

STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC)

REGULAR MEETING

**REMOTE MEETING DUE TO CORONAVIRUS
EMERGENCY**

December 3, 2020

Chairman Fisher called the meeting to order at 9:04 am.

Mr. Everett read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

Mr. Everett advised that anyone wishing to make a public comment at this meeting should email their comments to SADC@AG.NJ.GOV. All public comments will be read during the public comment portions of the meeting.

Roll call indicated the following:

Members Present

Chairman Fisher
Renee Jones
Gina Fischetti
Brian Schilling
Roger Kumpel
Ralph Siegel
Scott Ellis
Denis Germano
Pete Johnson
Richard Norz
James Waltman

Jeffrey Everett, Deputy Executive Director
Jason Stypinski, Esq., Deputy Attorney General

Minutes

A. SADC Regular Meeting of October 22, 2020 (Open Session)

It was moved by Mr. Norz and seconded by Mr. Germano to approve the Open Session minutes of the SADC regular meeting of October 22, 2020. Mr. Waltman abstained. The motion was unanimously approved by the remaining members.

Report of the Chairman

Chairman Fisher commended staff and the committee on its continued efforts during these trying times. He acknowledged there is discussion taking place regarding the draft solar bill and the SADC has stressed the importance of farmland to the legislature.

He also reminded everyone the Department of Agriculture is moving to a new location in the upcoming weeks and it is expected to have some limitations until the move is complete.

Report of the Deputy Executive Director

Mr. Everett introduced and welcomed SADC's new representative from the Governor's Authority Unit, Rudy Rodas, Esquire. He noted that our previous representative, Craig Ambrose, Esquire, had been appointed as a judge to the Superior Court, Family Division.

Mr. Everett reported that the Deed of Easement Subcommittee met on November 24 to review the latest Best Management Practices (BMPs) developed as part of the draft proposed Soil Protection Standards. He stated that this will be the last batch proposed at this time and it is anticipated they will be brought to the full Committee for review in January.

Mr. Everett referred the Committee to the enclosed current litigation spreadsheet and delegation report and noted that the latter includes five Certified Market Value reports.

Communications

Mr. Everett reviewed the packet of articles and encouraged the members to read them, making note of the article on Rappahannock County, Virginia, and the opportunities and challenges that come with urban edge agriculture in the Washington, DC, region, and the comprehensive article on the states that have lost the most farms in the last 100 years.

Public Comment

Two public comments were received and read to the committee:

I have several comments and concerns for SADC. I have been reading about the proposal to open up more farmland to solar development. 800 acres in salem county now another 600 acres in harmony NJ. The lands these are proposed on are all high quality high yielding farmland. The SADC needs to push the state to not allow solar development on high quality farmland. At the prices solar is offering its hard for us to compete to preserve the land. Only low class low, wasteland, superfunds sites

abandoned quarries landfills and rooftops should be used for solar development. Please do something about this.

Also we keep seeing in our news about warehouse developments all over. The warehouses are proposed on high quality flat farmland. We need to preserve the high quality flat farmland and not be preserving low quality land with limited development potential. The SADC needs to do more to counteract the zoning of tons for things like warehouses high density housing the expansion of sewer service area and even allowing affordable housing on farmland. I see the development picking up even more unless we do something more.

The problem is our appraisal system seems to not even be able to get close to what warehouse and solar development are paying as well

*Thanks
Jason Menegus*

Dear Secretary of Agriculture Fischer and SADC Director Payne:

I am writing to follow up on whether you have received feedback from the Attorney General regarding the request that Ralph Siegel, Executive Director, Garden State Preservation Trust, made at the October SADC meeting. Ralph recommended that, because the AG is counsel to the GSPT bond issuer, an outside bond counsel be hired to provide advice on whether the proposed six-acre or eight percent allowance of soil disturbance on farms under 60 acres would violate the federal limitation on private use for properties from tax-exempt bonds.

Thanks very much for any information you can provide.

*Sincerely,
Amy Hansen
Policy Analyst
New Jersey Conservation Foundation*

Old Business

A. OAL Final Decision – M. Ville, LLC v. Monmouth CADB and Millstone Twp

Mr. Smith reviewed the specifics of this Right to Farm case and presented the proposed Final Decision to the committee.

Mr. Germano stated his support of the decision and requested it be revised to emphasize the importance that the landowner and farmer were not operating as a single enterprise as he feels this is precedent setting. He agreed that the landowner and farmer were not operating as a single enterprise and could not recall a past case that addressed this element of Right to Farm eligibility. He also found the testimony, as set forth in the judge's decision, to be inconsistent regarding the value received for the crops and who received compensation for said crops. Mr. Germano also requested that the Final Decision note that the OAL didn't undertake a single enterprise analysis and that the OAL and CADBs should deal with that issue, when necessary, in future cases.

Mr. Kaplan, attorney for M. Ville, LLC, asked the committee to adopt the initial decision based on the testimony and evidence presented at the OAL hearing of the case. He argued

that testimony from credible witnesses is just as reliable as the standard documentation normally required as proof of agricultural production.

Chairman Fisher asked for the revisions to be restated for the committee. Mr. Smith stated the first revision would be to switch paragraphs A. and B. in the Legal Discussion portion of the Final Decision. Statements will also be added regarding the OAL's lack of analysis of the single enterprise component in its initial decision and the SADC's opinion as to its importance in appropriate cases in the future.

It was moved by Mr. Germano and seconded by Mr. Siegel to approve the OAL Final Decision with the requested revisions. The motion was unanimously approved.

B. Giordano Exception Area Relocation – TLCNJ FY21 Nonprofit Program Application Preliminary Approval

Ms. Miller reviewed the Giordano Preliminary Approval originally presented at the September SADC meeting where the members had requested staff to ask if the landowner would reconfigure the exception area so it would take up less active farmland. The committee approved the preliminary approval with the condition if the exception was not moved, it would preserve its right not to grant final approval. TLCNJ requested that the committee review the new location of the exception area so it could move ahead with appraisals.

Ms. Miller provided the committee with a map showing the relocation of the exception area. Mr. Giordano stated the area appears to be the only viable place to erect a home and to maintain a good distance from the electrical utility easement. Mr. Norz stated his concern with using a portion of the field for a residence and possibly making it unfarmable.

Chairman Fisher commended the staff's effort address the committee's concerns and hearing no other objections advised to proceed as staff has recommended.

New Business

A. NRCS – Agricultural Land Easement Program 2018 Farm Bill Deed of Easement Template Modifications

Ms. Reynolds presented deed modifications to the Agricultural Land Easement (ALE) Program 2018 Farm Bill Deed of Easement to the committee and seeks the committee's approval of the deed template. The adoption of the 2018 Farm Bill created changes to the ALE Program which were incorporated into the NRCS minimal deed terms and in turn, required in the ALE deeds. Due to these changes, the SADC had to negotiate modifications to its current ALE deed template the committee previously approved in 2016 under the 2014 Farm Bill.

Ms. Reynolds provided the committee with a document showing the proposed changes SADC staff has agreed to with NRCS and highlighted the significant items for the committee.

The first modification is the addition of references to ALE's purpose and the elimination of the ALE Plan requirement. Under the 2014 Farm Bill, landowners were required to obtain an ALE Plan, which contained land conservation components and practices. The 2018 Farm Bill removed this requirement, but to capture these conservation elements, Congress added the following definition of "ALE purposes": to protect the agricultural use and future viability, and related conservation values, of eligible land by limiting nonagricultural uses of that land that negatively affect the agricultural uses and conservation values. NRCS incorporated references to ALE purposes into its minimum deed terms.

SADC staff had concerns about the vagueness of the language and NRCS and SADC agreed it would be specified that the future agricultural viability is to be protected under the ALE and that the conservation values would be defined as the soil types on the land being preserved.

The next modification is the inclusion of sod farming. The previous ALE deed template prohibited sod farming; however, the SADC has since become aware of an NRCS guidance document stating sod farming may be eligible for the ALE program under certain conditions. Under the new deed template, sod farming would be allowed to continue if the farm was in sod production at the time of preservation and done in accordance with a conservation plan consistent with NRCS standards.

The next significant modification is the elimination of the pre-existing non-agricultural use paragraph. NRCS determined that allowing non-agricultural uses to continue on an ALE-preserved farm must be reviewed on a case-by-case basis and therefore, NRCS stated it was inappropriate to include this provision in the generally applicable template. SADC staff agreed to the removal since NRCS agreed to consider inclusion of non-agricultural uses on a case-by-case basis and due to the infrequency with which the program sees pre-existing non-agricultural uses.

The next modification is the addition of the environmental warranty section. NRCS's minimum deed terms include the following language: Grantor warrants the information disclosed to Grantee and United States regarding any past violations or noncompliance with Environmental Laws and associated remedial actions, or any past releases of Hazardous Materials and any associated remedial actions is complete and accurate.

SADC staff had concerns with the provision as it is overly onerous on the landowner to make that warranty when the Grantor does not have actual knowledge of previous actions and releases and asked for it to be removed or amended to narrow its scope to the current Grantor. The federal government office of general council would not agree to the initially proposed amendments, but did agree to the insertion of the word "Grantor" so it reads the grantor is only responsible for the completeness and accuracy of the information she or he discloses to the grantee and the USA.

Ms. Reynolds also noted the deed template will also include language to allow for building envelope adjustments that was inadvertently removed from the template presented to the committee.

Mr. Johnson asked if a sod farm was preserved under ALE and subsequently sold, would the new farmer be able to continue the sod operation. Mr. Everett and Ms. Reynolds stated they believe it would if it is done in accordance with a conservation plan. However, if a new landowner wanted to convert an ALE-preserved vegetable farm into a sod farm, that would not be allowed. Ms. Reynolds stated there were provisions in the template that would be applicable to either situation.

Mr. Johnson stated it was not clear if the operation would need to be reapproved at the transfer of title or if it would carry over to the new owner. Ms. Reynolds stated she would verify it with NRCS.

Chairman Fisher stated the re-inclusion of sod farming into the ALE Program is great news.

Mr. Germano asked if SADC staff if they thought it was possible for NRCS to agree to put a second option for the non-agricultural uses that contained the language that would be used for the continuation of pre-existing non-agricultural uses and could be transferred to a new owner. Ms. Reynolds stated those discussions have taken place and NRCS is not open to that option.

It was moved by Mr. Germano and seconded by Ms. Fischetti to approve the new modifications to the ALE deed template negotiated with NRCS under the 2018 farm bill. The motion was unanimously approved.

B. Stewardship

House Replacement – Canhouse Properties LLC/Mehaffey Farm Upper Deerfield, Cumberland Co.

Mr. Roohr referred the committee to a request to replace an existing single-family residence on the 160-acre nursery owned and operated by Mr. Mehaffey and his daughter.

The existing house is slightly less than 2000 square feet and the new 2350 square feet residence would consist of 3 bedrooms. The request was approved by the Cumberland CADB at its November 10th meeting. The SADC staff recommendation is to approve the request.

It was moved by Mr. Norz and seconded by Mr. Germano to approve Resolution FY2021R12(1) for the House replacement on Canhouse Properties LLC/Mehaffey Farm. The motion was unanimously approved. A copy of Resolution FY2021R12(1) is attached to and is part of these minutes.

C. Resolutions: Final Approval- County PIG Program

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

It was moved by Mr. Germano and seconded by Ms. Jones to approve Resolution FY2021R12(2) granting approval to the following applications under the County PIG Program, as presented, subject to any conditions of said resolution.

1. Onuschak, Jason and Serridge, Ashley, SADC ID #10-0432-PG, Resolution FY2021R12(2), Block 30, Lot 13, Franklin Twp., Hunterdon Co., 20.1 acres.

The motion was unanimously approved. A copy of Resolution FY2021R12(2) is attached to and a part of these minutes.

D. Resolutions: Final Approval- Municipal PIG Program

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

It was moved by Mr. Kumpel and seconded by Mr. Germano to approve Resolutions FY2021R12(3) through FY2021R12(6) granting approval to the following application under the Municipal PIG Program, as presented, subject to any conditions of said resolution.

1. Thomas, Susan, SADC ID# 10-0434-PG, Resolution FY2021R12(3), Block 21, Lot 13, East Amwell Twp., Hunterdon Co., 34 acres.

2. Doble, Ethel, SADC ID# 17-0226-PG, Resolution FY2021R12(4), Block 13, Lot 5, Pilesgrove Twp., Salem Co., 16.3 acres.

3. Kelley, Thomas F. and Amber L., SADC ID# 17-0218-PG, Resolution FY2021R12(5), Block 40, Lot 12, Mannington Twp., Salem Co., 15.65 acres.

4. Mahalik, Matthew and Eddis, Dawn, SADC ID# 17-0225-PG, Resolution FY2021R12(6), Block 39, Lot 18.01, Mannington Twp., Salem Co., 14.3 acres.

The motion was unanimously approved. A copy of Resolutions FY2021R12(3) through FY2021R12(6) is attached to and a part of these minutes.

It was moved by Ms. Jones and seconded by Mr. Kumpel to approve Resolution FY2021R12(7) granting approval to the following application under the Municipal PIG Program, as presented, subject to any conditions of said resolution.

Ms. Jones inquired about who holds the conservation easement and whether it is listed on the township ROSI. Ms. Miller suggested to amend the final approval to include a condition stating the conservation easement has undefined terms and restrictions and, subject to SADC legal review and approval, this area will either be deemed as a non-severable exception area, or the farmland deed of easement will cover this area, but the acreage within the conservation easement will be deducted from the SADC grant calculation for the easement purchase.

5. Van Mater, III, Pierre D. and Carol A., SADC ID #13-0471-PG, Resolution FY2021R12(7), Block 415, Lots 32.01, 34.01 and 35, Marlboro Twp., Monmouth Co., 28.25 acres.

The motion was unanimously approved. A copy of Resolution FY2021R12(7) is attached to and a part of these minutes.

E. Resolutions: Final Approval- Direct Easement Purchase Program

Ms. Miller referred the committee to five requests for final approval under the Direct Easement Purchase Program. She reviewed the specifics of the requests with the committee and stated that the staff recommendation is to grant final approval.

It was moved by Mr. Sigel and seconded by Mr. Kumpel to approve Resolutions FY2021R12(8) through FY2021R12(12) granting approval to the following application under the Direct Easement Purchase Program, as presented, subject to any conditions of said resolution.

1. Cerbo, Anthony A. III and Joseph R., SADC ID #19-0027-DE, Resolution FY2021R12(8), Block 3202, Lot 24.02, Hampton Twp., Sussex Co., 38.45 acres.

2. Brown, William, SADC ID #19-0025-DE, Resolution FY2021R12(9), Block 18, Lot 9, Vernon Twp., Sussex Co., 116.9 acres.

3. LAM Services, LLC (Lot 1), SADC ID #17-0308-DE, Resolution FY2021R12(10), Block 73, Lots 1 and 3, Pilesgrove Twp., Salem Co., 97.4 acres.

4. LAM Services, LLC (Lot 6), SADC ID #17-0342-DE, Resolution FY2021R12(11), Block 18, Lot 6 and Block 17, Lot 28, Mannington Twp., Salem Co., 106.7 acres.

5. Ayars, Patricia A., SADC ID #17-0353-DE, Resolution FY2021R12(12), Block 11, Lot 16, Alloway Twp., Salem Co., 77.6 acres.

The motion was unanimously approved. A copy of Resolutions FY2021R12(8) through FY2021R12(12) is attached to and a part of these minutes.

F. Resolutions: Preliminary Approval - Direct Easement Purchase Program

Ms. Miller referred the committee to one request for preliminary approval under the Direct Easement Purchase Program. She reviewed the specifics of the requests with the committee and stated that the staff recommendation is to grant preliminary approval.

It was moved by Mr. Sigel and seconded by Mr. Germano to approve Resolution FY2021R12(13) granting preliminary approval to the following application under the Direct Easement Purchase Program, as presented, subject to any conditions of said resolution.

1. Riggs, Donald, SADC ID #21-0078-DE, Resolution FY2021R12(13), Block 51, Lot 1, Franklin Twp., Warren Co., 34 acres.

Mr. Norz voted against the motion. The remaining members voted in favor of the motion. The motion was approved. A copy of Resolution FY2021R10(13) is attached to and a part of these minutes.

Public Comment

There is no public comment.

TIME AND PLACE OF NEXT MEETING

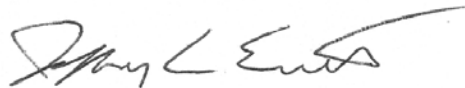
SADC Regular Meeting: 9 A.M., Thursday January 28, 2021

Location: TBA

ADJOURNMENT

The meeting was adjourned at 10:42 a.m.

