	2.0	\$0,020	No Set Amount
Pilesgrove	3	41	3,324	\$32,484	7,303	261	1,206	2,197	3.0	\$0,145	\$0,145
Pilesgrove	2	86	1,909	\$14,315	7,200	458	1,312	2,399	3.0	\$0,178	No Set Amount
Upper Pilesgrove	3	11	459	\$3,440	25,062	700	3,500	7,000	2.0	\$0,070	\$0,070
Somerset	12	365	14,051	\$222,376	87,395	1,000	4,000	5,000	3.0	\$17,470	No Set Amount
Bedminster	1	123	5,913	\$77,410	10,111	500	2,706	2,706	2.0	\$0,522	No Set Amount
Bernards	1	25	538	\$40,323	3,798	185	165	200	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	286	737	5.0	\$1,500	No Set Amount
Franklin	2	19	829	\$16,584	18,931	508	135	186	5.0	\$4,500	No Set Amount
Hillsborough	3	22	1,510	\$30,193	3,471	100	500	1,000	2.8	\$1,560	No Set Amount
Montgomery	1	19	840	\$25,204	20,646	128	385	541	4.0	\$1,400	No Set Amount
Peapack & Gladstone	2	11	310	\$10,857	1,932	20	85	160	3.0	\$0,248	\$0,120
Sussex	10	799	36,105	\$199,786	176,195	2,648	13,240	28,480	0.34	\$0,677	\$0,677
Frankford	4	102	4,438	\$27,745	10,142	75	350	700	3.0	\$0,080	\$0,080
Green	3	53	1,831	\$11,908	7,632	150	675	1,300	3.0	\$0,167	\$0,167
Warren	7	504	31,085	\$163,701	154	1,000	8,000	16,000	6.0	\$7,400	\$3,707
Blairstown	4	72	2,065	\$14,450	12,307	100	500	1,000	3.5	\$0,250	\$0,250
Franklin	4	150	5,698	\$51,168	11,542	225	1,000	1,900	6.5	\$0,271	No Set Amount
Freylinghysen	7	76	2,807	\$18,248	9,483	45	220	430	2.0	\$0,055	\$0,055
Greenwich	1	21	1,573	\$12,585	3,453	174	1,092	1,573	4.0	\$0,239	\$0,239
Harmony	3	87	4,097	\$24,560	12,409	220	1,000	1,800	5.0	\$0,247	\$0,247
Hopewell	4	67	3,456	\$19,006	6,298	65	300	600	2.0	\$0,063	\$0,063
Knowlton	2	34	2,994	\$14,970	13,355	100	500	1,000	2.0	\$0,052	\$0,052
Pohatcong	4	58	1,672	\$10,029	7,510	160	760	1,500	0.5	\$0,174	\$0,174
White	4	116	4,513	\$22,673	13,599	150	700	1,300	2.0	\$0,116	\$0,116
County Totals (17)	121	4,429	222,575	\$2,413,283	1,138,677	15,171	74,101	143,851		\$168,856	
Municipal Totals (46)	107	2,045	95,570	\$1,356	467,791	9,304	34,616	61,684		\$26,296	

Note: In some cases County and Municipal project areas overlap. Identified farms may appear on both County and Municipal target farm lists.
 Note: Data in red reflect 2009/2010 data. These are applications that did not submit 2011 round applications.
 Date: 5/14/13

Schedule B

2014 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue In Millions	Annual Tax for Farm Preservation In Millions
Burlington	North	83	8,867	\$72,000,000	\$8,000						
	West	25	1,898	\$16,000,000	\$10,000						
	East	40	3,115	\$9,000,000	\$3,000						
	South	44	6,306	\$18,000,000	\$3,000						
	4	192	20,186	\$115,000,000	\$5,977	1,000	5,000	10,000	4.0	\$20.00	\$5.00
Camden	Mullica River	2	317	\$1,111,000	\$3,505						
	Great Egg Harbor	9	316	\$6,456,000	\$20,260						
	Farm Belt	20	541	\$2,129,000	\$3,930						
	Winslow WMA Expansion	12	327	\$5,061,000	\$15,477						
	Great Swamp	22	1,644	\$10,915,000	\$6,640						
	5	65	3,145	\$25,672,000	\$8,162	258	1,393	3,147	2.0	\$7.00	No Set Amount
Cape May	Lower	35	1,283	\$46,368,000	\$36,142						
	Middle	33	2,606	\$37,492,001	\$14,387						
	Upper	36	3,265	\$40,560,000	\$12,422						
	West Cape May	2	181	\$15,876,001	\$87,713						
	Dennis	67	3,348	\$59,766,018	\$17,851						
	Woodbine	16	1,629	\$21,703,500	\$13,323						
	6	189	12,312	\$221,765,520	\$18,012	151	936	1,207	1.0	\$5.30	No Set Amount
Cumberland	Deerfield-Upper Deerfield North	82	2,822	\$16,863,754	\$5,977						
	Deerfield-Upper Deerfield South	30	1,016	\$6,072,111	\$5,977						
	Downe	4	183	\$1,094,017	\$5,977						
	Fairfield East	1	181	\$1,080,988	\$5,977						
	Fairfield-Lawrence	32	1,315	\$7,856,408	\$5,977						
	Fairfield-Millville	7	624	\$3,731,670	\$5,977						
	Greenwich	37	1,783	\$10,654,664	\$5,977						
	Hopewell South	44	1,576	\$9,419,659	\$5,977						
	Lawrence Central	2	96	\$573,754	\$5,977						
	Lawrence East	6	209	\$1,250,066	\$5,977						
	Lawrence West	10	340	\$2,031,184	\$5,977						
	Shiloh-Hopewell Central	26	1,419	\$8,479,421	\$5,977						
	Shiloh-Hopewell North	71	2,754	\$16,456,315	\$5,977						
	Slow Creek	86	3,431	\$20,507,567	\$5,977						

Schedule B

2014 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions	
Gloucester	Slow Creek North	8	603	\$3,605,982	\$5,977							
	Vineyard	28	501	\$2,994,038	\$5,977							
	16	474	18,852	\$112,571,598	\$5,977	1,885	9,426	18,852	1.0	\$0.97	\$0.97	
	Chapel Heights	0	0	\$0	\$13,288							
	Delaware River	80	3,097	\$41,152,936	\$13,288							
	New Brooklyn	2	24	\$321,304	\$13,288							
	Oldmans Creek	155	3,561	\$47,314,449	\$13,288							
	Pinelands North	27	658	\$8,738,587	\$13,288							
	Pinelands South	83	1,386	\$18,421,952	\$13,288							
	Pitman Downer	3	77	\$1,026,631	\$13,288							
	Raccoon Creek	220	4,457	\$59,218,371	\$13,288							
	Repaupo-Mantua Creek	191	3,198	\$42,493,562	\$13,288							
	Sill Run	138	3,491	\$46,383,757	\$13,288							
	Washington North	1	10	\$129,159	\$13,288							
	11	900	19,958	\$285,200,708	\$13,288	750	3,500	6,800	4.0	\$11.00	\$5.00	
	Hunterdon	Bethlehem East	0	0	\$0							
Bethlehem West		0	0	\$0								
Lebanon		0	0	\$0								
North		6	276	\$5,526,000	\$20,000							
East		6	594	\$10,688,120	\$18,000							
South		66	3,484	\$52,263,000	\$15,000							
West		78	4,806	\$48,058,000	\$10,000							
7		156	9,161	\$116,545,120	\$12,722	1,500	7,500	15,000	3.0	\$7.00	\$2.00	
Mercer		Hamilton	6	308	\$4,876,785	\$15,840						
		Robbinsville/West Windsor	4	223	\$3,947,100	\$17,700						
	Robbinsville/East Windsor	9	445	\$4,049,500	\$9,100							
	Lawrence	4	366	\$10,431,000	\$28,500							
	Hopewell East	4	447	\$6,705,000	\$15,000							
	Hopewell West	3	257	\$3,855,000	\$15,000							
	Hopewell South	2	453	\$6,795,000	\$15,000							
7	32	2,489	\$40,661,385	\$16,271	50	250	500	3.0	\$8.90	No Set Amount		
Middlesex	Southwestern	27	1,079	\$30,319,900	\$28,100							

Schedule B

2014 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost Per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
	Southeastern	27	1,379	\$24,684,100	\$17,900						
	Northwestern	40	951	\$32,904,600	\$34,600						
	Northeastern	9	953	\$71,475,000	\$75,000						
	Matchaponix	22	589	\$30,863,600	\$52,400						
	5	125	4,951	\$190,247,200	\$38,426	225	1,125	2,250	3.0	\$30.15	No Set Amount
Monmouth	Colls Neck-Marboro-Holmdel	23	1,991	\$93,625,000	\$47,024						
	Northern Howell-Eastern Freehold	14	917	\$29,220,000	\$30,000						
	Roosevelt-Northern Millstone	4	384	\$7,680,000	\$20,000						
	Millstone-Manalapan-Freehold	36	2,875	\$57,480,000	\$20,000						
	Upper Freehold-Western Millstone	39	4,292	\$67,710,000	\$17,500						
	Wall	6	252	\$5,040,000	\$20,000						
	6	122	10,711	\$260,755,000	\$24,345	1,200	3,000	6,000	1.5	\$17.90	\$1.10
Morris	Northeast	11	441	\$13,230,000	\$30,000						
	Central	19	1,153	\$25,110,000	\$30,000						
	West	51	4,406	\$107,560,000	\$30,000						
	3	81	6,000	\$145,920,000	\$30,000	610	2,974	5,962	1.3	\$14.25	\$2.47
Passaic	Passaic County North	9	182	\$5,676,740	\$31,000						
	1	9	182	\$5,676,740	\$31,000	100	500	1,000	1.0	\$5.00	\$0.75
Salem	PA 1: Cohansey-Pole Tavern-Pine Hill	175	14,728	\$117,828,240	\$6,000						
	PA2: Mannington Meadows-Seven Stars-Algonkin Lake	108	9,240	\$73,922,640	\$6,000						
	PA 3: Maskells Mill-Hagerville-Mannington Meadows	148	11,605	\$92,840,000	\$6,000						
	3	431	35,573	\$284,590,880	\$6,000	2,600	13,000	26,000	2.0	\$1.14	\$1.14
Somerset	Millstone Valley East	61	1,720	\$27,219,409	\$15,825						
	Millstone Valley West	22	935	\$14,801,115	\$15,825						
	Eastern Montgomery	0	0	\$0	\$15,825						
	Pike Run	2	71	\$1,117,110	\$15,825						
	Bedens Brook	8	97	\$1,530,784	\$15,825						
	Bedens Brook East	7	219	\$3,465,906	\$15,825						
	Neshanic Valley North	82	4,095	\$64,807,733	\$15,825						
	Neshanic Valley South	12	417	\$6,605,176	\$15,825						

Schedule B

2014 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
	Upper Raritan East	33	848	\$13,426,526	\$15,825						
	Upper Raritan West	129	5,484	\$86,785,477	\$15,825						
	Warren	2	25	\$402,755	\$15,825						
	Bernards Dead River	7	140	\$2,214,280	\$15,825						
	12	365	14,052	\$222,376,271	\$15,825	1,000	4,000	5,000	3.0	\$17.47	No Set Amount
Sussex	Central Kittatinny Valley	229	11,057	\$63,378,724	\$5,732						
	Eastern Highlands 1	38	2,354	\$7,297,400	\$3,100						
	Eastern Highlands 2	36	1,421	\$7,940,548	\$5,588						
	Kittatinny Valley East	159	5,823	\$30,425,175	\$5,225						
	Kittatinny Valley West 1	102	4,166	\$21,334,086	\$5,121						
	Kittatinny Valley West 2	119	5,190	\$28,301,070	\$5,453						
	Upper Delaware 1	9	501	\$1,039,575	\$2,075						
	Upper Delaware 2	21	822	\$4,443,732	\$5,406						
	Western Highlands 1	58	3,442	\$26,916,440	\$7,820						
	Western Highlands 2	28	1,329	\$7,709,529	\$5,801						
	10	799	36,105	\$198,786,279	\$5,506	2,648	13,240	26,480	0.34	\$0.68	\$0.68
Warren	North	33	2,618	\$13,760,527	\$5,256						
	Northwest	62	4,582	\$24,404,416	\$5,256						
	Northeast	75	4,374	\$22,990,313	\$5,256						
	Central	63	3,323	\$17,466,113	\$5,256						
	West	113	6,840	\$35,953,436	\$5,256						
	Southeast	137	7,868	\$41,356,015	\$5,256						
	South	21	1,478	\$7,771,113	\$5,256						
	7	504	31,083	\$163,701,933	\$5,267	1,000	8,000	16,000	6.0	\$7.40	\$3.71
2014 County PIG Totals											
15	98	4,379	221,625	\$2,343,898,634		14,719	72,451	141,051		\$147.16	\$22.82

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R5(4)

FINAL APPROVAL

Of

MUNICIPAL PLANNING INCENTIVE GRANT ("PIG")
APPLICATIONS
INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLANS AND PROJECT AREA
SUMMARIES

FY2014 PIG PROGRAM

May 23, 2013

WHEREAS, the State Agriculture Development Committee ("SADC") is authorized under the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1), to provide a grant to eligible counties and municipalities for farmland preservation purposes based on whether the identified project area provides an opportunity to preserve a significant area of reasonably contiguous farmland that will promote the long term viability of agriculture as an industry in the municipality or county; and

WHEREAS, to be eligible for a grant, a municipality shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agricultural development area ("ADA") authorized pursuant to the Agriculture Retention and Development Act, P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish an agricultural advisory committee composed of at least three, but not more than five, residents with a majority of the members actively engaged in farming and owning a portion of the land they farm;
3. Establish and maintain a dedicated source of funding for farmland preservation pursuant to P.L. 1997, c.24 (C.40:12-15.1 et seq.), or an alternative means of funding for farmland preservation, such as, but not limited to, repeated annual appropriations or repeated issuance of bonded indebtedness, which the SADC deems to be, in effect, a dedicated source of funding; and
4. Prepare a farmland preservation plan element pursuant to paragraph (13) of section 19 of P.L. 1975, c.291 (C.40:55D-28) in consultation with the agricultural advisory committee; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17A (N.J.A.C. 2:76-17A) to implement the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1) by establishing a municipal farmland preservation planning incentive grant program; and

WHEREAS, a municipality applying for a grant to the SADC shall submit a copy of the municipal comprehensive farmland preservation plan and a project area summary for each project area

designated within the plan, pursuant to N.J.A.C. 2:76-17A.6; and

WHEREAS, on May 24, 2007, the SADC adopted *Guidelines for Developing Municipal Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17A and provide uniform, detailed plan standards, update previous planning standards, and incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey, the Planning Incentive Grant Statute (N.J.S.A. 4:1C-43.1) and the New Jersey Department of Agriculture Guidelines for Plan Endorsement under the State Development and Redevelopment Plan; and

WHEREAS, the SADC received 37 initial municipal planning incentive grant applications for the 2009 Municipal Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17A.6(a); and

WHEREAS, in addition to the 37 initial municipal planning incentive grant applications the SADC received 5 municipal planning incentive grant applications for the 2010 Municipal Planning Incentive Grant round, one municipal planning incentive grant applications for the 2011 Municipal Planning Incentive Grant round, one municipal planning incentive grant applications for the 2012 Municipal Planning Incentive Grant round and two municipal planning incentive grant applications for the 2013 Municipal Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17A.6(a); and

WHEREAS, in total, these 46 municipal planning incentive grant applications identified 107 project areas in 9 counties and targeted 2,045 farms and 95,570 acres at an estimated total cost of \$1,356,000,000, with a ten-year preservation goal of 61,684 acres as summarized in the attached Schedule A; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.6(b)1 and N.J.A.C. 2:76-17A.6(b)2, in order to improve municipal and county farmland preservation coordination, the municipalities forwarded their applications to the county for review and provided evidence of county review and comment and, if appropriate, the level of funding the county is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, SADC staff reviewed and evaluated the municipalities' applications to determine whether all the components of the comprehensive farmland preservation plans are fully addressed and complete and whether the project area summaries are complete and technically accurate, and that the application is designed to preserve a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry; and

WHEREAS, to date, 36 of the municipal planning incentive grant applications have received SADC Final Approval; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the following municipal Planning Incentive Grant applications submitted under the FY13 program funding round as summarized in the attached Schedule B:

1. Upper Deerfield, Cumberland County
2. Elk Township, Gloucester County
3. Franklin Township, Gloucester County
4. Woolwich Township, Gloucester County

