

STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC)

Department of Agriculture

Market and Warren Streets, 1st Floor Auditorium

Trenton, NJ 08625

REGULAR MEETING

April 26, 2019

Chairman Fisher called the meeting to order at 9:09 a.m. The flag salute was conducted.

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

Roll call indicated the following:

Members Present

Chairman Fisher

Renee Jones (Rep. NJDEP Commissioner Catherine R. McCabe)

Tom Stanuikynas (Rep. DCA Commissioner Sheila Oliver)

Jane Brodhecker

Ralph Siegel (Rep. State Treasurer Elizabeth Maher Muoio)

Scott Ellis

Alan Danser

Brian Schilling

James Waltman

Members Absent

Pete Johnson

Denis Germano

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

Others present as recorded on the attendance sheet: Harriet Honigfeld, Monmouth County Agriculture Development Board (CADB), Deborah Post, and other members of the public.

Minutes

A. SADC Regular Meeting of March 28, 2019 (Open and Closed Sessions)

It was moved by Mr. Siegel and seconded by Mr. Stanuikynas to approve the Open and Closed Session minutes of the SADC regular meeting of March 28, 2019. Mr. Waltman, Mr. Schilling and Mr. Danser abstained. The motion was approved.

Report of the Chairman

Chairman Fisher discussed the 2017 Census of Agriculture. The last census (2012) reflected 9,071 active farms in the state, a loss of about 1,500 farms, but the 2017 census indicated that the number had increased to roughly 9,855 farms. While some farms have been consolidated, there are many new, small and beginning farms in New Jersey. NJ is also in the top percentile of states that have female farm operators. NJ is now one of the top five states in horticulture. Chairman Fisher encouraged staff to keep preserving farms and continue the positive momentum.

Mr. Schilling stated that two study panels at Rutgers University examined the number of female farmers and new and beginning farmers because it was becoming evident that they were being overlooked in the census. The panels also found that marketing questions were not being asked on the census.

Chairman Fisher noted that the SADC's 2018 Annual Report was completed and that it effectively explains the work of the SADC. He also encouraged staff to talk to farmers so that they better understand all of the resources that are available to assist them.

Report of the Executive Director

Ms. Payne stated that Mr. Everett and his staff created an easily-understood guidance document on Rural Microenterprises (RMEs) that explains basic program parameters and includes an application form. Graphic Information System (GIS) data were used to

determine that approximately 800 farms were preserved without exception areas prior to 2006, and are therefore potentially eligible to apply for an RME permit. A mailing list was developed, and applications were sent to those farms. Staff will follow up with the counties and the non-profits who hold easements on the farms to make those entities aware that farmers may be in contact regarding potential RMEs .

Ms. Payne thanked Ms. Winzinger and Ms. Lemyre for their efforts in creating the SADC's 2018 Annual Report.

Ms. Payne congratulated various staff members on their collaboration and excellent group effort with the New and Beginning Farm Workshops, the most recent of which was held on April 8, 2019 at Duke Farms. SADC offered a beginning farmer workshop in February 2019 to help beginning farmers understand the process of securing land through lease or purchase. Once all the summary reporting has been completed, staff will begin to examine who the key attendees are, what is the most effective ways of communicating with them, what their needs are and then determine what the next steps would be for future workshops. Ms. Jones asked if there were any young people who attended the February workshop. Ms. Payne stated that 22% of the attendees were between the ages of 25 and 34 years old and 30% were under 44 years old; she also observed that "new farmers" doesn't necessarily mean "young farmers", and it appears that most of the attendees are farming as a second career.

Staff has summarized work and outreach conducted related to Right to Farm (RTF), which most recently included a presentation to the NJ Association of Planning and Zoning Administrators (NJAPZA) by Mr. Smith and Mr. Kimmel.

Mr. Waltman stated that he has seen lots of people invest in land as a second form of income in Hopewell Township. Ms. Payne asked Mr. Waltman if the Watershed Institute received the 2017 Census of Agriculture, and he replied that the institute had not received one. Mr. Schilling was asked whether the census surveys the landowner or the farm operator, and he stated that the census is sent to the registered operator. In addition, since the average farm size dropped by five acres, smaller properties are being picked-up in the census, so they tend to get added to the roster more so than larger properties. Ms. Payne stated that staff plans to meet with Bruce Ekland of USDA's statistics service to understand the geographic aspects of the census.

Communications

Ms. Payne noted that there is a letter from Ms. Deborah Post regarding the presentation that Ms. Post gave to the Committee at the March 28, 2019 meeting. In that presentation, Ms. Post indicated that she held the proxies of over 80 Highlands landowners who authorized her to speak on their behalf. Ms. Payne stated that Ms. Post submitted copies of the proxies to staff.

Ms. Payne stated that the NJ Highlands Council contacted the SADC and DEP through the Governor's Office to discuss a pending change of Department of Interior rules. In addition to land preserved through farmland preservation and Green Acres programs, the Highlands Council also receives acquisition funding through the Federal Highlands Conservation Act (FHCA). It is anticipated that NJ will get a slightly bigger share of FHCA funds in the coming years. The Department of Interior is proposing changes to its rules which would require federal appraisal standards, also known as "yellow book" appraisals. This change would result in elimination of the hypothetical "dual appraisal" approach which has been used for easement acquisitions in the Highlands for many years. The Highlands Council asked if the SADC would be interested in sending a letter to the Department of Interior supporting continued use of the dual appraisal provision in the Highlands region. Ms. Payne stated that the letter was submitted, and a copy has been provided to the Committee in their books.

Public Comment

Ms. Deborah Post, a Chester Township landowner who holds the proxies of 80 other landowners in the Highland region, continued her discussion from last month's meeting regarding use of the municipal average to appraise farm properties in the region. She also provided handouts to Committee members. Ms. Post stated that it is her understanding that the Committee believes that it does not have the authority to launch a municipal average pilot program; however, she feels it is the Committee's fiduciary duty to do so. She presented the Committee with a suggested roadmap for that process.

Chairman Fisher and Ms. Post discussed what the fair market values might be if the municipal values were used. He noted that any appraisal standard should be equitable and easily understood, and thanked Ms. Post for taking the time to speak to the Committee.

Mr. Stanuikynas stated that this would be his last SADC meeting as he will be starting a new job as the Regional Planning Manager in Burlington County. He thanked Chairman Fisher, Ms. Payne, SADC staff, and Committee members. Chairman Fisher wished Mr. Stanuikynas much success in his new position and asked that he keep in touch with everyone.

New Business

A. Term Farmland Preservation Program – Enrollments, Renewals, Terminations, Withdrawals

Ms. Payne informed the Committee that there are two farms in Hammonton Township, NJ that are under the existing 8-year preservation program that are up for renewal and they include the following:

1. Renewals

- a. SAND Farms, LLC (Berenato), and Berenato, Anthony J. & Patrice Hammonton Township, Atlantic County, 12.75 Acres.
- b. SAND Farms, LLC (Berenato), Hammonton Township, Atlantic County, 19.17 Acres.

B. Resolution of Amended Final Approval: County PIG, Windy Acres North and South Farms

Mr. Bruder and Ms. Miller referred the Committee to a request from John H. Smith and Jean M. Smith (for an amended final approval under the County PIG Program for Windy Acres North and South Farms. Mr. Bruder and Ms. Miller stated that the property was subject to a hypothetical division for appraisal and application purposes. The farm was essentially one large lot that was being appraised as two parcels that needed to be divided prior to closing. The division process triggered the need for a Highlands resource area determination and a Highlands preservation area approval to ensure that a proposed residential lot on one of the subdivided parcels was buildable. The Highlands resource area determination and preservation area approvals were granted subject to conservation of a certain forest resources on the property. DEP and the SADC worked cooperatively to finalize additional provisions in the farmland preservation program deed to be recorded on the property to ensure forest conservation practices were implemented. Ms. Miller and Mr. Bruder stated that staff recommendation is to grant amended final approval.

There was a general discussion about the precedent of amending the SADC standard deed of easement to include restrictions required by another agency. Ms. Payne indicated that this approach is being pursued in order to allow a Highlands landowner to enter the Farmland Preservation Program, while still accomplishing the conservation requirements of the NJDEP. Otherwise, the landowner has no ability to have their easement purchased and their equity protected.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve Resolution FY2019R4(1), granting second amended final approval to the following application under the County PIG Program, as presented, subject to any conditions of said resolution:

1. (Amended) John H. Smith and Jean M. Smith (Owners) Resolution FY2019R4(1)

Windy Acres North Farm, SADC ID #21-0530-PG, Block 14, Lot 9, Harmony Township and Block 12, Lot 20, White Township, Warren County, 77 Net Acres.

Windy Acres South Farms, SADC ID #21-0558-PG, Block 14, Lot 9, Harmony Township, Warren County, 39 Net Acres.

The motion was unanimously approved. A copy of Resolution FY2019R4(1), is attached to and is a part of these minutes.

C. Resolutions of Final Approval: Municipal PIG

Ms. Miller, Ms. Mandelbaum and Ms. Mazzella referred the Committee to eight requests for final approval under the Municipal PIG Program. They reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Schilling and seconded by Ms. Jones to approve Resolutions FY2019R4(2) through FY2019R4(9), granting final approval to the following applications under the Municipal PIG Program, as presented, subject to any conditions of said resolution:

1. Mark Kitchen (Owner), SADC ID #21-0363-PG, Resolution FY2019R4(2), Block 47, Lot 7, Knowlton Township, Warren County, 28 Net Acres.

2. Wai Kun Lee and Sau Kam Lau (Owners), SADC ID #10-0423-PG, Resolution FY2019R4(3), Block 19, Lot 26.01, Delaware Township, Hunterdon County, 33.5 Net Acres.
3. George and Lillian Mosley, SADC ID #13-0470-PG, Resolution FY2019R4(4), Block 20, Lot 2.01, Colts Neck Township, Monmouth County, 26 Net Acres.
4. Michael & David Seery, SADC ID #17-0187-PG, Resolution FY2019R4(5), Block 4, Lot 26, Upper Pittsgrove Township, Salem County, 18.5 Net Acres.
5. L. Scott Ambruster, SADC ID #17-080-PG, Resolution FY2019R4(6), Block 11, Lot 1 & 3, Upper Pittsgrove Township, Salem County, 25.75 Net Acres.
6. Hilda McCracken, SADC ID #17-0181-PG, Resolution FY2019R4(7), Block 28, Lot 23, Upper Pittsgrove Township, Salem County, 42.82 Net Acres.
7. Robert A. Kessel Jr., SADC ID #17-0193-PG, Resolution FY2019R4(8), Block 7, Lot 16, Upper Pittsgrove Township, Salem County, 44.9 Net Acres.
8. Joanne Rodriguez, SADC ID #17-0200-PG, Resolution FY2019R4(9), Block 801, Lot 40.03, Pittsgrove Township, Salem County, 40.32 Net Acres.

The motion was unanimously approved. A copy of Resolutions FY2019R4(2) through FY2019R4(9), is attached to and is a part of these minutes.

D. Resolutions of Final Approval: Direct Easement Purchase

Ms. Mandelbaum referred the Committee to one request for final approval under the Direct Easement Purchase Program. She reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Danser and seconded by Mr. Waltman to approve Resolution FY2019R4(10), granting final approval to the following application under the Direct Easement Purchase Program, as presented, subject to any conditions of said resolution:

1. Antonio & Clara Grande, SADC ID #19-0020-DE, Resolution FY2019R4(10), Block 44, Lots 4 & 5, Frankford Township, Sussex County, 160 Net Acres.

The motion was approved. Ms. Brodhecker recused because she is a member of the Sussex CADB. A copy of Resolution FY2019R4(10) is attached to and is a part of these minutes.

E. Right to Farm – Right to Farm Development Outreach Plan

Mr. Kimmel explained that the SADC manages the Right To Farm (RTF) Program in partnership with NJ's eighteen CADBs. The SADC also coordinates the State's Agricultural Mediation Program. A major component of the SADC's RTF Program is providing RTF outreach and education for the public, including farmers, residents, and municipal officials. From 2015 to 2017, based on feedback from CADBs and other agricultural partners, the SADC developed a series of high-quality RTF education materials. In December 2017, based on additional feedback and review by the Committee, the SADC developed an updated RTF Development Plan for 2018 and 2019. The plan's overall objective was to continue to increase the awareness and understanding of RTF among all audiences. The plan's specific target-audiences were local and elected officials, CADBs and Rutgers Extension personnel. The SADC has communicated its willingness to visit any group and make presentations upon request.

Mr. Kimmel stated that some CADBs and several other entities took the SADC up on its offer, organizing local meetings at which the SADC presented, took questions on, and discussed the RTF and Agricultural Mediation Programs. Overall, the SADC has made at least 13 presentations over the last year and a half through formal presentations, panels and workshops.

In terms of updating the SADC's RTF Development Plan for 2019 and 2020, the outreach objective will be continued for any organization interested in RTF outreach and will focus efforts on specific outreach venues and avenues such as the SADC's YouTube channel, Rutgers Cooperative Extension (RCE), NJ League of Municipalities (NJLOM), NJ State Bar Association/NJ Institute for Continuing Legal Education (NJICLE), and additional guidance documents. In addition to the RTF outreach focus, the proposed plans include updating Agricultural Management Practices (AMPs) as needed and amending the AMP rules to ensure that mediation is available for all cases types authorized in the new farm bill.

Mr. Kimmel noted that the State Board of Agriculture and NJ Farm Bureau support many aspects of the efforts and plans that are taking place. In its 2019 RTF Resolution, the State Board of Agriculture recognized the SADC's increased outreach and education efforts, including the SADC's efforts to encourage the use of mediation. The NJ Farm Bureau, in its

2019 RTF Policy Statement, similarly recognizes the SADC's RTF and Agricultural Mediation guidebooks as valuable resources, and it encourages the SADC to develop additional educational materials to help municipalities better understand RTF. The NJ Farm Bureau policy also urges the SADC to update its AMPs to make sure all current Rutgers guidance documents are referenced. The State Board of Agriculture resolution also calls on the SADC to address the federal Agriculture Mediation Program grant funding issues and enable the program to use federal funding to support RTF conflict resolution efforts.

Mr. Schilling stated that he is working with staff at Rutgers University to make sure that all resource materials are updated as needed. Chairman Fisher thanked Mr. Kimmel for his hard work and extensive planning on this initiative.

Soil and Water Conservation Project Cost-Sharing

Mr. Clapp referred the Committee to three resolutions for approval under the Soil and Water Cost Share Program. He reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant approval.

It was moved by Mr. Danser and seconded by Mr. Schilling to approve Resolutions FY2019R4(11) through FY2019R4(13) granting approval to the following applications under the Soil and Water Cost Share Program, as presented, subject to any conditions of said resolution:

1. Resolutions of Approval

- a. Paul & Barbara Shinn, D/B/A "Toyland Farms", Agent for Heaven Sent Farm LLC., SADC ID #03-0036-EP, Resolution FY2019R4(11), Block 1002 and 1401, Lots 4.01 and 23, Springfield Township, Burlington County, 106.598 Acres.
- b. Keith Gennello and Jessica Rice, SADC ID #03-0392-PG, Resolution FY2019R4(12), Block 1602, Lot 9, Southampton Township, Burlington County, 128.603 Acres.
- c. Brian Pearson, SADC ID #03-0391-PG, Block 1601, Lots 10 & 10.03, Southampton Township, Burlington County, 65.661 Acres.

The motion was unanimously approved. A copy of Resolutions FY2019R4(11) through FY2019R4(13) are attached to and is a part of these minutes.

Public Comment

There was no public comment.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 a.m., Thursday May 23, 2019

Auditorium of the Health/Agriculture Building

CLOSED SESSION

At 11:00 a.m. Ms. Payne read the following resolution to go into Closed Session:

“In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into executive session to discuss certain matters including the certification of values for property acquisitions under the Farmland Preservation Program, personnel matters, any pending or anticipated litigation, and/or any matters falling within the attorney-client privilege. The minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists.”

It was moved by Mr. Danser and seconded by Mr. Seigel to approve the resolution to go into closed session. The motion was unanimously approved.

Secretary Fisher left meeting at 11:00am, appointing Mr. Danser as Acting Chair.

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters – Certification of Values

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve the Certification of Values for the following applications as discussed in closed session:

1. County Planning Incentive Grant Program
 - a. Daniel William and Kathleen Haynicz, SADC ID #08-0214-PG, Block 175, Lot 7, Elk Township, Gloucester County, 20.75 Net Acres.

- b. Carol A. Beatty (North), SADC ID # 21-0614-PG, Block 26, Lots 31 & 40 and Block 27, Lot 2, Greenwich Township, Warren County, 86.1 Net Acres.
- c. Carol A. Beatty (South), SADC ID #21-0615-PG, Block 34, Lot 11, Greenwich Township, Warren County, 56.9 Net Acres.
- d. CDEK LLC & Edward Stampone, SADC ID #21-0370-PG, Block 41, Lot 10, Knowlton Township, Warren County, 31.7 Net Acres.

2. Municipal Planning Incentive Grant Program

- a. Nolan R. & Devorah W. Helig, SADC ID #17-0211-PG, Block 601, Lots 9 and 9.01, and Block 2003, Lot 13, Pittsgrove Township, Salem County, 36.4 Net Acres.
- b. Estate of Robert P. and Gloria B. Thompson, SADC ID #21-0616-PG, Block 59, Lot 1, White Township, Warren County, 39.7 Net Acres.

The motion was unanimously approved. Copies of the Certification of Value Reports are attached to and are a part of the Closed Session minutes.

B. Attorney/Client Matters

None.

ADJOURNMENT

The meeting was adjourned at 11:13 a.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2019R4(1)

SECOND AMENDED FINAL REVIEW AND APPROVAL OF A PLANNING
INCENTIVE GRANT TO

WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Properties of
John H. Smith and Jean M. Smith ("Owners")
Windy Acres North and South Farms
Harmony and White Townships, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0530-PG (North) and #21-0558-PG (South)

APRIL 26, 2019

Amendment Synopsis:

- Recognize Highlands Conservation Easement restrictions associated with the "Forested Area."

WHEREAS, on February 20, 2014 the SADC received applications for the sale of a development easement from Warren County for the subject farms identified as follows:

- North Farm as a portion of Block 14, Lot 9, Harmony Township, and Block 12, Lot 20, White Township, Warren County, totaling approximately 77 net acres.
- South Farm as a portion of Block 14, Lot 9, Harmony Township, Warren County, totaling approximately 39 net acres (Schedule A); and

WHEREAS, the SADC granted Amended Final Approval for both the North and South farms on April 24, 2015 (Schedule B1 & B2); and

WHEREAS, in April 2017, the landowner submitted an application to the New Jersey Department of Environmental Protection (NJDEP) for a Highlands Resource Area Determination and Highlands Preservation Area Approval (HPAA) in order to receive approval for the location of the exception area and proposed single-family residential unit within a forested area on Lot 9.08 (Schedule A); and

WHEREAS, the NJDEP determined that due to the permanent disturbance to 0.46 acres of Highlands upland forest, above the one-quarter acre threshold, on-site mitigation would be required; and

WHEREAS, in order to meet this mitigation requirement the NJDEP and Landowner have agreed and the County approved additional restrictions above what is required in the SADC farmland preservation Deed of Easement on the approximately 60 acres of mature forested uplands; and

WHEREAS, NJDEP and SADC staff concluded that the additional restrictions of the forested acreage could be accomplished under the farmland Deed of Easement pursuant to N.J.A.C 7:38-9.7(d)2 and N.J.A.C. 2:76-6.15(b) subject to the conditions in Schedule C for the mutual protection of Highlands resources and forest agricultural production activities, subject to a forest management plan; and

NOW THEREFORE BE IT RESOLVED,

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC amends the Windy Acres North and South application Amended Final approvals dated November 12, 2015 (Schedule B1 & B2) to recognized and incorporate additional provisions in paragraph 25, pursuant to NJAC 2:76-6.15(b) to the Forested Area on each Premises as outlined in Schedule C and depicted in Schedule A.
3. All other provisions of the Amended Final approvals dated November 12, 2015 (Schedule B1 & B2) shall stay in-tact including the condition of completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and
4. The SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
5. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
6. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
7. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/19

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R11(7)

AMENDED FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE
GRANT TO

WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
John H. Smith and Jean M. Smith ("Owners")
Windy Acres North Farm
Harmony and White Townships, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0530-PG

NOVEMBER 12, 2015

Amendment Synopsis:

- Recognize a revised hypothetical lot division.
- Recognize additional acreage identified by title and survey
- Approve a new cost share based on the increased acreage.

WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, and Block 12, Lot 20, White Township, Warren County, totaling approximately 77 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, a 39 acre portion of Block 14, Lot 9 was submitted as a separate application for the sale of a development easement known as the Windy Acres South Farm; and

WHEREAS, the SADC granted Final Approval for the Property on April 24, 2015 which included one (1) single-family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses on the area to preserved and an easement value of \$4,600 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,300 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,600 per acre for the development easement for the Property; and

WHEREAS, subsequent to SADC Final Approval title and survey revealed the Property included approximately 3.2 acres of additional land and the Owner is requesting a change to the proposed lot line between the "North" and "South" Farms and the addition of 2 small lots found in title resulting in approximately 80 net acres (Schedules C1, C2 and C3):

- o Block 14, Lot 2 - Harmony Township (0.743 acres)
- o Block 12, Lot 16 - White Township (0.293 acres); and

WHEREAS, both appraisers and the SADC review appraiser agreed that this revision did not impact their values and the \$4,600 per acre 01/01/04 easement value remains unchanged; and

WHEREAS, the revised quality score of the Property is 59.46, which is at least 70% of the County's average quality score of 41 as determined by the SADC July 25, 2013; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 82.4 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the Warren County Agriculture Development Board approved the revision to the application on October 15, 2015; and

WHEREAS, on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and committed enough funding to cover its cost share on both the North and South farms and has advised it was unnecessary to amend its resolution for the revised application; and

WHEREAS, the new estimated cost share breakdown is as follows (based on 82.4 acres):

SADC	\$260,384 (\$3,160/acre)
<u>Warren County</u>	<u>\$118,656 (\$1,440/acre)</u>
Total	\$379,040 (\$4,600/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$260,384 from Competitive funding, and sufficient funds are available (Schedule D); and

NOW THEREFORE BE IT RESOLVED, that the SADC amends the application configuration and the cost share of the Windy Acres North Farm final approval Resolution FY2015R4(7); and

BE IT FURTHER RESOLVED, the SADC approves a revised cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 82.4 net easement acres at a State cost share of \$3,160 per acre for a total grant need of \$260,384 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule E); and

BE IT FURTHER RESOLVED the Property has one (1) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and

BE IT FURTHER RESOLVED, all other provisions of the final approval Resolution FY2015R4(7) shall remain in effect and is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both the North and South farms; and

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

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

11-12-15

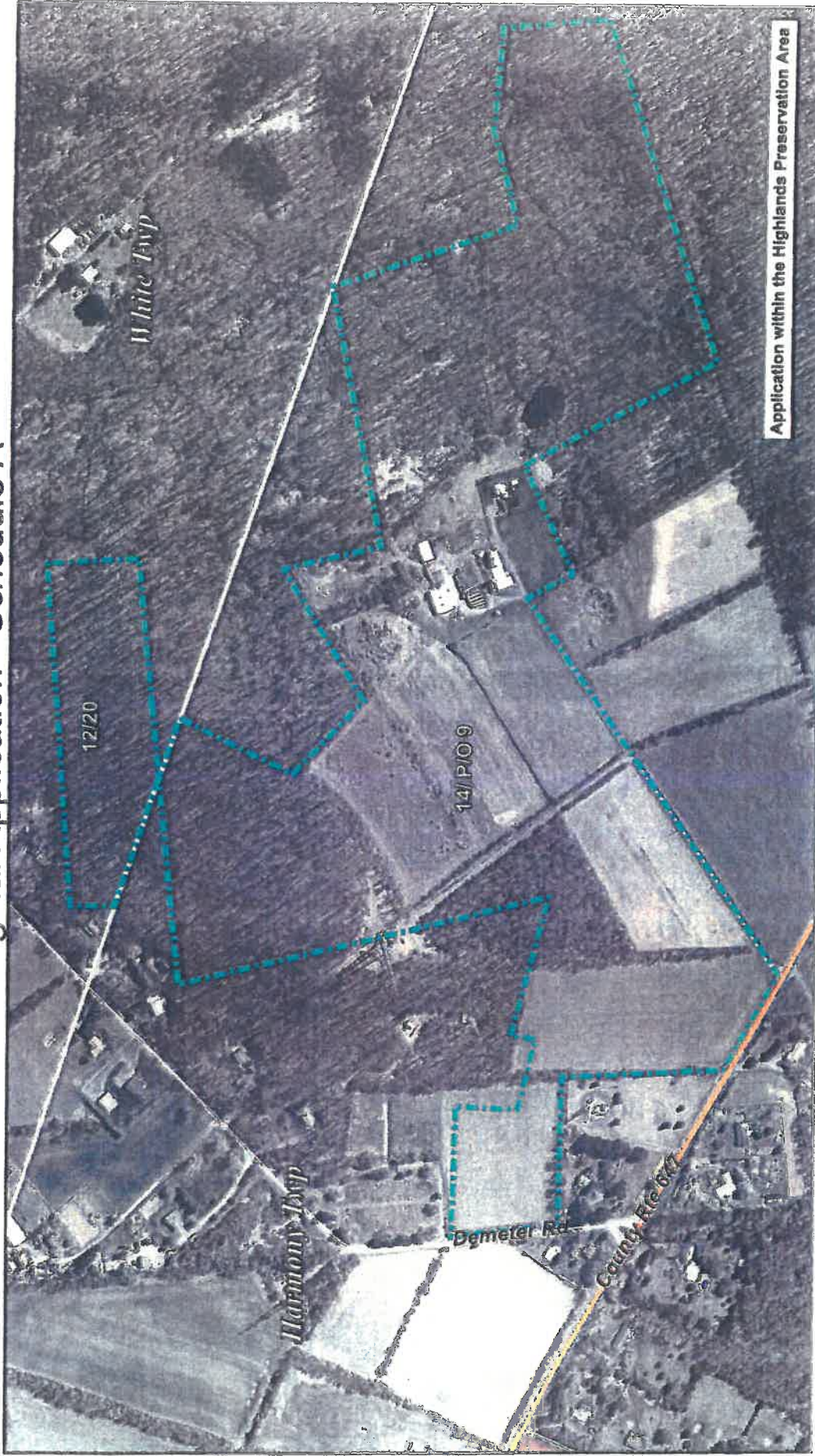
Date

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
Pamela Weintraub (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. Acting State Treasurer Scudder)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano, Esq.	YES

Original Application - Schedule A



- Property in Question**
- Original proposed lot configuration
 - PA - (Non-Zoning) Outcrops
 - PA - (Zoning) Outcrops
 - Wetland Outcrops
 - 20% Wetlands Buffer
 - Primary - Limited Access
 - Forest or Shrub Ings
 - County Route
 - Intersected Roads
 - Highland Development Goals
 - Proposed 20% Wetlands Buffer
 - State Owned Conservation Easement
 - State Owned DEP & Agriculture Easement

- Wetlands Legend:**
- F - Freshwater Wetlands
 - S - Saltwater Wetlands
 - W - Wetlands Located for Agriculture
 - T - Total Wetlands
 - B - 200' Buffer
 - W - Water

Sources:
 NJDEP Freshwater Wetlands Data
 NJDEP Saltwater Wetlands Data
 NJDEP 2012 Digital Aerial Image



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John and Jean Smith
 White Twp. - Block 12 Lot 20 (6.8 ac) &
 Harmony Twp. - Block 14 Lot P/O 9 (60.5 ac)
 Gross Total = 67.4 ac
 Warren County

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed using aerial photography. Accuracy and precision of the GIS data contained in this file and any other data derived therefrom are not intended to be used for any legal or other purposes. Horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(7)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
John H. Smith and Jean M. Smith ("Owners")
Windy Acres North Farm
Harmony and White Townships, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0530-PG

April 24, 2015

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 FY2015 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, and Block 12, Lot 20, White Township, Warren County, totaling approximately 77 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, a 39 acre portion of Block 14, Lot 9 was submitted as a separate application for the sale of a development easement known as the Windy Acres South Farm; and

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

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

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

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

WHEREAS, the Property has a quality score of 61.34 which exceeds 41, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 10, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 11, 2014 the SADC certified a development easement value of \$4,600 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,300 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14; and

WHEREAS, the SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,600 per acre for the development easement for the Property; and

WHEREAS, on January 29, 2015 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on March 3, 2015 the Harmony Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on March 12, 2015 the White Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 19, 2015 the Warren CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and a commitment of funding for \$1,440 per acre per acre to cover the entire local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 79.31 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 79.31 acres); and

SADC	\$ 250,619.60 (\$3,160/ acre)
Warren County	\$ 114,206.40 (\$1,440/ acre)
Total Easement Purchase	\$ 364,826.00 (\$4,600/ acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$250,619.60 from the FY13 Competitive fund, which is available at this time (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm 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 Property, comprising approximately 79.31 acres, at a State cost share of \$3,160 per acre, (68.7% of purchase price), for a total grant need of \$250,619.60 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

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

BE IT FURTHER RESOLVED, final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; 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 be subject to review and approval by the SADC; and

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

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

4/24/15

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Wetlands

X:\counties\warren\projects\smith_norin1_fwvw.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John and Jean Smith
White Twp. - Block 12 Lot 20 (6.8 ac) &
Harmony Twp. - Block 14 Lot P/O 9 (69.9 ac)
Gross Total = 76.7 ac
Warren County

Application within the Highlands Preservation Area



- Property In Question
- EN - (Non-Reversible) Easement
- ES - (Reversible) Easement
- Wetlands Boundaries
- 300 ft Buffered Wetlands
- Primary - Limited Access
- Federal or State Highways
- County Roads
- Municipal/Local Roads
- Charitable, County and Non-Profit Preserved Open Space
- State Owned Conservation Easements
- State Owned O&B & Recreation Easements

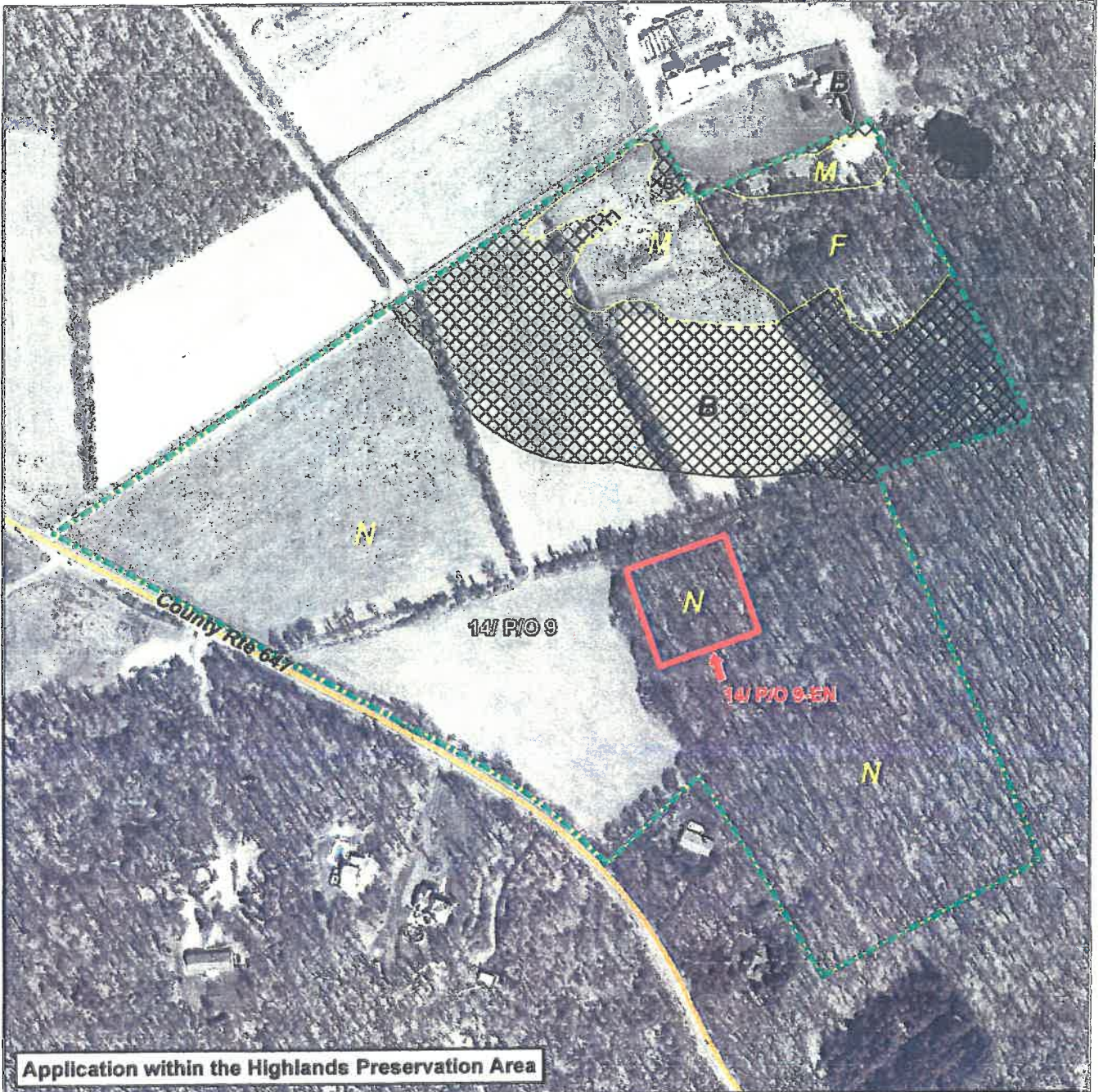


- Wetlands Legend:**
- F - Freshwater Wetlands
 - L - Linear Wetlands
 - M - Wetlands Modified for Agriculture
 - T - Tidal Wetlands
 - N - Non-Wetlands
 - S - 300' Buffer
 - W - Water

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 geographic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Source:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJDOTGIS 2012 Digital Aerial Image

Wetlands



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Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John and Jean Smith (South #2)
Block 14 Lots P/O 9 (39.2 ac)
& P/O 9-EN (non-severable exception - 1.0 ac)
Gross Total = 40.2 ac
Harmony Twp., Warren County



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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

March 6, 2014

SADC Final Review: Development Easement Purchase

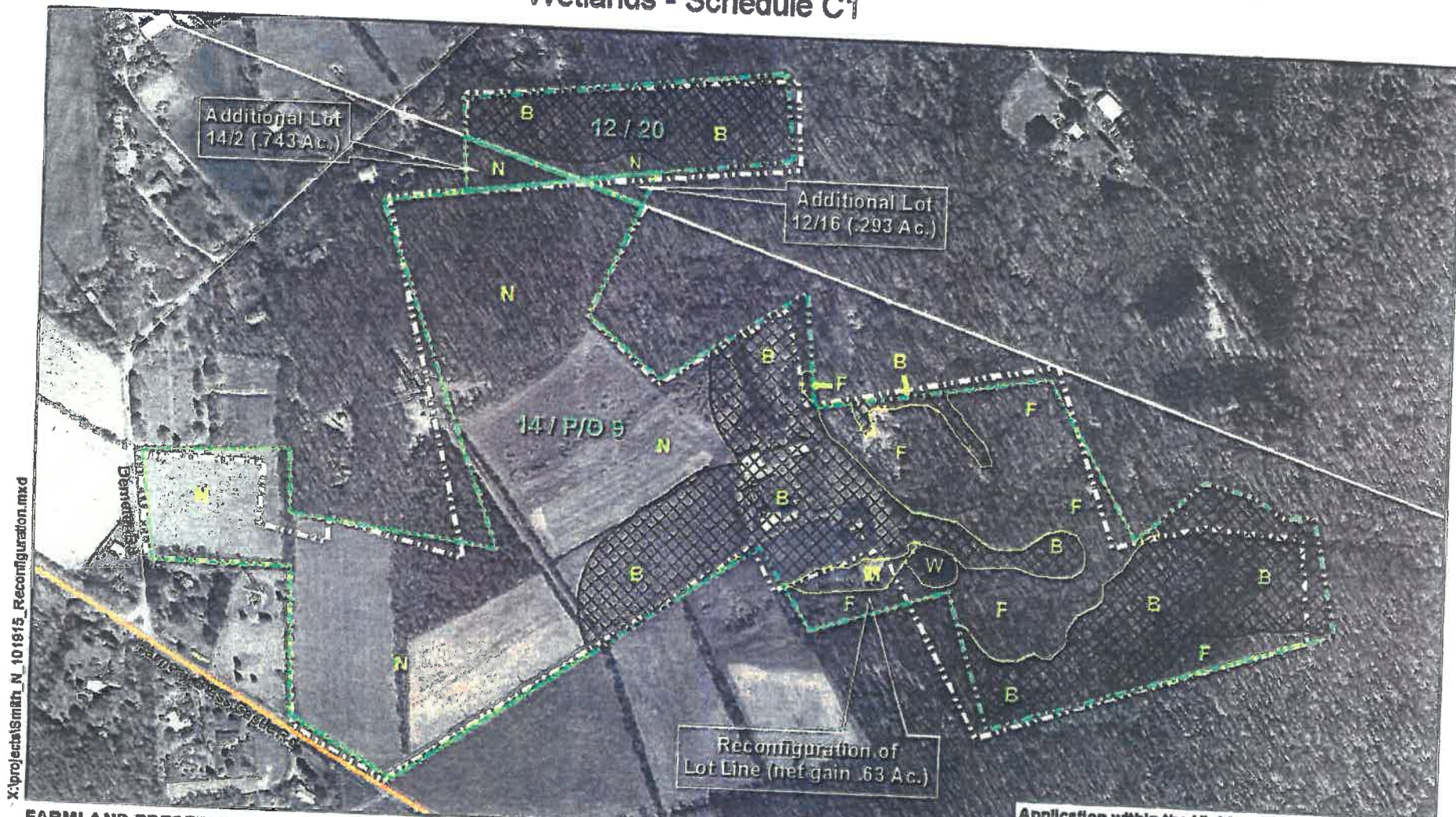
Smith, John & Jean (Windy Acres North) #1
 21- 0530-PG
 County PIG Program
 77 Acres

Block 14	Lot P/O 9	Harmony Twp.	Warren County	
Block 12	Lot 20	White Twp.	Warren County	
SOILS:		Other	40% * 0	= .00
		Prime	53% * .15	= 7.95
		Statewide	7% * .1	= .70
				SOIL SCORE: 8.65
TILLABLE SOILS:		Cropland Harvested	37% * .15	= 5.55
		Wetlands	15% * 0	= .00
		Woodlands	48% * 0	= .00
				TILLABLE SOILS SCORE: 5.55
FARM USE:		Corn-Cash Grain	12 acres	
		Hay	9 acres	
		Beef Cattle Except Feedlots	4 acres	
		Sheep & Goats	4 acres	

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

1. Available funding.
2. The allocation, not to exceed 0. Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 SADC's staff acceptance of the J & J Smith North and South Farms , as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing the subdivision prior to closing.
 - 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.

Wetlands - Schedule C1



X:\projects\Smith_N_101615_Reconfiguration.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Smith, John & Jean (North) Block 14 lot 2 (.74 ac), P/O Lot 9 (72.49 ac) Harmony Twp.
Block 12 Lot 16 (.29 ac) & Lot 20 (6.46 ac) White Twp.
Gross Total - 79.99 ac
Warren County



Application within the Highlands Preservation Area

	Property in Question
	Original Proposed Lot Configuration
	Re-proposed (revised) lot plan
	ES - (Non-wetland) Easement
	Lot Lines Boundaries
	300 m Buffer Wetlands
	Priority - Limited Access
	Permit or State HWY
	County Roads
	Municipal Road

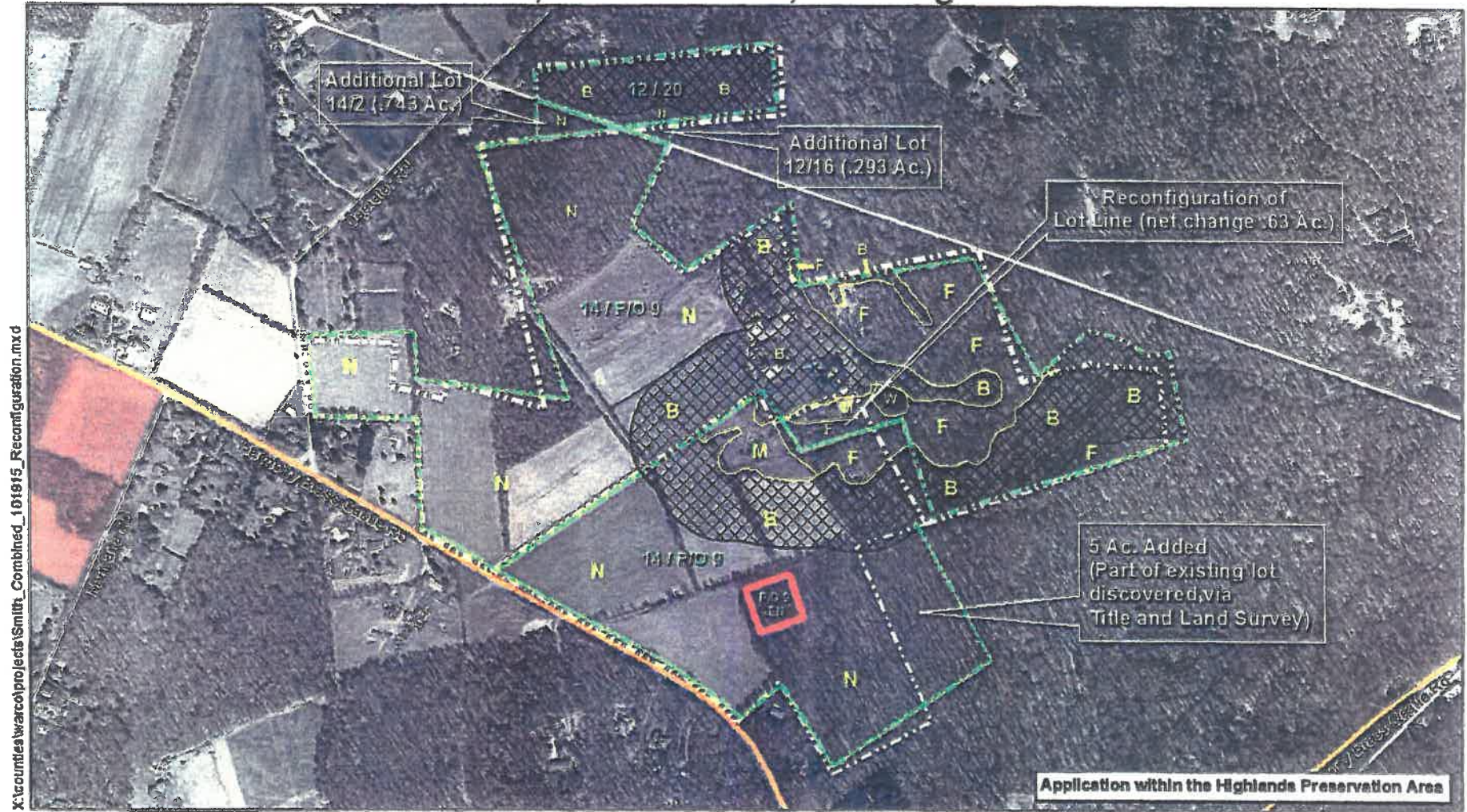


Wetlands Legend:
 F - Freshwater Wetlands
 L - Little Water Wetlands
 M - Wetlands Proposed for Agriculture
 T - Tall Wetlands
 W - Wetlands
 S - 300' Buffer
 W - Water

Source:
 NJ Farmland Preservation Program
 Geospatial Conservation Easement Data
 NJDEP Wetlands Data
 NJ Planning Commission PDC Data
 NJ Planning Commission Data
 NJDOT Road Data
 NOAA/USGS 2012 Digital Aerial Image