Respectfully Submitted,



Jeffrey C. Everett, Deputy Executive Director
State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2021R12(1)

Request to Replace a Single-Family Residence

Mehaffey/Canhouse Properties LLC Farm

December 3, 2020

Subject Property:

**Block 301, Lot 18, 19, 20
Upper Deerfield Township, Cumberland County
116.2- Acres
SADC ID# 06-0053-EP**

WHEREAS, Canhouse Properties, LLC, hereinafter "Owner," is the record owner of Block 301, Lots 18, 19, and 20, Upper Deerfield Township, Cumberland County, by deed date March 20, 2015, and recorded the Cumberland County office in Deed Book 4126, Page 7038, totaling approximately 116.2 acres, hereinafter referred to as the "Premises", as shown in Schedule "A"; and

WHEREAS, a development easement on the Original Premises was conveyed to the Cumberland County Agriculture Development Board on April 25, 2002, by Gilmer C. Mehaffey Sr., and Gilmer C. Mehaffey, Jr., pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. as a Deed of Easement recorded in the Cumberland County Clerk's Office on April 29, 2002, in Deed Book 2583, Page 195; and

WHEREAS, Robinson Mehaffey is the principal of Canhouse Properties LLC; and

WHEREAS, the Deed of Easement for the Original Premises identifies one (2) single family residences on the Premises, no agricultural labor units, no Residual Dwelling Site Opportunities, and no exception areas; and

WHEREAS, on October 15, 2020, the SADC received a request from the Owner to replace the existing, 1,900+/- sq. ft. single-family residence on the Premises, located at 86 Tices Lane in Upper Deerfield Township, as shown in Schedule "A"; and

WHEREAS, the Premises currently is in nursery crop production and is being farmed the Owner and his daughter; and

WHEREAS, the existing three-bedroom residence is in a state of disrepair due to structural damage and prolonged lack of maintenance; and

WHEREAS, paragraph 14iii. of the Deed of Easement allows for the replacement of any

existing single-family residential building anywhere on the Premises with the approval of the CCADB and the Committee; and

WHEREAS, the existing residence is a colonial-style, 1,900 sq. ft. residence, built in the early 1900's, and is not listed on the New Jersey or National Register of Historic Places, as shown in Exhibit "A"; and

WHEREAS, SADC staff received confirmation from the CCADB that the existing residence is not included on the County or Local Historic Sites list; and

WHEREAS, the Owner proposes to replace the existing residence with an approximately 2,350 sq. ft., 3-bedroom home, hereinafter referred to as the "Proposed Residence", to be used as a residence for the Owner's daughter and her immediate family; and

WHEREAS, the Proposed Residence will be built in proximity to the exiting residence, and utilize the existing driveway, as shown in Schedule "A"; and

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

WHEREAS, on November 10, 2020, the Cumberland CADB approved the Owner's request to replace a residence on the Premises;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of the existing, deteriorating single-family residence on the Premises with a new residence will have a positive impact on the continued agricultural operations of this farm by the construction of a new residence which shall serve as the primary residence for the Owner's daughter and her immediate family.
3. The Committee approves the construction of a three-bedroom residence, consisting of approximately 2,350 sq. ft. of heated living space to be constructed on the Premises as shown in Schedule "A," to replace the current residence on the Premises.
4. This approval is valid for a period of three years from the date of this resolution.
5. This approval is non-transferable.
6. The construction of the new residence is subject to all applicable local, State and Federal regulations.

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.

12/3/2020
Date



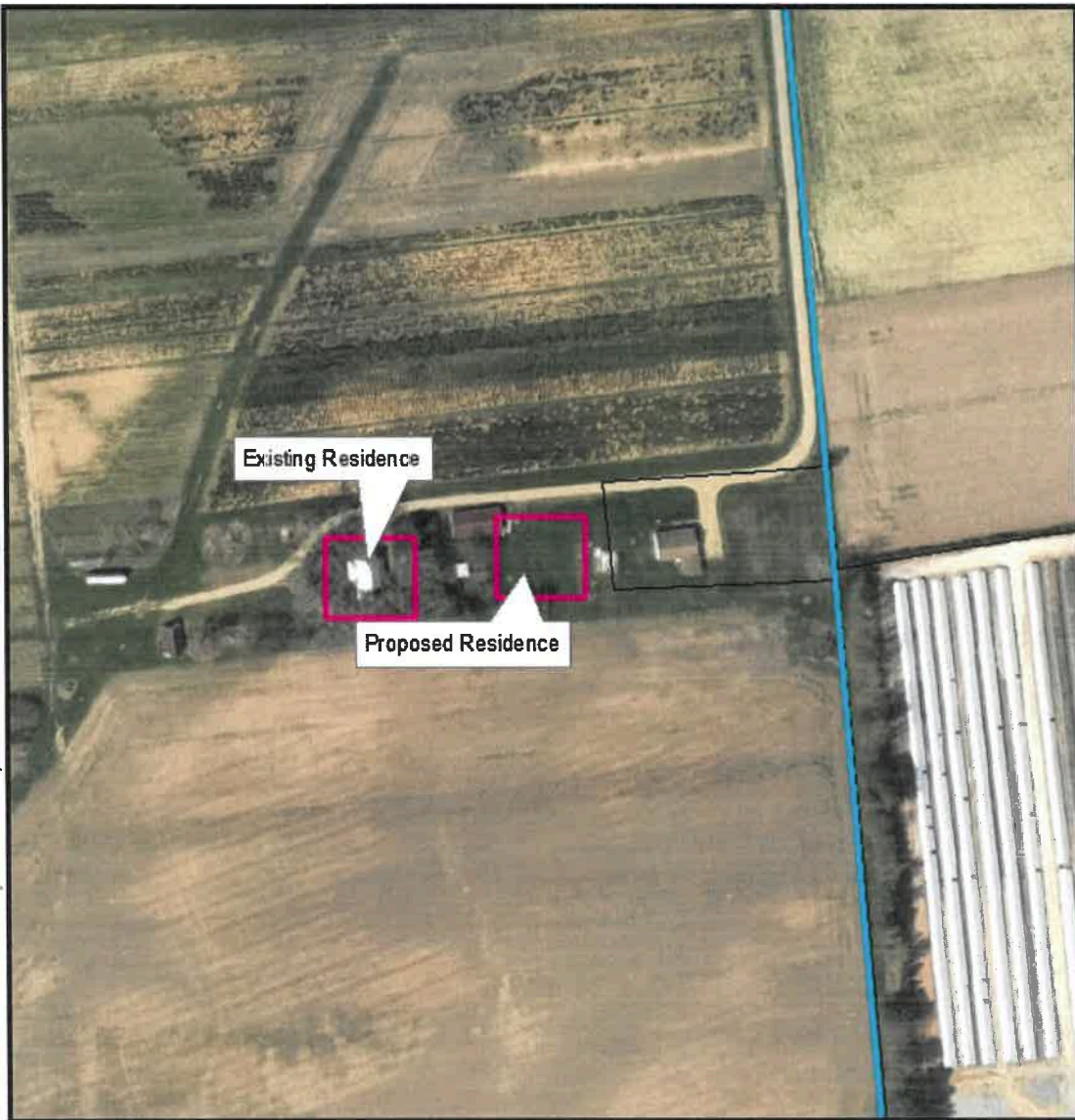
Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

<https://sonj.sharepoint.com/:f:/r/sites/AG-SADC-PROD/Farm%20Documents/06-0053-EP?csf=1&web=1&e=K8YhMJ>

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Canhouse Properties, LLC
 Block 301
 Lot 18, 19, 20
 Upper Deerfield Twp., Cumberland County
 116.2 - Acres



11/2/2020

Farmland Preservation Program	State Planning Areas
PRESERVED EASEMENT	P1 - METRO
EXCEPTION AREA	P1 - SUBURBAN
PRESERVED EASEMENT / NR	P1 - FRINGE
EXCEPTION AREA / NR	P1 - RURAL
FINAL APPROVAL	P1 - RURAL, EMERGING
PRELIMINARY APPROVAL	P1 - EMERGING
ACTIVE APPLICATION	P1 - EMERGING BARRIERS
8 YEAR PRESERVED	P1 - PRESERVED
TARGETED FARM	P1 - RURAL
EXCEPTION AREA TARGETED	NEW JERSEY MEGACORRIDORS
INACTIVE APPLICATION	WATER
INACTIVE/FEDERALLY FUNDED	
NO CORRESPONDING DATA	
PRESERVED/FEDERALLY FUNDED	
	Base Map
	County Boundaries
	Municipal Boundaries
	Highlands Planning Area
	Highlands Preservation Area
	Planning Area
	<small>Quick Access: Planning and Canhouse</small>

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2021R12(2)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
HUNTERDON COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Onuschak, Jason & Serridge, Ashley ("Owners")
SADC ID# 10-0432-PG
Franklin Township, Hunterdon County
N.J.A.C. 2:76-17 et seq.

DECEMBER 3, 2020

WHEREAS, on July 2, 2020 it was determined that the application for the sale of a development easement for the subject farm identified as Block 30, Lot 13, Franklin Township, Hunterdon County, totaling approximately 23.1 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

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

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

WHEREAS, the Property includes one (1), approximately 3-acre non-severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 20.1 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the 3-acre Nonseverable Exception Area:

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

WHEREAS, the Premises includes:

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

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

WHEREAS, the Property has a quality score of 73.52 which exceeds 45, which is 70% of the County's average quality score, as determined by the SADC, at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C 2:76-17.11, On March 5, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$3,100 per acre based on zoning and environmental regulations in place

as of the current valuation date September 2019; and

WHEREAS, pursuant to N.J.A.C 2:76-17.12, the Owner accepted the County's offer of \$3,100 per acre for the purchase of the development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C 2:76-17.13, on September 10, 2020, the Township Committee approved the application for the sale of development easement and a funding commitment of \$420 per acre; and

WHEREAS, pursuant to N.J.A.C 2:76-17.13 on September 10, 2020, the 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 October 6, 2020, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$420 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 20.7 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 20.7 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$46,782	(\$2,260/acre)
Franklin Township	\$ 8,694	(\$ 420/acre)
Hunterdon County	\$ 8,694	(\$ 420/acre)
Total Easement Purchase	\$64,170	(\$3,100/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$64,170 in base grant funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Premises, comprising approximately 20.7 net easement acres, at a State cost share of \$2,260 per acre, (72.9% of certified easement value and purchase price), for a total grant of approximately \$46,782 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).

3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
7. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/3/2020
Date



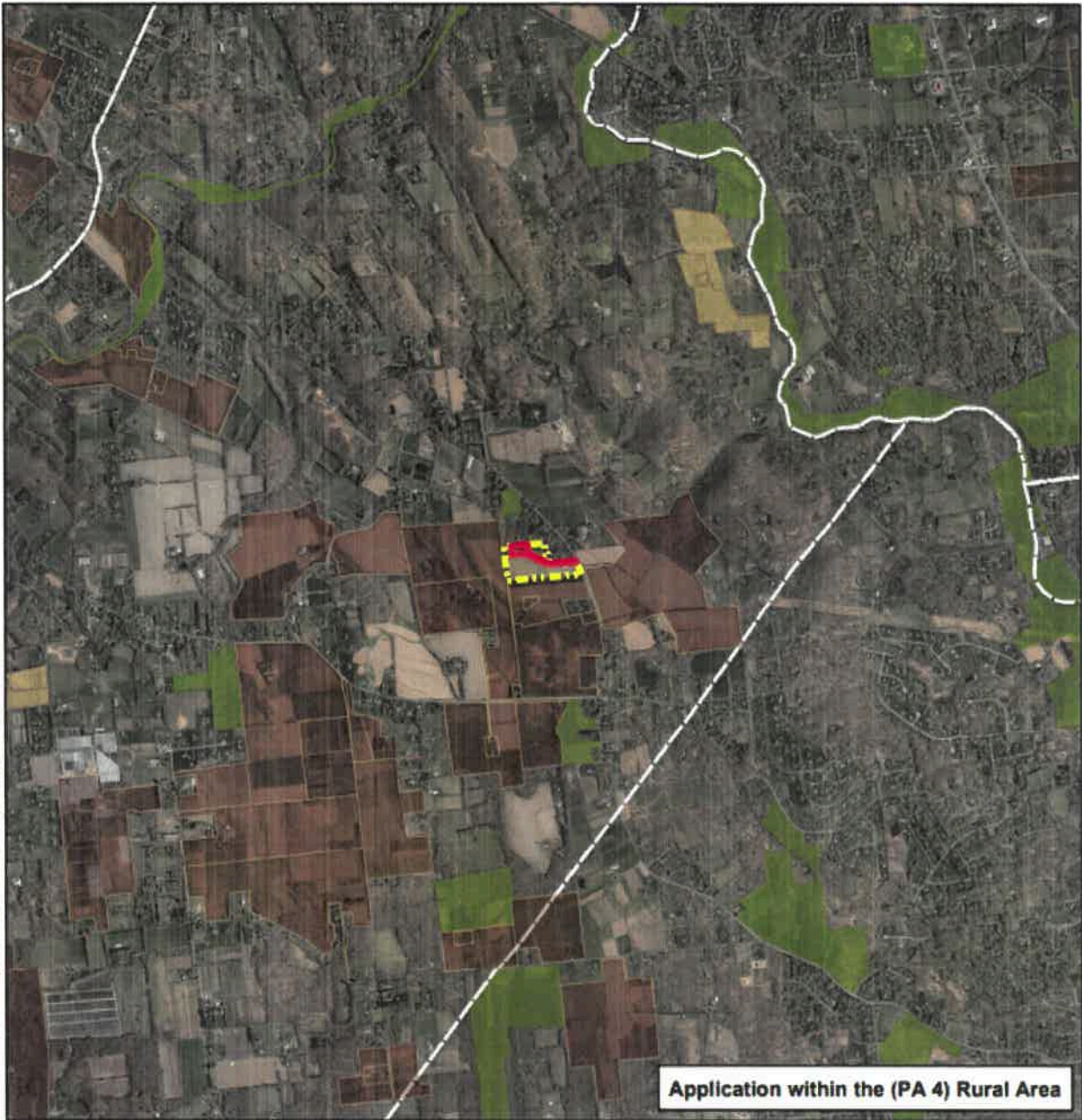
Jeffrey Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles

X:\counties\hunco\projects\Onuschak, Jason & Serridge, Ashley 2mile.mxd



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Onuschak, Jason & Serridge, Ashley
 Block 30 Lots P/O 13 (16.9 & 3.2 ac)
 & P/O 13-EN (non-severable exception - 3.0 ac)
 Gross Total = 23.1 ac
 Franklin Twp., Hunterdon County



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



Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 Protected Areas Database of the United States (PAD-US)
 NJDOT/DIGIS 2016 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

Wetlands

X:\outlets\trunc\project\Chris.dak., Jason & Semidge, Ashley New.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Onuschak, Jason & Semidge, Ashley
Block 30 Lots P/O 13 (16.9 & 3.2 ac)
& P/O 13-EN (non-severable exception - 3.0 ac)
Gross Total = 23.1 ac
Franklin Twp., Hunterdon County



Source:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NAD83 Wetlands Data
NCHS/ASU's 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 feature 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 definitive location of the ground horizontal and/or vertical control as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



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

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
S - 500' Buffer
W - Water

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Onuschak, Jason and Serridge, Ashley
10- 0432-PG
County PIG Program
20 Acres

Block 30	Lot 13	Franklin Twp.	Hunterdon County
SOILS:		Prime	100% * .15 = 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:		Cropland Harvested	97% * .15 = 14.55
		Woodlands	3% * 0 = .00
			TILLABLE SOILS SCORE: 14.55
FARM USE:	Hay		4 acres
	Soybeans-Cash Grain		8 acres
	Wheat-Cash Grain		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 Existing single family residence
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2021R12(3)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
EAST AMWELL TOWNSHIP**

**for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Thomas, Susan ("Owner")
SADC ID# 10-0434-PG
East Amwell Township, Hunterdon County
N.J.A.C. 2:76-17A. et seq.**

DECEMBER 3, 2020

WHEREAS, on June 6, 2020 it was determined that the application for the sale of a development easement for the subject farm identified as Block 21, Lot 13, East Amwell Township, Hunterdon County, totaling approximately 36.4 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the Township has met the Township Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes one (1), approximately 2.5-acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 34 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the 2.5-acre Nonseverable Exception Area:

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

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 28, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$10,500 per acre based on zoning and environmental regulations in place as of the current valuation date October 2019; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the Township's offer of \$10,500 per acre for the purchase of the development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on August 13, 2020, the Township Committee approved the application for the sale of development easement and a funding commitment of \$2,100 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on September 10, 2020, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on October 6, 2020, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$2,100 per acre to cover the local cost share; and

WHEREAS, the Township has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 35.02 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 35.02 acres):

	Total	Per/acre
SADC	\$220,626	(\$6,300/acre)
East Amwell Township	\$ 73,542	(\$2,100/acre)
<u>Hunterdon County</u>	<u>\$ 73,542</u>	<u>(\$2,100/acre)</u>
Total Easement Purchase	\$367,710	(\$10,500/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Township is requesting \$6,300 per acre or approximately \$220,626 in base grant funding which is available at this time (Schedule B); and

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

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

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

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 the Township for the purchase of a development easement on the Premises, comprising approximately 35.02 net easement acres, at a State cost share of \$6,300 per acre, (60% of certified easement value and purchase price), for a total grant of approximately \$220,626 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. If unencumbered base grant funds become available subsequent to this final approval and prior to the Township's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC will be providing its grant directly to Hunterdon 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).
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 Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/3/2020
Date



Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



X:\council\hrc\project\1\Thomas, Susan 2.mxd

Application within the (PA 4) Rural Area

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

Thomas, Susan
Block 21 Lots 13 (33.9 ac)
& P/O 13-EN (non-severable exception - 2.5 ac)
Gross Total = 36.4 ac
East Amwell Twp., Hunterdon County