5. Alexandria Township, Hunterdon County
6. Delaware Township, Hunterdon County
7. East Amwell Township, Hunterdon County
8. Franklin Township, Hunterdon County
9. Holland Township, Hunterdon County
10. Kingwood Township, Hunterdon County
11. Readington Township, Hunterdon County
12. Union Township, Hunterdon County
13. West Amwell Township, Hunterdon County
14. Hopewell Township, Mercer County
15. Holmdel Township, Monmouth County
16. Howell Township, Monmouth County
17. Manalapan Township, Monmouth County
18. Marlboro Township, Monmouth County
19. Millstone Township, Monmouth County
20. Upper Freehold Township, Monmouth County
21. Alloway Township, Salem County
22. Pilesgrove Township, Salem County
23. Pittsgrove Township, Salem County
24. Upper Pittsgrove Township, Salem County
25. Bedminster Township, Somerset County
26. Hillsborough Township, Somerset County
27. Montgomery Township, Somerset County
28. Peapack-Gladstone Borough, Somerset County
29. Blairstown Township, Warren County
30. Franklin Township, Warren County
31. Frelinghuysen Township, Warren County
32. Greenwich Township, Warren County
33. Harmony Township, Warren County
34. Hope Township, Warren County
35. Knowlton Township, Warren County
36. White Township, Warren County

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a), and that the SADC's approval of State funding is subject to Legislative appropriation of funds and the Governor signing the respective appropriation bills; and

BE IT FURTHER RESOLVED, that the SADC will monitor the municipality's funding plan pursuant to N.J.A.C. 2:76-17A.17 and adjust the eligibility of funds based on the municipality's progress in implementing the proposed funding plan. Each Planning Incentive Grant municipality should expend its grant funds within three years of the date the funds are appropriated. To be considered expended a closing must have been completed with the SADC. Any funds that are

not expended within three years are subject to reappropriation and may no longer be available to the municipality; and

BE IT FURTHER RESOLVED, that the SADC will continue to assist municipalities with planning for agricultural retention, the promotion of natural resource conservation efforts, county and municipal coordination, and agricultural economic development and in strengthening of Right to Farm protections; and

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

5-23-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

2014 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANTS
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Atlantic	15	10	423	\$2,162	27,724	423	1,500	2,500	5.0	\$2,700	No Set Amount
Bergen	8	40	525	\$67,227	10,887	30	150	300	1.0	\$19,000	No Set Amount
Burlington	4	192	20,187	\$115,000	111,985	1,000	5,000	10,000	4.0	\$20,000	\$5,000
Cape May	6	189	12,312	\$221,766	15,982	151	936	1,207	1.0	\$5,300	No Set Amount
Camden	5	65	3,145	\$25,672	15,116	258	1,393	3,147	2.0	\$7,000	No Set Amount
Cumberland	16	474	18,852	\$112,672	61,997	1,885	9,426	18,852	1.0	\$0,970	No Set Amount
Hopewell	1	45	1,576	\$9,420	5,689	158	788	1,576	0.0	\$0,000	No Set Amount
Upper Deerfield	1	54	3,591	\$21,575	9,233	386	1,979	3,958	0.0	\$0,050	\$0,050
Gloucester	11	900	19,958	\$265,200	115,875	750	3,500	6,800	4.0	\$11,000	\$5,000
Eik	2	30	1,005	\$11,050	3,520	75	377	754	1.0	\$0,038	\$0,038
Franklin	5	122	5,036	\$30,280	10,106	598	1,799	3,290	1.0	\$0,076	No Set Amount
Woolwich	3	73	3,368	\$50,475	5,183	285	1,920	3,984	5.0	\$0,314	No Set Amount
Hunterdon	7	156	9,161	\$116,545	178,126	1,500	7,500	15,000	3.0	\$7,000	\$2,000
Alexandria	4	67	3,962	\$39,625	16,912	550	1,300	2,090	4.0	\$0,528	No Set Amount
Delaware	2	21	1,657	\$21,021	23,707	300	1,500	3,000	6.0	\$0,540	No Set Amount
East Amwell	1	21	1,848	\$24,024	13,515	185	925	1,848	4.0	\$0,315	\$0,315
Franklin	1	15	1,508	\$13,580	10,644	158	632	790	5.0	\$0,270	\$0,270
Holland	4	38	2,222	\$22,225	11,335	703	1,700	2,222	2.0	\$0,079	\$0,079
Kingwood	1	28	1,819	\$18,190	12,645	176	705	881	3.0	\$0,182	No Set Amount
Ranitan	4	23	1,554	\$31,079	6,111	100	300	600	1.5	\$0,602	No Set Amount
Readington	1	41	2,317	\$41,706	16,774	100	600	1,100	2.0	\$0,589	No Set Amount
Tewksbury	3	3	409	\$9,700	4,557	100	300	1,000	5.0	\$0,425	No Set Amount
Union	3	20	640	\$5,894	4,189	70	325	600	2.0	\$0,137	\$0,007
West Amwell	1	9	780	\$9,358	10,440	100	100	780	6.0	\$0,315	No Set Amount
Mercer	7	32	2,489	\$40,661	14,570	50	250	500	3.0	\$8,900	No Set Amount
Hopewell	1	11	958	\$29,274	10,761	96	383	479	3.0	\$1,217	No Set Amount
Middlesex	5	125	4,951	\$190,247	20,983	225	1,125	2,250	3.0	\$30,145	No Set Amount
Monmouth	6	122	10,710	\$260,755	60,623	1,200	3,000	6,000	1.5	\$17,900	\$1,100
Colts Neck	1	6	318	\$12,812	9,321	17	104	199	1.2	\$0,368	No Set Amount
Holmdel	1	14	587	\$27,182	2,572	10	70	338	2.5	\$0,960	No Set Amount
Howell	3	12	524	\$9,919	12,666	127	370	453	2.0	\$1,396	\$0,700
Manalapan	1	38	1,318	\$26,343	9,223	131	659	1,318	2.0	\$1,141	No Set Amount
Marboro	3	19	677	\$33,850	19,690	47	216	298	1.0	\$0,689	No Set Amount
Millstone	4	52	3,204	\$96,120	14,359	30	150	300	6.0	\$0,950	No Set Amount
Upper Freehold	1	207	8,813	\$176,260	27,358	550	1,000	1,500	4.0	\$0,328	No Set Amount

2014 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANTS
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0_/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Morris	3	81	6,000	\$145,920	169,342	610	2,974	5,982	1.3	\$14,249	\$2,472
Passaic	1	9	182	\$5,676	6,415	100	500	1,000	1.0	\$5,000	\$0,750
Salem	3	431	35,574	\$284,590	80,424	2,600	13,000	26,000	2.0	\$1,14	\$1,14
Alloway	1	7	384	\$3,072	5,055	38	194	384	2.0	\$0,020	No Set Amount
Pilesgrove	3	41	3,324	\$32,484	7,303	261	1,206	2,197	3.0	\$0,145	\$0,145
Pittsgrove	2	86	1,909	\$14,315	7,200	458	1,312	2,399	3.0	\$0,178	No Set Amount
Upper Pittsgrove	3	11	459	\$3,440	25,082	700	3,500	7,000	2.0	\$0,070	\$0,070
Somerset	12	365	14,051	\$222,376	87,395	1,000	4,000	5,000	3.0	\$17,470	No Set Amount
Bedminster	1	123	5,913	\$177,410	10,111	500	2,706	2,706	2.0	\$0,522	No Set Amount
Berards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1,500	No Set Amount
Franklin	2	19	829	\$16,584	18,931	508	135	188	5.0	\$4,500	No Set Amount
Hillsborough	3	22	1,510	\$30,193	3,471	100	500	1,000	2.8	\$1,580	No Set Amount
Montgomery	1	19	840	\$25,204	20,646	128	385	541	4.0	\$1,400	No Set Amount
Peapack & Gladstone	2	11	310	\$10,857	1,932	20	85	160	3.0	\$0,248	\$0,120
Sussex	10	799	36,105	\$198,786	176,195	2,648	13,240	26,480	0.34	\$0,677	\$0,677
Frankford	4	102	4,438	\$27,745	10,142	75	350	700	3.0	\$0,080	\$0,080
Green	3	53	1,831	\$11,908	7,632	150	675	1,300	3.0	\$0,167	\$0,167
Warren	7	504	31,085	\$163,701	154	1,000	8,000	16,000	6.0	\$7,400	\$3,707
Blairstown	4	72	2,065	\$14,450	12,307	100	500	1,000	3.5	\$0,250	\$0,250
Franklin	4	150	5,698	\$51,168	11,542	225	1,000	1,900	6.5	\$0,271	No Set Amount
Freylinghysen	7	76	2,807	\$18,248	9,493	45	220	430	2.0	\$0,055	\$0,055
Greenwich	1	21	1,573	\$12,585	3,453	174	1,092	1,573	4.0	\$0,239	\$0,239
Harmony	3	87	4,097	\$24,580	12,409	220	1,000	1,800	5.0	\$0,247	\$0,247
Hope	4	67	3,456	\$19,006	6,298	65	300	600	2.0	\$0,063	\$0,063
Knowlton	2	34	2,994	\$14,970	13,355	100	500	1,000	2.0	\$0,052	\$0,052
Pohatcong	4	58	1,672	\$10,029	7,510	160	760	1,500	0.5	\$0,174	\$0,174
White	4	116	4,513	\$22,673	13,599	150	700	1,300	2.0	\$0,116	\$0,116
County Totals (17)	121	4,429	222,575	\$2,413,283	1,138,677	15,174	74,101	143,851		\$168,856	
Municipal Totals (46)	107	2,045	95,570	\$1,356	467,791	9,304	34,616	61,684		\$26,296	

Note: In some cases County and Municipal project areas overlap. Identified farms may appear on both County and Municipal target farm lists.
Note: Data in red reflect 2009/2010 data. These are applications that did not submit 2011 round applications.

Date: 5/14/13

Schedule B

2014 MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Applications

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$1.00	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
Upper Deerfield	Cumberland	Upper Deerfield PA	54	3,591	\$21,574,728	\$6,008	396	1,979	3,958	0.0	\$0,050	\$0,050
			Total	54	3,591	\$21,574,728	\$6,008	396	1,979	3,958	0.0	\$0,050
Elk	Gloucester	Project Area 1	16	544	\$5,984,000	\$11,000						
			Total	16	544	\$5,984,000	\$11,000					
		Project Area 2	14	461	\$5,071,000	\$11,000						
			Total	30	1,005	\$11,055,000		75	377	754	1.0	\$0,038
Franklin	Gloucester	Northern	19	930	\$6,975,000	\$7,500						
			Total	19	930	\$6,975,000	\$7,500					
		Central	30	802	\$6,015,000	\$7,500						
			Total	30	802	\$6,015,000	\$7,500					
		Forest Grove	23	731	\$5,482,500	\$7,500						
			Total	23	731	\$5,482,500	\$7,500					
		Janvier	1	297	\$1,565,190	\$5,270						
			Total	1	297	\$1,565,190	\$5,270					
		Main Rd-Piney Hollow	50	2,276	\$10,242,000	\$4,500						
			Total	50	2,276	\$10,242,000	\$4,500					
Woolwich	Gloucester	North	22	920	\$13,900,000	\$15,000	598	1,799	3,290	1.0	\$0,076	No Set Amount
			Total	22	920	\$13,900,000	\$15,000	598	1,799	3,290	1.0	\$0,076
		East	38	1,327	\$19,905,000	\$15,000						
			Total	38	1,327	\$19,905,000	\$15,000					
		Southwest	13	1,118	\$16,770,000	\$15,000	285	1,920	3,984	5.0	\$0,314	No Set Amount
			Total	13	1,118	\$16,770,000	\$15,000	285	1,920	3,984	5.0	\$0,314
Alexandria	Hunterdon	Sweet Hollow	6	393	\$3,930,000	\$10,000						
			Total	6	393	\$3,930,000	\$10,000					
		The Hickory	12	494	\$4,944,800	\$10,000						
			Total	12	494	\$4,944,800	\$10,000					
		Pittstown	32	2,138	\$21,380,000	\$10,000						
			Total	32	2,138	\$21,380,000	\$10,000					
		Delaware River	17	937	\$9,370,000	\$10,000	550	1,300	2,080	4.0	\$0,528	No Set Amount
			Total	17	937	\$9,370,000	\$10,000	550	1,300	2,080	4.0	\$0,528
Delaware	Hunterdon	PIG I: Sandbrook Headquarters / Locktow	8	797	\$10,402,000	\$14,000						
			Total	8	797	\$10,402,000	\$14,000					
		PIG II: Covered Bridge / Dilis Park	13	860	\$10,619,000	\$14,000						
			Total	13	860	\$10,619,000	\$14,000					
		2	21	1,657	\$21,021,000		300	1,500	3,000	6.0	\$540,000	No Set Amount
			Total	21	1,657	\$21,021,000		300	1,500	3,000	6.0	\$540,000
East Amwell	Hunterdon	East Amwell	21	1,848	\$24,024,000	\$13,000	185	925	1,848	4.0	\$0,315	\$0,315
			Total	21	1,848	\$24,024,000	\$13,000	185	925	1,848	4.0	\$0,315
Franklin	Hunterdon	Franklin Project Area	15	1,509	\$13,579,740	\$9,000	158	632	790	5.0	\$270,000	\$270,000
			Total	15	1,509	\$13,579,740	\$9,000	158	632	790	5.0	\$270,000
Holland	Hunterdon	Musconcong	5	354	\$3,540,000	\$10,000						
			Total	5	354	\$3,540,000	\$10,000					
		Hawks Schoolhouse	4	249	\$2,485,000	\$10,000						
			Total	4	249	\$2,485,000	\$10,000					
		Bun Valley	20	1,414	\$14,140,000	\$10,000						
			Total	20	1,414	\$14,140,000	\$10,000					
		Holland Station	9	206	\$2,060,000	\$10,000						
			Total	9	206	\$2,060,000	\$10,000					
Total		4	38	2,223	\$22,225,000		703	1,700	2,222	2.0	\$0,079	No Set Amount
			Total	38	2,223	\$22,225,000		703	1,700	2,222	2.0	\$0,079

Schedule B

2014 MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Applications

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost Per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
Kingwood	Hunterdon	Kingwood	28	1,819	\$18,190,000	\$10,000	176	705	881	3.0	\$0.182	No Set Amount
			Total	28	1,819	\$18,190,000	\$10,000	176	705	881	3.0	\$0.182
Readington	Hunterdon	Primary	41	2,317	\$41,706,000	\$18,000	100	600	1,100	2.0	\$0.569	No Set Amount
			Total	41	2,317	\$41,706,000	\$18,000	100	600	1,100	2.0	\$0.569
Union	Hunterdon	Hoffman	1	68	\$819,856	\$7,900						
			Pattenburg	4	156	\$1,803,684	\$7,900					
Total	Hunterdon	Pittstown	16	414	\$3,270,600	\$7,900						
			Total	21	640	\$5,894,140	\$7,900	70	325	600	2.0	\$0.137
West Amwell	Hunterdon	West Amwell	9	780	\$9,357,720	\$12,000	100	100	780	6.0	\$0.315	No Set Amount
			Total	9	780	\$9,357,720	\$12,000	100	100	780	6.0	\$0.315
Hopewell	Mercer	Central Project Area	11	958	\$29,274,000	\$30,000	96	383	479	3.0	\$1.217	No Set Amount
			Total	11	958	\$29,274,000	\$30,000	96	383	479	3.0	\$1.217
Holmdel	Monmouth	Holmdel Project Area	14	587	\$27,182,209	\$46,307	10	70	338	2.5	\$0.960	No Set Amount
			Total	14	587	\$27,182,209	\$46,307	10	70	338	2.5	\$0.960
Howell	Monmouth	North Central	6	228	\$6,641,050	\$31,078						
			Manasquan Reservoir South	3	138	\$1,796,160	\$12,982					
Total	Monmouth	Manasquan Reservoir West	2	114	\$1,480,000	\$13,000	127	370	452	2.0	\$1.386	\$0.700
			Total	11	480	\$9,919,210	\$13,000	127	370	452	2.0	\$1.386
Manalapan	Monmouth	Manalapan Project Area	38	1,318	\$26,342,650	\$19,986	131	659	1,318	2.0	\$1.141	No Set Amount
			Total	38	1,318	\$26,342,650	\$19,986	131	659	1,318	2.0	\$1.141
Marlboro	Monmouth	North	1	84	\$4,200,000	\$50,000						
			Central	13	466	\$23,300,000	\$50,000					
Total	Monmouth	Southeast	5	127	\$6,350,000	\$50,000	47	216	298	1.0	\$0.689	No Set Amount
			Total	19	677	\$33,850,000	\$50,000	47	216	298	1.0	\$0.689