Date: 10/16/2014

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Smith, John & Jean (North)/Block 14 lot 2 (.74 ac), P/O Lot 9 (72.49 ac) Harmony Twp.
 Block 12 Lot 16 (.29 ac) & Lot 20 (6.46 ac) White Twp.
 Gross Total - 79.99 ac
 Warren County
 Smith, John & Jean (South)/ Block 14 P/O Lot 9 (42.38 ac)
 & P/O Lot 9-EN (non-severable exception - .96 ac)
 Gross Total - 43.34 ac
 Harmony Twp, Warren County



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Application within the Highlands Preservation Area

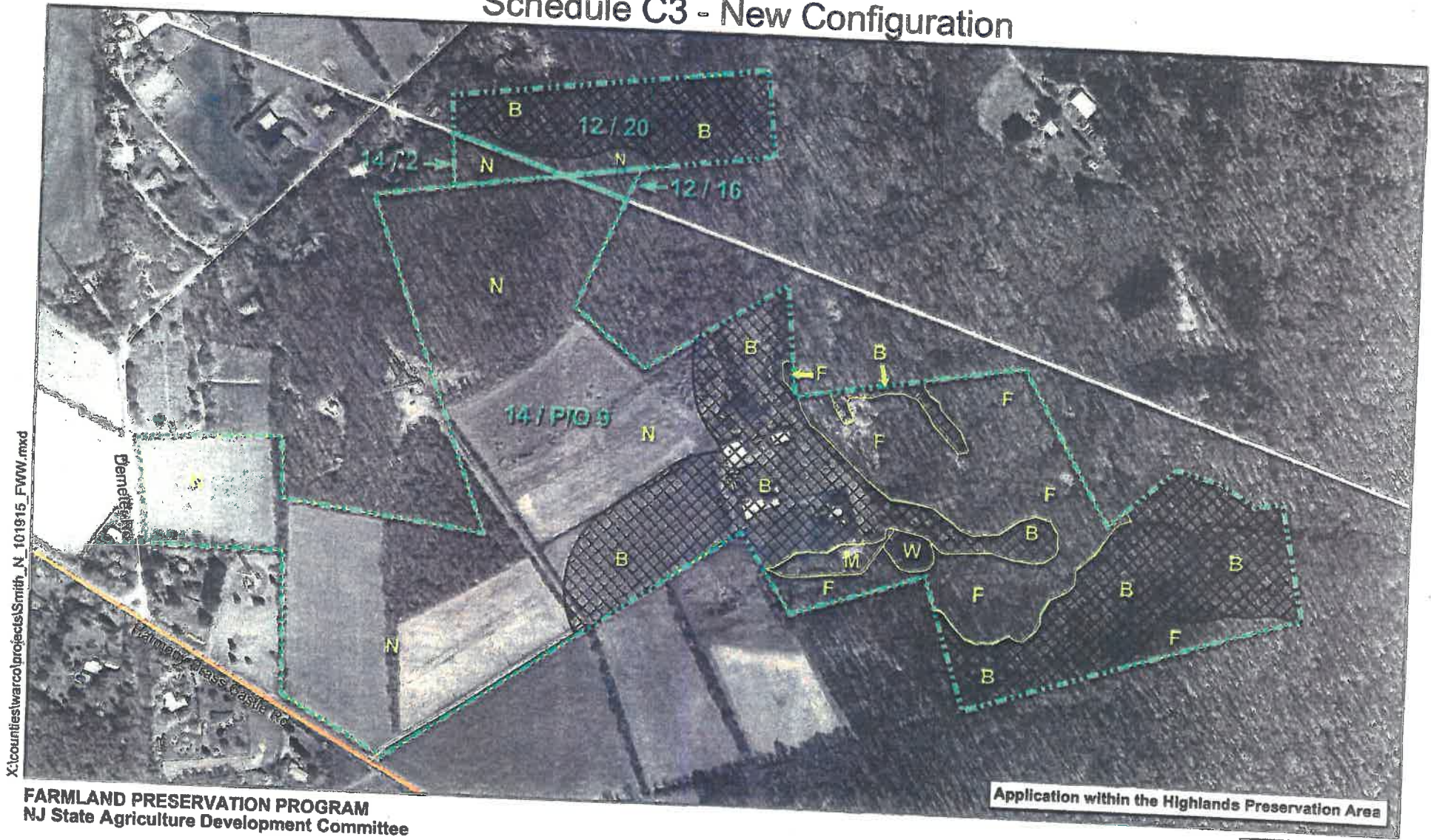


	Property to Creation
	Original Proposed Lot Configuration
	EN - (non-severable) exception
	EA - (severable) exception
	Water Boundaries
	300 ft buffer to wetlands
	Primary - Limited Access
	Private or State Ways
	County Roads
	Municipal/Local Roads

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

Sources:
 NJ Farmland Preservation Program
 Open Access Corporation Wetland Data
 NJ DEP Wetland Data
 NJ Planning Commission PDC Data
 NJ Planning Council Data
 NJDOT Road Data
 NCHM/OGIS 2012 Digital Aerial Image

Schedule C3 - New Configuration



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Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Smith, John & Jean (North)/Block 14 lot 2 (.74 ac), P/O Lot 9 (72.49 ac) Harmony Twp.
Block 12 Lot 16 (.29 ac) & Lot 20 (6.46 ac) White Twp.
Gross Total - 79.99 ac
Warren County



Legend

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



Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 300' Buffer
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Sources:
 NJ Farmland Preservation Program
 Open Acres Conservation Easement Data
 NJDEP Wetlands Data
 NJ Highlands Commission PDG Data
 NJ Highlands Council Data
 NJDOT Road Data
 NJOTIS 2012 Digital Aerial Imagery

State Agriculture Development Committee
 SADC Final Review: Development Easement Purchase

Smith, John & Jean (Windy Acres North) #1
 21- 0530-PG
 County PIG Program
 80 Acres

Block 14	Lot P/O 9	Harmony Twp.	Warren County
Block 12	Lot 20	White Twp.	Warren County
Block 14	Lot 2	Harmony Twp.	Warren County
Block 12	Lot 16	White Twp.	Warren County

SOILS:	Other	42% * 0	=	.00	
	Prime	52% * .15	=	7.80	
	Statewide	6% * .1	=	.60	
					SOIL SCORE: 8.40

TILLABLE SOILS:	Cropland Harvested	36% * .15	=	5.40	
	Wetlands	15% * 0	=	.00	
	Woodlands	49% * 0	=	.00	
					TILLABLE SOILS SCORE: 5.40

FARM USE:	Corn-Cash Grain	12 acres
	Hay	9 acres
	Beef Cattle Except Feedlots	4 acres
	Sheep & Goats	4 acres

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

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

SADC's staff acceptance of the J & J Smith North and South Farms ; as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing the subdivision prior to closing.
 - 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 FY2016R11(8)

AMENDED FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE
GRANT TO

WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
John H. Smith and Jean M. Smith ("Owners")
Windy Acres South Farm
Harmony Township, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0558-PG

NOVEMBER 12, 2015

Amendment Synopsis:

- Recognize a revised hypothetical lot division.
- Recognize additional acreage identified by title and survey
- Approve a new cost share based on the increased acreage.

WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, Warren County, totaling approximately 39 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, a 77 acre portion of Block 14, Lot 9 was submitted as part of a separate application for the sale of a development easement known as Windy Acres North Farm; and

WHEREAS, the SADC granted Final Approval for the Property on April 24, 2015 which included a 1-acre non-severable exception area limited to one future single family residential unit and the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses and an easement value of \$6,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$600 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$6,000 per acre for the development easement for the Property; and

WHEREAS, subsequent to SADC Final Approval title and survey revealed the Property included approximately 5 acres of additional land and the Owner is requesting a change to the proposed lot line between the "North" and "South" Farms resulting in an additional approximately .63 acres for a new net acreage of approximately 42.38 acres (Schedules C1, C2 and C3); and

WHEREAS, both appraisers and the SADC review appraiser agreed that including the driveway did not impact their values and the \$6,000 per acre 01/01/04 easement value remains unchanged; and

WHEREAS, the revised quality score of the Property is 58.76, which is at least 70% of the County's average quality score of 41 as determined by the SADC July 25, 2013; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 43.65 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the Warren County Agriculture Development Board approved the revision to the application on October 15, 2015; and

WHEREAS, on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and committed enough funding to cover its cost share on both the North and South farms and has advised it was unnecessary to amend its resolution for the revised application; and

WHEREAS, the new estimated cost share breakdown is as follows (based on 43.65 acres):

SADC	\$170,235 (\$3,900/acre)
Warren County	\$ 91,665 (\$2,100/acre)
Total	\$261,900 (\$6,000/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$170,235 from Competitive funding, and sufficient funds are available (Schedule D); and

NOW THEREFORE BE IT RESOLVED, that the SADC amends the application configuration and the cost share of the Windy Acres South Farm final approval Resolution FY2015R4(8); and

BE IT FURTHER RESOLVED, the SADC approves a revised cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 43.65 net easement acres at a State cost share of \$3,900 per acre for a total grant need of \$170,235 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule E); and

BE IT FURTHER RESOLVED the Property includes zero (0) residential units, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and

BE IT FURTHER RESOLVED, all other provisions of the final approval Resolution FY2015R4(8) shall remain in effect and is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both the North and South farms; and

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

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

11-12-15

Date



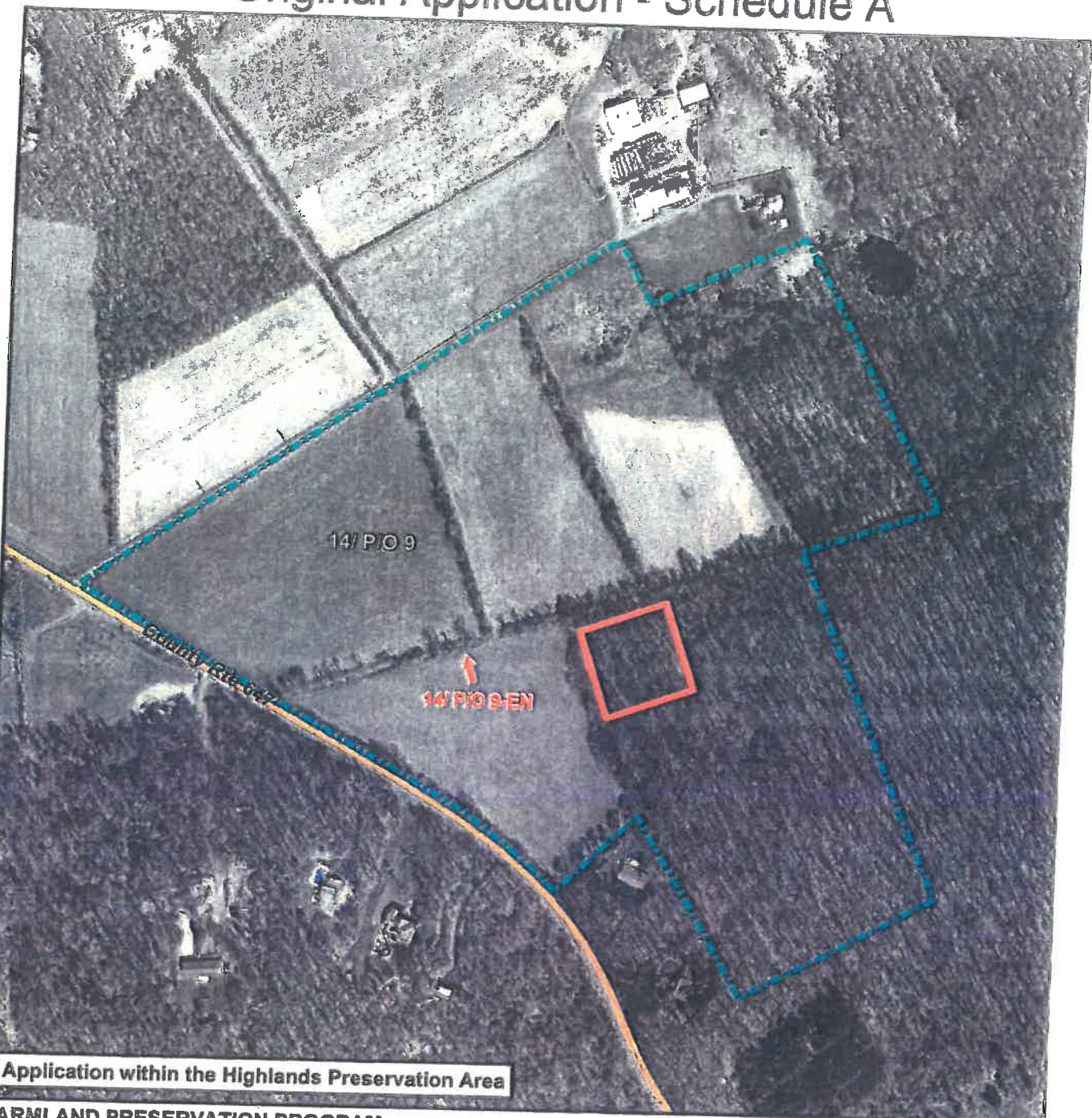
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
Pamela Weintraub (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. Acting State Treasurer Scudder)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano, Esq.	YES

Original Application - Schedule A

X:\counties\warco\projects\smith_s_080515_fvw.mxd



Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John and Jean Smith (South #2)
Block 14 Lots P/O 9 (48.5 ac)
& P/O 9-EN (non-severable exception - 1.0 ac)
Gross Total = 49.5 ac
Harmony Twp., Warren County



- Property in Question
- Original proposed lot configuration
- EN - (Non-Severable) Exception
- E3 - (Renewable) Exception
- Wetlands Bufferlines
- 300 ft Wetlands Buffer
- Primary - Limited Access
- Federal or State Hwy
- County Roads
- Municipal/Local Roads
- Highlands Development Corridor
- Municipal, County and Non-Profit Proposed Open Space
- State Owned Conservation Easement
- State Owned QRS & 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
NJDOTGIS 2012 Digital Aerial Image

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STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(8)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WARREN COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

John H. Smith and Jean M. Smith ("Owners")

Windy Acres South Farm

Harmony Township, Warren County

N.J.A.C. 2:76-17 et seq.

SADC ID# 21-0558-PG

April 24, 2015

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 FY2015 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, Warren County, totaling approximately 39 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, a 77 acre portion of Block 14, Lot 9 was submitted as part of a separate application for the sale of a development easement known as Windy Acres North Farm; and

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

WHEREAS, the Property includes a 1-acre non-severable exception area limited to one single family residential unit; and

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

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

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

WHEREAS, the Property has a quality score of 62.14 which exceeds 41, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 10, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 11, 2014 the SADC certified a development easement value of \$6,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$600 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14; and

WHEREAS, the SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$6,000 per acre for the development easement for the Property; and

WHEREAS, on January 29, 2015 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on March 3, 2015 the Harmony Township Committee approved the Owner's application for the sale of a development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 19, 2015 the Warren CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and a commitment of funding for \$2,100 per acre per acre to cover the entire local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 40.17 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 40.17 acres); and

SADC	\$ 156,663.00 (\$3,900/ acre)
<u>Warren County</u>	<u>\$ 84,357.00 (\$2,100/ acre)</u>
Total Easement Purchase	\$ 241,020.00 (\$6,000/ acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$156,663.00 from the FY13 Competitive fund, which is available at this time (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm 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 Property, comprising approximately 40.17 acres, at a State cost share of \$3,900 per acre, (65% of purchase price), for a total grant need of \$156,663.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property has a 1-acre non-severable exception area for and limited to one single family residence; and

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

BE IT FURTHER RESOLVED, the SADC's final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; 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 be subject to review and approval by the SADC; and

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

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

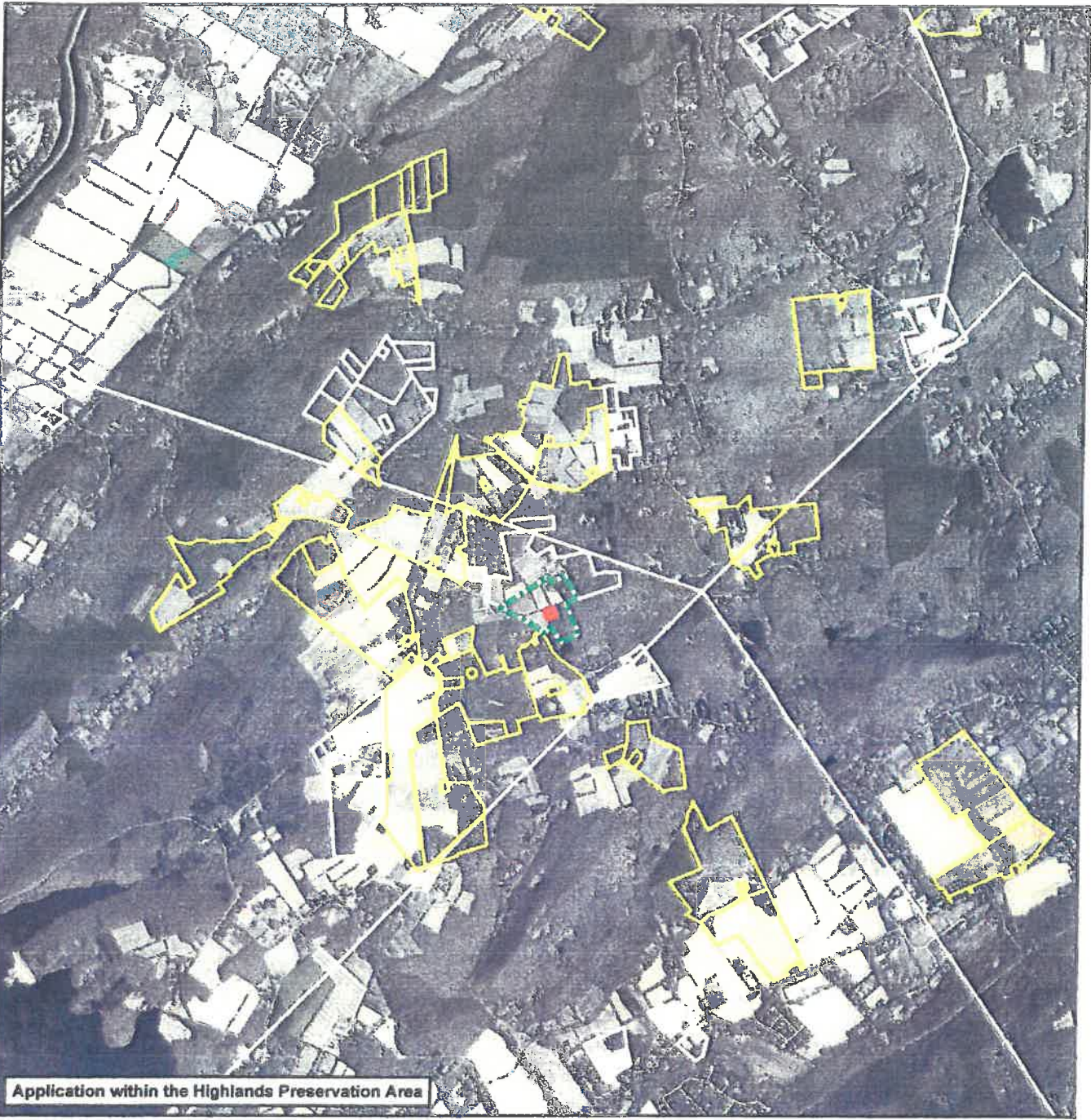
4/24/15
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Preserved Farms and Active Applications Within Two Miles



X:\counties\warren\projects\smith_south2_2mils.mxd

Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John and Jean Smith (South #2)
Block 14 Lots P/O 9 (39.2 ac)
& P/O 9-EN (non-severable exception - 1.0 ac)
Gross Total = 40.2 ac
Harmony Twp., Warren County



Farmland Preservation Program	
	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Preserved Easements
	Active Applications
	Private Severed PDCs
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O&B & Recreation Easement
Base Map	
	County Boundary
	Municipal Boundary



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

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

March 8, 2014

Schedule B

Warren County

New Jersey Farmland Preservation Program
 Preservation Program
 County Planning Incentive Grant - N.J.A.C. 2:78-17 et seq.