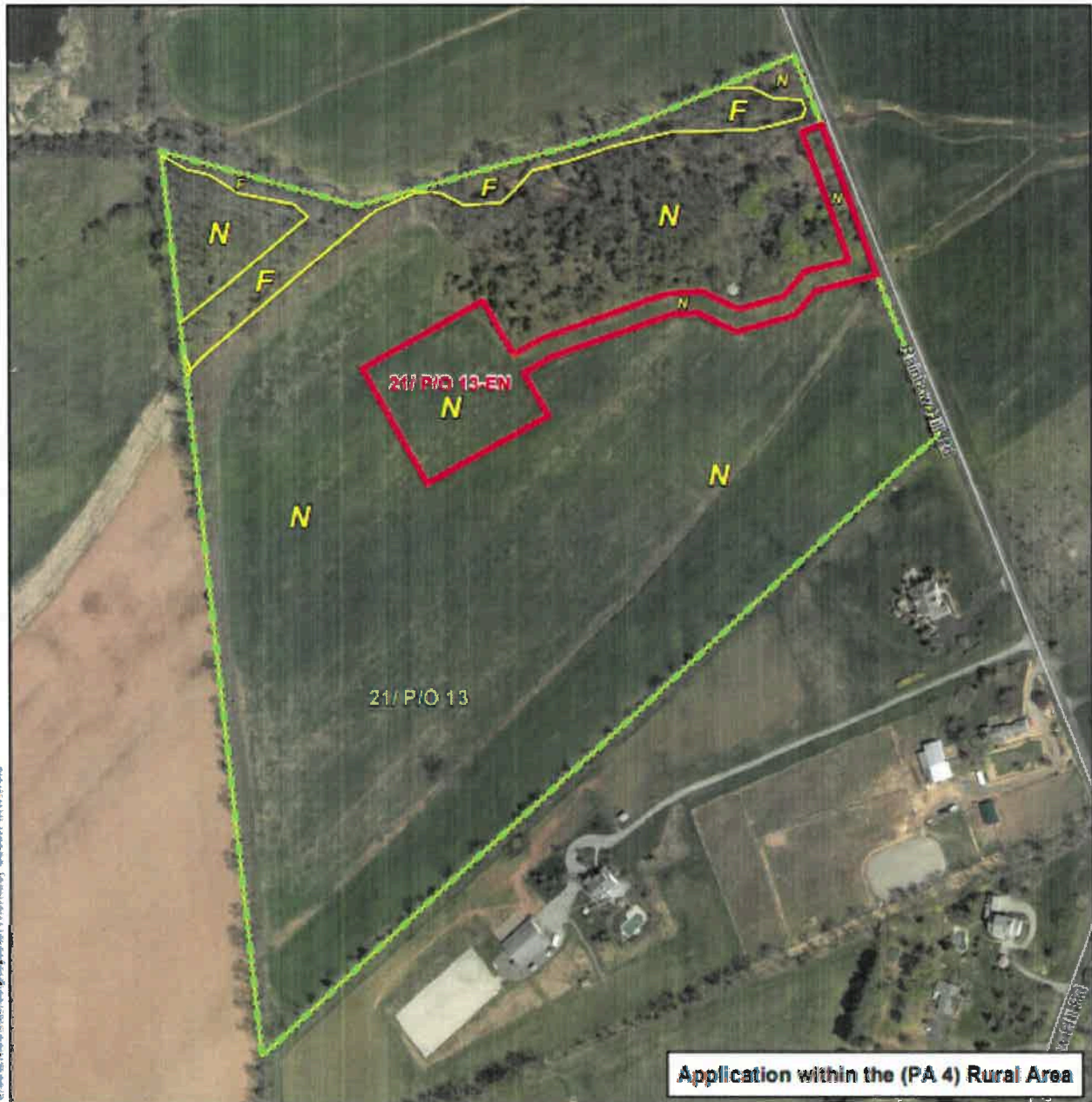
- Property in Question
- Exceptions
- Preserved Easements
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned
- Conservation Easements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



Source:
 NJ Farmland Preservation Program
 Green Acres Conservation System Data
 Protected Areas: Database of the United States (PAID-US)
 NAD 83/USGS 2010 Digital Aerial Image

NOTE:
 The parcel boundaries 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:\wetlands\lmap\p13\p13_13-EN\21 P/O 13-EN.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Thomas, Susan
Block 21 Lots 13 (33.9 ac)
& P/O 13-EN (non-severable exception - 2.5 ac)
Gross Total = 36.4 ac
East Amwell Twp., Hunterdon County



Application within the (PA 4) Rural Area

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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement/Draft
Protected Areas Database of the United States (PA2-10)
NJ 2007 Wetlands Data
NJ 2007 Wetlands Data
NJ 2007 Wetlands Data
NJ 2007 Wetlands Data

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The contours and other graphical information on this data were developed 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 making any legal determination and location of true ground horizontal and/or vertical controls should be established by an actual professional survey conducted by a licensed Professional Land Surveyor.

Wetlands Legend:
F - Freshwater Wetlands
S - Linear Wetlands
M - Wetlands Modified for Agriculture
C - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

East Amwell Township, Hunterdon County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Grant																												
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance																									
10-0294-PG	Zuegner	78.8320	78.8320	13,000.00	7,800.00	1,024,816.00	614,889.60	614,889.60	614,889.60	1,135,110.40	750,000.00	500,000.00	500,000.00	-																								
10-0341-PG	Hay, Barbara Reprogrm FY17	23.9110	21,8620	15,050.00	9,030.00	329,023.10	197,413.86	197,413.86	197,413.86	500,000.00	62,303.46	500,000.00	500,000.00	-																								
10-0341-PG	Hay, Barbara ancillary						3,950.00	-	-	486,050.00	-	-	-	-																								
10-0434-PG	Thomas, Susan	34.0000	35.0200	10,500.00	6,300.00	367,710.00	220,626.00	220,626.00	220,626.00	275,424.00	-	-	-	-																								
Closed		2	102.7430	100.6940		1,353,839.10	1,253,950.00	-	-	750,000.00	-	-	-	-																								
Encumbered		1	34.0000	35.0200		367,710.00	220,626.00	-	-	275,424.00	220,626.00	220,626.00	275,424.00	-																								
										<table border="0"> <tr> <td>Encumber/Expended FY09</td> <td>-</td> <td>-</td> <td>750,000.00</td> </tr> <tr> <td>Encumber/Expended FY11</td> <td>-</td> <td>-</td> <td>62,303.46</td> </tr> <tr> <td>Encumber/Expended FY13</td> <td>-</td> <td>-</td> <td>3,950.00</td> </tr> <tr> <td>Encumber/Expended FY17</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>Encumber/Expended FY19</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>Total</td> <td>-</td> <td>-</td> <td>275,424.00</td> </tr> </table>					Encumber/Expended FY09	-	-	750,000.00	Encumber/Expended FY11	-	-	62,303.46	Encumber/Expended FY13	-	-	3,950.00	Encumber/Expended FY17	-	-	-	Encumber/Expended FY19	-	-	-	Total	-	-	275,424.00
Encumber/Expended FY09	-	-	750,000.00																																			
Encumber/Expended FY11	-	-	62,303.46																																			
Encumber/Expended FY13	-	-	3,950.00																																			
Encumber/Expended FY17	-	-	-																																			
Encumber/Expended FY19	-	-	-																																			
Total	-	-	275,424.00																																			

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Thomas, Susan
10- 0434-PG
PIG EP - Municipal 2007 Rule
34 Acres

Block 21	Lot 13	East Amwell Twp.	Hunterdon County	
SOILS:		Other	35% * 0	= .00
		Prime	2% * .15	= .30
		Statewide	63% * .1	= 6.30
				SOIL SCORE: 6.60
TILLABLE SOILS:		Cropland Harvested	89% * .15	= 13.35
		Wetlands/Water	5% * 0	= .00
		Woodlands	6% * 0	= .00
				TILLABLE SOILS SCORE: 13.35
FARM USE:	Soybeans-Cash Grain		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 (2.5) acres for Future dwelling
Exception is not to be severed from Premises
Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-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 FY2021R12(4)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
PILESGROVE TOWNSHIP**

**for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Doble, Ethel M. ("Owner")
SADC ID#17-0226-PG
Pilesgrove Township, Salem County
N.J.A.C. 2:76-17A. et seq.**

December 3, 2020

WHEREAS, on November 7, 2019, it was determined that the application for the sale of a development easement for the subject farm identified as Block 13, Lot 5, Pilesgrove Township, Salem County, totaling approximately 16.3 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the Township has met the Township Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes no exception areas, resulting in approximately 16.3 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the Property includes:

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

WHEREAS, at the time of application, the Property was actively devoted to permanent pasture; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 27, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$8,100 per acre based on zoning and environmental regulations in place as of the current valuation date March 13, 2020; and

WHEREAS, the original application proposed that the New Jersey Conservation Foundation would apply to Natural Resources Conservation Service ("NRCS"), Agriculture Conservation Easement Program ("ACEP") for an Agricultural Land Easement ("ALE") grant; and

WHEREAS, subsequent to the SADC certification of market value (CMV) and offer acceptance the Township decided to provide the cost share of the farm itself and not partake in ALE funding; and

WHEREAS, it is the opinion of the SADC staff Review Appraiser that this change does not impact the SADC certified value; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the Township's offer of \$8,100 per acre for the purchase of the development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on October 13, 2020, the Pilesgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,575 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on October 28, 2020, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on November 4, 2020, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$1,575 per acre to cover the local cost share; and

WHEREAS, the Township has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 16.789 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 16.789 acres):

	Total	Per/acre
SADC	\$83,105.55	(\$4,950/acre)
Pilesgrove Township	\$26,442.68	(\$1,575/acre)
<u>Salem County</u>	<u>\$26,442.67</u>	<u>(\$1,575/acre)</u>
Total Easement Purchase	\$135,990.90	(\$8,100/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Township is requesting \$4,950 per acre or approximately \$83,105.55 in base grant funding which is available at this time (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;

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 16.3 net easement acres, at a State cost share of \$4,950 per acre, (61.11% of certified easement value and purchase price), for a total grant of approximately \$83,105.55 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. If unencumbered base grant funds become available subsequent to this final approval and prior to the Township's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available, the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC 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).
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 Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/3/2020
Date



Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Wetlands



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

Doble, Ethel M.
Block 13 Lot 5 (16.3 ac)
Gross Total = 16.3 ac
Pilesgrove Twp., Salem County



Source:
NJ Farmland Preservation Program
County Areas Conservation Assessment Data
Unpublished Areas Database of the United States (ADUS)
NJDEP Wetlands Data
NJDEP/POGIS 2010 Digital Aerial Image

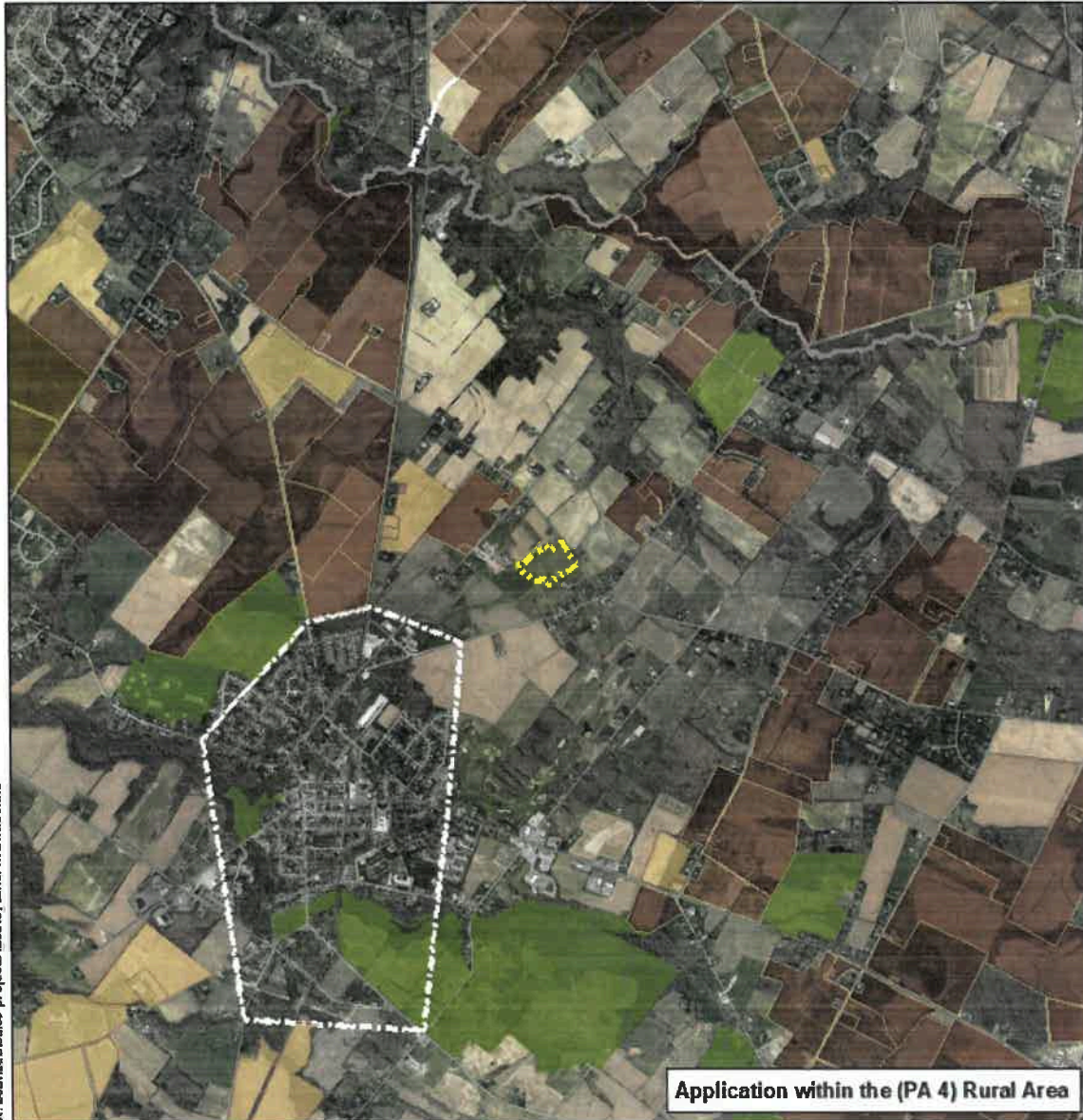
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The cartographic and geo-referenced location of ground projections in this data is not appropriate and have developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file are guaranteed to be not less than 10 meters in either horizontal and vertical dimensions and location of true ground horizontal and/or vertical coordinates as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

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

Wetlands Legend:
P - P (Palustrine) Wetlands
L - L (Lotic) Wetlands
M - Wetlands Modified for Agriculture
O - O (Other) Wetlands
R - R (River) Wetlands
S - S (Shrub) Wetlands
W - Water

August 27, 2013

Preserved Farms and Active Applications Within Two Miles



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Doble, Ethel M.
Block 13 Lot 5 (16.3 ac)
Gross Total = 16.3 ac
Pilesgrove Twp., Salem County



	Property in Question
	Exception
	Preserved Easements
	Transfer Development of 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 & Recreational Easements



Sources:
NJ Farmland Preservation Program
Open Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NCEM 10/2015 2015 Digital Aerial Image

NOTE:
The parcel location and boundaries shown on this map are approximate and should not be considered to have been surveyed or defined by the New Jersey Board of Professional Engineering and Land Surveyors

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Doble, Ethel M.
17- 0226-PG
PIG EP - Municipal 2007 Rule
16 Acres

Block 13	Lot 5	Filesgrove Twp.	Salem County		
SOILS:		Prime	29% *	.15	= 4.35
		Statewide	67% *	.1	= 6.70
		Unique zero	4% *	0	= .00
				SOIL SCORE:	11.05
TILLABLE SOILS:		Cropland Harvested	95% *	.15	= 14.25
		Other	1% *	0	= .00
		Woodlands	4% *	0	= .00
				TILLABLE SOILS SCORE:	14.25
FARM USE:	Other		17 acres		Permanent Pasture

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No 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 FY2021R12(5)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
MANNINGTON TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Kelley, Thomas F. & Amber L. ("Owners")
SADC ID#17-0218-PG
Mannington Township, Salem County
N.J.A.C. 2:76-17A. et seq.**

December 3, 2020

WHEREAS, on October 1, 2019, it was determined that the application for the sale of a development easement for the subject farm identified as Block 40, Lot 12, Mannington Township, Sale, County, totaling approximately 16.4 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the Township has met the Township Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes one (1), approximately 0.75 acre non-severable exception area for zero (0) single family residential housing opportunities and to afford future flexibility for nonagricultural uses resulting in approximately 15.65 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the 0.75 acre non-severable exception area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be limited to zero (0) single family residential units
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the Premises outside the exception area includes:

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 14, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$5,400 per acre based on zoning and environmental regulations in place as of the current valuation date February 28, 2020; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the Township's offer of \$5,400 per acre for the purchase of the development easement on the Premises; and

WHEREAS, on November 5, 2020, the Township 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. 2:76-17A.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on November 5, 2020, the Mannington Township Committee approved the application for the sale of development easement and a funding commitment of \$900 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on October 28, 2020, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on November 4, 2020, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$900 per acre to cover the local cost share; and

WHEREAS, the Township has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 16.119 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 16.119 acres):

	Total	Per/acre
SADC	\$58,028.40	(\$3,600/acre)
Mannington Township	\$14,507.10	(\$900/acre)
<u>Salem County</u>	<u>\$14,507.10</u>	<u>(\$900/acre)</u>
Total Easement Purchase	\$87,042.60	(\$5,400/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Township is requesting \$3,600 per acre or approximately \$58,028.40 in base grant funding which is available at this time (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 16.119 net easement acres, at a State cost share of \$3,600 per acre, (66.67% of certified easement value and purchase price), for a total grant of approximately \$58,028.40 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. If unencumbered base grant funds become available subsequent to this final approval and prior to the Township's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available, the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC 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).
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 Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/3/2020
Date