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
Millsstone	Monmouth	Pennepine East	18	786	\$23,580,000	\$30,000						
		Pennepine West	14	988	\$29,640,000	\$30,000						
		Clarksburg East	11	687	\$20,610,000	\$30,000						
		Clarksburg West	9	743	\$22,290,000	\$30,000						
		Total	52	3204	\$96,120,000		30	150	300	6.0	\$0.950	No Set Amount
Upper Freehold	Monmouth	Upper Freehold Project Area	207	8,813	\$176,260,000	\$20,000						
		1	207	8,813	\$176,260,000		550	1,000	1,500	4.0	\$0.328	No Set Amount
Alloway	Salem	North-Central	7	384	\$3,072,000	\$8,000						
		1	7	384	\$3,072,000		38	194	384	2.0	\$0.020	No Set Amount
Pilesgrove	Salem	Northern Pilesgrove	33	2,563	\$25,627,000	\$10,000						
		U.S. Route 40	5	556	\$5,007,600	\$9,000						
		Commissioners Pike	3	206	\$1,849,500	\$9,000						
		Total	41	3325	\$32,484,100		281	1,206	2,197	3.0	\$0.145	\$0.145
Pilesgrove	Salem	North	28	737	\$5,527,500	\$7,500						
		East	58	1172	\$8,787,600	\$7,500						
		Total	86	1909	\$14,315,100		458	1,312	2,399	3.0	\$0.178	No Set Amount
Upper Pilesgrove	Salem	One	3	118	\$888,150	\$7,500						
		Two	6	238	\$1,787,250	\$7,500						
		Three	2	102	\$765,000	\$7,500						
		Total	11	458	\$3,440,400		700	3,500	7,000	2.0	\$70,000	\$70,000
Bedminster	Somerset	Bedminster PA	123	5913	\$177,410,000	\$30,000						
		1	123	5913	\$177,410,000		500	2,706	2,706	2.0	\$5,223	No Set Amount
Hillsborough	Somerset	Arnwell Valley	16	1111	\$22,212,800	\$20,000						
		Mill Lane	6	399	\$7,980,000	\$20,000						
		South	0	0	\$0							
		Total	22	1510	\$30,192,800		100	500	1,000	2.8	\$1,560	No Set Amount
Montgomery	Somerset	Montgomery Twp. PA	19	840	\$25,203,570	\$30,000						
		1	19	840	\$25,203,570		128	385	541	4.0	\$1,400	No Set Amount
Peapack/Gladstone	Somerset	Essex Hunt Club	3	119	\$4,185,000	\$35,000						
		Raritan Valley	8	191	\$6,682,550	\$35,000						
		Total	11	310	\$10,847,550		20	85	160	3.0	\$0,248	\$0,124

Schedule B

2014 MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Applications

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
Blairstown	Warren	North	10	127	\$899,770	\$7,000						
		Route 94 North	12	209	\$1,460,690	\$7,000						
		Central	11	494	\$3,455,130	\$7,000						
		South	39	1,235	\$8,645,000	\$7,000						
Total		4	72	2,065	\$14,450,590		100	500	1,000	3.5	\$0.250	\$0.250
Franklin	Warren	Musconong Valley	54	1980	17,600,800	\$8,980						
		Pohalcong Ridge	25	1026	9,213,480	\$8,980						
		Pohalcong Valley East	47	1737	15,598,260	\$8,980						
		Pohalcong Valley West	24	975	8,755,500	\$8,980						
Total		4	150	5698	-\$51,168,040		225	1,000	1,900	6.5	\$0.270	Undetermined
Freylinghysen	Warren	Paulus Kill Valley	12	303	1,971,328	\$6,560						
		Marlinsburg Ridge	27	1497	9,731,280	\$6,500						
		Hope Preservation Area	5	85	553,150	\$6,500						
		Limestone Valley Trout Brook	9	213	1,385,670	\$6,500						
		Allamuchy Farmland Belt	14	446	2,899,390	\$6,500						
		Limestone Valley Bear Brook	8	256	1,661,010	\$6,500						
		Johnsontown Center	1	7	46,345	\$6,500						
Total		7	76	2,807	18,248,165		45	220	430	2.0	\$0.055	\$0.055
Greenwich	Warren	Greenwich Project Area	21	1,573	12,585,094	\$8,000						
		Total	1	21	1,573	12,585,094		174	1,092	1,573	4	\$0.239
Harmony	Warren	Project Area 1	22	1,190	\$7,141,500	\$6,000						
		Project Area 2	35	1,765	\$10,590,240	\$6,000						
		Project Area 3	30	1,141	\$6,846,000	\$6,000						
		Total	3	87	4096	24,577,740		220	1,000	1,800	5.0	\$0.247
Hope	Warren	Project Area 1	42	1,982	\$10,902,815	\$5,500						
		Project Area 2	7	555	\$3,050,960	\$5,500						
		Project Area 3	11	479	\$2,633,235	\$5,500						
		Project Area 4	7	440	\$2,419,505	\$5,500						
Total		4	67	3455,73	\$16,587,010		65	300	600	2.0	\$0.063	\$0.063
Knowlton	Warren	Project Area 1	12	1,069	\$5,345,000	\$5,000						
		Project Area 2	22	1,925	\$9,625,000	\$5,000						
Total		2	34	2,994	\$14,970,000		100	500	1,000	2.0	\$0.052	\$0.052

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue In Millions	Annual Tax for Farm Preservation In Millions
White	Warren	North	40	1,228	\$6,169,472	\$5,024						
		South	19	501	\$2,517,024	\$5,024						
		East	7	177	\$889,248	\$5,024						
		West	50	2,607	\$13,097,568	\$5,024	150	700	1,300	2.0	\$0.116	\$0.116
		Total	116	4,513	\$22,673,312							
2014 MUN. PIG FINAL APPROVAL TOTALS			1,821	87,052	\$1,152,926,149		7,940	31,840	55,524			
36	8	87	1,821	87,052	\$1,152,926,149		7,940	31,840	55,524			

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R5(5)

Review of Activities Occurring on Preserved Farm

Princeton Show Jumping, LLC/Hunter Farms North
Equine Activities

May 23, 2013

WHEREAS, Princeton Show Jumping LLC, hereinafter (“Owner”) is the current record owner of Block 26001, Lot 1.02, as identified in the Township of Montgomery, County of Somerset, as recorded in the Somerset County Clerk’s Office in Deed Book 6519, Page 3387 by deed dated May 7, 2012, totaling 101.46 acres, hereinafter referred to as the “Premises,” (Exhibit “A”); and

WHEREAS, the development easement on the Premises was conveyed from the State of New Jersey to the State Agriculture Development Committee on December 2, 2003, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded in Deed Book 5599, Page 859; and

WHEREAS, the overall Property includes the Premises acreage plus 3.55 acres of unpreserved land within the right-of-way lines of Skillman and Burnt Mill Roads and 1.99 acres of unpreserved land around the perimeter of the Premises subject to a 15-foot wide recreation easement in favor of Montgomery Township; and

WHEREAS, the Deed of Easement for the Premises limits the impervious coverage for existing and new construction on the Premises to 5% of the total acreage of the Premises; and

WHEREAS, the Deed of Easement for the Premises does not encumber, and more specifically, the impervious cover limitations do not apply to, the 5.54 acres of unpreserved perimeter lands that are part of the overall property; and

WHEREAS, Andrew Philbrick is the sole owner of Princeton Show Jumping, LLC, hereinafter referred to as the “Owner;” and

WHEREAS, the Owner is a former U.S. Equestrian Team rider, coach and long-time equine breeder and trainer; and

WHEREAS, the Owner currently operates a hunter/jumper equine breeding, raising, and training operation known as Hunter Farms on a non-preserved farm approximately two miles from the Premises; and

WHEREAS, the Owner refers to his original farm as Hunter Farms and the Premises as Hunter Farms North; and

WHEREAS, the Owner hosts several 3-5 day hunter/jumper equine shows annually at Hunter Farms South; and

WHEREAS, during these shows the Owner showcases his own horses in competition with horses owned by other individuals in the region in competitive show jumping events; and

WHEREAS, the Owner proposes to utilize the Premises to expand his current equine operation and to host hunter/jumper shows; and

WHEREAS, the Committee finds the following related to the equine operation proposal for the Premises, see attached Exhibit "B";

- 1) Paragraph 13iv of the Deed of Easement limits the impervious coverage for existing and new construction on the Premises to 5% of the total acreage of the Premises (101.46 acres), defined as, "a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water" and "shall not include permeable woven and non-woven geotextile fabrics that allow for water infiltration or impermeable materials that are in contact with the soil for no more than one year;" and
- 2) The Owner has created four outdoor sand rings used for training and showing horses as well as two gravel parking areas and a gravel lane and has demonstrated through his engineer that the sand rings are pervious areas and do not count towards the impervious cover limit; and
- 3) Based on the installation method and high traffic use, the gravel lane and parking areas are considered impervious surfaces as defined in this Deed of Easement; and
- 4) The Owner has provided detailed plans for his proposed development and use of the Premises for equine related activities, which includes breeding, raising and training horses on-site for sale; and
- 5) The Owner has stated he intends to bring 20 of his current horses, a mixture of broodmares and young stock, to the Premises upon completion of the stable; and
- 6) The Owner has explained that he plans to increase the number of horses on-site once the facility is fully operational and upon his assessment of the capability of the land to support additional animals; and
- 7) The Owner proposes an equine stable, indoor riding ring, horse pastures, hay fields, an additional outdoor sand ring, as well as an outdoor, grass Grand Prix ring with judge's booth and seating; and
- 8) Grand Prix is considered the highest level of competition by the U.S. Equestrian Federation for hunter/jumper type horses; and

- 9) As calculated from the Owner's engineering drawings, the existing and proposed improvements would create 4.81% impervious cover on the Premises, a majority of which is related to the gravel farm lanes and gravel parking areas; and
- 10) All existing and proposed infrastructure, with the exception of the judge's booth, seating, and gravel parking areas, serve a daily production use on the Premises related to on-site breeding, raising, and training horses for sale owned by Hunter Farms; and
- 11) According to the Owner, all topsoil that was stockpiled as a result of developing the current infrastructure has been retained on-site; and
- 12) The Owner has indicated that the possibility exists that the quality of this facility could possibly afford him the opportunity to host an Olympic level equine trial onsite; and
- 13) Olympic trials occur once every four years for a period of three days and involve fewer horses and riders than a typical show; and

WHEREAS, the Committee finds the following related to the equine shows that are proposed for the Premises;

- 1) The Owner currently has licenses for nine U.S. Equestrian Federation sanctioned shows totaling 42 days per year; and
- 2) These shows are weather and participation-dependent; and
- 3) The Owner has indicated that up to 300 horses may participate in a show; and
- 4) The Owner has stated that up to three temporary tents may be needed on show days to provide shelter for horses participating in the shows; and
- 5) The Owner has stated that two temporary tents will be needed on show days to provide shelter and accommodations for attendees; and
- 6) At any given show, the Owner has stated he may showcase as many as 25-40 of his own horses, with the remainder coming from other farms in the region; and
- 7) The U.S. Equine Federation has indicated that these types of shows are a common method of competing, showcasing and marketing high-end hunter/jumper horses; and
- 8) According to the Owner, there are only two other locations in New Jersey which host equine competitions at this level; and

- 9) The Owner believes his site will be superior to the other sites due in large part to the quality of the footing in the rings, therefore attracting the highest level horses and riders; and
- 10) The Owner believes that showcasing his horses in competition with the best competitors will serve to increase their ranking and in turn their value; and
- 11) Based on the engineering drawing provided by the Owner (see attached Schedule "B"), the proposed infrastructure which would primarily service the equine shows (gravel parking - 2.8 acres; judges' booths - 0.12 acres; and seating - 0.08 acres) totals approximately 3 acres; and
- 12) Approximately 7.5-acres are currently being utilized as outdoor sand training rings used to train Hunter Farm's horses and which are also being used as show rings during show days; and
- 13) An approximately 3.5-acre area of the existing grass field is proposed to be used, in its existing condition, for daily training as well as Grand Prix competitions; and
- 14) The remainder of the Premises would be used on a daily basis for equine related breeding, raising, training, pasture and hay production; and
- 15) The Owner has proposed additional entertainment-related activities during show days, which could include, but are not limited to, a farmers market, pony rides, wine tastings, musical entertainment and equine related vendors; and
- 16) Paragraph one of the Deed of Easement states that any development of the Premises for nonagricultural purposes is expressly prohibited; and
- 17) Paragraph two of the Deed of Easement defines "agricultural use" as use of the Premises for common farmsite activities including, but not limited to: production, harvesting, storage, grading, packaging, processing and the wholesale and retail marketing of crops, plants, animals and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease and pest control, disposal of farm waste, irrigation, draining and water management and grazing; and
- 18) The Committee finds a clear distinction between events and activities that are held on a farm to attract the public to the farm in an effort to increase the direct marketing and sales of the agricultural output of the farm versus those activities whose primary purpose is to market the use of the farm's land and/or facilities to support a nonagricultural use; and

NOW THEREFORE BE IT RESOLVED, that the SADC finds that development and use of the Premises for breeding, raising, and training of the Owner's horses for sale as described by the Owner and as shown in the attached engineering drawing, Schedule "B," is consistent with the terms of the Deed of Easement for the Premises; and

- BE IT FURTHER RESOLVED, that the SADC finds that the use of the Premises to host the nine equine shows sanctioned by the U.S. Equine Federation, for which the Owner currently has licenses, utilizing the infrastructure as shown on Schedule "B," as a primary method of marketing the output of the Owner's farm management unit, is consistent with the terms of the Deed of Easement for the Premises; and
- BE IT FURTHER RESOLVED, that the SADC approves of the use of the Premises for the nine sanctioned shows, totaling 42 show days annually; and
- BE IT FURTHER RESOLVED, that the SADC approves the use of the Premises to host Olympic equine trials, as described above, utilizing only the existing structure; and
- BE IT FURTHER RESOLVED, that this approval is conditioned on the Owner's development and use of the Premises for equine production activities, including breeding and raising his horses for sale, as has been represented to the SADC and as described herein; and
- BE IT FURTHER RESOLVED, that horse shows, as described herein, are permitted when used as a venue for marketing the agricultural production output of the Premises and farm management unit of the Owner; and
- BE IT FURTHER RESOLVED, that the Owner has the right to request additional show days provided the need for additional shows to market the output of his farm management units can be demonstrated; and
- BE IT FURTHER RESOLVED, that accommodations for show attendees, including restrooms, food, beverage, necessary supplies and services and temporary shelter tents as well as temporary shelter tents for show horses are permitted provided they are portable in nature and removed at the conclusion of each show; and
- BE IT FURTHER RESOLVED, that in instances where two shows are held on consecutive weeks the tents may remain until the conclusion of the second show; and
- BE IT FURTHER RESOLVED, that a minimum of 10 horses or 10% of the horses, participating in shows held on the Premises, whichever is greater, shall be owned by the Owner, and bred, raised and/or trained on the Premises; and
- BE IT FURTHER RESOLVED, the Owner shall be required annually to provide evidence of the sale of horses he owned that were bred, raised and/or trained on the Premises, commencing two (2) years from the date of this resolution and that the Owner will continue to conduct equine breeding, raising and training of horses he owns on-site in all subsequent years in which shows are held at the Premises; and
- BE IT FURTHER RESOLVED, that failure to provide evidence of substantial equine production or failure to demonstrate continued sales of the output of the Premises as

the result of holding shows on the Premises may result in the SADC rescinding its approval of the ability to hold equine shows on the Premises; and

BE IT FURTHER RESOLVED, that the Committee acknowledges the potential for fluctuations in livestock production and sales from one year to the next due to a variety of factors including but not limited to, the degree of success in breeding, overall equine health and the equine-related economy, and reserves the ability to revisit production requirements in the event of extraordinary circumstances; and

BE IT FURTHER RESOLVED, that use of the Premises to host equine shows or other activities for which the primary purpose of the functions is other than the sale of the farm's agricultural product/output, constitutes a nonagricultural use of the premises which was not in existence at the time of conveyance and is therefore prohibited by Paragraph 3 of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the SADC finds that certain activities, such as, but not limited to, farmers markets, wine tastings and certain vendor sales areas, are not directly related to the sale of the farm's agricultural output and may be considered a non-agricultural use of the Premises; and


BE IT FURTHER RESOLVED, that only suppliers of goods and services which are directly related to the hunter-jumper equine industry, or are necessary to operate the show itself, may be permitted to advertise and offer their product or service during the show; and

BE IT FURTHER RESOLVED, that the area utilized to provide temporary, tented, shelter areas for attendees and suppliers shall not exceed ¼ acre in area; and

BE IT FURTHER RESOLVED, that any existing and proposed activities and uses of the Premises, including animal waste management and the storage of topsoil, must be in accordance with an approved Natural Resources Conservation Service farm conservation plan, said plan needing approval by the Somerset-Union Soil Conservation District no later than ninety (90) days of the date of this resolution and fully implemented within two (2) years of the date of this resolution, to insure that such activities are properly managed so as to not have a detrimental effect on the continued agricultural use of the Premises; 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.