FY11 FY13

Entity	Municipality	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Drake et al	Allamuchy	209,000	4,000.00	4,000.00	2,600.00	792,348.00	792,348.00	554,643.50	582,868.00		554,643.50	1,045,356.40												
Bowars, Russell	Pohatcong	31,500	6,500.00	6,500.00	4,150.00	311,415.00	334,750.00	198,926.50	213,723.00	180,020.50	180,020.50	1,748,528.50												
Dirleio, Irme	Mansfield	69,010	8,500.00	7,000.00	4,186.00	483,070.00	448,865.00	284,860.00	286,391.50	286,391.50	289,391.50	1,480,138.40												
Pruden, Timothy	Hope	190,610	4,000.00	4,000.00	2,800.00	513,532.00	513,532.00	369,472.40	369,388.00	369,472.40	369,472.40	1,082,407.80												
McConnell	Oxford	57,880	6,200.00	6,200.00	4,000.00	326,014.60	326,016.40	209,888.00	93,070.40	93,870.40	93,870.40	986,537.10												
Cooke	Hope	48,410	3,700.00	3,700.00	2,820.00	179,028.20	174,817.90	123,849.29	126,834.20	84,931.03	84,931.03	797,788.47												
Czar	Pohatcong	66,880	5,400.00	5,400.00	3,800.00	810,878.00	810,878.00	340,482.00	340,662.00	340,482.00	340,482.00	457,288.47												
Beaver Brook/TLCNJ	Hope	199,050	3,978.00	3,978.00	2,767.40	693,279.88	693,879.52	373,707.58	368,301.30	372,500.68	372,500.68	84,835.89	1,286.67	1,286.67	1,286.67	2,998,713.33								
Bulleck	White	80,770	3,900.00	3,800.00	2,740.00	237,003.00	237,003.00	166,509.60	36,196.82			48,698.77	123,577.36											4,876,422.62
J&K Smith #1	Harmony	47,380	6,000.00	6,000.00	3,900.00	284,280.00	284,280.00	184,782.00				184,782.00												4,991,640.82
J&K Smith #2	Harmony	52,530	2,500.00	5,600.00	3,650.00	288,915.00	288,915.00	181,734.50				181,734.50												4,499,008.12
Caricola #1	Franklin	187,460	6,200.00	0,200.00	6,000.00	1,182,252.00	1,182,252.00	749,849.00				74,220.00												2,924,493.33
Caricola #2	Franklin	31,42	5,790.00	6,000.00	3,775.00	188,520.00	180,885.00	118,610.50				675,020.00												3,824,286.12
Kinney Estate	Biala/Knowl	38,110	3,600.00	5,600.00	3,760.00	181,720.00	181,720.00	120,065.00	41,903.17	41,903.17	0.00	118,610.50												3,705,876.62
JJ Smith North	Harmony	79.31	4,800.00	4,500.00	3,160.00	364,828.00	364,828.00	250,819.60				250,819.60												3,827,613.78
JJ Smith South	Harmony	40.17	6,000.00	6,000.00	3,900.00	241,020.00	241,020.00	166,663.00				166,663.00												3,378,894.19
																								3,220,231.19

SADC Final Review: Development Easement Purchase

Smith, John & Jean (Windy Acres South)#2
 21- 0558-PG
 County PIG Program
 38 Acres

Block 14	Lot P/O 9	Harmony Twp.	Warren County	
SOILS:		Other	29% * 0 =	.00
		Prime	61% * .15 =	9.15
		Statewide	10% * .1 =	1.00
				SOIL SCORE: 10.15
TILLABLE SOILS:		Cropland Harvested	60% * .15 =	9.00
		Wetlands	6% * 0 =	.00
		Woodlands	34% * 0 =	.00
				TILLABLE SOILS SCORE: 9.00
FARM USE:	Cash Grains		23 acres	Corn & Hay

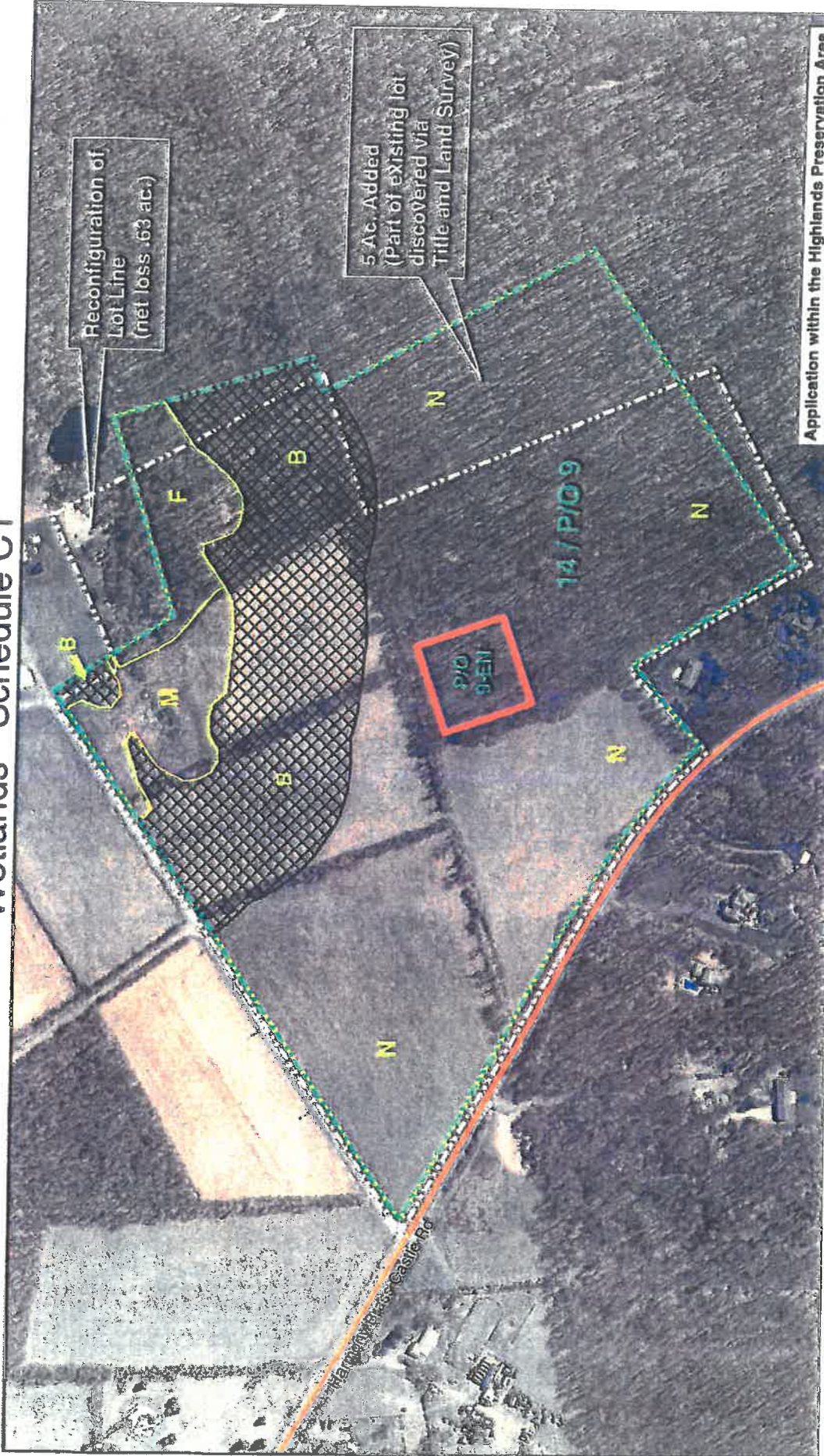
In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

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:
 - 1st one (1) acres for future single family residence
 Exception is not to be severed from Premises
 Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:

SADC staff's acceptance of the J & J Smith North and South Farms, as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing a subdivision prior to closing.
 - 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.

Wetlands - Schedule C1



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Smith, John & Jean (South)/ Block 14 P/O Lot 9 (42.38 ac)
& P/O Lot 9-EN (non-severable exception - .96 ac)
Gross Total - 43.34 ac
Harmony Twp. Warren County



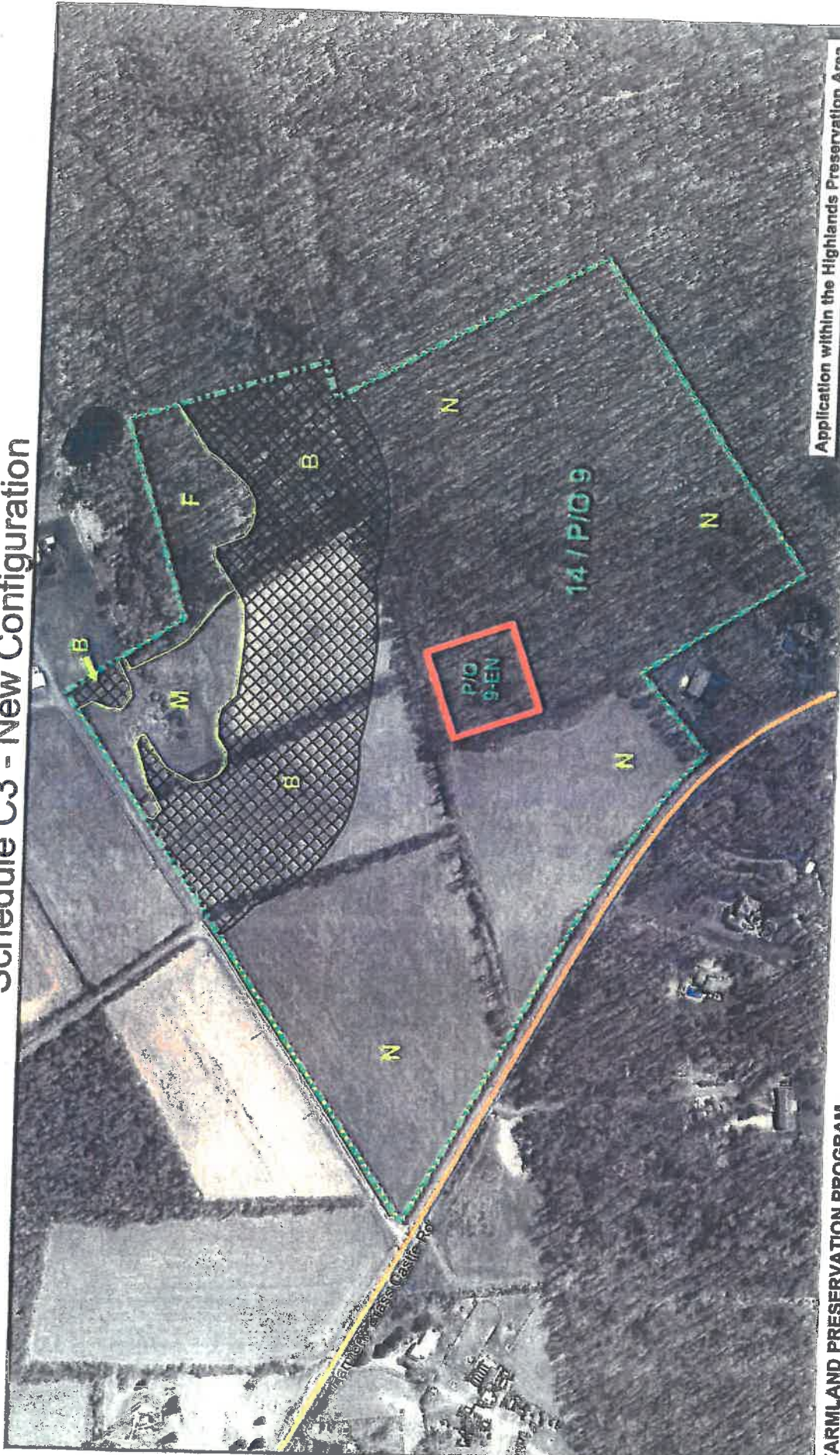
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed using aerial photography. The geographic accuracy and precision of the GIS data contained in this file and any other data layers are not guaranteed. The data were developed using aerial photography and were not developed using horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

- Property in Question**
- Original Proposed Lot Configuration
 - EN - (Non-Severable) Exception
 - BE - (Severable) Exception
 - Wetlands Boundaries
 - 200 ft Buffered Wetlands
 - Primary - Limited Access
 - Feeder or Grass Ways
 - County Roads
 - Intermittent/used Roads

- Wetlands Legend:**
- F - Freshwater Wetlands
 - L - Linear Wetlands
 - T - Total Wetlands Modified for Agriculture
 - N - North Wetlands
 - M - North Wetlands
 - W - Water

Sources:
NJ Farming Preservation Program
NJ Department of Agriculture
NJ Department of Environmental Protection
NJ Department of Transportation
NJ Department of Public Safety
NJ Department of Transportation
NJDOT Road Council Data
NJDOTGIS 2012 Digital Aerial Image

Schedule C3 - New Configuration



Application within the Highlands Preservation Area

- Property in Question**
- EH - (Non-Severable) Exception
 - ES - (Severable) Exception
- Wetlands Boundaries**
- 300 ft Buffered Wetland
 - Primary - Limited Access
 - Federal or State Highways
 - County Roads
 - Municipal/Local Roads



- Wetlands Legend:**
- L - Freshwater Wetlands
 - M - Wetlands Modified for Agriculture
 - N - Tidal Wetlands
 - B - 300' Buffer
 - W - Water
- Sources:**
- NJ Farmland Preservation Program
 - USDA National Wetlands Inventory
 - NJDEP Wetlands Estimation Data
 - NJ Pinelands Commission PDC Data
 - NJ Pinelands Commission PDC Data
 - NJDOT Road Data
 - NOITTOGIS 2012 Digital Aerial Image

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Smith, John & Jean (South)/ Block 14 P/O Lot 9 (42.38 ac)
& P/O Lot 9-EN (non-severable exception - .96 ac)
Gross Total - 43.34 ac
Harmony Twp. Warren County

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and location of parcels shown in this data layer are approximations and were developed primarily for planning purposes. This product is not intended to be used for legal purposes. The data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring determination and location of true ground boundaries. Any vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

100115

State Agriculture Development Committee
 SADC Final Review: Development Easement Purchase
 March 26, 2015

Smith, John & Jean (Windy Acres South)#2
 21- 0558-PG
 County PIG Program
 42 Acres

Block 14	Lot P/O 9.08	Harmony Twp.	Warren County	
SOILS:				
		Other	36% * 0	= .00
		Prime	56% * .15	= 8.40
		Statewide	8% * .1	= .80
				SOIL SCORE: 9.20
TILLABLE SOILS:				
		Cropland Harvested	38% * .15	= 5.70
		Wetlands	8% * 0	= .00
		Woodlands	54% * 0	= .00
				TILLABLE SOILS SCORE: 5.70
FARM USE:				
	Cash Grains		23 acres	Corn & 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:
 - 1st (.96) acres for future single family residence
 Exception is not to be severed from Premises
 Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:

SADC staff's acceptance of the J & J Smith North and South Farms, as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing a subdivision prior to closing.
 - 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.

25. The parties hereto understand that a portion of the Property is identified as within the Forest Resource Area pursuant to the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1, et seq. and attendant regulations at N.J.A.C. 7:38-1.1, et seq. Accordingly, the parties hereto agree, in accordance with N.J.A.C. 2:76-6.15(b), to the following additional provisions which shall be applicable only within the forested area ("Forested Area") depicted [and/or "described"] in the attached Schedule " _ "

(a). Grantor reserves the right to plant, grow, and harvest trees, timber and forest products and to engage in other woodland management activities related thereto ("woodland management activities") in the Forested Area delineated in Schedule , provided that the same are carried out in a manner consistent with a Woodland Management Plan or Forest Stewardship Plan (either of which is referred to herein as "forest management plan") that has been reviewed and approved by the New Jersey State Forester pursuant to N.J.S.A 54:4-23.3 and N.J.S.A. 13:1L-30, et seq. respectively.

(1). The forest management plan shall be prepared regardless of whether the Forested Area is classified as appurtenant or non-appurtenant woodland for farmland assessment purposes and whether or not Grantor is currently actively engaged in woodland management activities. The forest management plan shall set forth the management practices Grantor intends to carry out in order to achieve Grantor's management objectives.

(2). The forest management plan shall be prepared to provide for forest cover in perpetuity subject to the harvesting of timber and timber products using accepted forestry practices consistent with state and federal laws, regulations and currently acceptable best management practices described in the New Jersey Forestry and Wetlands Best Management Practices Manual, as may be amended, available at http://www.state.nj.us/dep/parksandforests/forest/nj_bmp_manual1995.pdf.

(3). In the Forested Area, there shall be no burning, mowing, cutting, removal, grazing, livestock access, plowing, tilling or destruction of trees, shrubs, or other vegetation (collectively, "Vegetation") unless:

[a]. Grantor and said activity are in full compliance with the forest management plan; and

[b]. Said activity is in compliance with all applicable local, state, and federal laws and regulations.

[c]. Notwithstanding the foregoing, conversion of woodlands to non-woodlands is not permitted in the Forested Area.

(4). Grantor shall obtain a forest management plan within one (1) year of the date of this Deed of Easement and shall come into compliance with the forest management plan within three (3) years of the date of this Deed of Easement. The forest management plan shall be updated not less frequently than once every ten (10) years. Amendments to the forest management plan shall be required if Grantor wishes to propose woodland management activities not contained in the then-current approved forest management plan.

(5). Grantor shall provide a copy of the forest management plan and any revisions or amendments thereto to Grantee and the Committee within 30 days after the State Forester approves the forest management plan.

The Grantor signs this Deed of Easement as of the date of the top of the first page. If the Grantor is a corporation, this Deed of Easement is signed and attested to by its proper corporate officers, and its corporate seal, if any, is affixed.

Insert Name & Title under signature

(L.S.)

Insert Name & Title under signature

(L.S.)

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R4(2)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Knowlton Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Kitchen, Mark ("Owner")
Knowlton Township, Warren County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 21-0363-PG**

APRIL 26, 2019

- WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Knowlton Township, Warren County; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Knowlton Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on August 3, 2018 the SADC received an application for the sale of a development easement from Knowlton Township for the subject farm identified as Block 47, Lot 7, Knowlton Township, Warren County, totaling approximately 32 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Knowlton Township's North Project Area; and
- WHEREAS, the Property includes one (1), approximately 4-acre non-severable exception area for and limited to one existing single-family residential unit and to afford future flexibility of uses resulting in approximately 28 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception area zero (0) exceptions, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in hay and soybean production; and
- WHEREAS, the Owner 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. 2:76-17.9A(b) on August 21, 2018 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 24, 2019 the SADC certified a development easement value of \$5,100 per acre based on zoning and environmental regulations in place as of the current valuation date October 2018; and

WHEREAS, the Owner accepted the Township's offer of \$5,100 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on March 11, 2019, the Knowlton Township Committee approved the application for the sale of development easement and a funding commitment of \$825 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on April 18, 2019, the Warren County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on April 24, 2019, the County of Warren passed a resolution granting final approval and a commitment of funding for \$825 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 28 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$ 96,600	(\$3,450 /acre)
Warren County	\$ 23,100	(\$ 825 /acre)
<u>Knowlton Township</u>	<u>\$ 23,100</u>	<u>(\$ 825/acre)</u>
Total Easement Purchase	\$142,800	(\$5,100 /acre)

WHEREAS, Knowlton Township is requesting \$3,450 per acre or approximately \$96,600 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Knowlton Township for the purchase of a development easement on the Property, comprising approximately 28 net easement acres, at a State cost share of \$3,450 per acre, (67.65% of certified easement value and purchase price), for a total grant of approximately \$96,600 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
4. The SADC will be providing its grant directly to Warren County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a), and 6.18(b).
5. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/19

Date



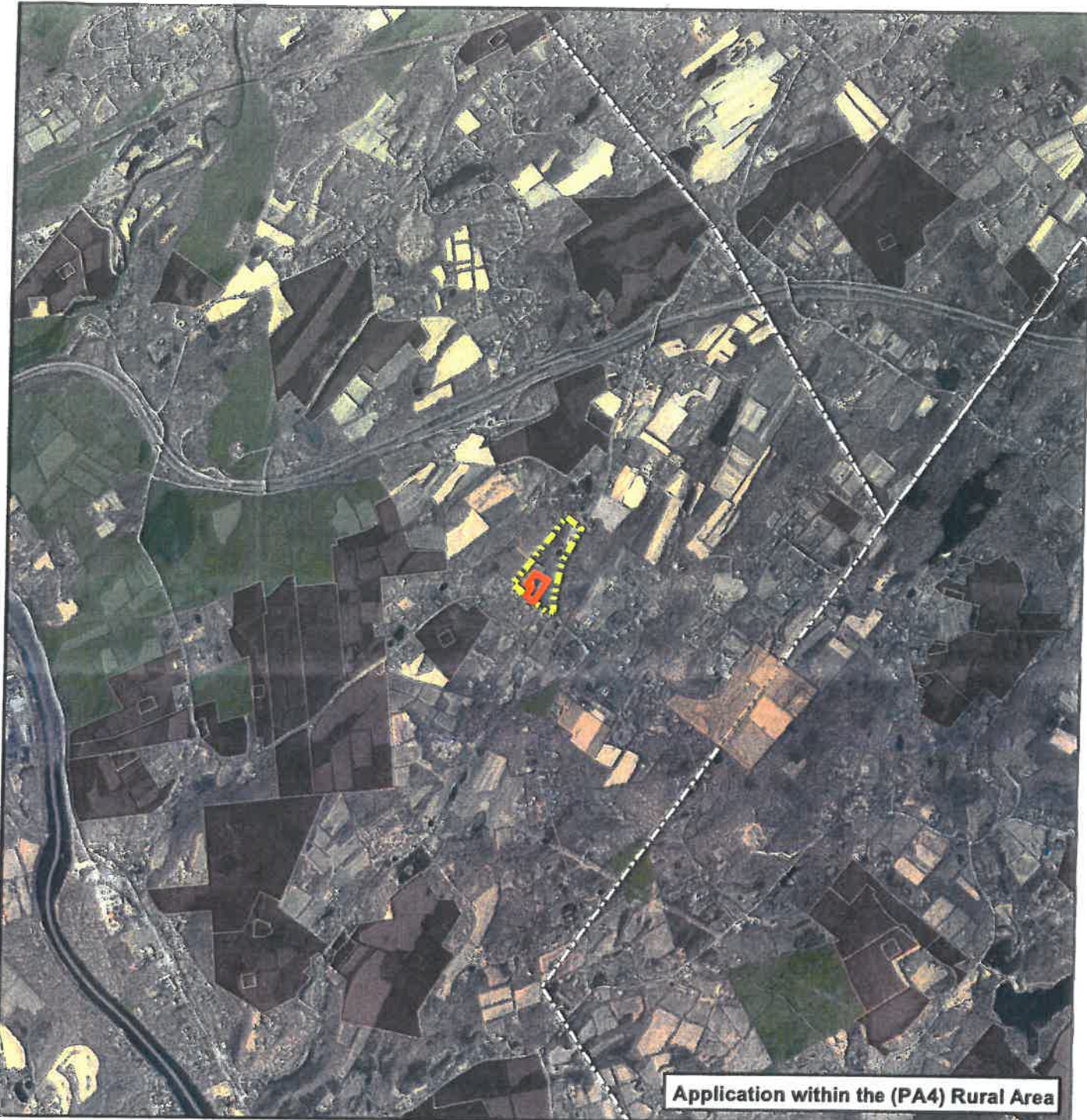
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Preserved Farms and Active Applications Within Two Miles

X:\counties\warco\projects\Kitchen, Mark W. 2mile.mxd



Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM

NJ State Agriculture Development Committee

Kitchen, Mark W.
 Block 47 P/O Lot 7 (28.1 ac)
 & P/O Lot 7-EN (non-severable exception - 4.0 ac)
 Gross Total - 32.1 ac
 Knowlton Twp., Warren County