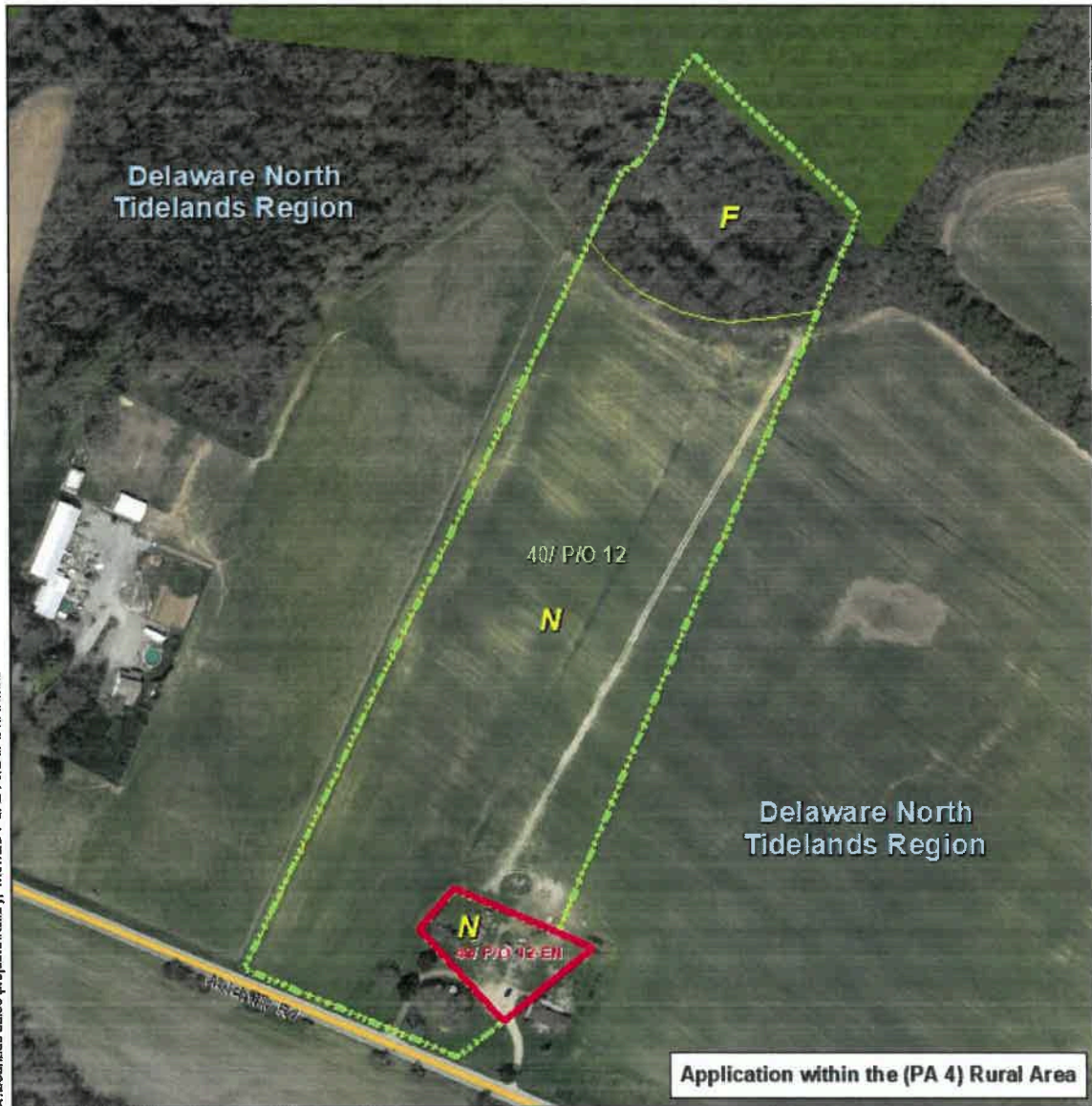


Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Wetlands



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

**Kelley, Thomas F. Jr, and Amber L.
Block 40 Lots P/O 12 (15.7 ac)
& P/O 12-EN (non-severable exception - 0.75 ac)
Gross Total = 16.4 ac
Mannington Twp., Salem County**



Sources:
NJ Farmland Assessment Program
County Acreage Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJ State Wetlands Data
NORTHSTAR 2013 Digital Aerial Image

DISCLAIMER:
The wetland features depicted on this map were derived from the PAD-US (ACM version 1, volume 4 "Delaware County Region"). These linear features are not an official PAD-US delineation and should only be used as a general reference. Only PAD-US delineations of established non-severable conservation easements of Delaware Department of Environmental Protection clients.

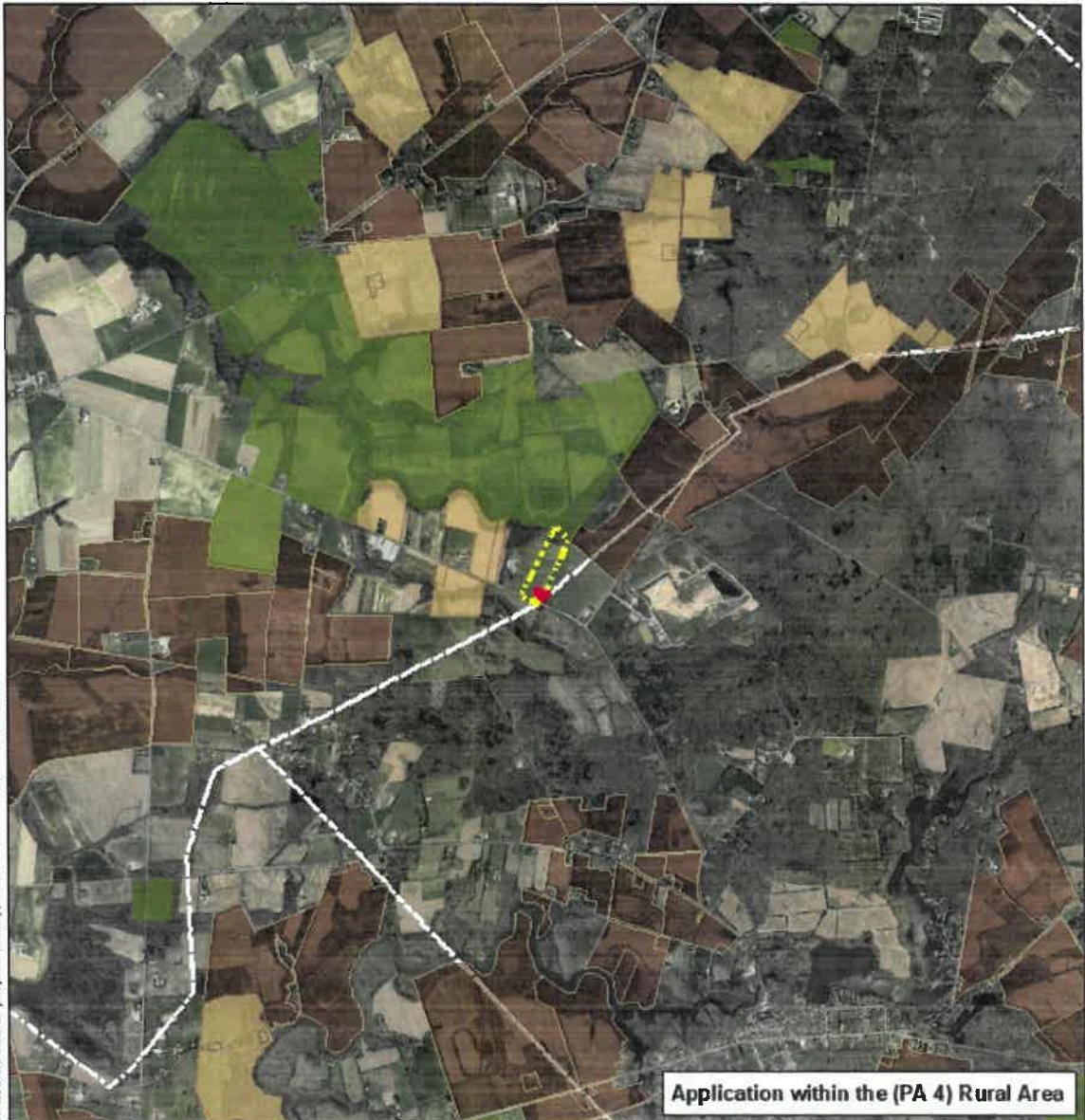
DISCLAIMER: Any use of this material with respect to accuracy and precision shall be the sole responsibility of the user. The configurations and point-referenced locations of parcel properties or other data layers are approximate and were developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be relied upon in matters requiring information and location of true ground. Horizontal and vertical coordinates are assumed to be obtained by an actual ground survey conducted by a Licensed Professional Land Surveyor.

Application within the (PA 4) Rural Area

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

Wetlands Legend:
E - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
P - Pond Wetlands
N - Non-Wetlands
U - 500' Buffer
W - Water

Preserved Farms and Active Applications Within Two Miles



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kelley, Thomas F. Jr, and Amber L.
Block 40 Lots P/O 12 (15.7 ac)
& P/O 12-EN (non-severable exception - 0.75 ac)
Gross Total = 16.4 ac
Mannington Twp., Salem County



Application within the (PA 4) Rural Area

	Property in Question
	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



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

Source:
NJ Farmland Preservation Program
Green Acres Charitable Trustment Ltd
Protected Open Spaces of the United States (PA4-201)
NJCOVDCPS 2010 Digital Aerial Image

Mannington Township, Salem County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Grant			
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
17-0203-PG	Duffy, Diane Carol & Paul Charles (L 16.03)	25.8400	25.4680	5,100.00	2,438.26	129,886.80	62,097.59	69,768.00	25,767.01	56,520.00	62,097.59	62,097.59	937,902.41
17-0202-PG	Holladay, Charlotte	19.5800	19.5800	5,900.00	3,850.00	115,522.00	75,383.00			74,266.50	75,383.00	75,383.00	862,519.41
17-0212-PG	Moore, Earl B. Jr. and Robert Holladay Ancillary	24.1000	24.1000	6,300.00	4,050.00	151,830.00	97,605.00			97,605.00		3,744.00	764,914.41
17-0218-PG	Duffy Ancillary	15.6500	16.1190	5,400.00	3,600.00	87,042.60	58,028.40			58,028.40		4,044.50	761,170.41
17-0225-PG	Kelley, Thomas F. & Amber L. Manalik, Matthew & Eddis, Dawn	14.3000	14.7290	5,800.00	3,800.00	85,428.20	55,970.20			55,970.20			699,097.51
Closed		2	45.4200	45.0480		245,408.80	137,480.59	69,768.00	25,767.01	-	-	-	143,127.31
Encumbered		3	54.0500	54.9480		324,300.80	211,603.60	-	-	211,603.60	-	145,268.09	500,000.00
										Total		643,127.31	

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Kelley, Thomas F. Jr. & Amber L.
17- 0218-PG
PIG EP - Municipal 2007 Rule
16 Acres

Block 40	Lot 12	Mannington Twp.	Salem County	
SOILS:		Other	17% * 0	= .00
		Prime	83% * .15	= 12.45
				SOIL SCORE: 12.45
TILLABLE SOILS:		Cropland Harvested	78% * .15	= 11.70
		Other	4% * 0	= .00
		Wetlands/Water	18% * 0	= .00
				TILLABLE SOILS SCORE: 11.70
FARM USE:		Soybeans-Cash Grain	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 (.75) acres for Future flexibility
Exception is not to be severed from Premises
Exception is to be limited to zero existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: 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 FY2021R12(6)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
MANNINGTON TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Mahalik, Matthew . & Eddis, Dawn ("Owners")
SADC ID#17-0225-PG
Mannington Township, Salem County
N.J.A.C. 2:76-17A. et seq.

December 3, 2020

WHEREAS, on November 20, 2019, it was determined that the application for the sale of a development easement for the subject farm identified as Block 39, Lot 18.01, Mannington Township, Salem County, totaling approximately 23.8 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the Township has met the Township Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes one (1), approximately 9.5 acre non-severable exception area that is already encumbered by an existing Wetlands Reserve Easement held by Natural Resources Conservation Service resulting in approximately 14.3 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the 9.5-acre non-severable exception area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be limited to zero (0) single family residential units

WHEREAS, the Premises outside the exception area includes:

- 1) One (1) single family residential unit
- 2) Zero (0) agricultural labor units
- 3) No pre-existing non-agricultural uses; and

WHEREAS, the Property is currently an equine operation with approximately 6.5 acres in equine production as hay and pasture (Schedule B); and

WHEREAS, approximately 1.3 acres is devoted to equine service (boarding and lessons): and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 13, 2020 in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$5,800 per acre based on zoning and environmental regulations in place as of the current valuation date February 28, 2020; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the Township's offer of \$5,800 per acre for the purchase of the development easement on the Premises; and

WHEREAS, on November 5, 2020, the Township 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. 2:76-17A.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on November 5, 2020, the Mannington Township Committee approved the application for the sale of development easement and a funding commitment of \$1,000 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on October 28, 2020, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on November 4, 2020, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$1,000 per acre to cover the local cost share; and

WHEREAS, the Township has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 14.729 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 14.729 acres):

	Total	Per/acre
SADC	\$55,970.20	(\$3,800/acre)
Mannington Township	\$14,729.00	(\$1,000/acre)
<u>Salem County</u>	<u>\$14,729.00</u>	<u>(\$1,000/acre)</u>
Total Easement Purchase	\$85,428.20	(\$5,800/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Township is requesting \$3,800 per acre or approximately \$55,970.20 in base grant funding which is available at this time (Schedule D); and

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

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 14.729 net easement acres, at a State cost share of \$3,800 per acre, (65.52% of certified easement value and purchase price), for a total grant of approximately \$55,970.20 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule E).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. If unencumbered base grant funds become available subsequent to this final approval and prior to the Township's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC 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).
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 Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.

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



Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

12/3/2020
Date

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mahalik, Matthew C. and Eddis, Dawn
Block 39 Lots P/O 18.01 (15.5 ac);
& P/O 18.01-EN (non-severable - 9.5 ac)
Gross Total = 23.8 ac
Mannington 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

Application within the (PA 4) Rural Area

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



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

November 20, 2019

Wetlands



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mahalik, Matthew C. and Eddis, Dawn
Block 39 Lots P/O 18.01 (15.5 ac);
& P/O 18.01-EN (non-severable - 9.5 ac)
Gross Total = 23.8 ac
Mannington Twp., Salem County

250 125 0 250 500 Feet

Source:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJDEP Wetlands Data
NJOITOGIS 2016 Digital Aerial Image

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

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, used in support of claims requiring determination and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

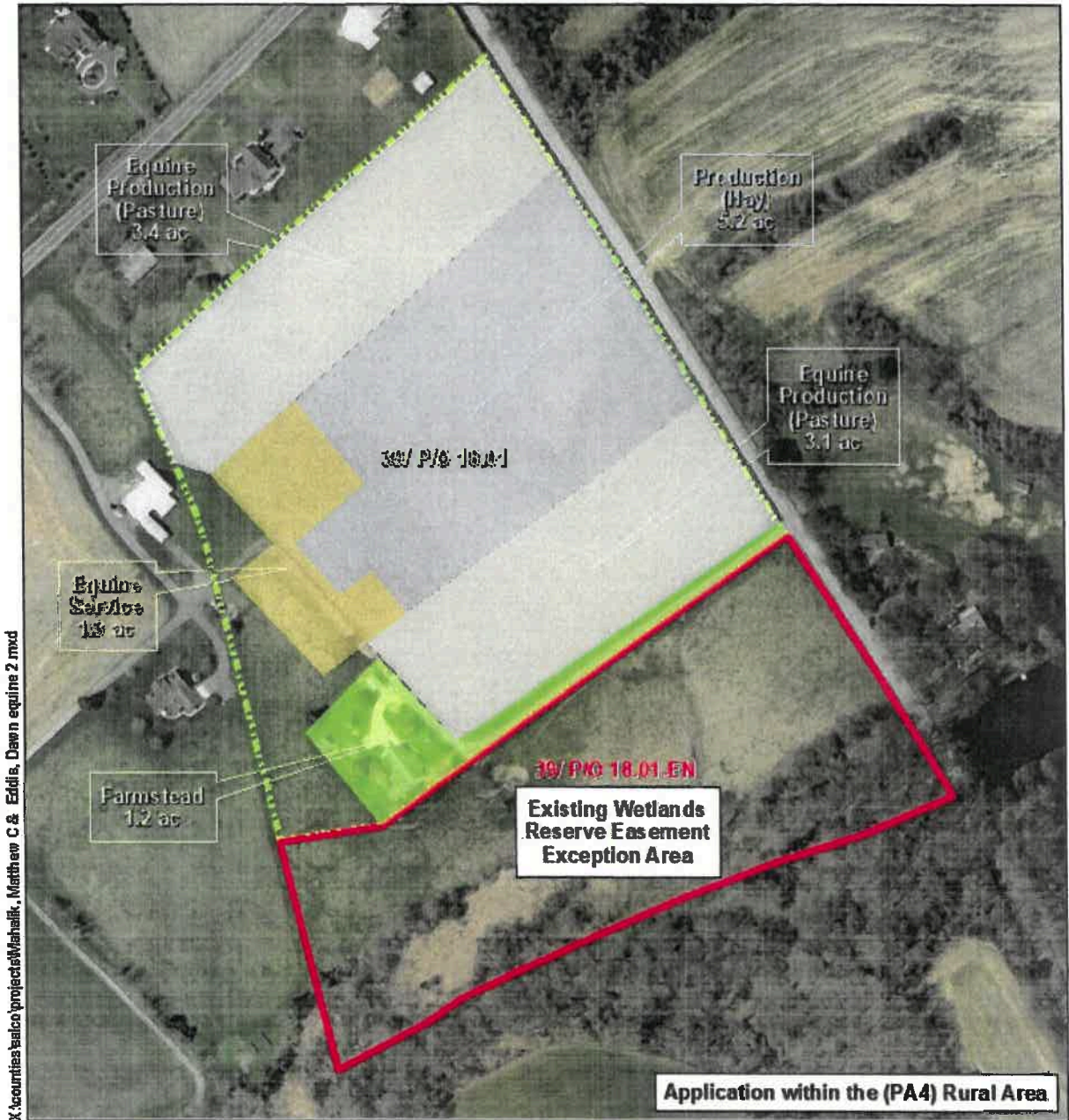
- Property In Question
- EN - (Non-Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Tidelands Boundary



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

November 20, 2019

Equine Areas



X:\counties\balco\projects\mahalik, Matthew C & Eddis, Dawn equine 2.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mahalik, Matthew C. and Eddis, Dawn
Block 39 Lots P/O 18.01 (15.5 ac);
& P/O 18.01-EN (non-severable - 8.3 ac)
Gross Total = 23.8 ac
Mannington Twp., Salem County



	Property In Question
	Wetland Reserve Easement Exception Area - 8.3 ac
	Production (Pasture) - 6.5 ac
	Production (Hay) - 5.2 ac
	Farmstead - 1.2 ac
	Service - 1.3 ac

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The specific accuracy and precision of the GIS data contained in this file and map shall not be the responsibility of the user. In matters requiring delineation and location of this ground boundary and/or wetland contours, one would be advised to obtain an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
NJDOT Road Data
NOOTKOG'S 2015 Digital Aerial Image
November 20, 2019

SCHEDULE B

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

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

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

Grantor understands that the above use is considered an "equine service activity" that would not be permitted on the Premises (i.e., the preserved area of the farm described in Schedule A) unless the activity was ancillary to equine-related production, including pasturing, horse breeding and hay production. "Ancillary" means that the area of land on which equine service activities are conducted is subordinate, secondary and auxiliary in comparison to the area of the farm devoted to equine production activities. Grantor understands and agrees that if equine service activities (such as boarding horses, riding lessons and schooling horses) on the Premises were ancillary to equine-related production, then the said equine service activities would be deemed agricultural uses and not currently subject to the restrictions placed on non-agricultural uses in Paragraphs 3 and 4 of the Deed of Easement. The areas occupied by equine service activities and equine production activities are depicted on the attached aerial photograph identified as Schedule B1.