5/23/13
DATE


Susan E. Payne, Executive Director
State Agriculture Development Committee

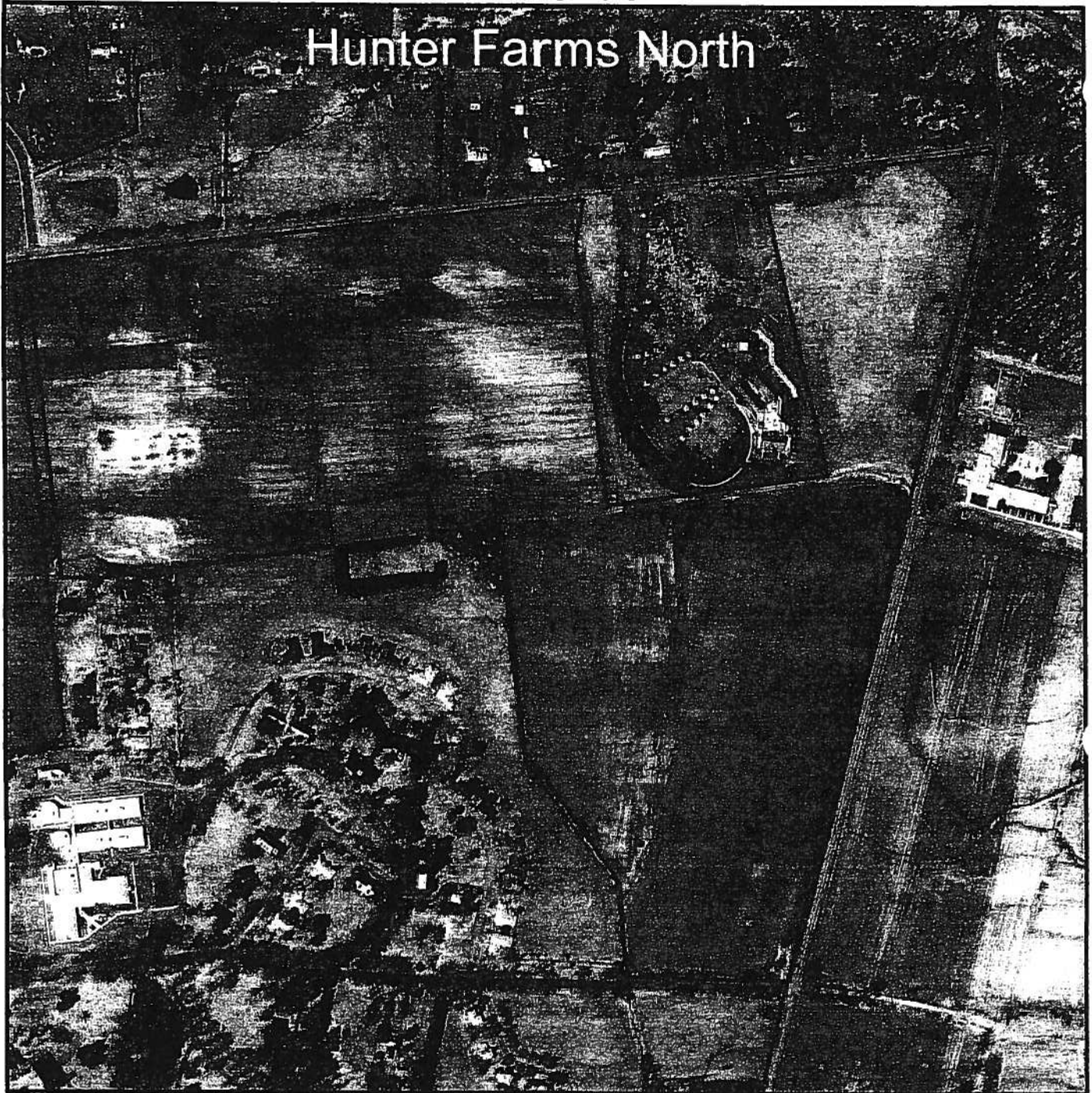
VOTE WAS RECORDED AS FOLLOWS:

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

Schedule "A"

Hunter Farms North

u:/county_state/project_name.mxd














FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Hunter Farms North
Block 26001, Lot 1.02
Montgomery Township, Somerset County
101.46 - Acres


















0 220 440 880 1,320 1,760 Feet

Farmland Preservation Program

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

State Planning Areas

-  (PA1) METRO
 -  (PA2) SUBURBAN
 -  (PA3) FRINGE
 -  (PA4) RURAL
 -  (PA4a) RURAL ENV SENS
 -  (PA5) ENV SENS
 -  (PA5a) ENV SENSITIVE BARRIER IS
 -  (P10) PINELANDS
 -  PARK
 -  MILITARY
 -  NEW JERSEY MEADOWLANDS
 -  WATER
 -  ELLIS ISLAND- NJ
 -  ELLIS ISLAND- NY
- Base Map**
-  County Boundaries
 - Municipal Boundaries
 - Highlands Planning Area
 - Highlands Preservation Area
 - Pinelands Area
 - Green Acres Preserved Easements

month/day/year

Schedule "B"

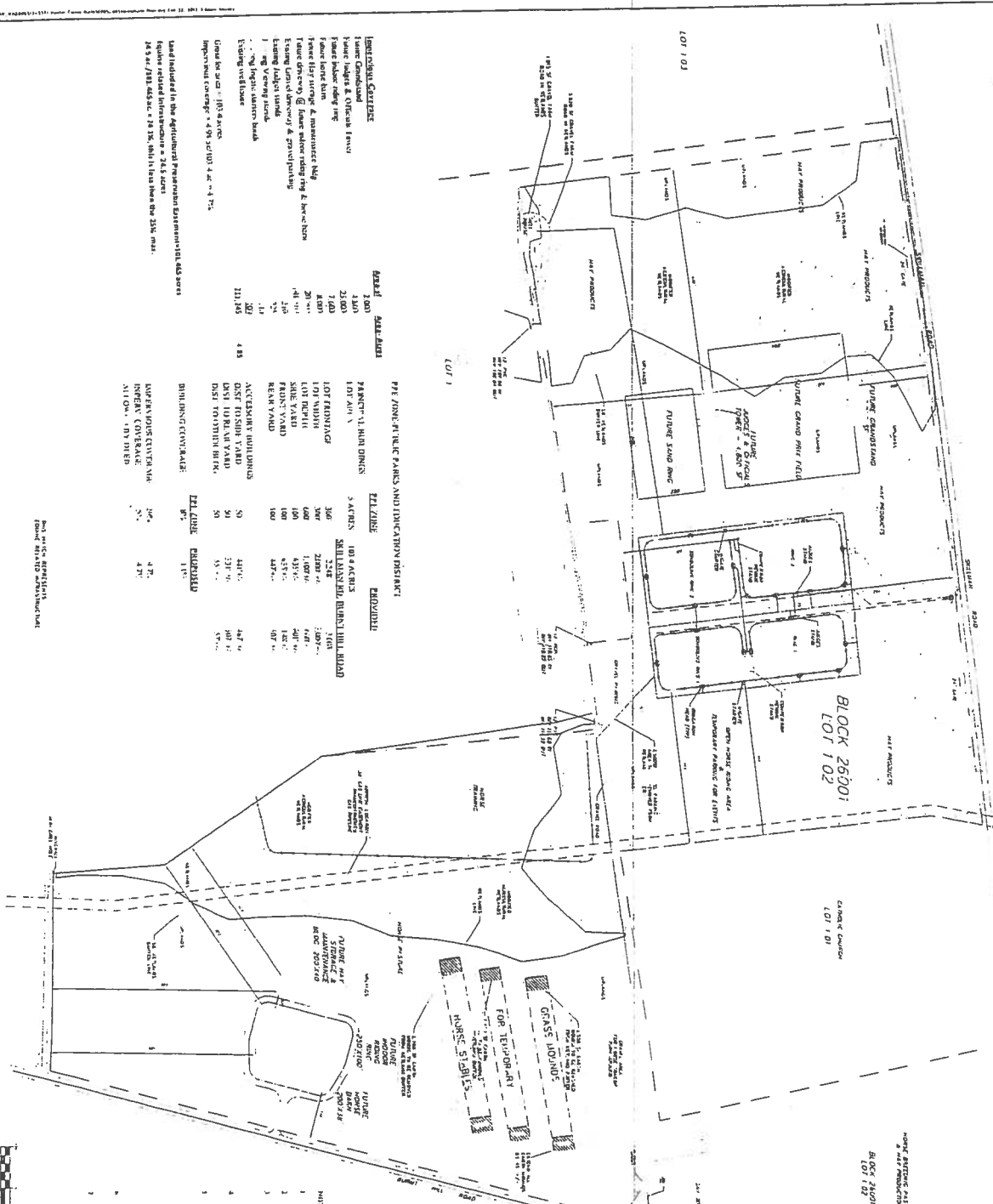


TABLE 1: ACREAGE

Parcel 1, 100 Acres	100
Parcel 2, 100 Acres	100
Parcel 3, 100 Acres	100
Parcel 4, 100 Acres	100
Parcel 5, 100 Acres	100
Parcel 6, 100 Acres	100
Parcel 7, 100 Acres	100
Parcel 8, 100 Acres	100
Parcel 9, 100 Acres	100
Parcel 10, 100 Acres	100

TABLE 2: BUILDINGS

Building	Area
1	2,000 sq ft
2	1,500 sq ft
3	1,000 sq ft
4	800 sq ft
5	600 sq ft
6	400 sq ft
7	300 sq ft
8	200 sq ft
9	150 sq ft
10	100 sq ft

NOTES:

- The information shown on this plan is based on the records of the County of Montgomery, New Jersey.
- The information shown on this plan is based on the records of the County of Montgomery, New Jersey.
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LEGEND:

- 1. Existing Building
- 2. Proposed Building
- 3. Existing Road
- 4. Proposed Road
- 5. Existing Easement
- 6. Proposed Easement

GRAPHIC SCALE:
1" = 100'

- The information shown on this plan is based on the records of the County of Montgomery, New Jersey.
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DISCLAIMER:
The information shown on this plan is based on the records of the County of Montgomery, New Jersey. It is not intended to be used for any other purpose.

AGRICULTURAL PLAN
HUNTER FARMS NORTH
SKILLMAN ROAD & BURNT HILL ROAD
BLOCK 26001 LOT 102
MONTGOMERY TOWNSHIP
SOMERSET COUNTY
NEW JERSEY

PREPARED FOR:
WILLIAM R. BUZZY, JR.
1555 GREAT ROAD
MONTGOMERY TOWNSHIP
SOMERSET COUNTY
NEW JERSEY

DATE: 03/21/2008

DRAWN BY: JWB

CHECKED BY: [Signature]

SCALE: 1" = 100'

PROJECT NO.: 03540

DATE PLOTTED: 03/21/2008

PROJECT NAME: AGRICULTURAL PLAN

CITY: MONTGOMERY TOWNSHIP

COUNTY: SOMERSET COUNTY

STATE: NEW JERSEY



Control Engineering
Professional Engineering Firm
1555 GREAT ROAD
MONTGOMERY TOWNSHIP
SOMERSET COUNTY
NEW JERSEY 08834

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R5(6)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

BURLINGTON COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Francis and Robert Bush ("Owner")
Pemberton Township, Burlington County

N.J.A.C. 2:76-17 et seq.
SADC ID# 03-0372-PG

May 23, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Burlington 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, Burlington County received SADC approval of its FY2013 PIG Plan application annual update on May 24, 2012; and

WHEREAS, on May 10, 2012 the SADC received an application for the sale of a development easement from Burlington County for the Bush Farm identified as Block 841, Lots 3, 4, 5 and 6; Block 842, Lots 71 & 76, Pemberton Township, Burlington County, totaling 60.689 surveyed acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is a targeted farm located in Burlington County's South Project Area and in the Pinelands Agricultural Production Area; and

WHEREAS, the Property has no exceptions, no pre-existing non-agricultural uses, zero (0) residences and zero (0) agricultural labor units on the area to be preserved; and

WHEREAS, the Property has a quality score of 72.67 which is greater than 70% of the County's average quality score of 45 as determined by the SADC on July 28, 2011; and

WHEREAS, according to New Jersey Pinelands Commission Amended Letter of Interpretation #2054 and #2055, there are 2.75 Pinelands Development Credits (PDCs) allocated to the Property; and

WHEREAS, as a result of the conveyance of the deed of easement to the County, all of the PDCs will be retired; and

WHEREAS, at the time of application the Property supported a blueberry operation; and

WHEREAS, the owners were provided the SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses (Schedule B), by the County but the property owner's attorney has advised that the owners are unwilling to sign the acknowledgement of receipt of the documents; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on August 28, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, as per N.J.A.C. 2:76-19.3 landowners shall have a choice of having their development easement appraised as per the Pinelands Valuation Formula (Formula) or pursuant to N.J.S.A. 4:1C-31; and

WHEREAS, on September 27, 2011, a preliminary Pinelands Valuation Formula (Formula) was finalized between SADC and CADB staff as per N.J.A.C. 2:76-19.3 yielding:
Formula Valuation without impervious cover option: \$2,915.10 per acre
Formula Valuation with 10% impervious cover option: \$3,279.48 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on February 28, 2013, the SADC certified a development easement value of \$2,952 per acre based on zoning and environmental regulations in place as of August 1, 2012; and

WHEREAS, based on the certified value of \$2,952, the SADC cost share would be \$2,166.40; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted an offer from the County to purchase a development easement for \$4,001 per acre, (which is higher than the Pinelands Formula Valuations and the certified value, but less than the highest appraised per acre easement value of \$4,252); and

WHEREAS, Burlington County closed on the development easement on December 5, 2012 for \$242,816.69 (\$4,001 per acre) which was recorded in Deed Book 13046, Page 7539; and

WHEREAS, the United States of America, through the Department of the Air Force, contributed 50% (\$121,408.35) of the total purchase price for the development easement with no additional restrictions, to assist in providing a three mile buffer around existing military installations; and

WHEREAS, on March 7, 2013, 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, currently the County has \$236,753.01 of base grant funding available, and is eligible for up to \$7,554.44 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule C); and

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

WHEREAS, since the County has already closed on this property it is not requesting to use the additional 3% buffer for possible surveyed acreage increases, therefore, the SADC cost share shall be based on the 60.689 surveyed acres (Payment acres); and

WHEREAS, the estimated cost share breakdown is as follows (based on 60.689 acres):

	<u>Cost Share</u>	
SADC	\$121,408.34	(\$2,000.50 per acre)
US Department of Defense	\$121,408.35	(\$2,000.50 per acre)
<u>County</u>	\$0	(\$0 per acre)
	\$242,816.69	(\$4,001 per acre); and

WHEREAS, since the Department of Defense contributed 50% of the easement purchase price, the SADC's cost share was reduced from \$2,166.40 to \$2,000.50; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 the Burlington CADB approved the application on November 29, 2012, the Burlington Board of Chosen Freeholders approved the application on March 28, 2012 and the Pemberton Township Committee approved the application on July 11, 2012, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Burlington County CADB is requesting \$121,408.34 from its Base Grant monies, leaving a Base Grant balance of \$115,344.67 (Schedule C); 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 Burlington County for the purchase of a development easement on the Property, comprising 60.689 surveyed acres, at a State cost share of \$2,000.50 per acre (67.76% of Certified Value, and 50% of the actual purchase price), for a total grant need of \$121,408.34 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule D); and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); 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-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with 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 subject to review and approval by the SADC; and

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

5-23-13



Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A

x:/counties/burco/projects/bush_fw.mxd



Application within the Pinelands Ag Production Area

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

Robert C. Bush and Francis W. Bush, Jr.
Block 841 Lots 3 (14.0 ac), 4 (6.8 ac), 5 (7.5 ac) & 6 (11.2 ac);
Block 842 Lots 71 (14.6 ac) & 76 (7.5 ac)
Gross Total = 61.6 ac
Pemberton Twp., Burlington County



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

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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJGIT/OGIS 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.

Exception Areas

An exception is an area free from the farmland preservation Deed of Easement restrictions that will apply once the farm is preserved. It is very important to consider exception areas prior to preservation because they will not be granted, moved or expanded once the farm is preserved.

Types of Exceptions

There are two types of exceptions: non-severable and severable.