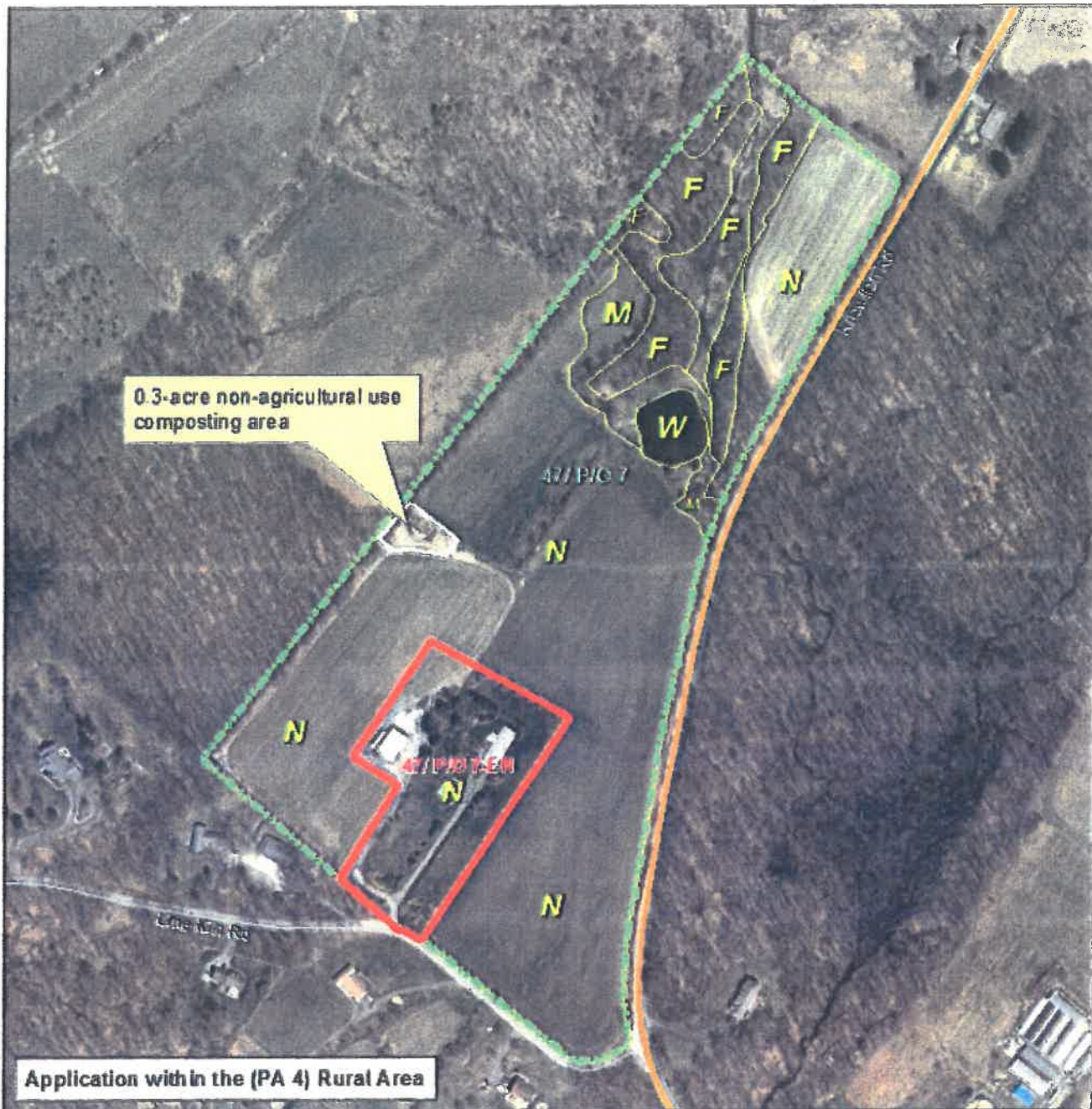
- Property in Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Transfer Development Rights (TDR)
Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open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



Sources:
 NJ Farmland Preservation Program
 Open Acres Conservation Easement Data
 NJDOT/OGIS 2015 Digital Aerial Image
 August 8, 2018

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

Wetlands



Aerial photograph courtesy of the Kitchen, Mark W. New Jersey

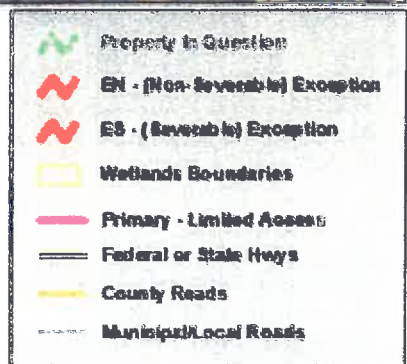
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kitchen, Mark W.
Block 47 P/O Lot 7 (28.1 ac)
& P/O Lot 7-EN (non-severable exception - 4.0 ac)
Gross Total - 32.1 ac
Knowlton Twp., Warren County



Source:
N. Farmland Preservation Program
Digitized by Geographic Information Systems
U.S.G.P. Wetlands Data
N. 2000/2005 Aerial Photo Image

DISCLAIMER: Any use of the geographic information system, and person shall be the sole responsibility of the user. The content and geographic information of these polygons in the data were prepared and are subject to change without notice. The data are provided as a service of the U.S.G.P. and are not intended to be used for any other purpose. The user is responsible for the accuracy and reliability of the data. The data are provided as a service of the U.S.G.P. and are not intended to be used for any other purpose. The user is responsible for the accuracy and reliability of the data.



Polyside Legend
 F - Farmland Preservation
 M - Marsh
 W - Water
 N - Non-Agricultural Use
 T - Tax Exemption
 L - Land Use
 S - Soil
 U - Urban

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Kitchen, Mark W.
21- 0363-PG
PIG EP - Municipal 2007 Rule
28 Acres

Block 47	Lot 7	Knowlton Twp.	Warren County
SOILS:		Other	100% * 0 = .00
			SOIL SCORE: .00
TILLABLE SOILS:		Cropland Harvested	72% * .15 = 10.80
		Other	2% * 0 = .00
		Wetlands	15% * 0 = .00
		Woodlands	11% * 0 = .00
			TILLABLE SOILS SCORE: 10.80
FARM USE:		Hay	13 acres
		Soybeans-Cash Grain	11 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:
 - creation and sale of compost creating from on/off site materials
 - area to be delineated on the survey and restricted
 - b. Exceptions:
 - 1st four (4) acres for Existing farmhouse and non-ag uses
 - Exception is not to be severed from Premises
 - Right to Farm language is to be included in Deed of Easement
 - Exception is to be limited to one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R4(3)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Delaware Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Lee, Wai Kun and Lau, Sau Kam ("Owners")
Delaware Township, Hunterdon County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 10-0423-PG**

APRIL 26, 2019

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Delaware Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and

WHEREAS, on April 13, 2018 the SADC received an application for the sale of a development easement from Delaware Township for the subject farm identified as Block 19, Lot 26.01, Delaware Township, Hunterdon County, totaling approximately 34.5 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Delaware Township's Sandbrook Headquarters / Locktown Project Area; and

WHEREAS, the Property includes one (1), approximately 1- acre non-severable exception area for flexibility of use and limited to zero (0) future single family residential units resulting in approximately 33.5 net acres to be preserved; and

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

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

WHEREAS, the 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 17, 2018 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 25, 2018 the SADC certified a development easement value of \$5,500 per acre based on zoning and environmental regulations in place as of the current valuation date August 2018; and

WHEREAS, the Owner accepted the Township's offer of \$5,500 per acre for the development easement for the Property; and

WHEREAS, on December 12, 2017 the Hunterdon County Agriculture Development Board (CADB) declined to hold the easement on the application or recommend funding from the County Board of Chosen Freeholders; and

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on March 25, 2019, the Delaware Township Committee approved the application for the sale of development easement and a funding commitment of \$1,850 per acre; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 33.5 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$122,275	(\$3,650/acre)
<u>Delaware Township</u>	<u>\$ 61,975</u>	<u>(\$1,850/acre)</u>
Total Easement Purchase	\$184,250	(\$5,500./acre)

WHEREAS, Delaware Township is requesting \$3,650 per acre or approximately \$122,275 and sufficient funds are available (Schedule B); and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Delaware Township for the purchase of a development easement on the Property, comprising approximately 33.5 net easement acres, at a State cost share of \$3,650 per acre, (66.36% of certified easement value and purchase price), for a total grant of approximately \$122,275 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
4. The SADC will hold the easement.
5. The SADC shall enter into a three-way agreement for sale of development easement with the owner and Delaware Township.
6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC and the Office of the Attorney General.
7. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/2019

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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



Application within the (PA 4b) Rural Env Sens Area

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

Lee, Wai Kun & Lau, Sau Kam
Block 19 Lots P/O 26.01 (33.5 ac);
P/O 26.01-EN (non-severable exception - 1.0 ac)
Gross Total = 34.5 ac
Delaware Twp., Hunterdon County



Source:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJGIT/DGIS 2015 Digital Aerial Image

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

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

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

Preserved Farms and Active Applications Within Two Miles

X:\counties\huncoc\projects\Lee, Wai Kun & Lau, Sau Kam 2mile.mxd



Application within the (PA 4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Lee, Wai Kun & Lau, Sau Kam
Block 19 Lots P/O 26.01 (33.5 ac);
P/O 26.01-EN (non-severable exception - 1.0 ac)
Gross Total = 34.5 ac
Delaware Twp., Hunterdon County



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

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

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

May 8, 2016

SADC Municipal Pig Financial Status
Schedule B

Delaware Township, Hunterdon County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant				
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Fiscal Year 19
							750,000.00	500,000.00	500,000.00	500,000.00	-
							Encumbered	PV	Expended	Balance	
10-0318-PG	Copeland	74.4070	939,634.90	563,780.94	481,741.19	105,887.23	457,893.71	457,893.71	457,893.71	2,250,000.00	
10-0333-PG	Yard	33.3200	328,160.95	196,896.57	181,395.50	50,131.12	146,765.45	146,765.45	146,765.45	1,792,106.29	
10-0323-PG	Cyktor	21.4590	334,542.00	200,725.20			200,725.20	200,725.20	200,725.20	1,645,340.84	
10-0334-PG	Lovenberg	42.0630	363,721.60	219,059.60	191,100.00	44,100.00	222,933.90	219,059.60	219,059.60	1,444,615.64	
10-0362-PG	Ianniciello / Panorama	56.5850	577,167.00	346,300.20			352,328.40	346,300.20	346,300.20	1,225,556.04	
10-0423-PG	Copeland, Yard, Cyktor, Lovenberg, Ianniciello ancillary Lee, Wai Kun and Lau, Sau Kam	33.5000	184,250.00	122,275.00			122,275.00		17,105.00	879,255.84	
										862,150.84	
										739,875.84	
Closed	5	227.8340	2,543,228.450	1,526,762.510	854,236.690	200,118.350					
Encumbered	1	33.5000	184,250.000	122,275.000							
							Encumber/Expended FY09	-	-	750,000.00	-
							Encumber/Expended FY11	-	-	500,000.00	-
							Encumber/Expended FY13	122,275.00	-	137,849.16	239,875.84
							Encumber/Expended FY17	-	-	-	500,000.00
							Encumber/Expended FY19	-	-	-	-
							Total				739,875.84

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Lee, Wai Kun and Lau, Sau Kam
10- 0423-PG
PIG EP - Municipal 2007 Rule
34 Acres

Block 19	Lot 26.01	Delaware Twp.	Hunterdon County	
SOILS:		Other	6% * 0	= .00
		Statewide	94% * .1	= 9.40
				SOIL SCORE: 9.40
TILLABLE SOILS:		Cropland Harvested	75% * .15	= 11.25
		Wetlands	20% * 0	= .00
		Woodlands	5% * 0	= .00
				TILLABLE SOILS SCORE: 11.25
FARM USE:	Hay		29 acres	

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

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

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R4(4)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Colts Neck Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Mosley, George and Lillian ("Owners")
Colts Neck Township, Monmouth County

N.J.A.C. 2:76-17A. et seq.
SADC ID# 13-0470-PG

April 26, 2019

- WHEREAS, on May 22, 2014, 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 Colts Neck Township, Monmouth County; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Colts Neck Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on January 23, 2018 the SADC received an application for the sale of a development easement from Colts Neck Township for the subject farm identified as Block 20, Lot 2.01, Colts Neck Township, Monmouth County, totaling approximately 27 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Colts Neck Township's Project Area; and
- WHEREAS, the Property includes one (1), approximately 1 acre non-severable exception area for and limited to 1 existing single family residential unit resulting in approximately 26 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception area includes zero (0) exceptions, one (1) agricultural housing apartment (one-bedroom, 1,000 square feet attached to the garage/shop), zero (0) Residual Dwelling Site Opportunity (RDSO), and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in corn, hay, beef cattle, swine, and layer poultry 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 March 15, 2018 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 6, 2018 the SADC certified a development easement value of \$35,000 per acre based on zoning and environmental regulations in place as of the current valuation date July 12, 2018; and

WHEREAS, the SADC's Green Light Approval and certification of easement value were conditioned upon including this farm in the Township's Comprehensive Farmland Preservation Plan as a targeted farm prior the SADC granting final approval; and

WHEREAS, the farm was included in the Township's Comprehensive Farmland Preservation Plan that was submitted to the SADC on October 5, 2017 as part of the Fiscal Year 2019 Municipal Planning Incentive Grant application and approved at the May 24, 2018 SADC meeting; and

WHEREAS, the Owner accepted the Township's offer of \$35,000 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on January 30, 2019, the Colts Neck Township Committee approved the application for the sale of development easement and a funding commitment of \$5,600 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 5, 2019, the Monmouth County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 18, 2019, the County of Monmouth passed a resolution granting final approval and a commitment of funding for \$8,400 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 26 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$546,000	(\$21,000/acre)
Monmouth County	\$218,400	(\$8,400/acre)
<u>Colts Neck Township</u>	<u>\$145,600</u>	<u>(\$5,600/acre)</u>
Total Easement Purchase	\$910,000	(\$35,000/acre)

WHEREAS, Colts Neck Township is requesting \$21,000 per acre or approximately \$546,000 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Colts Neck Township for the purchase of a development easement on the Property, comprising approximately 26 net easement acres, at a State cost share of \$21,000 per acre, (60% of certified easement value and purchase price), for a total grant of approximately \$546,000 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. The prior condition requiring the farm to be included in the Township's Comprehensive Farmland Preservation Plan as a targeted farm has been resolved and is no longer a condition.
4. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
5. The SADC will be providing its grant directly to Monmouth County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

4/26/2019

Date



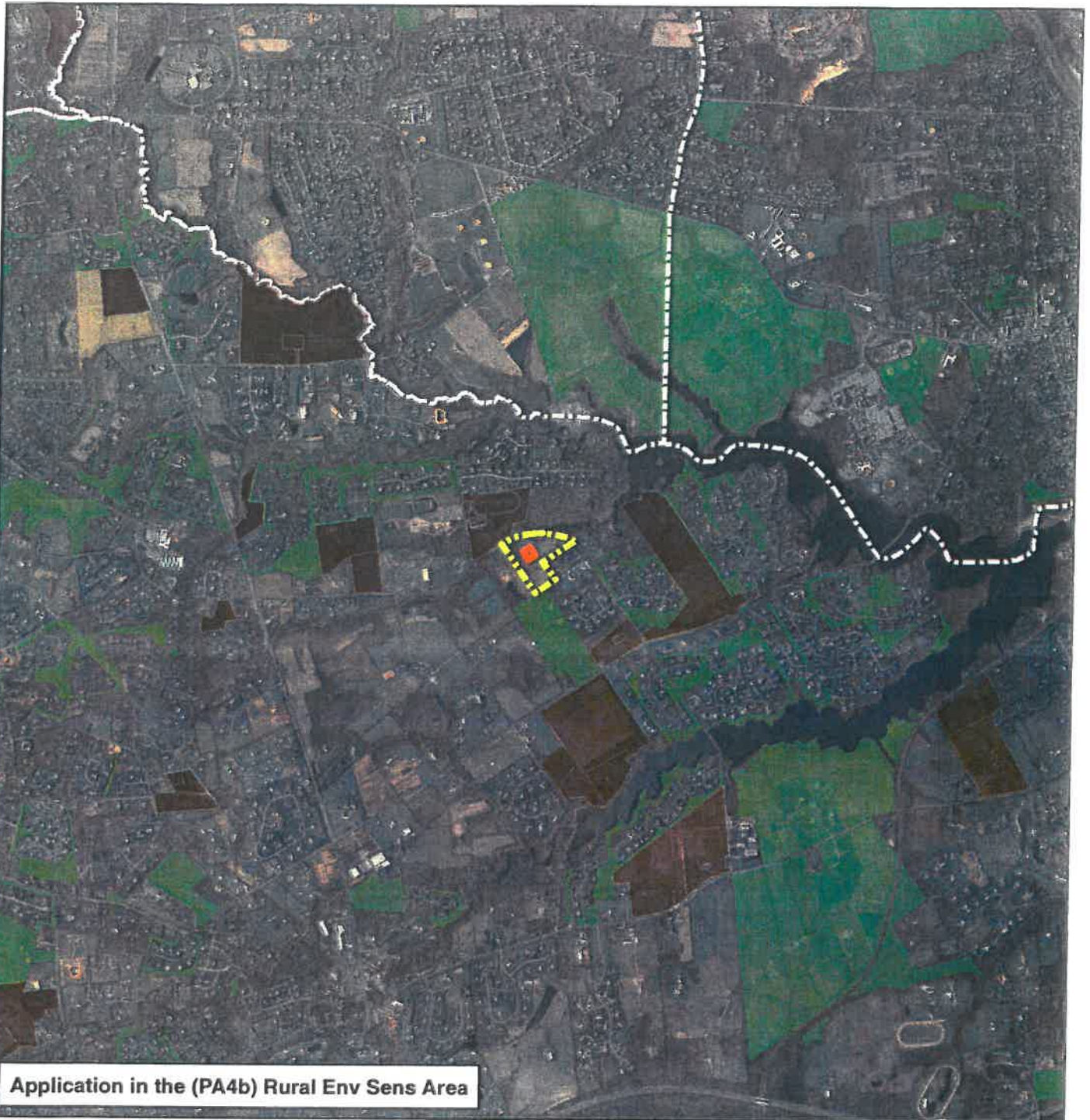
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Preserved Farms and Active Applications Within Two Miles

X:\counties\monco\projects\Mosley, George and Lillian 2mile.mxd



Application in the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mosley, George and Lillian
 Block 20 Lots P/O 2.01 (25.9 ac);
 & P/O 2.01-EN (non-severable exception - 1.0 ac)
 Gross Total = 26.9 ac
 Colts Neck Twp., Monmouth County



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



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

Wetlands



X:\counties\monoco\projects\Mosley, George and Lillian fww.mxd

Application in the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mosley, George and Lillian
Block 20 Lots P/O 2.01 (25.9 ac);
& P/O 2.01-EN (non-severable exception - 1.0 ac)
Gross Total = 26.9 ac
Colts Neck Twp., Monmouth County



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

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



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

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.

SADC Municipal Pig Financial Status
Schedule B

Colts Neck Township, Monmouth County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant				
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Fiscal Year 19
							750,000.00	500,000.00	-	-	1,000,000.00
Encumbered	PV	Expended	Balance								
13-0426-PG	Cicalese	15.1330	832,315.00	495,605.75			495,605.75	495,605.75	495,605.75	1,754,394.25	
	Cicalese ancillary								4,794.30	1,749,599.95	
13-0452-PG	Molnar & Jessop (Crystal Brook Training Center)	36.0200	1,188,660.00	713,196.00			735,372.00	713,196.00	713,196.00	1,036,403.95	
	Molnar & Jessop ancillary								5,044.50	1,031,359.45	
13-0470-PG	Mosley, George and Lillian	26.0000	910,000.00	546,000.00			546,000.00			485,359.45	
Closed	2	51.1530	2,020,975.00	1,208,801.75							
Encumbered	1	26.0000	910,000.00	546,000.00							
							Encumber/Expended FY09	-	-	750,000.00	-
							Encumber/Expended FY11	31,369.45	-	468,640.55	-
							Encumber/Expended FY13	-	-	-	-
							Encumber/Expended FY17	-	-	-	-
							Encumber/Expended FY19	514,640.55	-	-	485,359.45
							Total				485,359.45

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Mosley, George & Lillian
13- 0470-PG
PIG EP - Municipal 2007 Rule
26 Acres

Block 20	Lot 2.01	Colts Neck Twp.	Monmouth County	
SOILS:		Other	5% * 0	= .00
		Prime	71% * .15	= 10.65
		Statewide	24% * .1	= 2.40
				SOIL SCORE: 13.05
TILLABLE SOILS:		Cropland Harvested	68% * .15	= 10.20
		Wetlands	8% * 0	= .00
		Woodlands	24% * 0	= .00
				TILLABLE SOILS SCORE: 10.20
FARM USE:		Corn-Cash Grain	7 acres	
		Hay	15 acres	
		Beef Cattle Feedlots	5 acres	
		Hogs	5 acres	
		Poultry & Eggs	50 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st one (1) acres for Future flexibility and existing single family residence
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. Green Light Approval and certification of easement value were conditioned upon Colts Neck Township including this farm in the Township's Comprehensive Farmland Preservation Plan as a targeted farm prior to the SADC granting final approval.

This farm was included in the Township's Comprehensive Farmland Preservation Plan that was submitted to the SADC on October 5, 2017 as part of the Fiscal Year 2019 Municipal Planning Incentive Grant application and approved at the May 24, 2018 SADC meeting.