Grantor understands that none of these restrictions apply to the land within the Exception area.

Grantor also understands and agrees that if, in the future, equine service activities on the Premises are not "ancillary" as defined above, then the said activities would be deemed non-agricultural and would be subject to the restrictions contained in Paragraphs 3 and 4 of the Deed of Easement.

----- (L.S)

Mannington Township, Salem County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC			Federal Grant		Grant			
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PY	Expended	Balance	
														Federal Grant
17-0203-PG	Duffy, Diane Carol & Paul Charles (L 16.03)	25.8400	25.4680	5,100.00	2,432.26	129,886.80	62,097.59	69,768.00	25,767.01	59,520.00	62,097.59	62,097.59	937,902.41	
17-0202-PG	Holladay, Charlotte	19.5800	19.5800	5,000.00	3,850.00	115,522.00	75,383.00			74,266.50	75,383.00	75,383.00	882,519.41	
17-0212-PG	Moore, Earl B, Jr. and Robert Holladay Ancillary	24.1000	24.1000	6,300.00	4,050.00	151,830.00	97,605.00			97,605.00	3,744.00	3,744.00	764,914.41	
17-0218-PG	Duffy Ancillary	15.6500	16.1190	5,400.00	3,600.00	87,042.60	56,028.40			58,028.40	4,044.50	4,044.50	757,125.91	
17-0225-PG	Kelley, Thomas F. & Amber L. Manalik, Matthew & Eddis, Dawn	14.3000	14.7290	5,800.00	3,800.00	88,428.20	56,970.20			65,970.20			698,097.51	
Closed		45.4200	45.0490			245,408.80	137,480.59	69,768.00	25,767.01					
Encumbered		54.0500	54.9480			324,300.80	211,603.60							
										Encumber/Expended FY09	-	-	-	-
										Encumber/Expended FY11	-	-	-	-
										Encumber/Expended FY13	-	-	-	-
										Encumber/Expended FY18	211,603.60	145,268.09	143,127.31	500,000.00
										Encumber/Expended FY19	-	-	-	643,127.31
										Total				

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Mahalik, Matthew & Eddis, Dawn
17- 0225-PG
PIG EP - Municipal 2007 Rule
14 Acres

Block 39	Lot 18	Mannington Twp.	Salem County		
SOILS:		Other	114 *	0	= .00
		Prime	994 *	.15	= 13.35
					SOIL SCORE: 13.35
TILLABLE SOILS:		Cropland Harvested	994 *	.15	= 14.85
		Other	14 *	0	= .00
					TILLABLE SOILS SCORE: 14.85
FARM USE:	Hay		19 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 (9.5) acres for WRE - Wetlands Reserve Easement
Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
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.22, 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 FY2021R12(7)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
MARLBORO TOWNSHIP**

**for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Van Mater, III, Pierre D. & Carol A. ("Owners")
SADC ID# 13-0471-PG
Marlboro Township, Monmouth County
N.J.A.C. 2:76-17A. et seq.**

December 3, 2020

WHEREAS, on August 29, 2018 it was determined that the application for the sale of a development easement for the subject farm identified as Block 415, Lots 32.01, 34.01, and 35, Marlboro Township and Block 31, Lot 1.01, Freehold Township, Monmouth County, totaling approximately 30 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the Township has met the Township Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, in October 2000 the Owners purchased a 2.8472-acre conservation easement area from a neighboring subdivision; this conservation easement has undefined terms and restrictions; and

WHEREAS, subject to SADC legal review and approval this area will either be deemed a non-severable exception area or the farmland preservation deed of easement will cover this area, but the acreage within the conservation easement will be deducted from the SADC grant calculation for the easement purchase; and

WHEREAS, the Property includes one (1), approximately 1.75-acre non-severable exception area for the existing single family residential unit and one (1) barn apartment and to afford future flexibility for nonagricultural uses resulting in approximately 28.25 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the 1.75-acre nonseverable Exception Area:

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

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

- 1) Zero (0) housing opportunities

- 2) Zero (0) Residual Dwelling Site Opportunities (RDSOs)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on July 25, 2019 the SADC certified a development easement value of \$32,000 per acre based on zoning and environmental regulations in place as of the current valuation date January 3, 2019; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the Township's offer of \$37,000 per acre for the purchase of the development easement on the Premises, which is higher than the certified easement, but not higher than the highest appraised value of \$42,000; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on August 13, 2020, the Marlboro Township Committee approved the application for the sale of development easement and a funding commitment of \$10,120 per acre within the municipality; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on September 22, 2020, the Freehold Township Committee approved the application for the sale of development easement and a funding commitment of \$10,120 per acre within the municipality; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on October 6, 2020, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on October 22, 2020, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$7,680 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 28.25 acres):

	Total	Per/acre
SADC	\$542,400	(\$19,200/acre) based on certified value of \$32,000/acre
Marlboro Township	\$270,710	(\$10,120/acre) based on Township offer of \$37,000/acre and paying on 26.75 acres
Freehold Township	\$15,180	(\$10,120/acre) based on Township offer of \$37,000/acre and paying on 1.5 acres
<u>Monmouth County</u>	<u>\$216,960</u>	<u>(\$7,680/acre) based on certified value of \$32,000/acre</u>
Total Easement Purchase	\$1,045,250	(\$37,000/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Township is requesting \$19,200 per acre or approximately \$542,400 in base grant funding which is available at this time (Schedule B) and approves the use of its SADC grant for the acreage in Freehold Township; and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 28.25 net easement acres, at a State cost share of \$19,200 per acre, (60% of certified easement value), for a total grant of approximately \$542,400 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. If unencumbered base grant funds become available subsequent to this final approval and prior to the Township's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC 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).
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 Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.

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

12/3/2020
Date



Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Wetlands



X:\counties\monco\projects\Van Mater III, Pierre D. & Carol A. fww w Sewer Easement.mxd

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

Van Mater III, Pierre D. & Carol A.
Freehold Twp. - Block 31 Lots 1.01 (1.5 ac)
Marlboro Twp. - Block 415 Lots P/O 35 (5.5 ac); 32.01 (15.7 ac)
P/O 34.01 (5.7 ac) & P/O 34.01-EN (non-severable exception - 1.75 ac)
Gross Total = 30.1 ac
Monmouth County



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

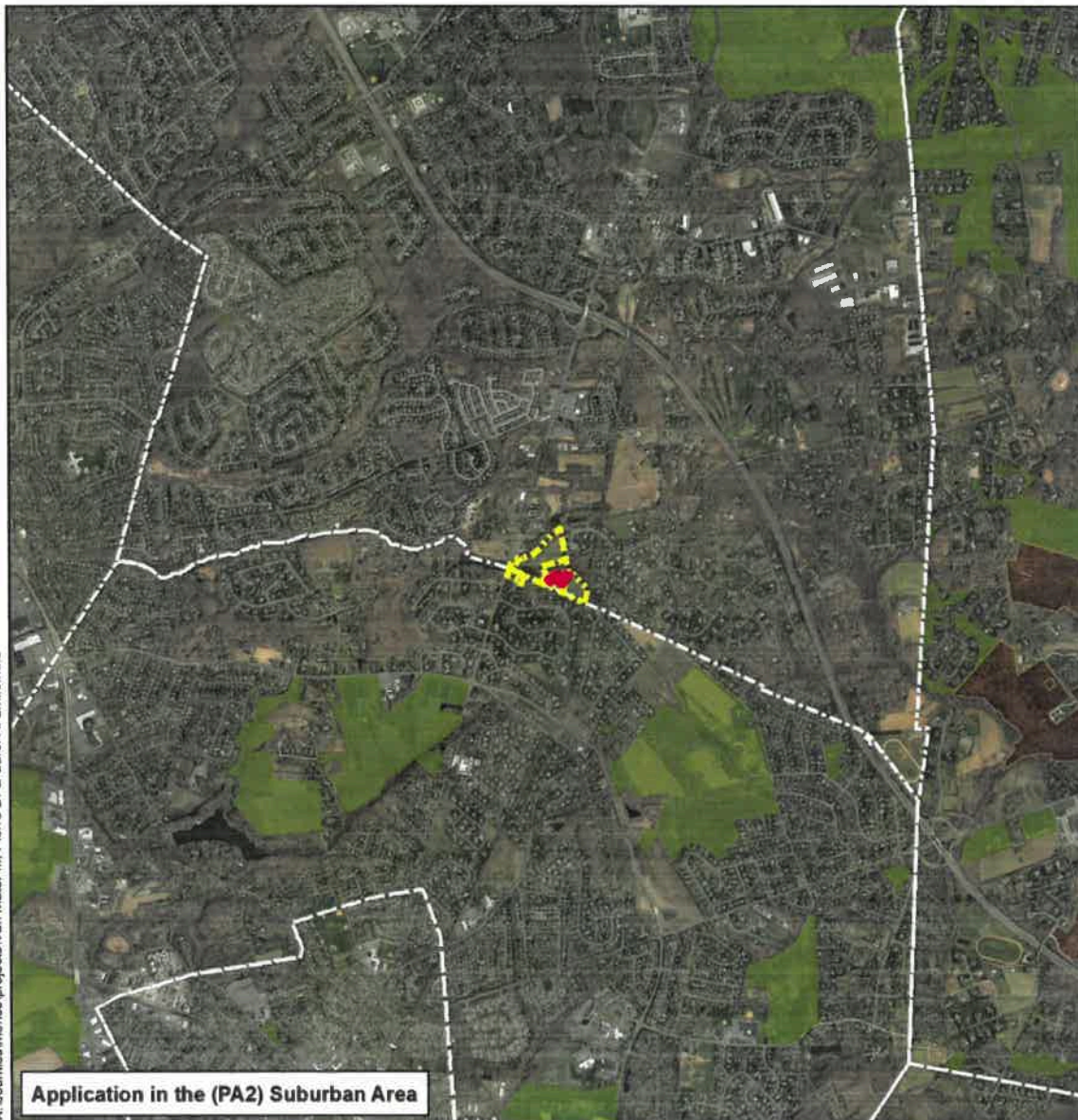
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Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
N - Wetlands Modified for Agriculture
T - Tidal Wetlands
W - Non-Wetlands
B - 300' Buffer
W - Water

- Property in Question
- EN - (Non-Severable) Exception
- Wetlands Boundaries
- Access/Sewer Easement
- 50 ft ROW
- Conservation Easement
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads



Preserved Farms and Active Applications Within Two Miles



X:\counties\monmouth\projects\Van Mater III, Pierre D. & Carol A. 2mille.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Van Mater III, Pierre D. & Carol A.
 Freehold Twp. - Block 31 Lots 1.01 (1.5 ac)
 Marlboro Twp. - Block 415 Lots P/O 35 (5.5 ac); 32.01 (15.7 ac)
 P/O 34.01 (5.7 ac) & P/O 34.01-EN (non-severable exception - 1.75 ac)
 Gross Total = 30.1 ac
 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 GIS & 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
June 29, 2018

Marlboro Township, Monmouth County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Grant				
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance	
														499,426.00
Closed	1	26,9960	26,9960	18,500.00	8,400.00	499,426.00	226,766.40	226,766.40	226,766.40	500,000.00	-	-	236,514.65	-
13-0443-PG	Smith (Baymar) ancillary	26,9960	26,9960	18,500.00	8,400.00	499,426.00	226,766.40	226,766.40	226,766.40	500,000.00	-	-	236,514.65	-
13-0471-PG	Smith (Baymar) Reprogram FY17 Van Mater III, Pierre D. & Carol A	28,2500	28,2500	37,000.00	19,200.00	1,045,250.00	542,400.00	542,400.00	542,400.00	-	-	-	457,600.00	-
Encumbered	1	28,2500	28,2500			1,046,250.00	542,400.00	542,400.00	542,400.00	457,600.00	-	-	457,600.00	457,600.00
										Encumbered/Expended FY09				
										Encumbered/Expended FY11				
										Encumbered/Expended FY13	42,400.00	-		
										Encumbered/Expended FY17	-	-		
										Encumbered/Expended FY19	-	-		
										Total				457,600.00

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Van Mater, III, Pierre D. & Carol A.

13- 0471-PG

PIG EP - Municipal 2007 Rule

28 Acres

Block 415	Lot 35	Marlboro Twp.	Monmouth County		
Block 31	Lot 1.01	Freehold Twp.	Monmouth County		
Block 415	Lot 34.01	Marlboro Twp.	Monmouth County		
Block 415	Lot 32.01	Marlboro Twp.	Monmouth County		
SOILS:		Other	56% * 0	=	1.00
		Prime	28% * .15	=	4.20
		Statewide	16% * .1	=	1.60
					SOIL SCORE: 5.80
TILLABLE SOILS:		Cropland Harvested	55% * .15	=	8.25
		Wetlands/Water	7% * 0	=	.00
		Woodlands	38% * 0	=	.00
					TILLABLE SOILS SCORE: 8.25
FARM USE:		Hay	14 acres		
		Beef Cattle Feedlots	2 acres		2 beef cattle

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st (1.75) acres for Flexibility for dwelling and non-ag uses
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)
Exception is restricted to one single family residential unit and one barn apartment.
 - 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 #FY2021R12(8)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

On the Property of Cerbo, Anthony A., III and Joseph R.

December 3, 2020

Subject Property: **Cerbo, Anthony A., III and Joseph R.**
Block 3202, Lot 24.02
Hampton Township, Sussex County
SADC ID#: 19-0027-DE
Approximately 38.45 Net Easement Acres

WHEREAS, on March 12, 2020, the State Agriculture Development Committee ("SADC") received a development easement sale application from Anthony A. Cerbo, III and Joseph R. Cerbo, hereinafter "Owners," identified as Block 3202, Lot 24.02, Hampton Township, Sussex County, hereinafter "the Property," totaling approximately 39.7 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 Owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the Property includes one (1), approximately 1.25-acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 38.45 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the 1.25-acre non-severable exception area:

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

WHEREAS, the Premises outside the exception area includes:

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

WHEREAS, at the time of application, the Property was in nursery 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 September 26, 2019, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff found that the Property has a quality score of 62.82 and contains approximately 38.45 net acres; and

WHEREAS, the Property does not meet the SADC's minimum ranking criteria for a "Priority" category in Sussex County which requires a quality score of at least 42 combined with at least 44 acres, however it is higher than the minimum quality score of 32 and 32 acres is required for an "Alternate" farm designation, therefore, this farm is categorized as an "Alternate" farm, requiring SADC preliminary approval; and

WHEREAS, on April 23, 2020, the SADC granted Preliminary Approval to this Application (Schedule B);

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 29, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the development easement value \$3,300 per acre based on zoning and environmental regulations in place as of the current valuation date July 16, 2020; and

WHEREAS, the SADC is developing soil protection standards that set forth disturbance limits that would be authorized under the terms of the deed of easement and at its regular meeting on August 27, 2020, the SADC agreed that complete and advanced disclosure was necessary so landowners are fully aware of the proposed standards; and

WHEREAS, the SADC is requiring a Soil Protection Standards Agreement, as approved on August 27, 2020 ("SPS Agreement"), to be signed by landowners who are relatively close to the limits of disturbance, and which will be recorded at the same time as the Deed of Easement, and which outlines the proposed standards and the amount of additional disturbance allowed on the Premises; and

WHEREAS, if the proposed standards are adopted by regulation as presently proposed and based on what is currently known about the property, the Owners would have approximately 2.73 acres of additional permanent disturbance remaining on the preserved acreage (Schedule C); and

WHEREAS, SADC staff will inspect the farm prior to closing to establish, the extent of existing disturbance which shall be attached to the SPS Agreement, however, the Owners understand that this interpretation, along with the proposed standards, are subject to change; and

WHEREAS, the Owners accepted the SADC's offer of \$3,300 acre for the purchase of the development easement on the Premises; 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 \$3,300 per acre for a total of approximately \$126,885 subject to the conditions contained in (Schedule D).
3. This final approval is conditioned upon the landowner signing the Soil Protection Standards Agreement that will be recorded at closing.
4. 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 Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
5. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. 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.
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.