Non-severable Exceptions:

A non-severable exception is an area of the farm which is excepted from the easement restrictions but remains tied to the farm and cannot be subdivided, transferred or conveyed separately from the farm.

Severable Exceptions:

A severable exception is an area that can be subdivided and sold separately from the farm provided it meets local subdivision requirements. It is not necessary to sever (subdivide) a severable exception prior to preservation.

A landowner will not be paid for areas designated as a severable or non-severable exception because the Deed of Easement

Why should I take an exception area?

Do you wish to provide a building lot for a child? Do you have a barn where you might want to operate a business that might not be permitted under the farmland Deed of Easement (i.e. a nonagricultural use)? Would you like to have the flexibility to replace your home without farmland preservation program approvals? Perhaps you are entertaining the idea of operating a Bed & Breakfast in the main farmhouse someday?

These are just a few common reasons why landowners choose to take exception areas. If your plans for future uses of the premises include any nonagricultural production based activity you should consider an exception area.

Although nonagricultural uses existing and recognized at the time of preservation are allowed, did you know they cannot be expanded in the future unless they are within an exception area?

Locating an Exception Area

It is very important to consider the number, size and location of exception areas. Exception area requests which negatively impact the farm or are found to allow excessive housing around the agricultural operation may not be approved. Therefore, balancing landowners' needs with a sensitivity to the agricultural operation, now and into the future, is important. The SADC considers the following in evaluating exceptions:

- Number of exceptions requested - is it excessive?
- Size of exception(s) - is it a very large area of the farm?
- Purpose of the exception(s) - will future uses negatively impact the farm?
- Location and planned use of the exception area - sensitive to the farming operation?



Division of the Premises

The Deed of Easement sets forth the legal restrictions that will apply to your farm once it is preserved. The survey metes and bounds description of your farm has the effect of tying all of your lots together as one preserved "premises." Although your farm may consist of multiple lots, after preservation they cannot be divided, transferred individually or conveyed to other owners without written approval of the State Agriculture Development Committee (SADC) and the easement holder, which may be the County Agriculture Development Board (CADB) or a non-profit agency.

To request approval to divide the preserved premises, you need to submit an application to the easement holder demonstrating that the division would meet both of the following tests:

The Agricultural Purpose Test

First, the proposed division must be for an agricultural purpose. The SADC considers enhanced agricultural production activities, such as agricultural expansion, diversification and/or intensification resulting from a division as typically meeting the agricultural purpose test.

The Agricultural Viability Test

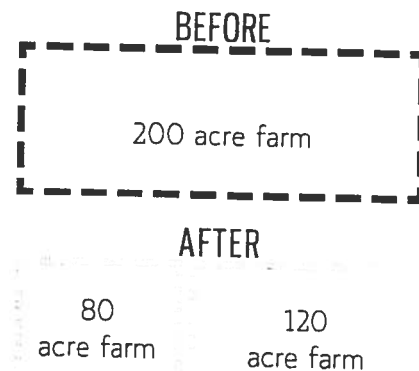
Second, the division must result in agriculturally viable parcels, each capable of sustaining a variety of agricultural operations that produce a reasonable economic return under normal conditions, solely from the parcel's agricultural production. So, the SADC would need to be confident that each newly created farm has sufficient agricultural resource value (soil quality, tillable land, size, etc.) to support a variety of agricultural operations into the future.

Additionally, any parcel not meeting the minimum eligibility criteria for new applications to the program set forth in the SADC regulations will not be approved.

Major SADC Considerations

- Total Tillable Acreage
- Quality of Soils
- Configuration of New Parcels
- Historical Agricultural Uses
- Existing Agricultural Infrastructure
- Proximity to Other Farms/Preserved Farms
- Proposed Agricultural Uses
- Benefit to Production Agriculture

Diagram of a Division



The SADC's objective is to retain large masses of viable agricultural land. Agricultural parcels may become less viable if reduced in size. Therefore, the SADC will carefully consider the criteria to evaluate whether a permanently preserved farm should be divided.



Nonagricultural Uses

The restrictions in the Deed of Easement limit a preserved farm to agricultural uses. Once your farm has been preserved, no nonagricultural uses will be allowed, except if otherwise outlined in the Deed of Easement or if they occur within an exception area. Because nonagricultural uses are not related to agricultural production, they cannot continue unless recorded in a Schedule B in the Deed of Easement or contained within an exception area. Both of these options are designed to protect you and allow you to continue your nonagricultural use into the future.

Do you have a nonag use on your farm?

Some examples of a nonagricultural use include:

- An existing business, not related to your farm's agricultural production, located in your barn or home
- A lumber processing business that uses timber produced/grown by other farmers
- A facility used to process or sell agricultural products not raised on the farm or by the owner's farming operation
- A portion of your farm or structure on your farm that is rented or used by someone else for a use or business not related to the production of your farm (e.g., equipment, vehicle parking, office)
- A portion of your farm or structure on your farm that is used for the storage of agricultural products or materials not derived from or intended for use on your farm (e.g., grain/cold storage, parts, chemicals, fertilizers)

Schedule B Nonagricultural Use

This option allows you to continue your nonagricultural use following the preservation of your farm at the same scale and location it is at the time of preservation. Before appraisals and surveys are conducted, you will be asked to identify and describe any nonagricultural uses occurring on your farm. Details of the use(s), such as the type, frequency, intensity, size and location, will be recorded as a Schedule B and attached to the Deed of Easement. This document binds your use to its current parameters so that you cannot expand or change it in the future.

Although you will still be paid for the land under the use, this option provides you with little flexibility and no opportunity to expand the use, change the use, or start a new use in the future. Additionally, if the current nonagricultural use ceases at some point, you are not permitted to resume it in the future.

Nonagricultural Uses in Exception Areas

You also have the option of excepting out some of your land under and surrounding a nonagricultural use(s) from the Deed of Easement. This option provides you with maximum flexibility for your use in the future since the land in exception areas is not subject to the restrictions of the Deed of Easement. Although you will not be paid for the land in an exception area, you will be able to change, improve and expand your use within the exception area as you wish, subject to all applicable local and state regulations.

An exception area around a nonagricultural use is ideal if you can foresee the use or an area of your farm changing in the future. For instance, you may have an older barn that is becoming too small for modern tractors and your agricultural operation. Rather than razing it or allowing it to go into disrepair, you may want to rent this space out to a carpenter or other small business. By including the structure in an exception area, you maintain the flexibility to repurpose an agricultural structure and adapt to the changes of your farm.



Farm	Municipality	App Acres	Preserve Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Essement Consideration	SADC				BASE GRANT				COMPETITIVE GRANT		TOTAL	ELIGIBILITY	
								Cost Basis	Cost Share	Encumbered at Final	Voucher	Expend	Balance	Encumbered at Final	Voucher	Expend	Balance		FY11 Balance	FY13 Balance
Bur Cty/Griffin	North Hanover	104.0730	104.0730	2,745.00	2,956.00	2,021.50	307,639.79	199,945.86	210,383.57	199,945.86	307,639.79	199,945.86	199,945.86	1,500,000	1,000,000	4,312,576	3,000,000	5,000,000		
Bur Cty/Krause	North Hanover	96.0750	96.0750	6,800.00	6,700.00	4,250.00	643,702.50	405,845.25	408,318.75	405,845.25	643,702.50	405,845.25	405,845.25	1,000,000	1,000,000	18,903,684	5,000,000			
Bur Cty/Clayton Block East	New Hanover	196.3000	196.3000	2,300.00	2,287.30	1,701.11	448,996.60	291,847.72	316,817.11	291,847.72	448,996.60	291,847.72	291,847.72							
Bur Cty/Wainright, Cora	Mansfield	135.0000	136.7230	9,600.00	9,650.00	5,760.00	1,318,890.95	1,310,467.20	1,310,467.20	1,318,890.95	1,310,467.20	1,310,467.20	1,310,467.20							
Bur Cty/D'Amico	North Hanover	52.0000	106.9000	10,700.00	10,650.00	6,390.00	1,132,947.00	785,280.32	664,681.41	785,280.32	1,132,947.00	785,280.32	785,280.32							
Bur Cty/Murphy	Hainesport	80.0000	80.3680	5,300.00	7,425.00	3,550.00	387,450.90	239,911.65	387,450.90	387,450.90	387,450.90	239,911.65	239,911.65							
Bur Cty/Dur Estate	Pemberton	152.4000	152.4000	3,195.02	3,195.00	1,917.00	2,152,700.00	1,176,054.00	1,176,054.00	2,152,700.00	1,176,054.00	1,176,054.00	1,176,054.00							
Bur Cty/Stattel	Pemberton	110.6530	110.6530	3,050.00	4,550.00	2,230.00	503,471.15	337,491.65	337,491.65	503,471.15	337,491.65	337,491.65	337,491.65							
Bur Cty/Di Tullio, Anthony	Mansfield	85.0000	90.0000	7,700.00	9,650.00	4,750.00	668,114.00	427,500.00	427,500.00	668,114.00	427,500.00	427,500.00	427,500.00							
Bur Cty/Schontz	Shamong	103.0000	109.5780	4,440.00	4,538.00	3,064.00	497,264.96	486,526.32	335,746.99	497,264.96	486,526.32	335,746.99	335,746.99							
Bur Cty/Salmetri	Pemberton	60.8890	2,952.00	4,001.00	2,166.40	2,166.40	242,816.69	179,153.93	121,408.34	242,816.69	179,153.93	121,408.34	121,408.34							
In Process																				
Bur Cty/Schontz	Southampton	111.0000	12,000.00	12,000.00	12,000.00	7,200.00	1,332,000.00	823,176.00	823,176.00	1,332,000.00	823,176.00	823,176.00	823,176.00							
Bur Cty/Salmetri	Chesterfield	35.0000	12,000.00	12,000.00	12,000.00	7,200.00	1,332,000.00	823,176.00	823,176.00	1,332,000.00	823,176.00	823,176.00	823,176.00							
Bur Cty/Conti	Medford	44.0000																		
Bur Cty/Brick Em., LP	Medford	684.0000																		
Bur Cty/Haines, V	Tabernacle	138.0000																		
Chung	Shamong	91.0000																		
Cramer	Tabernacle	45.0000																		
Thompson - Goose Pond	Tabernacle	640.0000																		
Thompson - Birches	Tabernacle	112.0000																		
Simon's Berry Farm	Tabernacle	266.0000																		
Thompson - Peach	Woodland	224.0000																		
Thompson - Vincentown	Southampton	26.0000																		
Aristone	Shamong	152.0000																		
on hold:																				
Bur Cty/Black Dog Inlet, LLC	Springfield	95.0000																		
Bur Cty/Black Dog Inlet, LLC	Springfield	191.0000																		
Bur Cty/Black Dog Inlet, LLC	Springfield	139.0000																		
withdrawn:																				
Bur Cty/Black Dog Inlet, LLC	Pemberton	46.0000																		
Bur Cty/Batten	Pemberton	11.5000																		
Bur Cty/Kucowski north	Chesterfield																			
Bur Cty/Kucowski south	N. Hanover																			
Encumbered/Expended FY 10		1,143	1,035																	
Encumbered/Expended FY13																				
Total		1,143	1,035				9,344,828.25	8,590,672.43	5,351,316.79					1,500,000	115,344.87	1,373,108.61	7,554.44	0.00		
Reprogram Out														1,500,000.00		1,373,108.61	0.00	0.00		

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

BurCo\Bush, R & F
03-0372-PG
County PIG Program
62 Acres

Block 841	Lot 3	Pemberton Twp.	Burlington County
Block 841	Lot 4	Pemberton Twp.	Burlington County
Block 841	Lot 5	Pemberton Twp.	Burlington County
Block 841	Lot 6	Pemberton Twp.	Burlington County
Block 842	Lot 71	Pemberton Twp.	Burlington County
Block 842	Lot 76	Pemberton Twp.	Burlington County

SOILS:

Other	3% * 0	=	.00
Unique .125	97% * .125	=	12.13

SOIL SCORE: 12.13

TILLABLE SOILS:

Cropland Harvested	85% * .15	=	12.75
Wetlands	15% * 0	=	.00

TILLABLE SOILS SCORE: 12.75

FARM USE:

Berry

57 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 Recorded
 - 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 FY2013R5(7)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Edward & Patricia McConnell ("Owner")
Oxford Township, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0516-PG

May 23, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren 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, Warren County received SADC approval of its FY2013 PIG Plan application annual update on May 24, 2012; and

WHEREAS, on February 28, 2012 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as Block 25, Lots 10 and 11, Oxford Township, Warren County, totaling approximately 56 net acres hereinafter referred to as "Property" (Schedule A); and

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

WHEREAS, the Property has one (1) existing single family residence, zero (0) agricultural labor housing, no exceptions and no pre-existing non-agricultural uses; and

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

WHEREAS, the Owner has read and signed the SADC's guidance document for Exception Areas, Division of the Premises and Non Agricultural Uses; and

WHEREAS, the applicant had originally applied in 2011 when the 70% average quality score was 40, but the application was not located in an Agricultural Development Area (ADA). The County revised its maps to include the subject farm in an ADA, however upon re-submission the 70% average quality score had increased to 43; and

WHEREAS, the Property's score of 40.75 does not exceed 43, which is 70% of the County's average quality score as determined by the SADC July 28, 2011; and

WHEREAS, on May 24, 2012 the SADC passed resolution #FY2012R5(14) which granted a waiver of the minimum score criteria and allowed the Property to proceed toward Preliminary/Green

Light Approval; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 24, 2013 the SADC certified a development easement value of \$6,200 per acre based on both the zoning and environmental regulations in place as of 1/1/04 and zoning and environmental regulations in place as of 10/12/12; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$6,200 per acre for the development easement for the Property; and

WHEREAS, on February 27, 2013 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, currently the County has \$1,093,870.40 of base grant funding available, and is eligible for up to \$3,000,000 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule B); and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 57.68 acres will be utilized to calculate the grant need; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, the estimated cost share breakdown is as follows (based on 57.68 acres):

	<u>Total</u>	
SADC \$230,720		(\$4,000/acre)
County	\$126,896	(\$2,200/acre)
Total	\$357,616	(\$6,200/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, the Oxford Township Committee approved the application on March 20, 2013, the Warren County Agriculture Development Board approved the application on March 21, 2013 and the Warren County Board of Chosen Freeholders for the required local match (\$2,200/acre) on March 27, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$230,720 from its base grant, leaving a cumulative balance of approximately \$863,150.40 (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 Warren County for the purchase of a development easement on the McConnell farm, comprising approximately 57.68 acres, at a State cost share of \$4,000 per acre (64.51% of CMV) for a total grant need of \$230,720 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in

(Schedule C); and

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

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

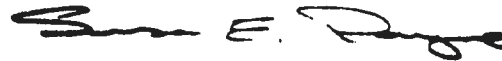
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC,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

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

5-23-13



Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

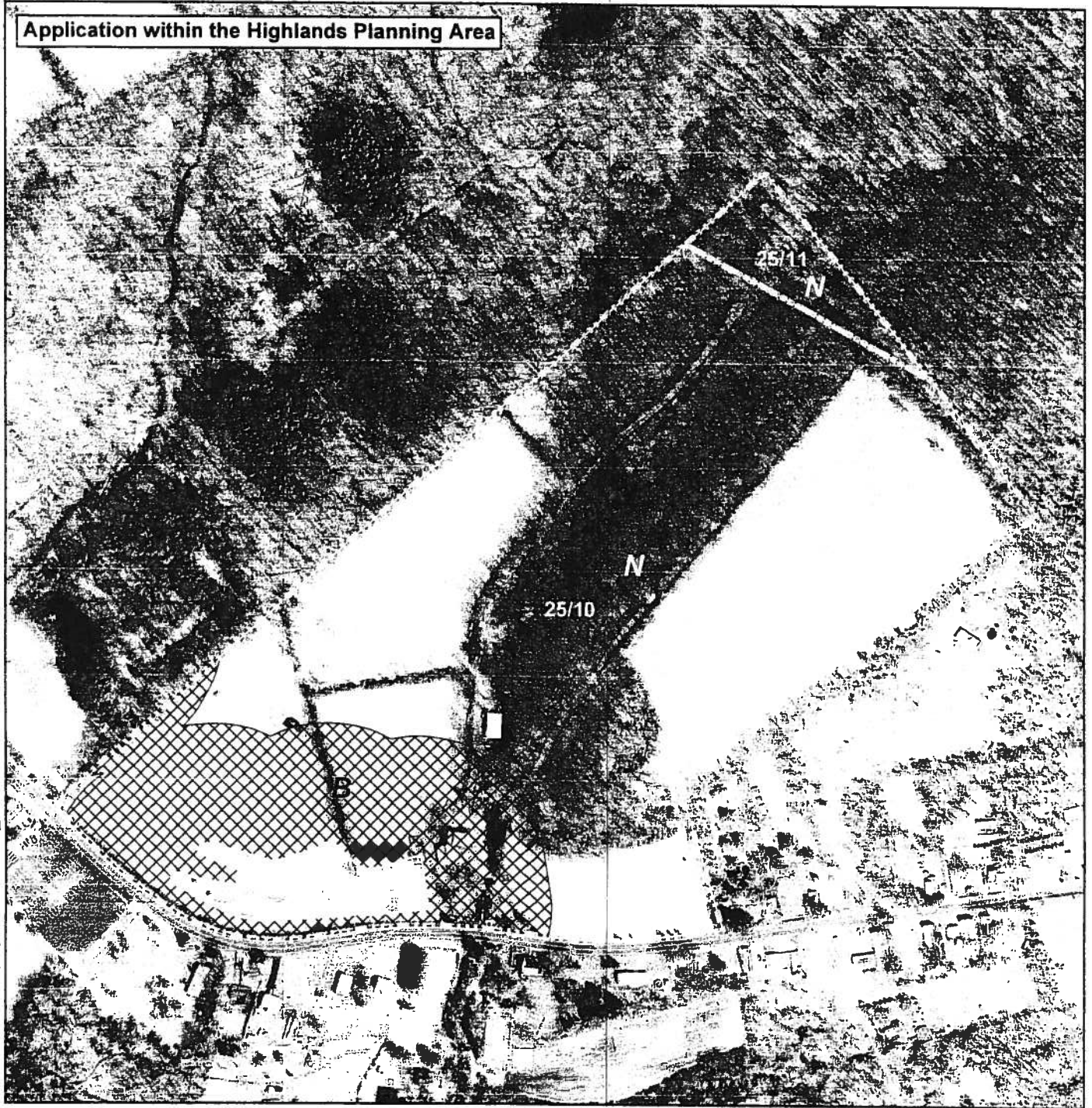
VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A