Therefore, the prior condition requiring the farm to be included in the Township's Comprehensive Farmland Preservation Plan as a targeted farm has been resolved and is no longer a condition.
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises:
Apartment - Attached to garage/shop - ag labor apt. 1 bedroom, 1000 SF

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R4(5)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Upper Pittsgrove Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Seery, Michael & David ("Owners")
Upper Pittsgrove Township, Salem County**

N.J.A.C. 2:76-17A. et seq.
SADC ID#17-0187-PG

April 26, 2019

- WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Upper Pittsgrove Township, Salem County; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Upper Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on July 28, 2017, the SADC received an application for the sale of a development easement from Upper Pittsgrove Township for the subject farm identified as Block 4, Lot 26, Upper Pittsgrove Township, Salem County, totaling approximately 18.5 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Upper Pittsgrove Township's Project Area; and
- WHEREAS, the Property zero (0) exceptions, one (1) single family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in hay production; and
- WHEREAS, the 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 29, 2018, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and
- WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 6, 2018, the SADC certified a development easement value of \$6,100 per acre based on zoning and environmental regulations in place as of the current valuation date August 30, 2018; and

WHEREAS, the Owner accepted the Township's offer of \$6,100 per acre for the development easement for the Property; and

WHEREAS, the Owner is in the process of restoring an approximate 1.48-acre area of the farm which was previously mined and is coordinating with SADC staff and the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) staff to incorporate details of this restoration into a farm conservation plan prior to SADC providing a cost share grant at closing on the easement; and

WHEREAS, this Final Approval is conditioned on the finalizing NRCS farm conservation plan and establishing a mutually agreeable schedule of implementation for the restoration area with the Owner and SADC prior to closing; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 12, 2019, the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,075 per acre, and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 7, 2019, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,075 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 18.5 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$73,075.00	(\$3,950/acre)
Salem County	\$19,887.50	(\$1,075/acre)
<u>Upper Pittsgrove Township</u>	<u>\$19,887.50</u>	<u>(\$1,075/acre)</u>
Total Easement Purchase	\$112,850	(\$6,100/acre)

WHEREAS, Upper Pittsgrove Township is requesting \$3,950 per acre or approximately \$73,075 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 18.5 net easement acres, at a State cost share of \$3,950 per acre, (64.75% of certified easement value and purchase price), for a total grant of approximately \$73,075 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. This Final Approval is conditioned upon obtaining an NRCS farm conservation plan, which includes details on restoring the approximate 1.48 acre previously mined area to a condition able to be utilized for agriculture and establishing a mutually agreeable timeframe for implementation prior to closing.
4. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
5. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

4/26/2019



Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

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FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Seery, Michael and David
 Block 4 Lot 26 (18.5 ac)
 Gross Total = 18.5 ac
 Upper Pittsgrove Twp., Salem County

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



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

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

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Preserved Farms and Active Applications Within Two Miles



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Application within the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Seery, Michael and David
Block 4 Lot 26 (18.5 ac)
Gross Total = 18.5 ac
Upper Pittsgrove Twp., Salem County



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



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

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

SADC Municipal Pig Financial Status Schedule B

Upper Pittsgrove Township, Salem County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant					
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year 09		Fiscal Year 11		Fiscal Year 13	
							Fiscal Year 17		Fiscal Year 19		Fiscal Year 19	
							Encumbered	PV	Expended	Balance		
17-0159-PG	Seery, David J.	54.6840	254,280.60	174,441.96			175,450.00	174,441.96	174,441.96	3,250,000.00		
17-0167-PG	Monroeville Farm LLC (Ambruster)	25.1050	198,329.50	121,759.25			121,250.00	121,759.25	121,759.25	1,298,267.91		
17-0138-PG	Footo, Michael & Carolynn	30.4750	216,372.50	96,438.60	119,933.90	37,651.40	95,266.68	96,438.60	96,438.60	1,176,508.66		
17-0159-PG	Seery ancillary								5,388.75	1,080,070.06		
17-0158-PG	Hackett ancillary								3,936.00	1,074,681.31		
17-0111-PG	Lewis ancillary								3,784.00	1,070,745.31		
17-0108-PG	Schmid ancillary								4,085.00	1,066,961.31		
17-0120-PG	Sottile ancillary								9,987.50	1,062,876.31		
17-0113-PG	Kramme ancillary								5,127.50	1,052,888.81		
17-0167-PG	Monroeville Farm LLC (Ambruster) ancillary								4,292.50	1,047,761.31		
	Bishop Brothers and Footo Ancillary								15,062.00	1,043,468.81		
17-0187-PG	Seery, Michael and David	18.5000	112,850.00	73,075.00			73,075.00			1,028,406.81		
17-0180-PG	Ambruster, L. Scott	25.7500	153,212.50	99,781.25			99,781.25			955,331.81		
17-0181-PG	McCracken, Hilda	42.8200	256,920.00	166,998.00			166,998.00			855,550.56		
17-0193-PG	Kessel, Robert A. Jr.	44.9000	264,910.00	172,865.00			172,865.00			688,552.56		
										515,687.56		
Closed	19	796.7680	4,177,407.55	2,611,730.81	759,469.07	249,741.85						
Encumbered	4	131.9700	787,892.50	512,719.25								
							Encumber/Expended FY09	-	750,000.00	-		
							Encumber/Expended FY11	-	500,000.00	-		
							Encumber/Expended FY13	25,366.55	474,633.45	-		
							Encumber/Expended FY17	3,040.26	496,959.74	-		
							Encumber/Expended FY19	484,312.44	-	-		
							Total			515,687.56		
										515,687.56		

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Seery, Michael & David
17- 0187-PG
PIG EP - Municipal 2007 Rule
19 Acres

Block 4	Lot 26	Upper Pittsgrove Twp. Salem County		
SOILS:		Other	14% * 0	= .00
		Prime	74% * .15	= 11.10
		Unique zero	12% * 0	= .00
				SOIL SCORE: 11.10
TILLABLE SOILS:		Cropland Harvested	57% * .15	= 8.55
		Other	6% * 0	= .00
		Wetlands	18% * 0	= .00
		Woodlands	19% * 0	= .00
				TILLABLE SOILS SCORE: 8.55
FARM USE:		Hay	17 acres	
		Vegetable & Melons	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:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. This Green Light Approval is conditioned upon obtaining an NRCS farm conservation plan which includes details on restoring the approximate 1.48 acre previously mined area to a condition able to be utilized for agriculture and establishing a mutually agreeable timeframe for implementation prior to closing.
 2. The approximate 1.48 acre restoration area was not utilized as tillable acreage and did not receive points for soils in calculating the quality score.
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R4(6)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Upper Pittsgrove Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Ambruster, L. Scott ("Owner")
Upper Pittsgrove Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID#17-080-PG**

April 26, 2019

- WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Upper Pittsgrove Township, Salem County; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Upper Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on December 1, 2016, the SADC received an application for the sale of a development easement from Upper Pittsgrove Township for the subject farm identified as Block 11, Lot 1 & 3, Upper Pittsgrove Township, Salem County, totaling approximately 28.75 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Upper Pittsgrove Township's Project Area; and
- WHEREAS, the Property includes one (1), approximately 3 acre severable exception area for and limited to one existing single family residential unit and to afford future flexibility of uses resulting in approximately 25.75 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception area includes one existing single family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in corn production; and
- WHEREAS, the Owner 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. 2:76-17.9A(b) on March 9, 2017, it was determined that the

application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 26, 2017 the SADC certified a development easement value of \$5,950 per acre based on zoning and environmental regulations in place as of the current valuation date July 11, 2017; and

WHEREAS, the Owner accepted the Township's offer of \$5,950 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on May 8, 2018 the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,537.50 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 23, 2108, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 18, 2018, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,537.50 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 25.75 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$99,781.25	(\$3,875/acre)
Salem County	\$26,715.63	(\$1,037.50/acre)
<u>Upper Pittsgrove Township</u>	<u>\$26,715.62</u>	<u>(\$1,037.50/acre)</u>
Total Easement Purchase	\$153,212.50	(\$5,950/acre)

WHEREAS, Upper Pittsgrove Township is requesting \$3,875 per acre or approximately \$99,781.25 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 25.75 net easement acres, at a State cost share of \$3,875 per acre, (65.13% of certified easement value and purchase price), for a total grant of approximately \$99,781.25 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
4. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
5. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/2019

Date

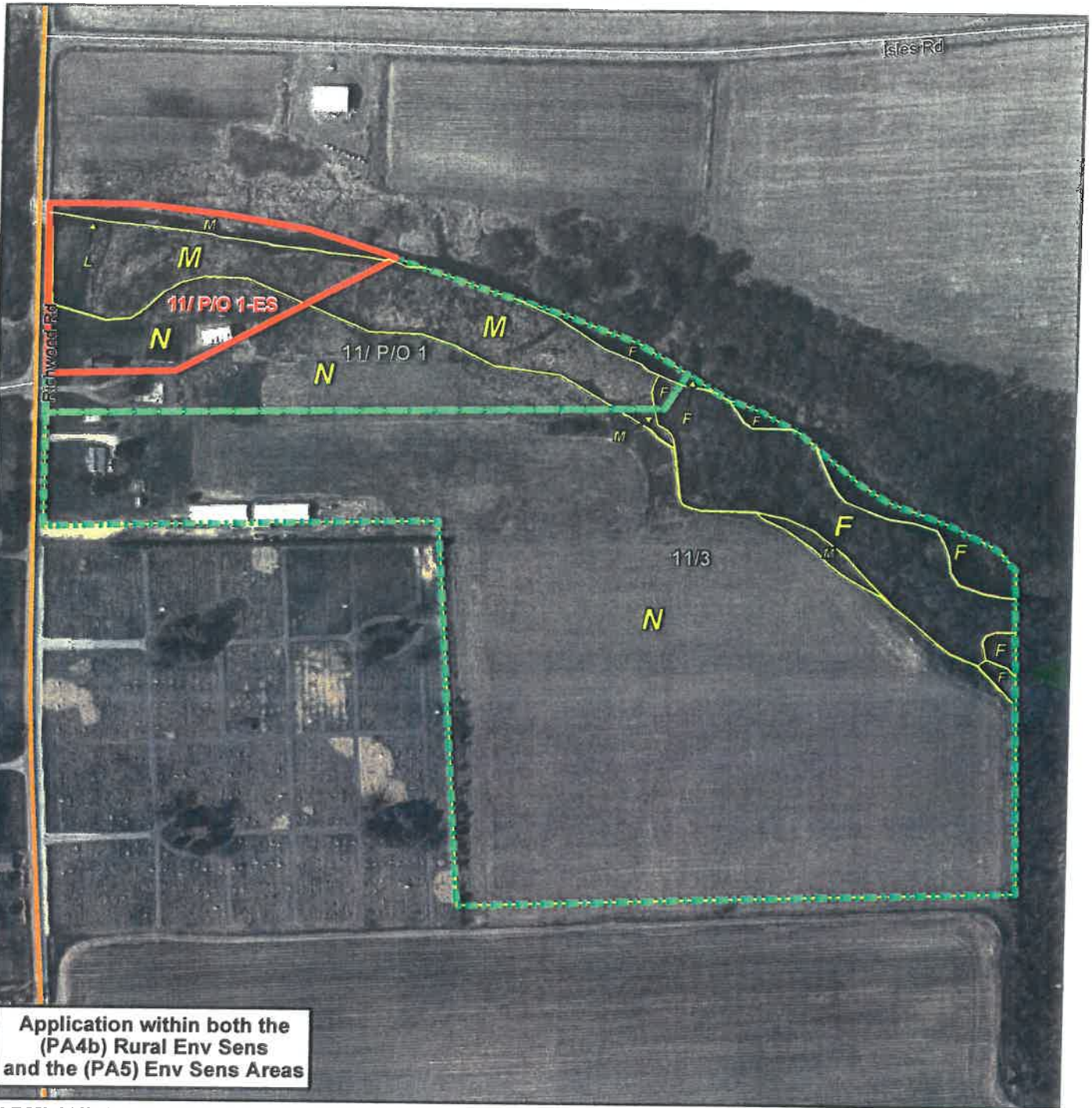


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

<https://sonj.sharepoint.com/sites/AG-SADC/Salem/MPIG/17-0180-PG/ACQ/Final Approvals/Muni PIG FA 2018.docx>



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Application within both the
(PA4b) Rural Env Sens
and the (PA5) Env Sens Areas

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ambruster, L. Scott
Block 11 Lots P/O 1 (4.1 ac);
P/O 1-ES (severable exception - 3.0 ac) & 3 (22.8 ac)
Gross Total = 29.9 ac
Upper Pittsgrove Twp., Salem County



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

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

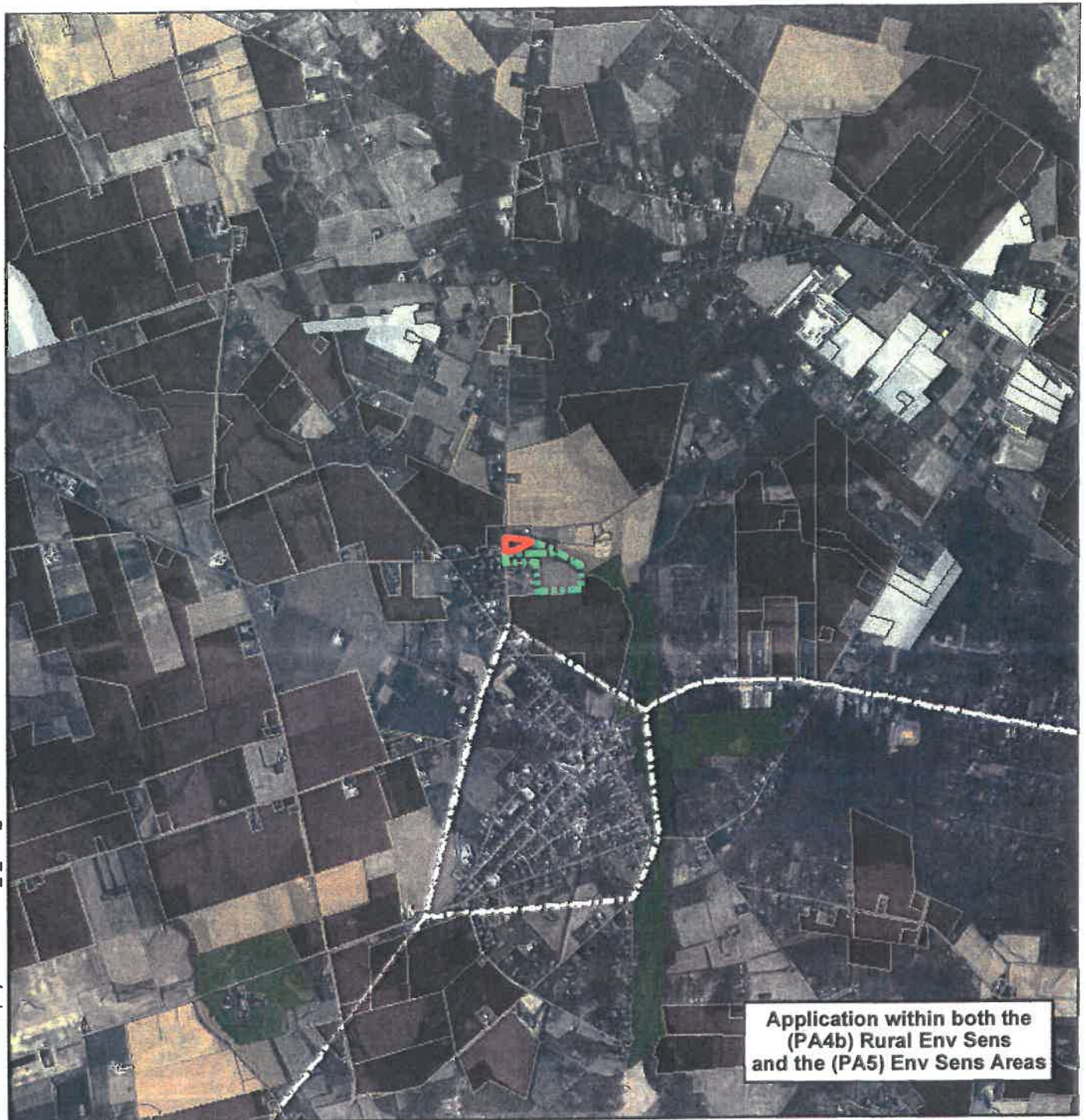


Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

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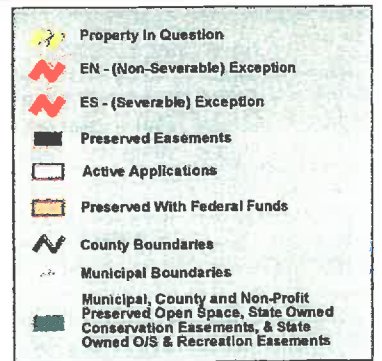
Preserved Farms and Active Applications Within Two Miles

X:\counties\salc\projects\Ambruster_L_Scott_2Mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ambruster, L. Scott
 Block 11 Lots P/O 1 (4.1 ac);
 P/O 1-ES (severable exception - 3.0 ac) & 3 (22.8 ac)
 Gross Total = 29.9 ac
 Upper Pittsgrove Twp., Salem County



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

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

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Ambruster, Scott
17- 0180-PG
PIG EP - Municipal 2007 Rule
50 Acres

Block 11 Lot 3 Upper Pittsgrove Twp. Salem County
Block 11 Lot 1 Upper Pittsgrove Twp. Salem County

SOILS:	Other	1% *	0	=	.00
	Prime	81% *	.15	=	12.15
	Unique zero	18% *	0	=	.00
					SOIL SCORE: 12.15

TILLABLE SOILS:	Cropland Pastured	25% *	.15	=	3.75
	Cropland Harvested	53% *	.15	=	7.95
	Permanent Pasture	22% *	.02	=	.44
					TILLABLE SOILS SCORE: 12.14

FARM USE:	Corn-Cash Grain	15 acres
	Dairy	10 acres

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

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

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY20194R(7)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Upper Pittsgrove Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
McCracken, Hilda ("Owner")
Upper Pittsgrove Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID#17-0181-PG**

April 26, 2019

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Upper Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and

WHEREAS, on December 6, 2017, the SADC received an application for the sale of a development easement from Upper Pittsgrove Township for the subject farm identified as Block 28, Lot 23, Upper Pittsgrove Township, Salem County, totaling approximately 42.82 gross acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property zero (0) exceptions, one (1) single family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

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

WHEREAS, the Owner 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. 2:76-17.9A(b) on May 22, 2017, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on July 26, 2018, the SADC certified a development easement value of \$6,000 per acre based on zoning and environmental regulations in place as of the current valuation date March 13, 2018; and

WHEREAS, the Owner accepted the Township’s offer of \$6,000 per acre for the development easement for the Property; and

WHEREAS, the SADC’s Green Light Approval and certification of easement value were and this Final Approval is conditioned upon amending the Right-to-Farm language in the vesting deed and rescinding the 100 foot ag buffers via a duly recorded instrument prior to closing; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 12, 2019, the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,050 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 7, 2019, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,050 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 42.82 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$166,998	(\$3,900/acre)
Salem County	\$44,961	(\$1,050/acre)
<u>Upper Pittsgrove Township</u>	<u>\$44,961</u>	<u>(\$1,050/acre)</u>
Total Easement Purchase	\$256,920	(\$6,000/acre)

WHEREAS, Upper Pittsgrove Township is requesting \$3,900 per acre or approximately \$166,998 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 42.82 net easement acres, at a State cost share of \$3,900 per acre, (65% of certified easement value and purchase price), for a total grant of approximately \$166,998 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. The SADC's Green Light Approval and certification of easement value were and this Final Approval is conditioned upon amending the Right-to-Farm language in the vesting deed and rescinding the 100 foot ag buffer via a duly recorded instrument prior to closing.
4. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
5. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands

01/26/2017



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Application within the (PA 4) Rural Area

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

McCracken, Hilda
Block 28 Lot 23 (42.43 ac)
Gross Total - 42.43 ac
Upper Pittsgrove Twp. Salem County

- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Highways
- County Roads
- Municipal/Local Roads
- Highlands (or Pinelands) Development Credits
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned OES & 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:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJ Pinelands Commission PDC Data
NJ Highlands Council Data
NJOT&GIS 2012 Digital Aerial Image

Date: 1/30/2017

Preserved Farms and Active Applications Within Two Miles

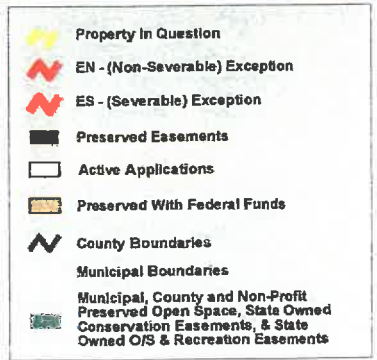


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Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McCracken, Hilda
Block28 Lot 23 (42.43 ac)
Gross Total - 42.43 ac
Upper Pittsgrove Twp. Salem County



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

SADC Municipal Pig Financial Status Schedule B

Upper Pittsgrove Township, Salem County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant			
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year			Balance
							09	11	13	
							Encumbered	PV	Expended	
17-0159-PG	Seery, David J.	54.6840	254,280.60	174,441.96			175,450.00	174,441.96	174,441.96	3,250,000.00
17-0167-PG	Monroeville Farm LLC (Ambruster)	25.1050	198,329.50	121,759.25			121,250.00	121,759.25	121,759.25	1,298,267.91
17-0138-PG	Foote, Michael & Carolynn	30.4750	216,372.50	96,438.60	119,933.90	37,651.40	95,266.68	96,438.60	96,438.60	1,176,508.66
17-0159-PG	Seery ancillary								96,438.60	1,080,070.06
17-0158-PG	Hackett ancillary								5,388.75	1,074,681.31
17-0111-PG	Lewis ancillary								3,936.00	1,070,745.31
17-0108-PG	Schmid ancillary								3,784.00	1,066,961.31
17-0120-PG	Sottile ancillary								4,085.00	1,062,876.31
17-0113-PG	Kramme ancillary								9,987.50	1,052,888.81
17-0167-PG	Monroeville Farm LLC (Ambruster) ancillary								5,127.50	1,047,761.31
	Bishop Brothers and Foote Ancillary								4,292.50	1,043,468.81
17-0187-PG	Seery, Michael and David	18.5000	112,850.00	73,075.00					15,062.00	1,028,406.81
17-0180-PG	Ambruster, L. Scott	25.7500	153,212.50	99,781.25			73,075.00	73,075.00		955,331.81
17-0181-PG	McCracken, Hilda	42.8200	256,920.00	166,998.00			99,781.25	99,781.25		855,550.56
17-0193-PG	Kessel, Robert A. Jr.	44.9000	264,910.00	172,865.00			166,998.00	166,998.00		688,552.56
							172,865.00	172,865.00		515,687.56
Closed	19	796.7680	4,177,407.55	2,611,730.81	759,469.07	249,741.85				
Encumbered	4	131.9700	787,892.50	512,719.25						
							Encumber/Expended FY09	-	750,000.00	-
							Encumber/Expended FY11	-	500,000.00	-
							Encumber/Expended FY13	25,386.55	-	474,633.45
							Encumber/Expended FY17	3,040.26	-	496,959.74
							Encumber/Expended FY19	484,312.44	-	-
							Total			515,687.56
										515,687.56

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

McCracken, Hilda
17- 0181-PG
PIG EP - Municipal 2007 Rule
42 Acres

Block 28	Lot 23	Upper Pittsgrove Twp. Salem County				
SOILS:		Other	3% *	0	=	.00
		Prime	71% *	.15	=	10.65
		Statewide	26% *	.1	=	2.60
						SOIL SCORE: 13.25
TILLABLE SOILS:		Cropland Harvested	91% *	.15	=	13.65
		Other	1% *	0	=	.00
		Woodlands	8% *	0	=	.00
						TILLABLE SOILS SCORE: 13.65
FARM USE:						

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

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

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R4(8)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Upper Pittsgrove Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Kessel, Robert A. Jr. ("Owner")
Upper Pittsgrove Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID#17-0193-PG**

April 26, 2019

- WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Upper Pittsgrove Township, Salem County; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Upper Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on December 5, 2017, the SADC received an application for the sale of a development easement from Upper Pittsgrove Township for the subject farm identified as Block 7, Lot 16, Upper Pittsgrove Township, Salem County, totaling approximately 46.9 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Upper Pittsgrove Township's Project Area; and
- WHEREAS, the Property includes one (1), approximately 2 acre non-severable exception area for and limited to one existing single family residential unit and to afford future flexibility of uses resulting in approximately 44.9 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception area zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in corn and nursery production; and
- WHEREAS, the Owner 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. 2:76-17.9A(b) on April 4, 2018, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 25, 2018, the SADC certified a development easement value of \$5,900 per acre based on zoning and environmental regulations in place as of the current valuation date August 23, 2018; and

WHEREAS, the Owner accepted the Township's offer of \$5,900 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 12, 2019, the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,025 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 7, 2019, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,025 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 44.9 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$172,865.00	(\$3,850/acre)
Salem County	\$46,022.50	(\$1,025/acre)
Upper Pittsgrove Township	\$46,022.50	(\$1,025/acre)
Total Easement Purchase	\$264,910.00	(\$5,900/acre)

WHEREAS, Upper Pittsgrove Township is requesting \$3,850 per acre or approximately \$172,865 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.