12/3/2020



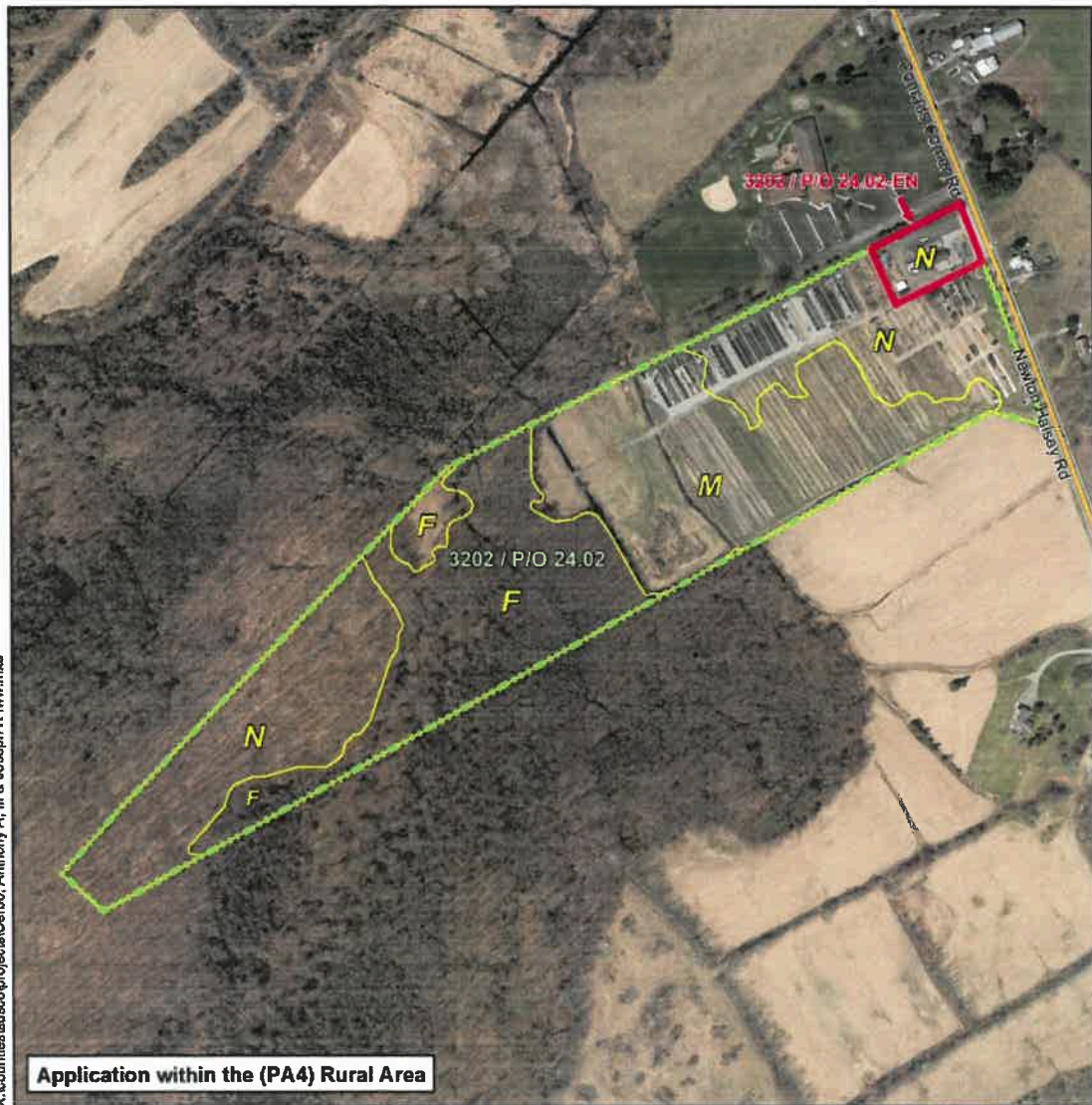
Date

Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Wetlands



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Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Cerbo, Anthony A., III and Joseph R.
 Block 3202 Lots P/O 24.02 (38,5 ac) &
 P/O 24.02-EN (non-severable exception - 1.25 ac);
 Gross Total = 39.7 ac
 Hampton Twp., Sussex County



Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 Protected Areas Database of the United States (PAD-US)
 NJDEP Wetlands Data
 NJDOT/GIS 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.

	Property In Question
	EN - (Non-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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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Cerbo, Anthony A., III and Joseph R.
Block 3202 Lots P/O 24.02 (38,5 ac) &
P/O 24.02-EN (non-severable exception - 1.25 ac);
Gross Total = 39.7 ac
Hampton Twp., Sussex County



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



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

October 19, 2015

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

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2020R4(13)

Preliminary Approval
SADC Easement Purchase
of an
"ALTERNATE" FARM

On the Property of
Cerbo, Anthony A., III, and Joseph R.

April 23, 2020

Subject Property: Cerbo, Anthony A., III, and Joseph R.
Block 3202, Lot 24.02
Hampton Township, Sussex County
SADC ID#: 19-0027-DE
Approximately 38.45 Net Easement Acres

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

WHEREAS, on March 12, 2020, the SADC received a development easement sale application from Anthony A. Cerbo, III, and Joseph R. Cerbo, hereinafter "Owner," identified as Block 3202, Lot 24.02, Hampton Township, Sussex County, hereinafter "the Property," totaling approximately 39.7 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes one (1), approximately 1.25 acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 38.45 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes 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 ornamental shrub and trees (nursery) production; and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to N.J.A.C. 2:76-11.5 and the State Acquisition Selection Criteria approved by the SADC on March 31, 2020, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff finds that the Property, has a quality score of 62.82 and contains approximately 38.45 net acres (Schedule B); and

WHEREAS, the Property does not meet the SADC's Sussex County minimum ranking criteria for the "Priority" category which requires a quality score of at least 42 combined with at least 44 acres, however it is higher than the minimum quality score of 32 and 32 acres needed for an "Alternate" farm designation, therefore, this farm is categorized as an "Alternate" farm, requiring SADC preliminary approval; and

WHEREAS, because this 38.45 acre farm meets the priority acreages, has approximately 61% Prime soils, is adjacent to preserved farmland, and is within the County Agriculture Development Area, SADC staff recommends selecting the Property for processing as an "Alternate" farm; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and pursuant to N.J.A.C. 2:76-11.6(b)i. there are no "Priority" ranked applications that have not already been selected for processing at this time; and

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

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

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

4/23/2020
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

<https://sorj.sharepoint.com/sites/AG-SADC-PROD/Farm Documents/19-0027-DE/Acquisition/Application GLR & Maps/Preliminary Approval/Preliminary Approval for Alternate Farms.docx>

Preserved Farms and Active Applications Within Two Miles



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

Cerbo, Anthony A., III and Joseph R.
Block 3202 Lots P/O 24.02 (38.5 ac) &
P/O 24.02-EN (non-severable exception - 1.25 ac);
Gross Total = 39.7 ac
Hampton Twp., Sussex County



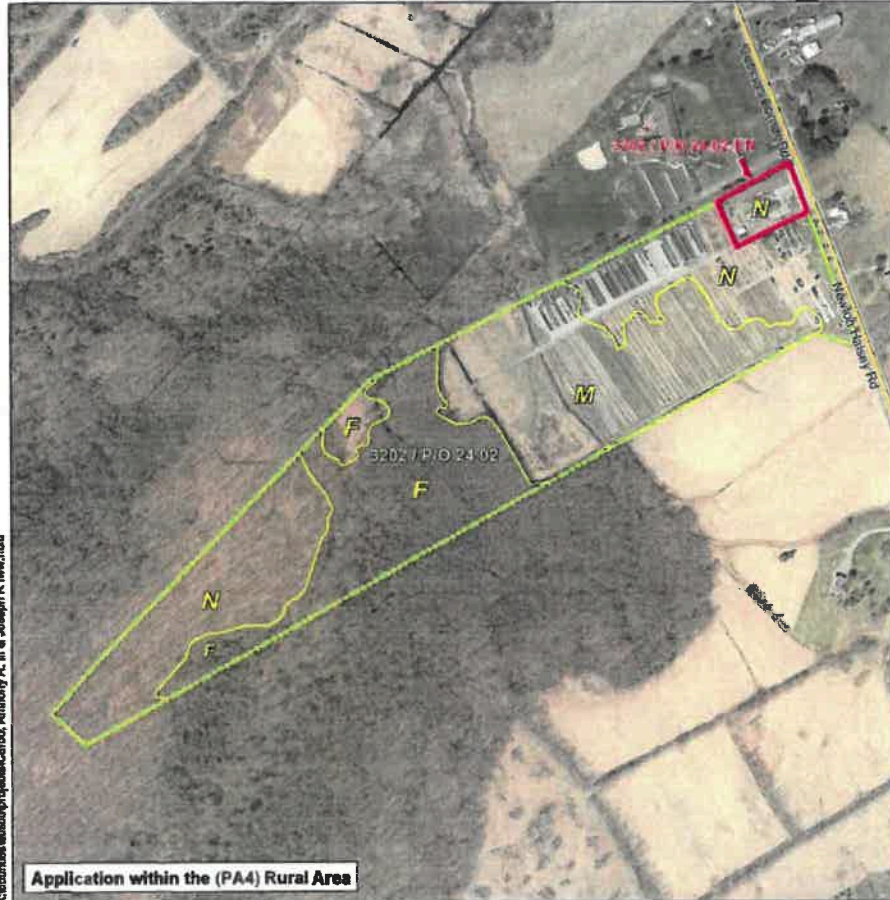
- Property In Question
- Exceptions
- Preserved Easements
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned, Controlled Easements, &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



NOTE:
The parcel location and description 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

Source:
NJ Farmland Preservation Program
Open Space Conservation Incentive Data
Pinelands Office Database of the United States (PA4-08)
NJONVIGS 2010 Digital Aerial Image
October 18, 2018

Wetlands



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Carbo, Anthony A., III and Joseph R.
Block 3202 Lots P/O 24.02 (38.5 ac) &
P/O 24.02-EN (non-severable exception - 1.25 ac);
Gross Total = 39.7 ac
Hampton Twp., Sussex County



SOURCES:
NJ Farmland Preservation Program
Sussex County Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
USDP - Wetlands Data
MORTONSON 2018 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and position shall be the sole responsibility of the user. The characteristics and geographical location of parcel polygons in this data layer are approximate and their intended primary use is for planning purposes. The geographic accuracy and precision of the GIS data is warranted in this file and map as it can be, and any reliance on its, reflects the user's accepting responsibility and liability of any errors that may be caused by either technical controls or would be obtained by an aerial ground survey conducted by a licensed Professional Land Surveyor.

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



Wetlands Legend
F - Freshwater Wetlands
M - Marsh Wetlands
N - Wetlands Unsuitable for Agriculture
T - Tidal Wetlands
U - Unclassified
W - Water

March 20, 2020

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

GENERAL INFORMATION

COUNTY OF Sussex Hampton Twp. 1910
APPLICANT Cerbo, Anthony A., III, and Joseph R.

PRIORITIZATION SCORE

SOILS:		Other	24%	0	=	.00	
		Prime	61%	.15	=	9.15	
		Unique zero	15%	0	=	.00	
						SOIL SCORE:	9.15
TILLABLE SOILS:		Cropland Harvested	50%	.15	=	7.50	
		Wetlands/Water	30%	0	=	.00	
		Woodlands	20%	0	=	.00	
						TILLABLE SOILS SCORE:	7.50
BOUNDARIES AND BUFFERS:		Deed Restricted Farmland (Permanent)	45%	.2	=	9.00	
		Residential Development	5%	0	=	.00	
		Schools	12%	0	=	.00	
		Streams and Wetlands	16%	.15	=	2.40	
		Woodlands	14%	.05	=	.70	
						BOUNDARIES AND BUFFERS SCORE:	13.52
CONTIGUOUS PROPERTIES / DENSITY:		Cerbo	Restricted Farm or Current Application			2	
		Lundbergh	Restricted Farm or Current Application			2	
		Foody #5	Restricted Farm or Current Application			2	
		Fairclough #1	Restricted Farm or Current Application			2	
		Foody #6	Restricted Farm or Current Application			2	
						DENSITY SCORE:	10.00
LOCAL COMMITMENT:			100%	.15	=	15.00	
						LOCAL COMMITMENT SCORE:	15.00
SIZE:							SIZE SCORE: 3.22
IMMINENCE OF CHANGE:		SADC Impact factor = 1.43					
						IMMINENCE OF CHANGE SCORE:	1.43
COUNTY RANKING:							
EXCEPTIONS:							EXCEPTION SCORE: .00
						TOTAL SCORE:	62.82

Soil Protection Areas



--- Property in Question
--- Non-Severable Exception
 Disturbance on Proposed Easement Area - 3.27 ac (8.5%)
 Gravel Areas - 3.27 ac (8.5%)

Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM
 NJ State Agriculture Development Committee

Carlo Anthony A. III and Joseph R.
 Block 3202 / P/O 24.02 (35.5 ac) &
 P/O 24.02-EN (non-severable exception - 1.25 ac);
 Gross Total = 36.7 ac
 Hampton Twp., Sussex County



DISCLAIMER: Any use of this product in respect to a specific parcel and/or project shall be the sole responsibility of the user. The configuration and non-severable location of parcels depicted on this map are for informational purposes only and do not constitute a guarantee of accuracy. The user shall verify the accuracy of the information presented on this map. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

SOURCE:
 Street Address Coordination Easement Data
 Planning Area Database of the United States (PA4-UD)
 NUTRIENT-STATE Digital Aerial Image
 April 13, 2020

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Cerbo, Anthony A., III, and Joseph R.
Easement Purchase - SADC
38 Acres

Block 3202	Lot 24.02	Hampton Twp.	Sussex County	
SOILS:		Other	24% * 0	= .00
		Prime	61% * .15	= 9.15
		Unique zero	15% * 0	= .00
				SOIL SCORE: 9.15
TILLABLE SOILS:		Cropland Harvested	50% * .15	= 7.50
		Wetlands/Water	30% * 0	= .00
		Woodlands	20% * 0	= .00
				TILLABLE SOILS SCORE: 7.50
FARM USE:	Ornamental Shrub & Tree Services		27 acres	

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (1.25) acres for Surround existing buildings
Exception is not to be severable 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:
 1. The landowners to sign the Soil Protection Standards Agreement.
The Agreement will be recorded at closing.
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2021R12(9)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

**On the Property of Brown, William
December 3, 2020**

Subject Property: **Brown, William**
Block 18, Lot 9
Vernon Township, Sussex County
SADC ID#: 19-0025-DE
Approximately 116.9 Net Easement Acres

WHEREAS, on January 7, 2020, the State Agriculture Development Committee ("SADC") received a development easement sale application from William Brown, hereinafter "Owner," identified as Block 18, Lot 9, Vernon Township, Sussex County, hereinafter "the Property," totaling approximately 116.9 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 Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the Property includes no exception areas, resulting in approximately 116.9 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the Premises includes:

- 1) Zero (0) exceptions,
- 2) Zero (0) housing opportunities
- 3) Zero (0) Residual Dwelling Site Opportunities (RDSOs)
- 4) Zero (0) agricultural labor units
- 5) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in hay and beef cattle 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 September 26, 2019, 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 44 and minimum quality score of 42) because it is approximately 116.9 acres and has a quality score of 61.60; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 13, 2020 in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified

the Development Easement value of \$1,100 per acre based on zoning and environmental regulations in place as of the current valuation date August 3, 2020; and

WHEREAS, the Premises currently has a recorded 20-foot access easement over an existing driveway owned by the adjacent landowners in the Hamlet of Amity, Town of Warwick, Orange County, New York; and

WHEREAS, since the property does not have a residential opportunity and has limited access, SADC required that the property be merged with the adjacent preserved farm after closing to better ensure the agricultural viability on the Premises in perpetuity and memorialize access through New Jersey; and

WHEREAS the certification was, and this Final Approval is conditioned on, this farm being permanently associated with Block 54, Lot 1 (former Block 33.01, Lot 1); Block 18, Lot 5 (former Block 32, Lot 7); and Block 52, Lot 6 (former Block 31, Lot 9). These lots were preserved on December 10, 2002 by Farmland Preservation Deed of Easement recorded in the Sussex County Clerk's Office on January 6, 2003 in Deed Book 2693, Page 121 ("adjacent parcels"). There shall be a deed provision prohibiting the conveyance of the Premises separate and apart from the adjacent parcels. These adjacent parcels are owned by Newport Bloom LLC, of which William Brown, the owner of the Premises, is the managing member. Newport Bloom, LLC is in agreement with this condition; and

WHEREAS, the Owners accepted the SADC's offer of \$1,100 per acre for the purchase of the development easement on the Premises; 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 \$1,100 per acre for a total of approximately \$128,590 subject to the conditions contained in (Schedule B).
3. This final approval is conditioned upon this farm being permanently associated with Block 54, Lot 1 (former Block 33.01, Lot 1); Block 18, Lot 5 (former Block 32, Lot 7); and Block 52, Lot 6 (former Block 31, Lot 9). These lots were preserved on December 10, 2002 by Farmland Preservation Deed of Easement recorded in the Sussex County Clerk's Office on January 6, 2003 in Deed Book 2693, Page 121 ("adjacent parcels"). There shall be a deed provision prohibiting the conveyance of the Premises separate and apart from the adjacent parcels. These adjacent parcels are owned by Newport Bloom LLC, of which William Brown, the owner of the Premises, is the managing member. Newport Bloom, LLC is in agreement with this

condition.