Application within the Highlands Planning Area

x:/counties/warco/projects/mcconnell_fwv.mxd



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

Edward and Patricia McConnell
Block 25 Lots 10 & 11
Est. Net Easement Acres = 56
Oxford Twp., Warren County

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



Wetlands Legend:

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

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

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

Schedule B

Warren County
 New Jersey Farmland Preservation Program
 Preservation Program
 County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.
 FY2013 funding (09 bond fund)

Farm	Municipality	App Acres	Plus 3 Percent Acres	Preserve Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	SADC Cost Share	BASE GRANT				COMPETITIVE GRANT		ELIGIBILITY			
										Encumbered at Final	Voucher	Expend	Balance	Encumbered at Final	Expend	FY11 Balance subject to availability	FY13 Balance subject to availability		
																		Encumbered at Final	Expend
										Total base 2,500,000								5,000,000	
Drake et al	Allamuchy	202,000	208,0600	198,087	4,000.00	4,000.00	2,800.00	792,348.00	554,643.60	582,568.00	554,643.60	1,945,356.40							
Bowers, Russel	Pohatcong	50,000	51,5000	47,910	6,500.00	6,500.00	4,150.00	311,415.00	198,826.50	213,725.00	198,826.50	1,746,529.90							
Disio, Irma	Mansfield	67,000	69,0100		4,000.00	7,000.00	4,150.00	483,070.00	286,391.50	286,391.50		1,460,138.40							
Pruden, Timothy	Hope	127,000	130,8100		4,000.00	4,000.00	2,800.00	523,240.00	366,268.00	366,268.00		1,093,870.40							
McConnell	Oxford	56,000	57,6800		6,200.00	6,200.00	4,000.00	357,616.00	230,720.00	93,870.40		1,000,000.00							
										136,849.60		863,150.40							
Carson, Dan and Whiline	Frelinghuysen	285,290			5,200.00														
Gardner, Richard	Franklin	108,000			5,850.00		3,500.00												
McCullough Road Land	Washington	39,000					3,825.00												
Cooke	Hope	47,000																	
Czar	Pohatcong	94,000																	
Freedom Group, LP	Mansfield	44,000																	
On hold																			
Dalympie, Brent (hold)	White	41.5																	
Withdrawn																			
Wohlers, Frank & Janet	Blairtown	56,000	57,6800		4,200.00	5,200.00	2,920.00	299,936.00	168,425.60										
Encumbered/Expended FY11										945,356.40		0.000							
Encumbered/Expended FY13										136,849.60		0.00							
Total		0	1,160.79	246.00				2,467,689.00	1,636,849.60	1,082,206.00	554,643.60	863,150.40						5,000,000.00	
Reprogram Out																			

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

McConnell Farm
21-0516-PG
County PIG Program
56 Acres

Block 25	Lot 10	Oxford Twp.	Warren County		
Block 25	Lot 11	Oxford Twp.	Warren County		
SOILS:		Other	43% * 0	=	.00
		Statewide	57% * .1	=	5.70
				SOIL SCORE:	5.70
TILLABLE SOILS:		Cropland Harvested	61% * .15	=	9.15
		Woodlands	39% * 0	=	.00
				TILLABLE SOILS SCORE:	9.15
FARM USE:	Hay		33 acres		hay

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 Recorded
 - 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 FY2013R5(8)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**UPPER DEERFIELD TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Estate of Frank A. Fox
Upper Deerfield Township, Cumberland County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 06-0121-PG**

May 23, 2013

WHEREAS, on December 15, 2008, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Upper Deerfield Township, which included the Estate of Frank Fox farm, identified as Block 404, Lot 32, Upper Deerfield Township, Cumberland County, totaling approximately 59 acres, hereinafter referred to as the "Property" (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7 and 17A.8, the SADC granted final plan approval of Upper Deerfield Township's PIG on April 28, 2011 and the 2013 PIG annual plan update on May 24, 2012; and

WHEREAS, on July 13, 2009 the Estate of Frank Fox application was submitted to the County PIG program and pursuant to N.J.A.C. 2:76-17.9(b), the SADC granted preliminary approval of the Property on September 3, 2009; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on September 3, 2009 it was determined that the application for the sale of a development easement was complete and accurate and it satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, the Property is currently in sod and bedding plants production; and

WHEREAS, the Property has one (1) existing single family residence, zero (0) agricultural labor housing and no pre-existing non-agricultural uses on the area to be preserved; 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. 2:76-17A.11, on November 5, 2009 the SADC certified a development easement value of \$5,100 per acre based on zoning and environment regulations in place as October 2008; and

WHEREAS, the landowner accepted the offer on December 21, 2009, of \$5,100 per acre from Cumberland County for the sale of the development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on February 4, 2010 the Upper Deerfield Township Committee approved the application but is not participating financially; and

WHEREAS, the Cumberland County Agriculture Development Board approved the application on February 24, 2010 and secured a commitment of funding for an estimated \$1,650 per acre from the Cumberland County Board of Chosen Freeholders for the required local match on April 22, 2010; and

WHEREAS, on May 18, 2011 Cumberland County Agriculture Development Board (CADB) staff notified the SADC of several County PIG applications to be transferred to Upper Deerfield Township to be processed through the Township's Municipal PIG program, including the Estate of Frank Fox application; and

WHEREAS, in addition to transferring the application to the Municipal PIG program, the Estate of Frank Fox authorized continuation with the previously accepted easement purchase offer between Frank Fox and the County for \$5,100 per acre; and

WHEREAS, to date \$1,250,000 of FY11 and FY13 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date Upper Deerfield Township has expended \$200,877.20 of its SADC grant funds and is eligible for \$743,015.01 (Schedule B); and

WHEREAS, Upper Deerfield Township has 2 other projects pending against this balance with SADC certified values (Overstreet & Chiari, and Clarksbranch/Rio) for a potential grant need of approximately \$306,107.79; 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, Mr. Fox died during the time between the certified value and the local government approvals and the time lapse was due to the estate matters being resolved; and

WHEREAS, the estimated cost share breakdown is as follows (based on 59 acres):

	<u>Cost Share</u>		
SADC	\$203,550	(\$3,450/acre)	
Cumberland County	\$ 97,350	(\$1,650/acre)	
	\$300,900	(\$5,100/acre)	; 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. 2:76-17.4, Upper Deerfield Township is requesting \$203,550 from its available funding, leaving a grant eligibility to the township of \$539,465.01 (Schedule B); 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 Upper Deerfield Township for the purchase of a development easement on the Fox Farm, comprising approximately 59 easement acres, at a State cost share of \$3,450 per acre (67.65% of certified market value) for an estimated total grant need of \$203,550 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); 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-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Cumberland County, 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 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 the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

5-23-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A



Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Frank A. Fox
Block 404 Lot 32 (58.4 ac)
Gross Total = 58.4 ac
Upper Deerfield Twp., Cumberland County



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

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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJDOT/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.

August 12, 2009

Municipal Planning Incentive Grant
Upper Deerfield Township, Cumberland County

Farm	SADC ID#	Acres	Pay Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant% Per Acre	Easement Consideration	SADC			Federal Grant			733 - GSPT		Balance	
									Cost Basis	Cost Share	Total Federal Grant	Total Federal Grant	Encumbered	Expended				
Garton #2, Jeffrey & Deborah	06-0122-PG	33.766	33.766	7,500.00	7,500.00	4,650.00	62.00%	253,245.00	157,011.90	157,011.90	157,011.90	157,011.90	1,250,000.00				1,092,988.10	
Grace Fox	06-0123-PG	23.087	23.087	7,200.00	7,200.00	4,500.00	62.50%	166,226.40	103,891.50	103,891.50	60,026.20	43,865.30	43,865.30	1,049,122.80				850,265.01
Oversreet & Chiari	06-0124-PG	82.000		7,900.00	4,850.00	3,900.00	61.39%	647,800.00	397,700.00	323,900.00	198,842.21	198,842.21	107,250.00	743,015.01				539,465.01
Clarks Branch (Rio)	06-0125-PG	55.000		6,000.00	3,300.00	3,000.00	65.00%	330,000.00	214,500.00	165,000.00	107,250.00	107,250.00						
Fox, Frank A	06-0121-PG	59.000		5,100.00	3,450.00	3,450.00	67.65%	300,900.00	203,550.00	203,550.00		203,550.00						
Total Pending	5	252.853							815,750.00									
Total Encumbered	2	137.000						977,800.00	815,750.00			509,657.79						
Closed/Expended	2	56.853						419,471.40	260,903.40						200,877.20			
Total																		539,465.01
Reprogram Out																		

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Estate of Frank A. Fox
06-0121-PG
PIG EP - Municipal 2007 Rule
59 Acres

Block 404	Lot 32	Upper Deerfield Twp.	Cumberland County	
SOILS:		Prime	90% * .15	= 13.50
		Statewide	10% * .1	= 1.00
				SOIL SCORE: 14.50
TILLABLE SOILS:		Cropland Harvested	85% * .15	= 12.75
		Other	3% * 0	= .00
		Permanent Pasture	12% * .02	= .24
				TILLABLE SOILS SCORE: 12.99
FARM USE:	Sod		46 acres	
	Horse & Other Equine		7 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 Recorded
 - 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 FY2013R5(9)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

EAST AMWELL TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Barbara Hay
East Amwell Township, Hunterdon County

N.J.A.C. 2:76-17A. et seq.
SADC ID# 10-0341-PG

May 23, 2013

WHEREAS, on December 17, 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 East Amwell Township, Hunterdon County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted final approval of East Amwell's 2013 PIG Planning application annual update on May 24, 2012 ; and

WHEREAS, on April 19, 2012, the SADC received an application for the sale of a development easement from East Amwell Township for the Hay Farm, identified as Block 21, Lot 16.03, East Amwell Township, Hunterdon County, totaling approximately 24 net acres hereafter referred to as "Property" (Schedule A); and

WHEREAS, the Property has no pre-existing non-agricultural uses, zero (0) residences and zero (0) agricultural labor units; and

WHEREAS, at the time of application the Property was in hay, soybean and 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 May 9, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on February 28, 2013 the SADC certified a development easement value of \$15,050/ per acre based on zoning and environment regulations in place as November 2012; and

WHEREAS, the landowner has accepted the offer of \$15,050 per acre from East Amwell Township, for the sale of their development easement; and

WHEREAS, to date \$1,750,000 has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date East Amwell Township has expended \$614,889.60 of its SADC grant funds, leaving an available balance of \$1,135,110.40; 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. 2:76-17A.13, on April 11, 2013 the East Amwell Township Committee approved the application and a funding commitment for an estimated 20% (\$3,010 per acre) of the certified value; and

WHEREAS, the Hunterdon County Agriculture Development Board approved the application on May 9, 2013 and secured a commitment of funding for an estimated \$3,010/acre from the Hunterdon County Board of Chosen Freeholders for the required local match on May 21, 2013; and

WHEREAS, the estimated cost share breakdown is as follows (based on 24 acres):

	<u>Cost Share</u>	
SADC	\$216,720	(\$9,030/acre or 60%)
East Amwell Township	\$ 72,240	(\$3,010/acre or 20%)
Hunterdon County	\$ 72,240	(\$3,010/acre or 20%)
	<u>\$361,200</u>	(\$15,050/acre) ; and

WHEREAS, East Amwell Township is requesting \$216,720 from its available funding leaving a remaining balance of \$918,390.40

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. 2:76-6.11, 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 East Amwell Township for the purchase of a development easement on the Hay Farm, comprising approximately 24 net acres, at a State cost share of \$9,030 per acre for an estimated total of \$216,720 (60% of certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Hunterdon County, 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 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-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; 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 the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

5-23-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A



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

Application within the (PA4) Rural Area

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

Barbara Hay/Rainbow Ridge Farm
Block 21 Lot 16.03
Appr. Easement Acres = 24
East Amwell Twp., Hunterdon County



- Property in Question**
- E1 - (Non-Severable) Exception
 - E2 - (Severable) Exception
- Wetlands Boundaries**
- Municipal, County and Non-Profit Preserved Open Space
 - State Owned Conservation Easement
 - State Owned O/S & Recreation Easement



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

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

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



Municipal Planning Incentive Grant
East Amwell Township, Hunterdon County

Farm	SADC ID#	Acres	Pay Acres	SADC GLA	SADC Cert	SADC FA	Closing Review	Closed	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant% Per Acre	Easement Consideration	SADC			Federal Grant			733 - GSPT		Balance		
														Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	Expended					
Zuechner, Hay, Barbara	10-0254-PG 10-0341-PG	78.832 24.000	78.832	06/24/09 05/09/12	09/24/09 02/01/13	09/23/10		06/03/11	13,000.00 15,050.00	13,000.00 15,050.00	7,800.00 9,030.00	60.00% 60.00%	1,024,816.00 361,200.00	1,024,816.00 361,200.00	614,889.60 216,720.00	614,889.60 216,720.00	216,720.00	614,889.60	1,750,000.00 1,135,110.40 918,390.40					
Total Pending				2	2	1	0	1									216,720.00	614,889.60					918,390.40	
Total Encumbered																	216,720.00	614,889.60						
Closed/Expended	1	24																						
Total																								
Reprogram Out																								

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Hay, Barbara / Rainbow Ridge Farm
10-0341-PG
PIG EP - Municipal 2007 Rule
24 Acres

Block 21	Lot 16.03	East Amwell Twp.	Hunterdon County
SOILS:			
		Other	38% * 0 = .00
		Prime	29% * .15 = 4.35
		Statewide	33% * .1 = 3.30
			SOIL SCORE: 7.65
TILLABLE SOILS:			
		Cropland Harvested	99% * .15 = 14.85
		Woodlands	1% * 0 = .00
			TILLABLE SOILS SCORE: 14.85
FARM USE:			
	Cash Grains	24 acres	Hay, Soybeans, Corn

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 Recorded
 - 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 FY2013R5(10)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

DELAWARE TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Richard & Marjorie Yard
Delaware Township, Hunterdon County

N.J.A.C. 2:76-17A. et seq.
SADC ID# 10-0333-PG

May 23, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Delaware Township; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted approval to Delaware Township's 2013 PIG plan annual update on May 24, 2012; and

WHEREAS, on March 22, 2012, the SADC received an individual application for the sale of a development easement from Delaware Township for the Yard Farm, identified as Block 44, Lot 15, Delaware Township, Hunterdon County, totaling approximately 33 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the farm's agricultural production at the time of application is hay and grain products; and

WHEREAS, the Property includes a 2-acre non-severable exception for one future single family residence; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) agricultural labor units and no pre-existing non-agricultural uses in the area to be preserved outside the exception area; 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. 2:76-17.9(b) on April 6, 2012, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 24, 2013 the SADC certified a value of \$9,950 per acre based on the "current value" date of April 6, 2012 for the development easement on the Property; and