2. The SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 44.9 net easement acres, at a State cost share of \$3,850 per acre, (65.25% of certified easement value and purchase price), for a total grant of approximately \$172,865 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
4. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
5. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019

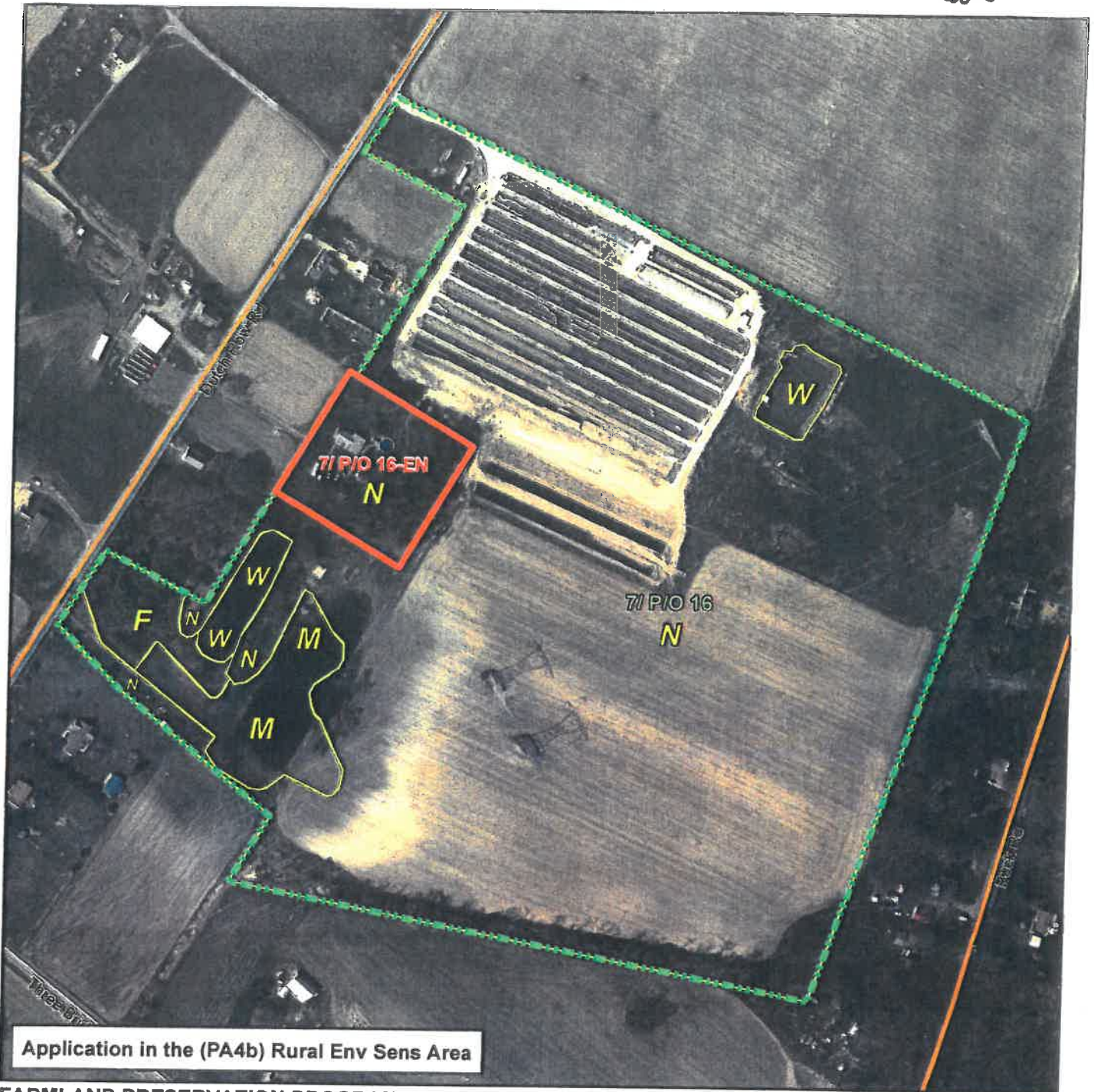
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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



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Application in the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kessel, Robert A., Jr.
Block 7 Lots P/O 16 (44.9 ac)
& P/O 16-EN (non-severable exception - 2.0 ac)
Gross Total = 46.9 ac
Upper Pittsgrove Twp., Salem County



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

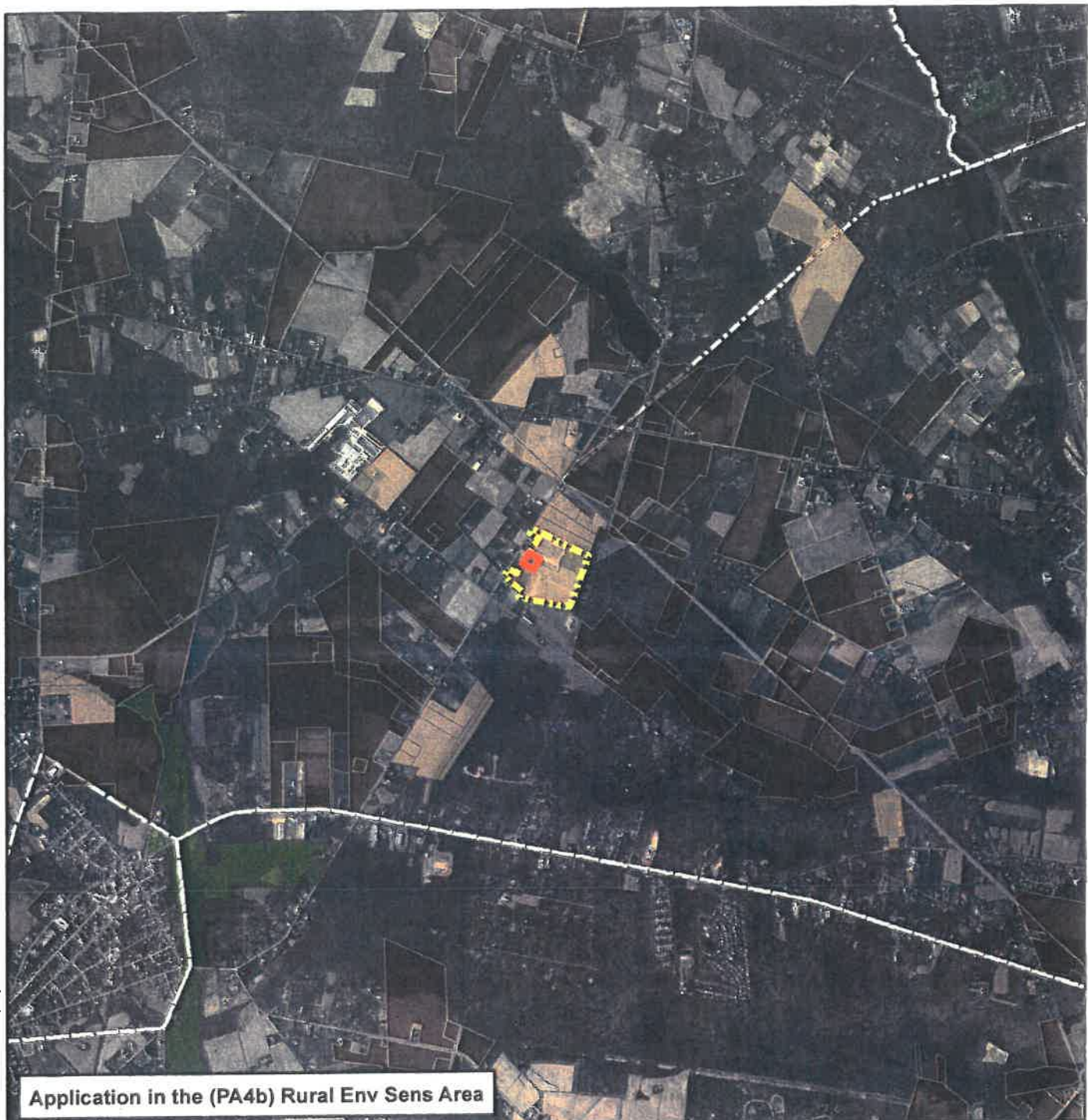
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodesic accuracy and precision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

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



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

Preserved Farms and Active Applications Within Two Miles



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Application in the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kessel, Robert A., Jr.
Block 7 Lots P/O 16 (44.9 ac)
& P/O 16-EN (non-severable exception - 2.0 ac)
Gross Total = 46.9 ac
Upper Pittsgrove Twp., Salem County



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

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

SADC Municipal Pig Financial Status Schedule B

Upper Pittsgrove Township, Salem County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant				
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Fiscal Year 19
							750,000.00	500,000.00	500,000.00	500,000.00	1,000,000.00
							Encumbered	PV	Expended	Balance	
17-0159-PG	Seery, David J.	54.6840	254,280.60	174,441.96			175,450.00	174,441.96	174,441.96	3,250,000.00	
17-0167-PG	Monroeville Farm LLC (Ambruster)	25.1050	198,329.50	121,759.25			121,250.00	121,759.25	121,759.25	1,298,267.91	
17-0138-PG	Foote, Michael &Carolynn	30.4750	216,372.50	96,438.60	119,933.90	37,651.40	95,266.68	96,438.60	96,438.60	1,176,508.66	
17-0159-PG	Seery ancillary								96,438.60	1,080,070.06	
17-0158-PG	Hackett ancillary								5,388.75	1,074,681.31	
17-0111-PG	Lewis ancillary								3,936.00	1,070,745.31	
17-0108-PG	Schmid ancillary								3,784.00	1,066,961.31	
17-0120-PG	Sottile ancillary								4,085.00	1,062,876.31	
17-0113-PG	Kramme ancillary								9,987.50	1,052,888.81	
17-0167-PG	Monroeville Farm LLC (Ambruster) ancillary								5,127.50	1,047,761.31	
	Bishop Brothers and Foote Ancillary								4,292.50	1,043,468.81	
17-0187-PG	Seery, Michael and David	18.5000	112,850.00	73,075.00					15,062.00	1,028,406.81	
17-0180-PG	Ambruster, L. Scott	25.7500	153,212.50	99,781.25			73,075.00			955,331.81	
17-0181-PG	McCracken, Hilda	42.8200	256,920.00	166,998.00			99,781.25			855,550.56	
17-0193-PG	Kessel, Robert A. Jr.	44.9000	264,910.00	172,865.00			166,998.00			688,552.56	
							172,865.00			515,687.56	
Closed	19	796.7680	4,177,407.55	2,611,730.81	759,469.07	249,741.85					
Encumbered	4	131.9700	787,892.50	512,719.25							
							Encumber/Expended FY09	-	750,000.00	-	
							Encumber/Expended FY11	-	500,000.00	-	
							Encumber/Expended FY13	25,366.55	-	474,633.45	
							Encumber/Expended FY17	3,040.26	-	496,959.74	
							Encumber/Expended FY19	484,312.44	-	-	
							Total			515,687.56	
										515,687.56	

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Kessel, Robert A. Jr.
17- 0193-PG
PIG EP - Municipal 2007 Rule
45 Acres

Block 7	Lot 16	Upper Pittsgrove Twp. Salem County			
SOILS:		Other	6% *	0	= .00
		Prime	40% *	.15	= 6.00
		Statewide	54% *	.1	= 5.40
					SOIL SCORE: 11.40
TILLABLE SOILS:		Cropland Harvested	86% *	.15	= 12.90
		Other	2% *	0	= .00
		Wetlands	2% *	0	= .00
		Woodlands	10% *	0	= .00
					TILLABLE SOILS SCORE: 12.90
FARM USE:	Corn-Cash Grain	25 acres			

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

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

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R4(9)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Pittsgrove Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Rodriquez, Joanne L. ("Owner")
Pittsgrove Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID#17-0200-PG**

April 26, 2019

- WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Pittsgrove Township, Salem County; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on April 19, 2018, the SADC received an application for the sale of a development easement from Pittsgrove Township for the subject farm identified as Block 801, Lot 40.03, Pittsgrove Township, Salem County, totaling approximately 43.32 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Pittsgrove Township's North Project Area; and
- WHEREAS, the Property includes one (1), approximately 3 acre non-severable exception area for and limited to one future single family residential unit and to afford future flexibility of uses resulting in approximately 40.32 net acres to be preserved; and
- WHEREAS, the Landowner and County have identified the location a future driveway to the exception area and are relieved from the approval process required in SADC Policy P-41 so long as the driveway is constructed in the location set forth on Schedule A; and
- WHEREAS, the portion of the Property outside the exception area, includes zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in corn production; and
- WHEREAS, the Owner 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. 2:76-17.9A(b) on July 3, 2018, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 24, 2019, the SADC certified a development easement value of \$5,600 per acre based on zoning and environmental regulations in place as of the current valuation date September 28, 2018; and

WHEREAS, the Owner accepted the Township's offer of \$5,600 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 27, 2019, the Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$950 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 20, 2019, the County of Salem passed a resolution granting final approval and a commitment of funding for \$950 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 40.32 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$149,184	(\$3,700/acre)
Salem County	\$38,304	(\$950/acre)
<u>Pittsgrove Township</u>	<u>\$38,304</u>	<u>(\$950/acre)</u>
Total Easement Purchase	\$225,792.00	(\$5,600/acre)

WHEREAS, Pittsgrove Township is requesting \$3,700 per acre or approximately \$149,184 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 40.32 net easement acres, at a State cost share of \$3,700 per acre, (66.07% of certified easement value and purchase price), for a total grant of approximately \$149,184 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. The Landowner and County have identified the location a future driveway to the exception area and are relieved from the approval process required in SADC Policy P-41 so long as the driveway is constructed in the location set forth on Schedule A.
4. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
5. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019

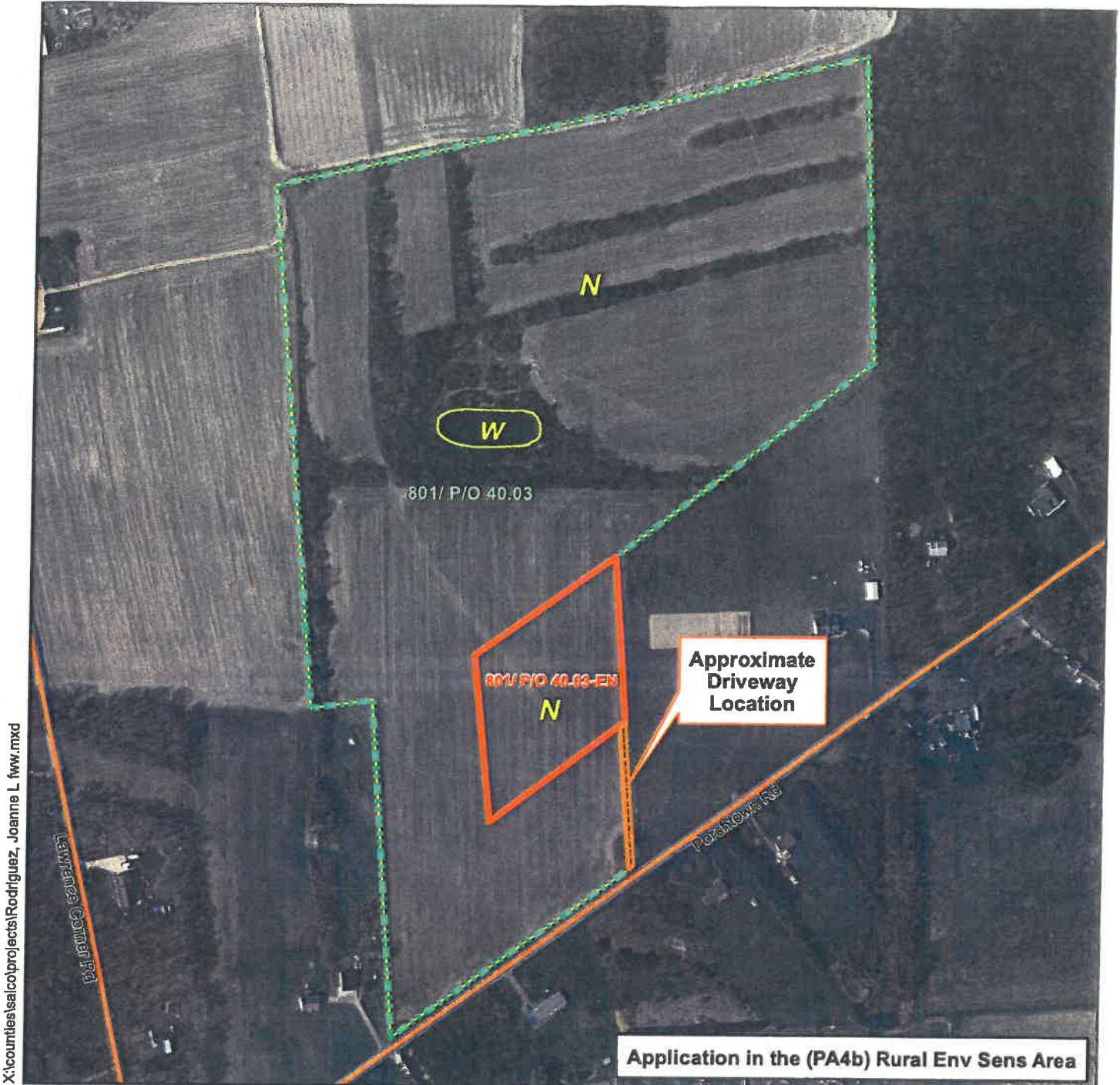
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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



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

Rodriguez, Joanne L
Block 801 Lots P/O 40.03 (39.0 ac); & P/O 40.03-EN (3.0 ac)
Gross Total = 42.0 ac
Pittsgrove Twp., Salem County



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

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



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

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

Preserved Farms and Active Applications Within Two Miles

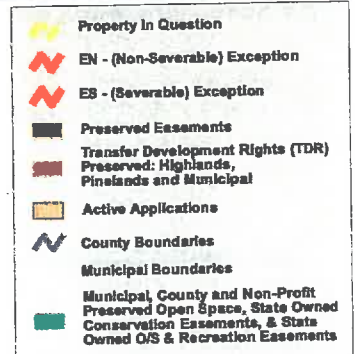
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Application in the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Rodriguez, Joanne L
Block 801 Lots P/O 40.03 (39.0 ac); & P/O 40.03-EN (3.0 ac)
Gross Total = 42.0 ac
Pittsgrove Twp., Salem County



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

June 8, 2018

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

SADC Municipal Pig Financial Status Schedule B

Pittsgrove Township, Salem County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant							
							Fiscal Year 09		Fiscal Year 11		Fiscal Year 13		Fiscal Year 17	
							750,000.00		500,000.00		500,000.00		500,000.00	
						Fiscal Year 19		1,000,000.00						
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance				
17-0107-PG	Walters	19.3300	94,717.00	64,562.20			64,562.20	64,562.20	64,562.20	3,250,000.00				
17-0095-PG	Schmidt	89.9000	638,290.00	400,055.00	360,083.22	241,848.22	400,055.00	158,206.78	158,206.78	2,340,032.66				
17-0139-PG	Kupelian	36.4660	295,374.60	180,506.70			180,506.70	180,506.70	180,506.70	2,181,825.88				
17-0145-PG	Dubois Farm Properties LLC	64.1180	509,738.10	312,575.25			312,575.25	312,575.25	312,575.25	2,001,319.18				
17-0176-PG	CTI Solutions	86.0620	318,429.40	225,482.44			221,390.00	225,482.44	225,482.44	1,688,743.93				
17-0139-PG	Kupelian ancillary								4,437.50	1,463,261.49				
17-0145-PG	Dubois ancillary								4,913.00	1,458,823.99				
17-0176-PG	CTI Solutions ancillary								5,958.50	1,453,910.99				
17-0095-PG	Schmidt ancillary								6,274.25	1,447,952.49				
17-0107-PG	Walters ancillary								3,750.00	1,441,678.24				
17-0200-PG	Rodriguez, Joanne L.	40.3200	225,792.00	149,184.00			149,184.00			1,437,928.24				
										1,288,744.24				
Closed	11	466.3800	3,179,912.45	1,998,447.37	360,083.22	241,848.22								
Encumbered	1	40.3200	225,792.00	149,184.00										
							Encumber/Expended FY09	-	750,000.00	-				
							Encumber/Expended FY11	-	500,000.00	-				
							Encumber/Expended FY13	-	500,000.00	-				
							Encumber/Expended FY17	-	62,071.76	437,928.24				
							Encumber/Expended FY19	149,184.00	-	850,816.00				
							Total			1,288,744.24				

State Agriculture Development Committee
 SADC Final Review: Development Easement Purchase

Rodriguez, Joanne L.
 17- 0200-PG
 PIG EP - Municipal 2007 Rule
 39 Acres

Block 801	Lot 40.03	Pittsgrove Twp.	Salem County		
SOILS:		Prime	100% * .15	=	15.00
				SOIL SCORE:	15.00
TILLABLE SOILS:		Cropland Harvested	85% * .15	=	12.75
		Other	1% * 0	=	.00
		Woodlands	14% * 0	=	.00
				TILLABLE SOILS SCORE:	12.75
FARM USE:	Corn-Cash Grain		33 acres		

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

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

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R4(10)

Final Review and Approval
SADC Easement Purchase

On the Property of
Grande, Antonio and Clara ("Owners")

April 26, 2019

Subject Property: **Grande, Antonio and Clara ("Owners")**
Block 44, Lots 4 & 5
Frankford Township, Sussex County
SADC ID#: 19-0020-DE
Approximately 160 Net Easement Acres

WHEREAS, on June 12 2018, the State Agriculture Development Committee ("SADC") received a development easement sale application from Antonio and Clara Grande, hereinafter "Owners," identified as Block 44, Lots 4 & 5, Frankford Township, Sussex County, hereinafter "the Property," totaling approximately 169 gross 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, the Property includes two (2) exception areas: approximately one (1) acre non-severable exception area for one (1) future single family residential unit and approximately eight (8) acre severable exception for one (1) existing single family residential unit and to afford future flexibility of uses resulting in approximately 160 net acres to be preserved; and

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

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 27, 2017, which

categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Sussex County (minimum acreage of 51 and minimum quality score of 52) because it is approximately 160 net easement acres and has a quality score of 56.74; 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. 2:76-17.11, on March 28, 2019 the SADC certified a development easement value of \$4,300 per acre based on zoning and environmental regulations in place as of the current valuation date of January 23, 2019 and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$4,300 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:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$4,300 per acre for a total of approximately \$688,000 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
5. 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.