4. 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 Premises to be preserved, 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. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. 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.
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.

12/3/2020
Date

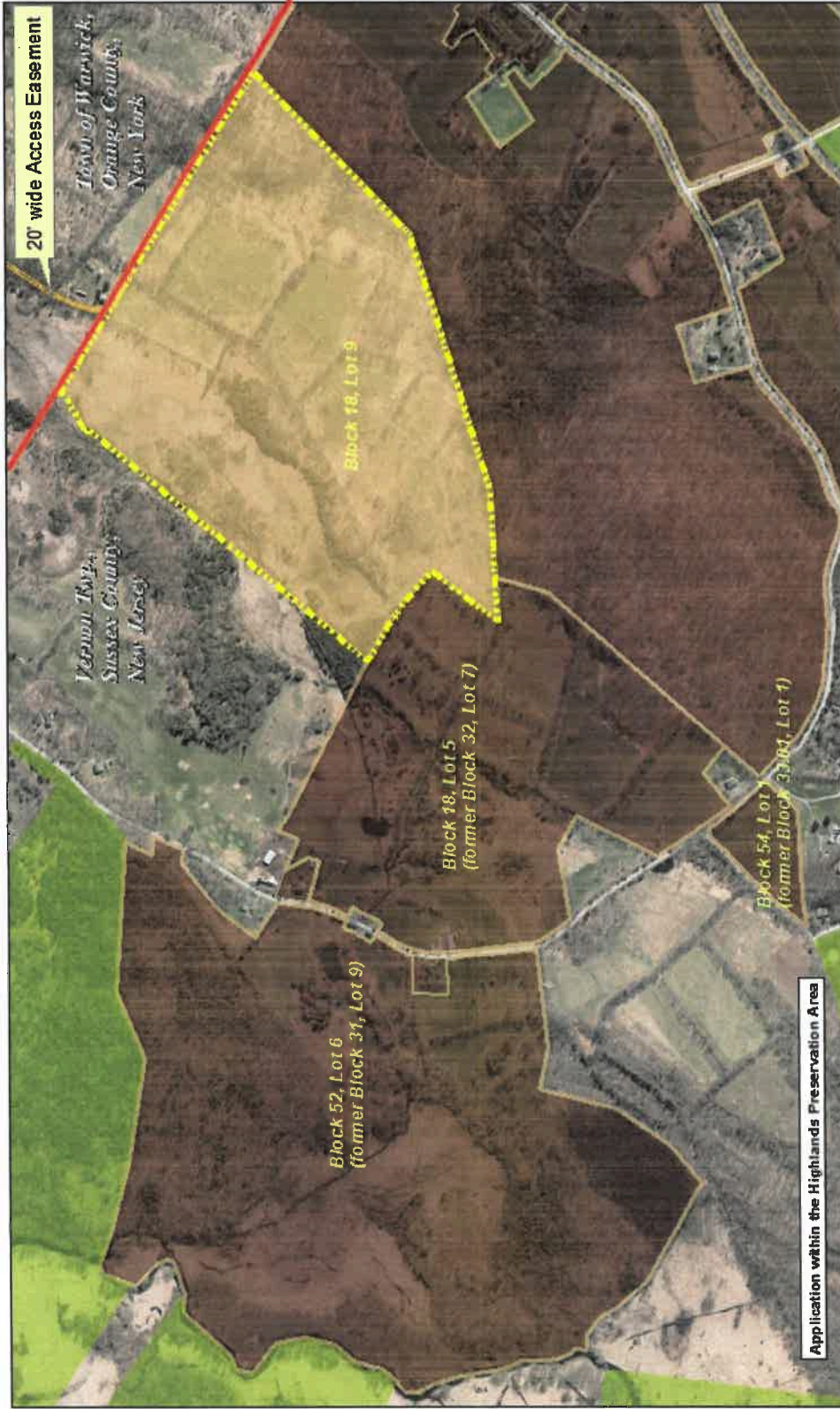


Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Farm Consolidation



Application within the Highlands Preservation Area

Current Application
 Brown, William
 Block 18 Lot 9 (116.9 ac);
 Vernon Twp., Sussex County

Preserved December 2002
 Brown, William
 Block 18, Lot 5; Block 52, Lot 6; and Block 54, Lot 1 (265.4 ac);
 Vernon Twp., Sussex County

Gross Total once Consolidated = 382.3 ac



Prepared by:
 The Planning Board
 of the Highlands Preservation Area
 1000 Route 100, Vernon, NJ 07462
 November 12, 2009



NOTE: This map was prepared by the Planning Board of the Highlands Preservation Area. It is not intended to be used for any other purpose. The Planning Board of the Highlands Preservation Area is not responsible for any errors or omissions on this map.

Preserved Farms and Active Applications Within Two Miles



X:\count\lee\sussex\projects\Brown, William 2miles.mxd

Application within the Highlands Preservation Area

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

Brown, William
Block 18 Lot 9 (116.9 ac);
Gross Total = 116.9 ac
Vernon Twp., Sussex County



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

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

February 25, 2020

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

Brown, William
Easement Purchase - SADC
117 Acres

Block 18	Lot 9	Vernon Twp.	Sussex County	
SOILS:		Other	99% * 0	= .00
		Prime	1% * .15	= .15
				SOIL SCORE: .15
TILLABLE SOILS:		Cropland Harvested	51% * .15	= 7.65
		Wetlands/Water	24% * 0	= .00
		Woodlands	25% * 0	= .00
				TILLABLE SOILS SCORE: 7.65
FARM USE:	Hay		30 acres	
	Beef Cattle Feedlots		11 acres	
	Other		64 acres	Permanent pasture

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: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. The property shall, as a condition of closing on the development easement, be permanently associated with Block 54, Lot 1 (former Block 33.01, Lot 1); Block 18, Lot 5 (former Block 32, Lot 7); and Block 52, Lot 6 (former Block 31, Lot 9). These lots were preserved on December 10, 2002 by Farmland Preservation Deed of Easement recorded in the Sussex County Clerk's Office on January 6, 2003 in Deed Book 2693, Page 121 ("adjacent parcels"). There shall be a deed provision prohibiting the conveyance of the property separate and apart from the adjacent parcels. These adjacent parcels are owned by Newport Bloom LLC, of which William Brown, the owner of the property, is the managing member. Newport Bloom, LLC is in agreement with this condition.
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2021R12(10)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

On the Property of LAM Services, LLC (Lot 1)

December 3, 2020

Subject Property: **LAM Services, LLC (Lot 1)**
Block 73, Lots 1 & 3
Pilesgrove Township, Salem County
SADC ID#:17-0308-DE
Approximately 97.4 Net Easement Acres

WHEREAS, on January 28, 2019, the State Agriculture Development Committee ("SADC") received a development easement sale application from LAM Services, LLC, hereinafter "Owner," identified as Block 73, Lots 1 & 3, Pilesgrove Township, Salem County, hereinafter "the Property," totaling approximately 100.4 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 Owner read and signed SADC Guidance Documents regarding, Division of the Premises, Division of the Premises for Non-Contiguous Parcels, and Non-Agricultural Uses; and

WHEREAS, the original application included one (1), approximately 2-acre severable exception area for and limited to one future single-family residential unit and to afford future flexibility for nonagricultural uses; and

WHEREAS, in appraisal review, the landowner requested to change the size of the severable exception area from two acres to three acres to meet local zoning resulting in approximately 97.4 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the Exception Area:

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

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

- 1) Zero (0) housing opportunities

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

WHEREAS, at the time of application, the Property was in soybean 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 26, 2018, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Salem County (minimum acreage of 92 and minimum quality score of 62) because it is approximately 97.4 acres and has a quality score of 63.54; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 2, 2020 in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$5,000 per acre based on zoning and environmental regulations in place as of the current valuation date July 3, 2020; and

WHEREAS, the Owners accepted the SADC's offer of \$5,000 acre for the purchase of the development easement on the Premises; 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

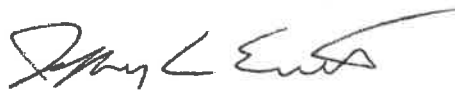
WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General;

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 \$5,000 per acre for a total of approximately \$487,000 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 Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, 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.

12/3/2020
Date

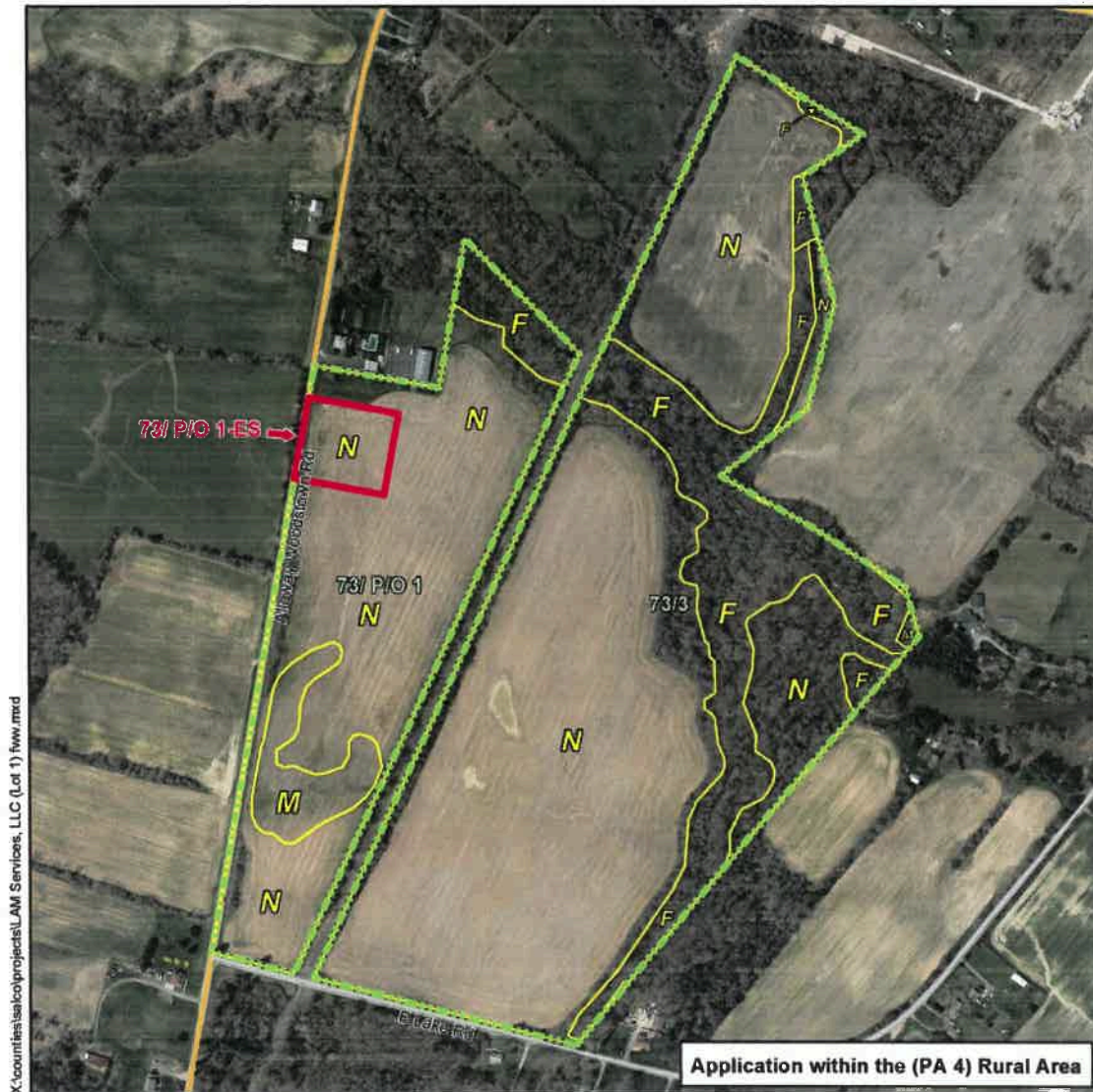


Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Wetlands



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

LAM Services, LLC (Lot 1)
Block 73 Lots P/O 1 (27.8 ac);
P/O 1-ES (severable exception - 3.0 ac); & 3 (70.6 ac)
Gross Total = 100.4 ac
Pilesgrove Twp., Salem County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJ DEP Wetlands Data
NAOIT/OGIS 2016 Digital Aerial Image

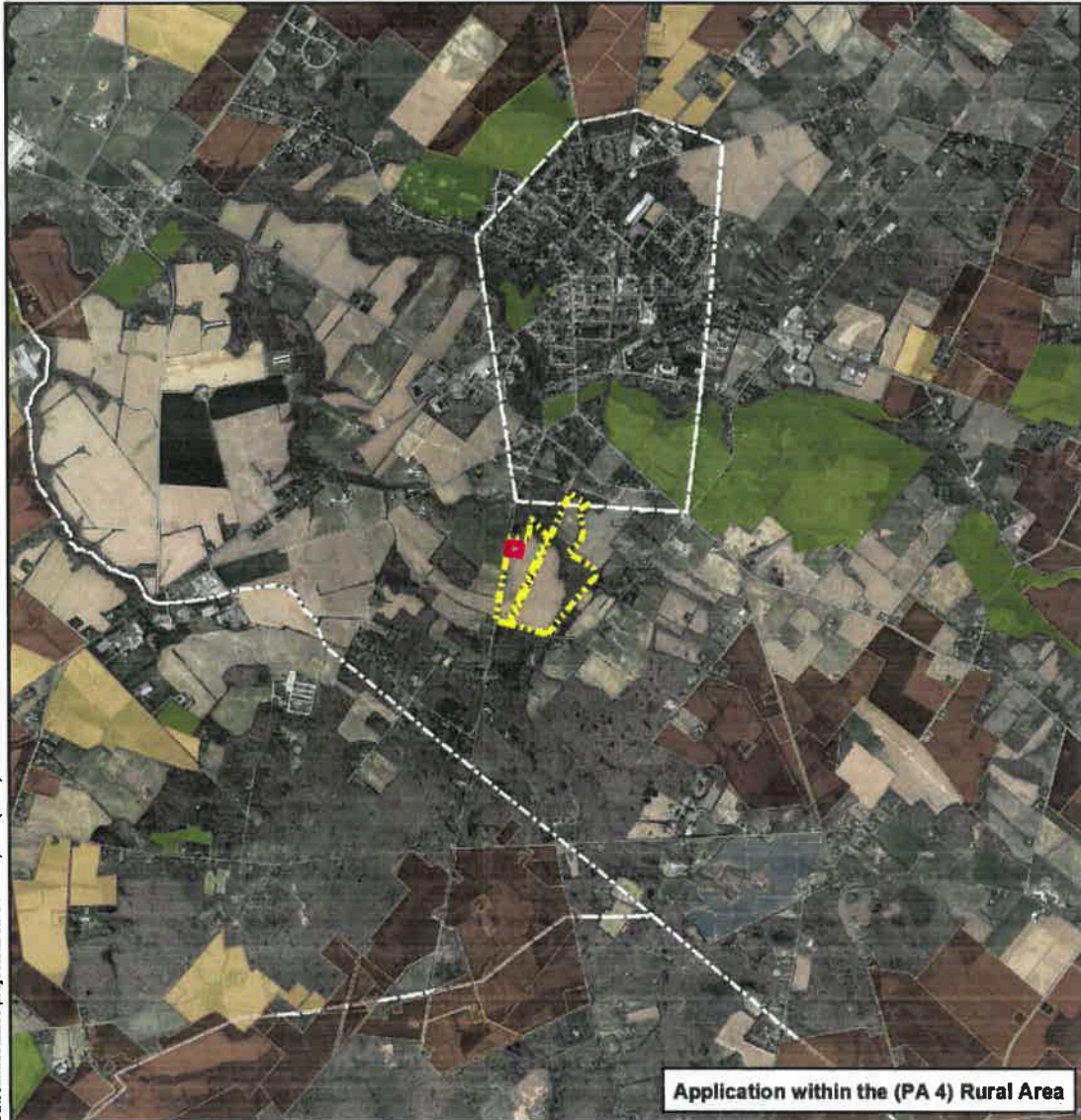
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and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

Application within the (PA 4) Rural Area

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

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 within the (PA 4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

LAM Services, LLC (Lot 1)
Block 73 Lots P/O 1 (27.8 ac);
P/O 1-ES (severable exception - 3.0 ac); & 3 (70.6 ac)
Gross Total = 100.4 ac
Pilesgrove 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

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



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

April 18, 2019

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

LAM Services, LLC (Lot 1)
Easement Purchase - SADC
97 Acres

Block 73	Lot 3	Filesgrove Twp.	Salem County		
Block 73	Lot 1	Filesgrove Twp.	Salem County		
SOILS:		Other	26% * 0	=	.00
		Prime	70% * .15	=	10.50
		Statewide	4% * .1	=	.40
					SOIL SCORE: 10.90
TILLABLE SOILS:		Cropland Harvested	69% * .15	=	10.35
		Wetlands/Water	16% * 0	=	.00
		Woodlands	15% * 0	=	.00
					TILLABLE SOILS SCORE: 10.35
FARM USE:	Soybeans-Cash Grain		62 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 three (3) acres for Future dwelling
 - 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: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2021R12(11)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

On the Property of LAM Services, LLC (Lot 6)

December 3, 2020

Subject Property: **LAM Services, LLC (Lot 6)**
Block 18, Lot 6, Block 17, Lot 28
Mannington Township, Salem County
SADC ID#:17-0342-DE
Approximately 106.7 Net Easement Acres

WHEREAS, on January 28, 2019, the State Agriculture Development Committee ("SADC") received a development easement sale application from LAM Services, LLC, hereinafter "Owner," identified as Block 18, Lot 6, Block 17, Lot 28, Mannington Township, Salem County, hereinafter "the Property," totaling approximately 109.7 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 Owner read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, Division of the Premises for Non-Contiguous Parcels, and Non-Agricultural Uses; and

WHEREAS, the Property includes one (1), approximately 3-acre severable exception area for existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 106.7 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the 3-acre severable exception area:

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

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

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

WHEREAS, at the time of application, the Property was in soybean 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 26, 2018, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Salem County (minimum acreage of 92 and minimum quality score of 62) because it is approximately 106.7 acres and has a quality score of 68.23; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 2, 2020 in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$4,700 per acre based on zoning and environmental regulations in place as of the current valuation date July 3, 2020; and

WHEREAS, the Owners accepted the SADC's offer of \$4,700 acre for the purchase of the development easement on the Premises; 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 \$4,700 per acre for a total of approximately \$501,490 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 Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, 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.