WHEREAS, to date \$1,750,000 of FY09, FY11 and FY13 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date Delaware Township has encumbered \$990,306.54, leaving a cumulative balance of \$759,693.46 (Schedule B); and

WHEREAS, in participation with the New Jersey Conservation Foundation (NJCF), the landowner has applied to utilize USDA, NRCS, FY2012 Farm and Ranch Lands Protection Program (FRPP) grant funding to further leverage available funding for farmland preservation; and

WHEREAS, the NRCS has determined that the Property and the Landowner qualify for FRPP grant funds and approved a grant not to exceed 50% of the federal appraised current value, subject to final surveyed acreage; and

WHEREAS, Based on the appraisals submitted, the estimated FRPP federal appraised current value is \$9,300 per acre for a Federal grant of \$4,650 per acre (50% of 9,300) or approximately \$153,450 in total FRPP; and

WHEREAS, the landowner has agreed to the additional restrictions involved with the FRPP Grant, including a 6.33% maximum impervious coverage restriction or approximately 2.08 acres available for impervious cover on the lands being preserved outside of the exception area; and

WHEREAS, should alternate FRPP funding become available from other funding years or through other qualified entities such as a Non-Profit organization it may be utilized if this 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, the Delaware Township Committee approved the application and its funding commitment for 20% of the easement purchase (\$1,990 per acre) on the Yard Farm on April 29, 2013, and the Hunterdon County Agriculture Development Board approved the application on May 9, 2013 and secured a commitment of funding for 20% of the easement purchase (\$1,990 per acre) from the Hunterdon County Board of Chosen Freeholders for the required local match on May 21, 2013; and

WHEREAS, the estimated cost share breakdown is as follows:

Cost share breakdown prior to FRPP Grant: (based on 33 acres)

	<u>Total</u>	
SADC	\$197,010	(\$5,970 per acre)
Delaware Twp.	\$ 65,670	(\$1,990 per acre)
Hunterdon County	\$ 65,670	(\$1,990 per acre)
Total Easement Purchase	\$328,350	(\$9,950 per acre)

Cost share breakdown after \$153,450 FRPP Grant is applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$197,010	\$22,110	\$174,900
Delaware Twp.	\$ 65,670	\$65,670	\$0
Hunterdon County	\$ 65,670	\$65,670	\$0
<u>FRPP Grant</u>			<u>\$153,450 (\$4,650 per acre)</u>
	\$328,350	\$153,450	\$328,350

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 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 Delaware Township for the purchase of a development easement on the Yard Farm by Hunterdon County, comprising approximately 33 acres, at a State cost share of \$5,970 per acre for an estimated total grant need of \$197,010 (60% of certified market value and estimated total cost) pursuant to N.J.A.C. 2:76-6.11 (Schedule C); and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$22,110) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Municipality 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-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Hunterdon County, 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 all survey, title and additional closing documents shall subject to review and approval by the SADC; and

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

5-23-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A

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



Application within the (PA4) Rural Area

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

Richard and Marjorie Yard
Block 44 Lots P/O 15 (33.25 ac)
& P/O 15-EN (non-severable exception - 2.0 ac)
Gross Total = 35.25 ac
Delaware Twp., Hunterdon County



Property in Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Prof'l Preserved Open Space
	State Owned Conservation Easement
	State Owned O&R & Recreation Easement



Wetlands Legend:

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

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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJ011/0GIS 2007/2008 Digital/Aerial Image

Municipal Planning Incentive Grant
Delaware Township, Hunterdon County

Schedule B

Farm	SADC ID#	Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant% Per Acre	Easement Consideration	SADC			Federal Grant			733 - GSPT		Balance
								Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	Expended			
Copeland	10-0318-PG	74.407	12,700.00		7,620.00	60.00%	944,968.90	944,968.90	944,968.90	566,981.34	444,500.00	45,720.00	566,981.34			1,750,000.00
Cyktor	10-0323-PG	21.459	15,600.00		9,360.00	60.00%	334,542.00	334,542.00	200,725.20	200,725.20	191,100.00	44,100.00	200,725.20			1,183,018.66
Lovenberg	10-0334-PG	42.000	8,800.00	8,800.00	5,300.00	60.22%	369,600.00	369,600.00	222,600.00	222,600.00	153,450.00	22,110.00	222,600.00			982,293.46
Yard	10-0333-PG	33.000	9,950.00	9,950.00	5,970.00	60.00%	328,350.00	328,350.00	197,010.00	197,010.00			197,010.00			562,683.46
Total Pending	4	170.866							1,187,316.54							
Total Encumbered	2	95.866							1,187,316.54	597,950.00		45,720.00	1,187,316.54			
Closed/Expended															0.00	
Total																562,683.46
Reprogram Out																

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Yard, Richard & Marjorie
10- 0333-PG
PIG EP - Municipal 2007 Rule
33 Acres

Block 44 Lot 15 Delaware Twp. Hunterdon County

SOILS:**SOIL SCORE:****TILLABLE SOILS:**

Cropland Harvested

100% * .15 = 15.00

TILLABLE SOILS SCORE: 15.00**FARM USE:**Cash Grains
Hay8 acres
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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st two (2) acres for future residence
 - Exception is not to be severed from Premises
 - c. Additional Restrictions:
 1. FY2012 FRPP funding via NJCF
 2. Pursuant to the Federal Farm and Ranchland Protection Program the landowner has agreed to a maximum impervious coverage of 2.08 acres or 6.33%.
 - 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 FY2013R5(11)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

DELAWARE TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Marjorie Y. Lovenberg Revocable Trust/ Joel R. Higgins
Delaware Township, Hunterdon County

N.J.A.C. 2:76-17A. et seq.
SADC ID# 10-0334-PG

May 23, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Delaware Township, which included the Lovenberg/Higgins Farm, identified as Block 27, Lot 20, Delaware Township, Hunterdon County, totaling approximately 42 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted approval to Delaware Township's 2013 PIG plan annual update on May 24, 2012; and

WHEREAS, the Property includes a 2-acre non-severable exception for one future single family residence; and

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

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 24, 2013 the SADC certified a value of \$8,800 per acre based on the "current value" date of April 6, 2012 for the development easement on the Property; and

WHEREAS, to date \$1,750,000 of FY09, FY11 and FY13 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date Delaware Township has not expended any of its SADC grant funds but has encumbered \$767,706.54 with Final Approvals for the Copeland and Cyktor Farms, leaving a cumulative balance of \$982,293.46 (Schedule B); and

WHEREAS, in participation with the New Jersey Conservation Foundation (NJCF), the landowner has applied to utilize USDA, NRCS, FY2012 Farm and Ranch Lands Protection Program (FRPP) grant funding to further leverage available funding for farmland preservation; and

WHEREAS, based on the appraisals submitted, the estimated FRPP federal appraised current value is anticipated to be approximately \$9,100 per acre for an FRPP grant of \$4,550 per acre (50% of 9,100) or approximately \$191,100 in total; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP grant, including a 6.33% maximum impervious coverage restrictions or approximately 2.67 acres available for impervious cover on the lands being preserved outside of the exception area; 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 this funding benefits the easement acquisition and/or the successful use of FRPP funding; and

WHEREAS, the estimated cost share breakdown is as follows: (based on 42 acres)

	<u>Cost Share</u>	
SADC	\$222,600	(\$5,300 per acre)
Delaware Twp.	\$ 73,500	(\$1,750 per acre)
Hunterdon County	\$ 73,500	(\$1,750 per acre)
	<u>\$369,600</u>	(\$8,800 per acre); and

Cost share breakdown if \$191,100 FRPP Grant is applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$222,600	\$44,100	\$178,500
Delaware Twp.	\$ 73,500	\$73,500	\$0
Hunterdon County	\$ 73,500	\$73,500	\$0
<u>FRPP Grant</u>			<u>\$191,100 (\$4,550 per acre)</u>
	<u>\$369,600</u>	<u>\$191,100</u>	<u>\$369,600</u>

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, in the event FRPP funding is not available, the Delaware Township Committee approved the application and its full funding commitment for 19.89% of the easement purchase (\$1,750 per acre) on the Lovenberg/Higgins Farm, and the Hunterdon County Agriculture Development Board approved the application on May 9, 2013 and secured a commitment of full funding for 19.89% of the easement purchase (\$1,750 per acre) from the Hunterdon County Board of Chosen Freeholders for the required local match on May 15, 2013; 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 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 Delaware Township for the purchase of a development easement on the Lovenberg/Higgins Farm, comprising approximately 42 acres, at a State cost share of \$5,300 per acre for a total grant need of \$222,600 (60.22% of certified market value and estimated total cost) pursuant to N.J.A.C. 2:76-6.11 (Schedule C); and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$44,100) to offset SADC grant needs on the Property if available; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Municipality 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-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Hunterdon County, 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 all survey, title and additional closing documents shall subject to review and approval by the SADC; and

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

5-23-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A



x:\counties\hunco\projects\lovenberg_fwv2.mxd

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

Walter and Marjorie Lovenberg
Block 27 Lots P/O 20 (42.0 ac)
& P/O 20-EN (non-severable exception - 2.0 ac)
Gross Total = 44.0 ac
Delaware Twp., Hunterdon County



- Property in Question**
- PA - (Non-Severable) Exception
 - P/O - (Severable) Exception
- Wetlands Boundaries**
- Wetlands Boundaries
 - Federal or State Ways
 - County Roads
 - Municipal/Local Roads
 - Public/County and Non-PA/PA Municipal Green Space
 - State Designated Conservation Easement
 - State Designated OPA & 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
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.

Municipal Planning Incentive Grant
Delaware Township, Hunterdon County

Farm	SADC ID#	Acres	SADC		Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant% Per Acre	Easement Consideration	SADC			Federal Grant		
			Certified Per Acre	Per Acre					Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	733 - GSPT Expended
Copeland	10-0318-PG	74.407	12,700.00	7,620.00	8,800.00	944,968.90	60.00%	944,968.90	944,968.90	566,981.34	444,500.00	566,981.34	1,750,000.00	1,183,018.66
Cyktor	10-0323-PG	21.459	15,600.00	9,360.00	8,800.00	334,542.00	60.00%	334,542.00	334,542.00	200,725.20	191,100.00	200,725.20	982,293.46	759,693.46
Lovenberg	10-0334-PG	42.000	8,800.00	5,300.00	9,950.00	369,600.00	60.22%	369,600.00	369,600.00	222,600.00	153,450.00	222,600.00	562,683.46	562,683.46
Yard	10-0333-PG	33.000	9,950.00	5,970.00	9,950.00	328,350.00	60.00%	328,350.00	328,350.00	197,010.00	153,450.00	197,010.00	562,683.46	562,683.46
Total Pending	4	170.866								1,187,316.54				
Total Encumbered	2	95.866								1,187,316.54	597,950.00	1,187,316.54		
Closed/Expended													0.00	
Total														562,683.46
Reprogram Out														

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Marjorie Y. Lovenberg Revokable Trust/Joel Higgins
10- 0334-PG
PIG EP - Municipal 2007 Rule
42 Acres

Block 27	Lot 20	Delaware Twp.	Hunterdon County
SOILS:		Other	23% * 0 = .00
		Prime	20% * .15 = 3.00
		Statewide	57% * .1 = 5.70
			SOIL SCORE: 8.70
TILLABLE SOILS:		Cropland Harvested	93% * .15 = 13.95
		Woodlands	7% * 0 = .00
			TILLABLE SOILS SCORE: 13.95
FARM USE:		Cash Grains	24 acres
		Hay	14 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st two (2) acres for future residence
 - Exception is not to be severed from Premises
 - c. Additional Restrictions:
 1. If a grant from Federal Farm and Ranchland Protection Program is obtained the landowner has agreed to a maximum impervious coverage of 2.67 acres or 6.33%.
 - 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 #FY2013R5(12)

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

**On the Property of
Linden Associates**

May 23, 2013

Subject Property: Linden Associates
Block 12, Lot 1.01
Union Township, Hunterdon County
SADC ID#: 10-0208-DE
Approximately 11.3 Net Easement Acres

WHEREAS, on June 10, 2012, the State Agriculture Development Committee ("SADC") received a development easement sale application from Linden Associates, hereinafter "Owner," identified as Block 12, Lot 1.01, Union Township, Hunterdon County, hereinafter "Property," totaling approximately 11.3 net easement acres, identified in (Schedule A); and

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

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

WHEREAS, staff determined that the Property does not meet SADC's "Priority" category (minimum of 46 acres and minimum of 58 quality score points) or "Alternate" category (minimum of 34 acres and minimum of 43 quality score points) for Hunterdon County because it is 11.3 acres and has a quality score of 57.70, therefore, this farm is categorized as an "Other" farm requiring SADC preliminary approval; and

WHEREAS, on September 27, 2012, the SADC granted Preliminary Approval to this application; and

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

WHEREAS, to date 33 farms have closed using SADC Highlands Funds and 3 farms are currently earmarked to use SADC Highlands Funds leaving approximately \$1,533,982 out of the original \$30 million available specifically for farms in the Highlands Region; and

WHEREAS, the Owner has requested a 1-acre non-severable exception area for one future single family residence; and

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

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

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

WHEREAS, on February 28, 2013, the SADC certified the development easement value of the Property at \$15,000 per acre based on January 1, 2004 zoning and environmental conditions and \$500 per acre based on current zoning and environmental conditions as of January, 2013; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property at the higher value of \$15,000 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Property, for the direct acquisition of the development easement at a value of \$15,000 per acre for a total of approximately \$169,500 subject to the conditions contained in (Schedule B); and

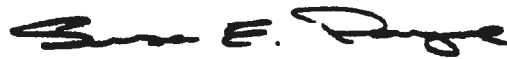
BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on the Property; and

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

5-23-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Linden Associates VI (Wade, Chris & Robert)
State Acquisition
Easement Purchase - SADC
11 Acres

Block 12	Lot 1.01	Union Twp.	Hunterdon County		
SOILS:		Other	7.64% * 0	=	.00
		Prime	76.68% * .15	=	11.50
		Statewide	15.68% * .1	=	1.57
					SOIL SCORE: 13.07
TILLABLE SOILS:		Cropland Harvested	54% * .15	=	8.10
		Woodlands	46% * 0	=	.00
					TILLABLE SOILS SCORE: 8.10
FARM USE:	Cash Grains		6 acres		

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for future single family residence
 - Exception is not to be severable from Premises
 - Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions: No Additonal 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
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R5(13)

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

On the Property of
Elizabeth Wydner

May 23, 2013

Subject Property: Elizabeth Wydner
Block 14, Lot 20
Kingwood Township, Hunterdon County
SADC ID#: 10-0153-DE
Approximately 82.6 Net Easement Acres

WHEREAS, on July 10, 2006, the State Agriculture Development Committee ("SADC") received a development easement sale application from Elizabeth Wydner, hereinafter "Owner," identified as Block 14, Lot 20, Kingwood Township, Hunterdon County, hereinafter "Property," totaling approximately 82.6 net easement acres, identified in (Schedule A); and

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

WHEREAS, SADC staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on January 2012 which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property does meet the SADC's "Priority" category for Hunterdon County (minimum acreage of 46 and minimum quality score of 58) because it is 82.6 acres and has a quality score of 62.87; and

WHEREAS, on the Property to be preserved there are zero (0) single family residences, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

WHEREAS, the Owner has requested a +/-3.1-acre severable exception area for the existing duplex residence; and

WHEREAS, the Owner originally requested a 4 acre nonseverable, but has since requested enlargement to a +/-6-acre non-severable exception area for one future single family or duplex residential opportunity; and

WHEREAS, the SADC real estate appraiser indicated the acreage change would not impact the certified easement value; and

WHEREAS, a portion of the +/-6-acre non-severable exception area is currently rented out for nonagricultural use to a small truck repair shop business; and

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

WHEREAS, the Property is currently devoted to corn, wheat and soybean production; and

WHEREAS, on February 28, 2012, the SADC certified the development easement value of the Property at \$7,000 per acre based on current zoning and environmental conditions as of December 2012; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property at the higher value of \$7,000 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Property, for the direct acquisition of the development easement at a value of \$7,000 per acre for a total of approximately \$578,200 subject to the conditions contained in (Schedule B); and