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

April 26, 2019



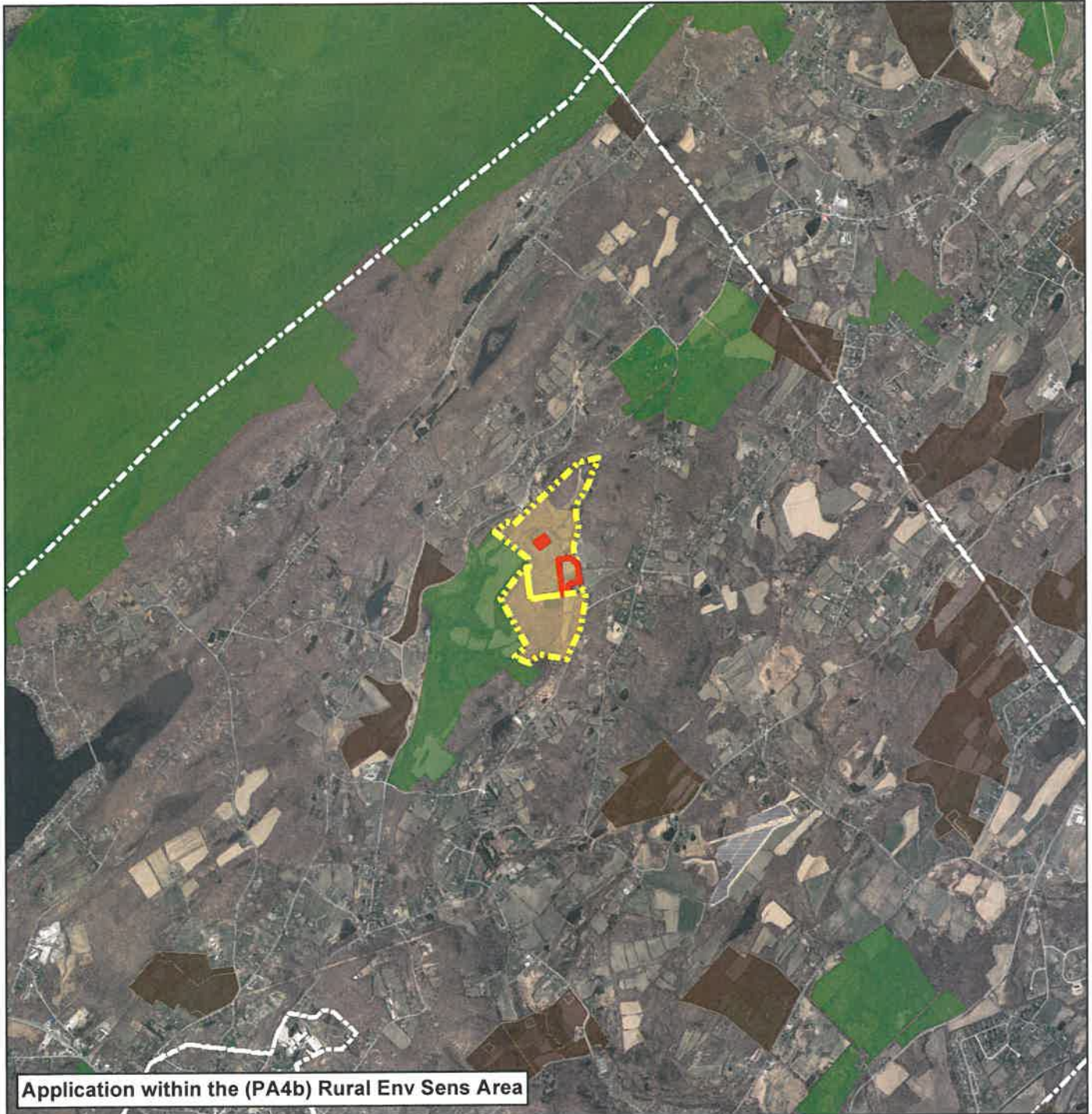
Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Preserved Farms and Active Applications Within Two Miles



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Application within the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Grande, Antonio & Clara
 Block 44 Lots P/O 4 (91.01 ac); P/O 4-ES (severable exception - 8.01 ac);
 P/O 4-EN (non-severable exception - 1.01 ac) & 5 (68.86 ac)
 Gross Total = 168.89 ac
 Frankford Twp., Sussex County



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



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

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Grande, Antonio and Clara
Easement Purchase - SADC
160 Acres

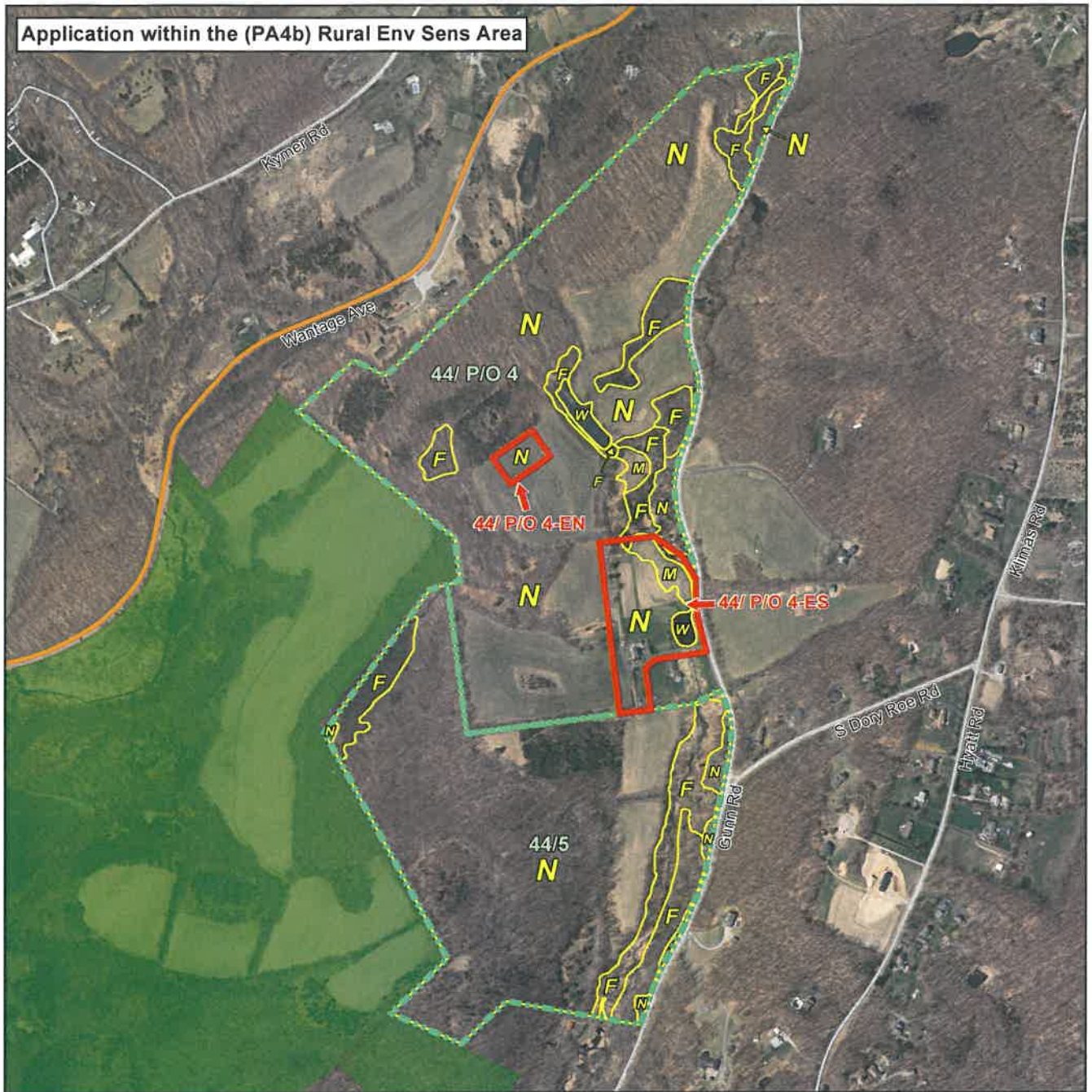
Block 44	Lot 4	Frankford Twp.	Sussex County		
Block 44	Lot 5	Frankford Twp.	Sussex County		
SOILS:		Other	63% * 0	=	.00
		Prime	37% * .15	=	5.55
				SOIL SCORE:	5.55
TILLABLE SOILS:		Cropland Harvested	25% * .15	=	3.75
		Other	4% * 0	=	.00
		Wetlands	13% * 0	=	.00
		Woodlands	58% * 0	=	.00
				TILLABLE SOILS SCORE:	3.75
FARM USE:		Corn-Cash Grain	12 acres		
		Hay	38 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 dwelling
Exception is not to be severable from Premises
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - 2nd eight (8) acres for Existing Family residence and flexibility of use
Exception is severable
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: 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.

Wetlands

Application within the (PA4b) Rural Env Sens Area



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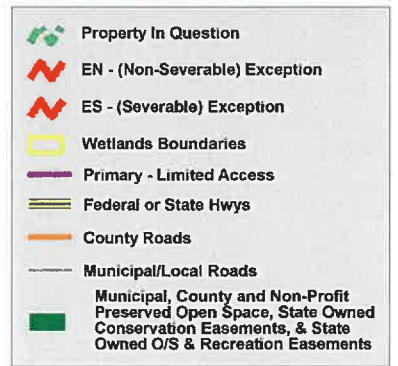
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Grande, Antonio & Clara
Block 44 Lots P/O 4 (91.01 ac); P/O 4-ES (severable exception - 8.01 ac);
P/O 4-EN (non-severable exception - 1.01 ac) & 5 (68.86 ac)
Gross Total = 168.89 ac
Frankford Twp., Sussex County



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

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



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

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R4(11)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

PAUL AND BARBARA SHINN, D/B/A “TOYLAND FARMS”, AGENT FOR HEAVEN SENT FARM, LLC.

APRIL 26, 2019

WHEREAS, PAUL AND BARBARA SHINN, D/B/A “TOYLAND FARMS”, hereinafter “Applicant”, are the agent for HEAVEN SENT FARM, LLC, SADC ID# 03-0036-EP, the current record owner of Block 1002 and 1401, Lots 4.01 and 23, in Springfield Township, Burlington County, hereinafter referred to as the “Premises”, by deed dated April 19, 2016 and recorded in the Burlington County Clerk’s Office in Deed Book 13221, Page 7577; and

WHEREAS, the Premises totals approximately 106.598 acres, as shown in Schedule “A”; and

WHEREAS, a development easement on the Premises was conveyed to Burlington County by the prior owners, Arthur and Dolores Lamberg, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated May 9, 1990, and recorded in the Burlington County Clerk’s Office in Deed Book 4033, Page 229; and

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

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

WHEREAS, the applicant is eligible for a cost share grant of up to \$40,659.80 expiring May 9, 2022; and

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

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

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Paul and Barbara Shinn, d/b/a "Toyland Farms", Agent for Heaven Sent Farm, LLC.	03-0036-EP-01	\$3,355.46	2:90-2.17 Permanent Open Drainage System

PROJECT DESCRIPTION:

Install or maintain a permanent open drainage system by removing 1207 cubic yards of material from a drainage ditch and incorporating the spoils into adjacent cropland.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division

of the Superior Court of New Jersey.

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

April 26, 2019



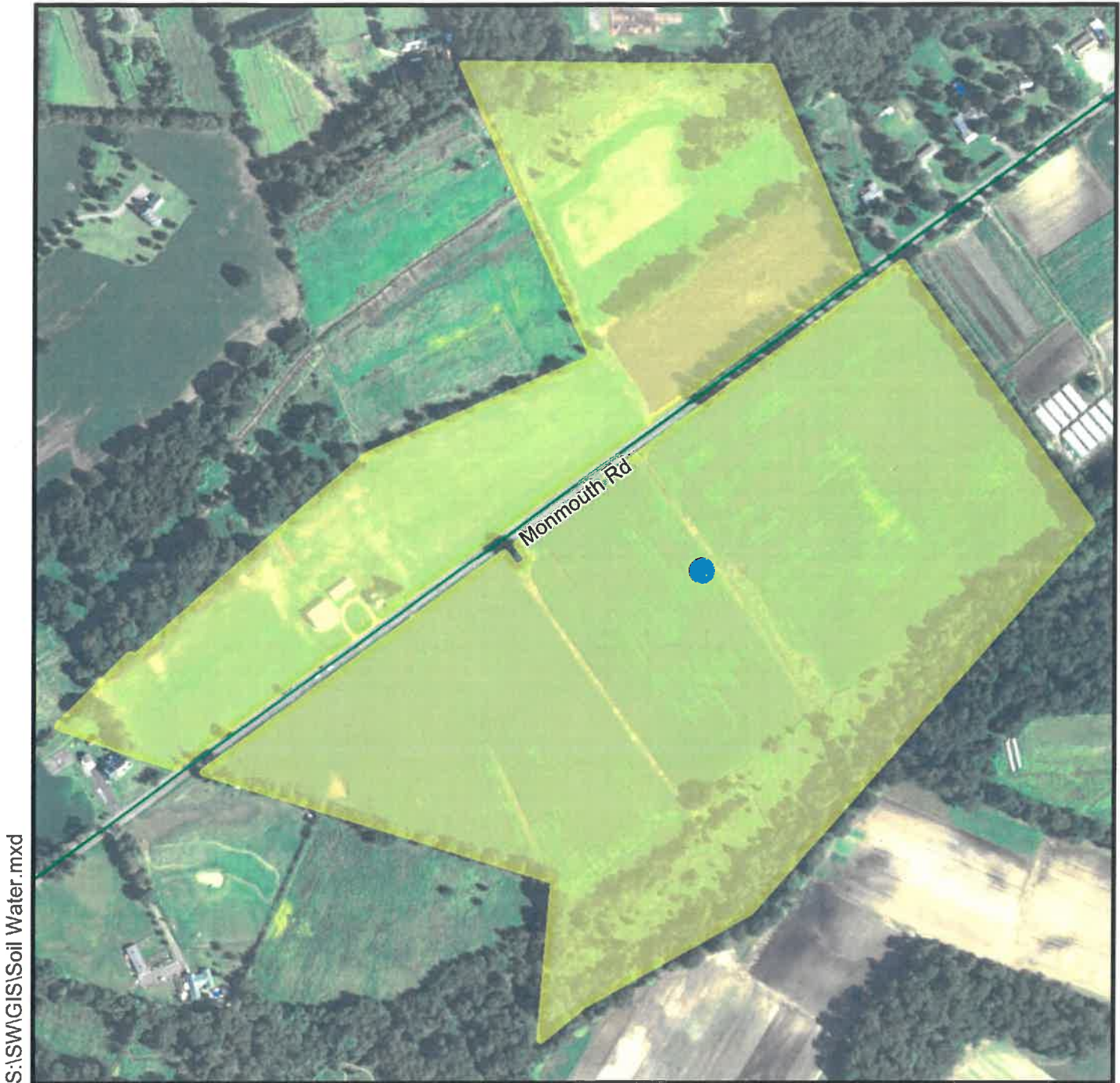
Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A - Soil and Water Cost Share Grant



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee


Applicant: Paul and Barbara Shinn, d/b/a "Toyland Farms"
Owner: Heaven Sent Farm, LLC.
Application Number: 03-0036-EP-01
County: Burlington
Municipality: Springfield



4/10/2019

Legend

Practices

 2:90-2.17

 SW_Premises

Image: NJ 2017 Natural Color

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R4(12)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

KEITH GENNELLO AND JESSICA RICE

APRIL 26, 2019

WHEREAS, KEITH GENNELLO AND JESSICA RICE, hereinafter "Applicant", SADC ID# 03-0392-PG, are the current record owners of Block 1602, Lot 9, in Southampton Township, Burlington County, hereinafter referred to as the "Premises", by deed dated January 31, 2018 and recorded in the Burlington County Clerk's Office in Deed Book 13321, Page 3210; and

WHEREAS, the Premises totals approximately 128.603 acres, as shown in Schedule "A"; and

WHEREAS, a development easement on the Premises was conveyed to Burlington County by the prior owner, ALLOWAY FAMILY LIMITED PARTNERSHIP, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated December 11, 2014, and recorded in the Ocean County Clerk's Office in Deed Book 13155, Page 999; and

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

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

WHEREAS, the applicant is eligible for a cost share grant of up to \$42,860.30 expiring December 11, 2022; and

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

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

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Keith Gennello and Jessica Rice	03-0392-PG-01	\$6,127.54	2:90-2.15 Irrigation System

PROJECT DESCRIPTION:

Install an 8" or greater water well and a 3-10 hp electric powered pump.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019



Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

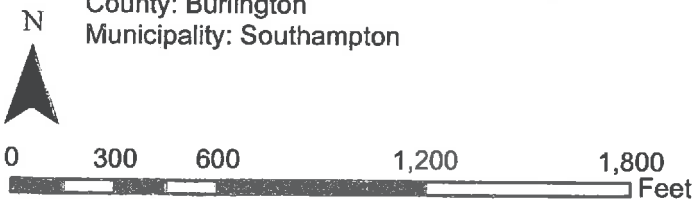
Schedule A - Soil and Water Cost Share Grant

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee


Applicant: Keith Gennello and Jessica Rice
Owner: Keith Gennello and Jessica Rice
Application Number: 03-0392-EP-01
County: Burlington
Municipality: Southampton



Legend

 SW_Premises

Practices

 2:90-2.15

4/10/2019

Image: NJ 2017 Natural Color

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R4(13)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

BRIAN PEARSON

APRIL 26, 2019

WHEREAS, BRIAN PEARSON, hereinafter “Applicant” and HEATHER PEARSON, SADC ID# 03-0391-PG, are the current record owners of Block 1601, Lots 10 & 10.03, in Southampton Township, Burlington County, hereinafter referred to as the “Premises”, by deed dated October 19, 2017 and recorded in the Burlington County Clerk’s Office in Deed Book 13304, Page 7972; and

WHEREAS, the Premises totals approximately 65.661 acres, as shown in Schedule “A”; and

WHEREAS, a development easement on the Premises was conveyed to Burlington County by the prior owner, ALLOWAY FAMILY LIMITED PARTNERSHIP, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated December 11, 2014, and recorded in the Burlington County Clerk’s Office in Deed Book 13155, Page 1019; and

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

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

WHEREAS, the applicant is eligible for a cost share grant of up to \$33,132.20 expiring December 11, 2022; and

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

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

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Brian Pearson	03-0391-PG-01	\$6,876.05	2:90-2.13 Land Shaping or Grading 2:90-2.17 Permanent Open Drainage System

PROJECT DESCRIPTION:

Install or maintain a permanent open drainage system by removing 2893 cubic yards of material from a drainage ditch and conduct land smoothing on 55 acres to remove surface irregularities that interfere with the implementation of conservation practices.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.

5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

April 26, 2019

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A - Soil and Water Cost Share Grant



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Brian Pearson
Owner: Brian and Heather Pearson
Application Number: 03-0391-PG-01
County: Burlington
Municipality: Southampton



4/10/2019

Legend

Practices

-  2:90-2.17
-  2:90-2.13

 SW_Premises

Image: NJ 2017 Natural Color