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

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on the Property; and

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

5-23-13

Date

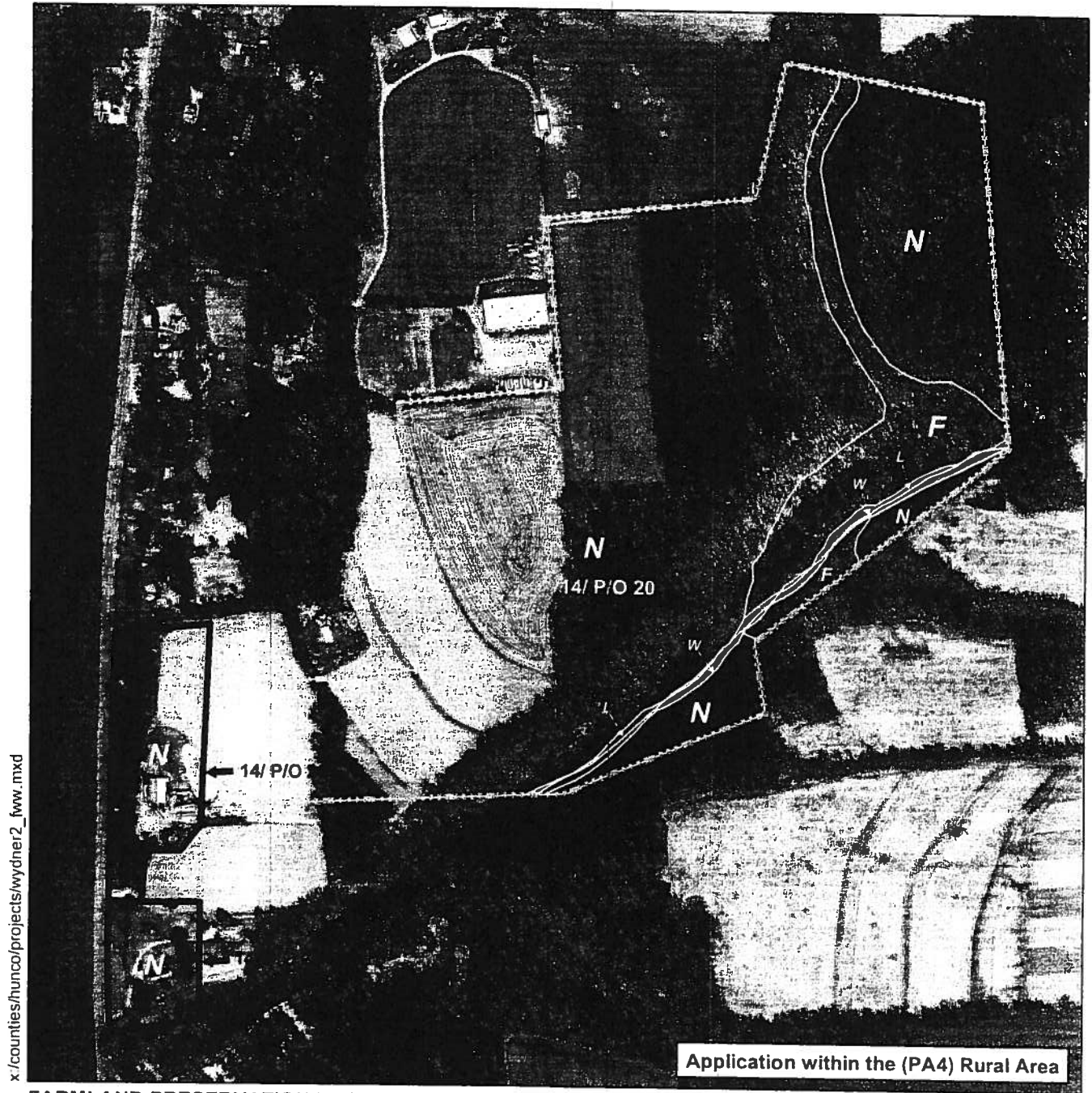


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Elizabeth Wydner
Block 14 Lots P/O 20 (84.9 ac); P/O 20-ES (severable exception - 3.1 ac)
& P/O 20-EN (non-severable exception - 6.0 ac)
Gross Total = 94.0 ac
Kingwood Twp., Hunterdon County



Property in Question

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

Wetlands Boundaries

- Municipal, County and Non-Profit Preserved Open Space
- State Owned/Decommission Easement
- State Owned GIS & Recreation Easement

Wetlands Legend

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

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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2012 DigitalAerial Image

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Wydner, Elizabeth
State Acquisition
Easement Purchase - SADC
82 Acres

Block 14	Lot 20	Kingwood Twp.	Hunterdon County		
SOILS:		Other	25.48% *	0	= .00
		Prime	47.24% *	.15	= 7.09
		Statewide	27.28% *	.1	= 2.73
					SOIL SCORE: 9.81
TILLABLE SOILS:		Cropland Harvested	33% *	.15	= 4.95
		Other	2.2% *	0	= .00
		Woodlands	64.8% *	0	= .00
					TILLABLE SOILS SCORE: 4.95
FARM USE:	Field Crop Except Cash Grain		33 acres		

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (3.1) acres for to sever existing duplex from the farm
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
 - 2nd six (6) acres for For one future single family or duplex residence & existing nonagricultural use
Exception is not to be severable from Premises
Right to Farm language is to be included in Deed of Easement
 - c. Additional Restrictions: No Additonal 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
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R5(14)

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

**On the Property of
Joseph Yelencsics**

May 23, 2013

Subject Property: Joseph Yelencsics
Block 13, Lots 11 & 23
Alexandria Township, Hunterdon County
SADC ID#: 10-0207-DE
Approximately 180 Net Easement Acres

WHEREAS, on November 5, 2012, the State Agriculture Development Committee ("SADC") received a development easement sale application from Joseph Yelencsics, hereinafter "Owner," identified as Block 13, Lots 11 & 23, Alexandria Township, Hunterdon County, hereinafter "Property," totaling approximately 180 net easement acres, identified in (Schedule A); and

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

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

WHEREAS, the Property has a quality score of 69.63, which exceeds the Priority Quality score for Hunterdon County of 58, and the Property's size of 96 net acres exceeds the Priority acreage for Hunterdon County of 46 acres, so therefore the Property is categorized as a Priority farm; and

WHEREAS, the Owner has requested a 2.5-acre non-severable exception area for one future single family residence; and

WHEREAS, the Owner has requested an 11.5-acre severable exception area for one future single family residence; and

WHEREAS, there is one dilapidated, uninhabitable former residence on the property. This residence will not be considered an existing single family residence on the farm to be preserved. The structure may be demolished, but it may not be renovated or relocated on the preserved land; and

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

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

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

WHEREAS, on March 28, 2013, the SADC certified the development easement value of the Property at \$6,400 per acre based on January 1, 2004 zoning and environmental conditions and \$3,900 per acre based on current zoning and environmental conditions as of February 2013; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement on the Property for \$6,400 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Yelencsics Property, for the direct acquisition of the development easement at a value of \$6,400 per acre on an estimated 180 acres for an estimated total of approximately \$1,152,000 subject to the conditions contained in (Schedule B); and

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

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on the Property; and

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

5-23-13

Date

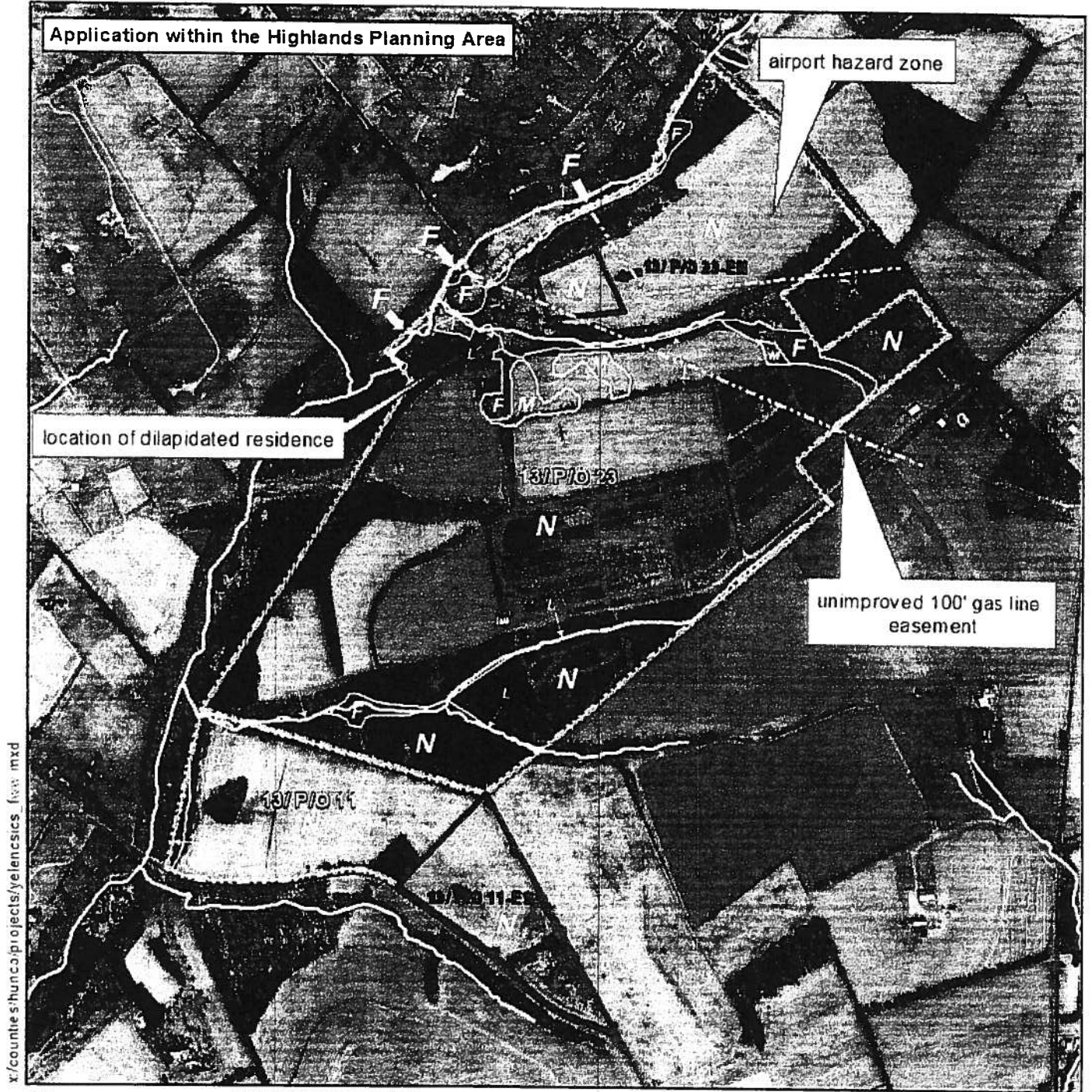


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

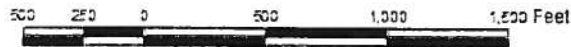
Schedule A



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

Joseph Yelencsics
Block 13 Lots P/O 11 (23.0 ac), P/O 11-ES (severable exception - 11.5 ac),
P/O 23 (159.3 ac) & P/O 23-EN (non-severable exception - 2.5 ac)
Gross Total = 196.4 ac
Alexandria Twp., Hunterdon County



	Planning District
	Non-Severable Exception
	Severable Exception
Reference Boundaries	
	Municipal Boundary
	State/County/Local Government Boundary
	Other Boundary



	Farmland Preservation
	Agricultural Use
	Forest Land
	Wetlands
	Other Land Use

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:
NJ State Agriculture Development Committee
Green Acres 2010/2009 Base Map Data
NJ State Agriculture Development Committee

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Yelencsics, Joseph
State Acquisition
Easement Purchase - SADC
180 Acres

Block 13 Lot 23 Alexandria Twp. Hunterdon County
Block 13 Lot 11 Alexandria Twp. Hunterdon County

SOILS:	Other	36%	*	0	=	.00	
	Prime	30%	*	.15	=	4.50	
	Statewide	34%	*	.1	=	3.40	
							SOIL SCORE: 7.90
TILLABLE SOILS:	Cropland Harvested	50%	*	.15	=	7.50	
	Other	3%	*	0	=	.00	
	Wetlands	4%	*	0	=	.00	
	Woodlands	43%	*	0	=	.00	
							TILLABLE SOILS SCORE: 7.50
FARM USE:	Hay						122 acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (2.5) acres for Future single family dwelling
Exception is not to be severable from Premises
Exception is to be restricted to one single family residential unit
 - 2nd (11.5) acres for Sale and future single family dwelling
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions:
There is one dilapidated, uninhabitable former residence on the property. This residence will not be considered an existing single family residence on the farm to be preserved. The structure may be demolished, but cannot it may not be renovated or relocated on the preserved land.
 - 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
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R5(15)

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

**On the Property of
Cassaday Farm**

May 23, 2013

Subject Property: Cassaday Farm
Block 18, Lot 8.02; Block 21, Lots 11.03 & 12; Block 22, Lot 16
Block 24, Lot 5
Upper Pittsgrove Twp., Salem County
SADC ID # 17-0084-DE
Approximately 151 Net Easement Acres

WHEREAS, on April 28, 2011, the State Agriculture Development Committee ("SADC") received a development easement sale application from George Cassaday, hereinafter "Owner," identified as Block 18, Lot 8.02; Block 21, Lots 11.03 & 12; Block 22, Lot 16; Block 24, Lot 5, Upper Pittsgrove Township., Salem County, hereinafter "Property," totaling approximately 151 acres, (Schedule A); and

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

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

WHEREAS, the Property has a quality score of 68.12, which exceeds the Priority Quality score for Salem County of 62, and the Property's size of 151 net acres exceeds the Priority acreage for Salem County of 95 acres, so therefore the Property is categorized as a Priority farm; and

WHEREAS, the Property to be preserved has: one (1) single family residence (Block 21, Lot 12), zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

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

WHEREAS, because the Property consists of non-contiguous parcels the landowner has signed the SADC Division of the Premises Guidance Document for non-contiguous parcels (schedule C); and

WHEREAS, the Property is currently devoted to field crop, fruit and vegetable production; and

WHEREAS, on February 28, 2013, the SADC certified the development easement value of the Property at \$5,600 per acre based on current zoning and environmental conditions as of January, 2013; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property at \$5,600 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Property, for the acquisition of the development easement at a value of \$5,600 per acre for a total of approximately \$845,600 based on 151 easement acres and subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, that the SADC's cost share shall be based on the final surveyed acreage of the Property adjusted for proposed road rights of way, other rights of way or easements as determined by the SADC, tidelands claim and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and


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

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC, or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on the Property; and

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

5-23-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

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

Wetlands

Schedule A



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

George Cassaday Jr.
Block 18 Lots 8.02 (45.2 ac);
Block 21 Lot 11.03 (44 ac) & 12 (8 ac);
Block 22 Lot 16 (12.6 ac) & Block 24 Lot 5 (41.0 ac)
Gross Total = 151 ac
Upper Pittsgrove Twp., Salem County

1,000 500 0 1,000 2,000 3,000 Feet



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

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

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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
DVRPC 2010 Digital Aerial Image
NJOT/TOGIS 2007/2008 Digital Aerial Image

January 3, 2013

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Cassaday, George
State Acquisition
Easement Purchase - SADC
151 Acres

Block 21	Lot 11.03	Upper Pittsgrove Twp. Salem County
Block 21	Lot 12	Upper Pittsgrove Twp. Salem County
Block 18	Lot 8.02	Upper Pittsgrove Twp. Salem County
Block 22	Lot 16	Upper Pittsgrove Twp. Salem County
Block 24	Lot 5	Absecon City Atlantic County

SOILS:	Other	9.5% *	0	=	.00
	Prime	18.44% *	.15	=	2.77
	Statewide	63.31% *	.1	=	6.33
	Unique zero	8.75% *	0	=	.00
				SOIL SCORE:	9.10

TILLABLE SOILS:	Cropland Harvested	64% *	.15	=	9.60
	Woodlands	36% *	0	=	.00
				TILLABLE SOILS SCORE:	9.60

FARM USE: Field Crop Except Cash Grain acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use:
non ag uses
 - b. Exceptions: No Exceptions Recorded
 - 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
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

A farm containing Lots that are not located adjacent to each other may be preserved as one farm.

The example in the photograph on the right shows one farm with two noncontiguous Lots.

When the Deed of Easement preserving a farm is recorded, it binds all Lots together as one farm, even though they may not be contiguous. This is referred to as the Premises.

Although your farm may consist of multiple Lots, after preservation you or any future owner may not divide and/or sell any portion of the Premises separately without written approval of the State Agriculture Development Committee (SADC) and the easement holder. The easement holder may be a County Agricultural Development Board (CADB) or a non-profit agency.

Preserved Farm with "Non-Contiguous" parcels



Acknowledgement of Receipt:

By signing below, you acknowledge that you have received this guidance document and understand that once the farm is preserved, it may not be subdivided nor can individual portions of the farm be sold or otherwise conveyed to another owner, without the approval of the easement holder and the State Agriculture Development Committee.

Print Name

Signature & Date

Christy L. Cassaday
George Wassaby

Christy L. Cassaday 10-5-12
George Wassaby 10-5-12