12/3/2020
Date

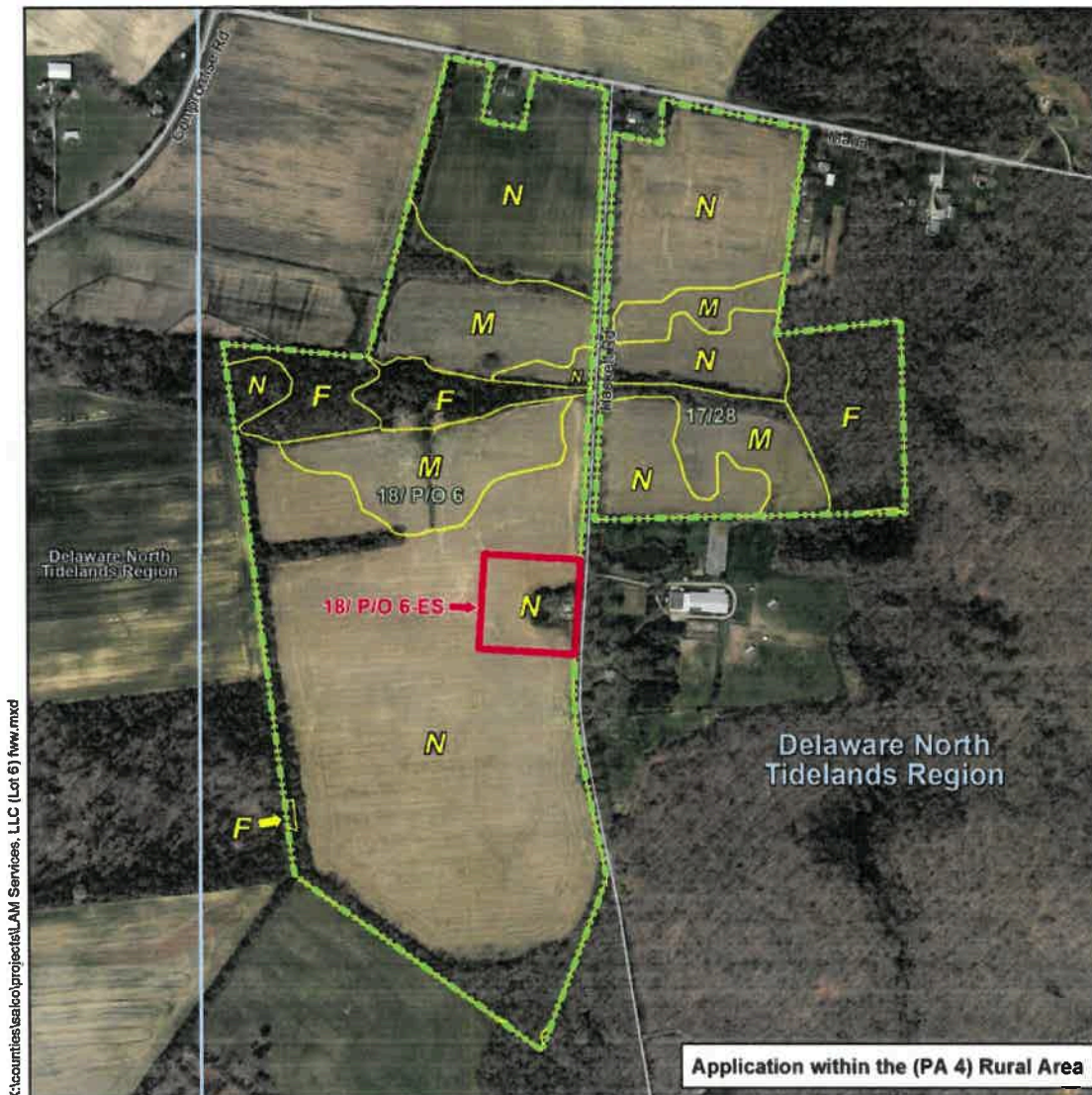


Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Wetlands



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

LAM Services, LLC (Lot 6)
Block 17 Lot 28 (30.3 ac); Block 18 Lots P/O 6 (76.4 ac)
& P/O 6-ES (severable exception - 3.0 ac)
Gross Total = 109.7 ac
Mannington Twp., Salem County



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

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

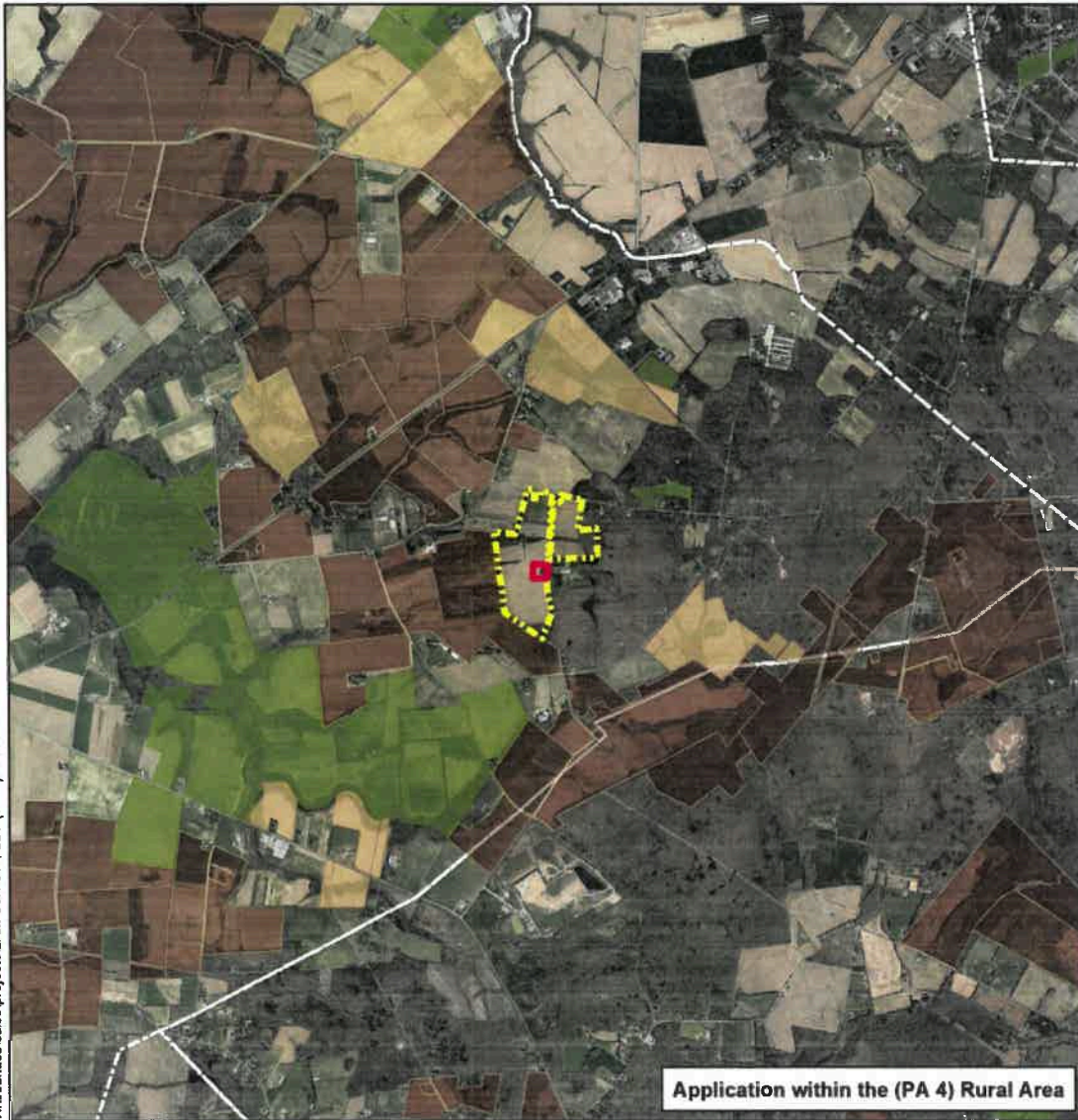
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	Property In Question
	ES - (Severable) Exception
	Wetlands Boundaries
	Primary - Limited Access
	Federal or State Hwys
	County Roads
	Municipal/Local Roads
	Tidelands Boundary

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300 Buffer
W - Water

February 15, 2016

Preserved Farms and Active Applications Within Two Miles



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

LAM Services, LLC (Lot 6)
Block 17 Lot 28 (30.3 ac); Block 18 Lots P/O 6 (76.4 ac)
& P/O 6-ES (severable exception - 3.0 ac)
Gross Total = 109.7 ac
Mannington 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

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



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

October 18, 2016

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

LAM Services, LLC (Lot 6)
Easement Purchase - SADC
107 Acres

Block 18	Lot 6	Mannington Twp.	Salem County			
Block 17	Lot 28	Mannington Twp.	Salem County			
SOILS:		Other	134 *	0	=	.00
		Prime	644 *	.15	=	9.60
		Statewide	234 *	.1	=	2.30
						SOIL SCORE: 11.90
TILLABLE SOILS:		Cropland Harvested	804 *	.15	=	12.00
		Wetlands/Water	114 *	0	=	.00
		Woodlands	94 *	0	=	.00
						TILLABLE SOILS SCORE: 12.00
FARM USE:	Soybeans-Cash Grain		26	acres		

This final approval is subject to the following:

1. Available funding.
2. The allocation of 1 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 three (3) acres for Existing single family residence
Exception is severable
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
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2021R12(12)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

**On the Property of Ayars, Patricia A.
December 3, 2020**

Subject Property: **Ayars, Patricia A.**
Block 11, Lot 16
Alloway Township, Salem County
SADC ID#:17-0353-DE
Approximately 77.6 Net Easement Acres

WHEREAS, on February 13, 2020, the State Agriculture Development Committee ("SADC") received a development easement sale application from Patricia A. Ayars, hereinafter "Owner," identified as Block 11, Lot 16, Alloway Township, Salem County, hereinafter "the Property," totaling approximately 89.6 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 Owner read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the Property includes one (1), approximately 10-acre severable exception area for one future single family residential unit and to afford future flexibility for nonagricultural uses; there is an existing recreational cabin that is not recognized as a single family residence and cannot be replaced as a single family residence; and one (1), approximately 2-acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses, resulting in approximately 77.6 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the 10-acre severable exception area:

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

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

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

WHEREAS, Premises outside the exception area includes:

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

WHEREAS, at the time of application, the Property was in soy 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 September 26, 2019, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff found that the Property, has a quality score of 70.65 and contains approximately 77.6 net acres; and

WHEREAS, the Property does not meet the SADC's minimum ranking criteria for a "Priority" category in Salem County which requires a quality score of at least 61 combined with at least 94 acres, however it is higher than the minimum quality score of 49 and 69 acres needed for an "Alternate" farm designation, therefore, this farm is categorized as an "Alternate" farm, requiring SADC preliminary approval; and

WHEREAS, on April 23, 2020, the SADC granted Preliminary Approval to this Application (Schedule C); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 21, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$5,100 per acre based on zoning and environmental regulations in place as of the current valuation date August 7, 2020; and

WHEREAS, the Owners accepted the SADC's offer of \$5,100 acre for the purchase of the development easement on the Premises; 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 \$5,100 per acre for a total of approximately \$395,760 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 Premises to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, 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.

12/3/2020
Date

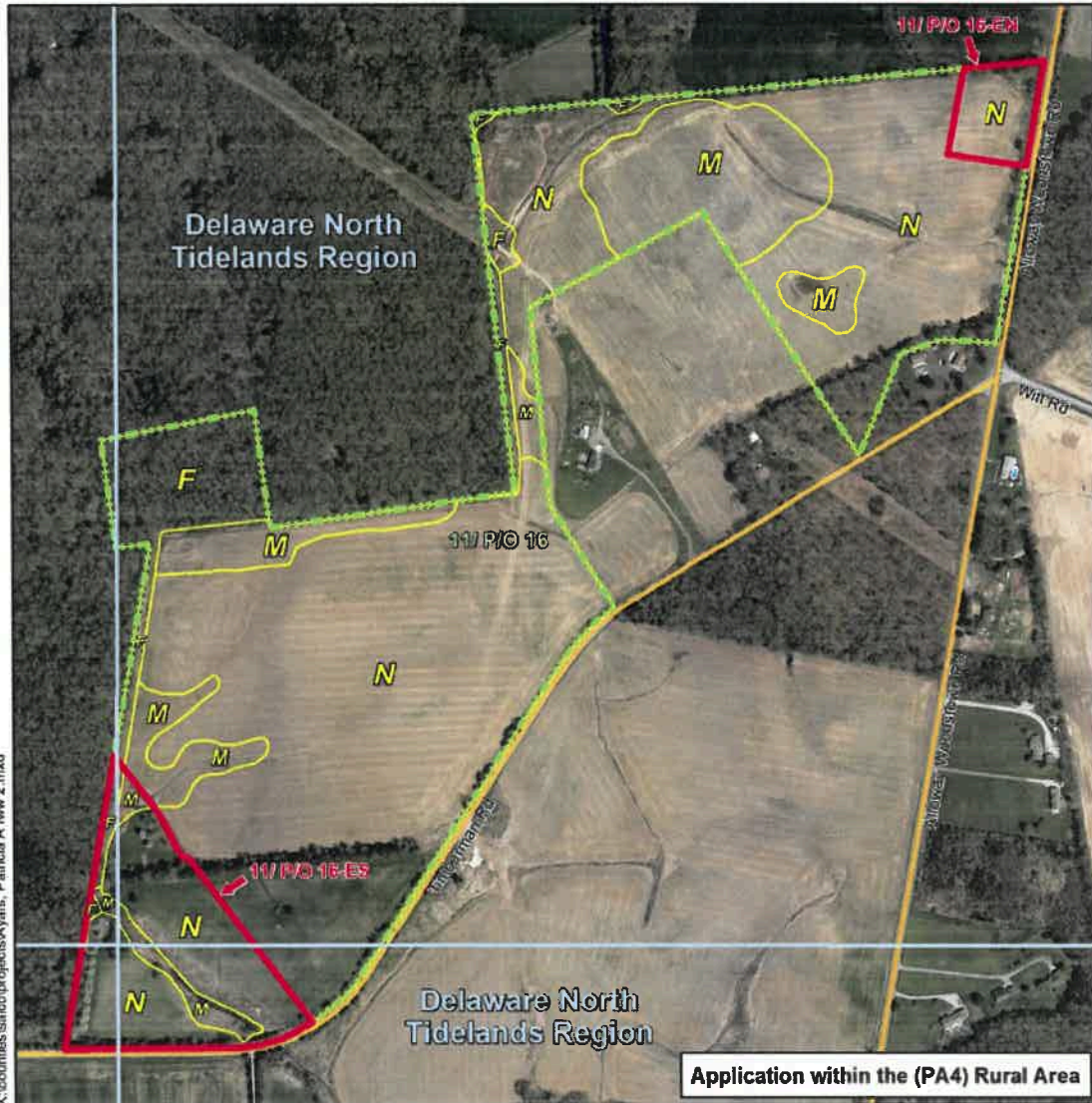


Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	YES
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

Wetlands



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Application within the (PA4) Rural Area

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

Ayars, Patricia A.
Block 11 Lots P/O 16 (77.6 ac); P/O 16-ES (severable exception - 10.0 ac);
& P/O 16-EN (non-severable exception - 2.0 ac)
Gross Total = 89.6 ac
Alloway Twp., Salem County

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJDEP Wetlands Data
NJDOT/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
- Tideland Boundary

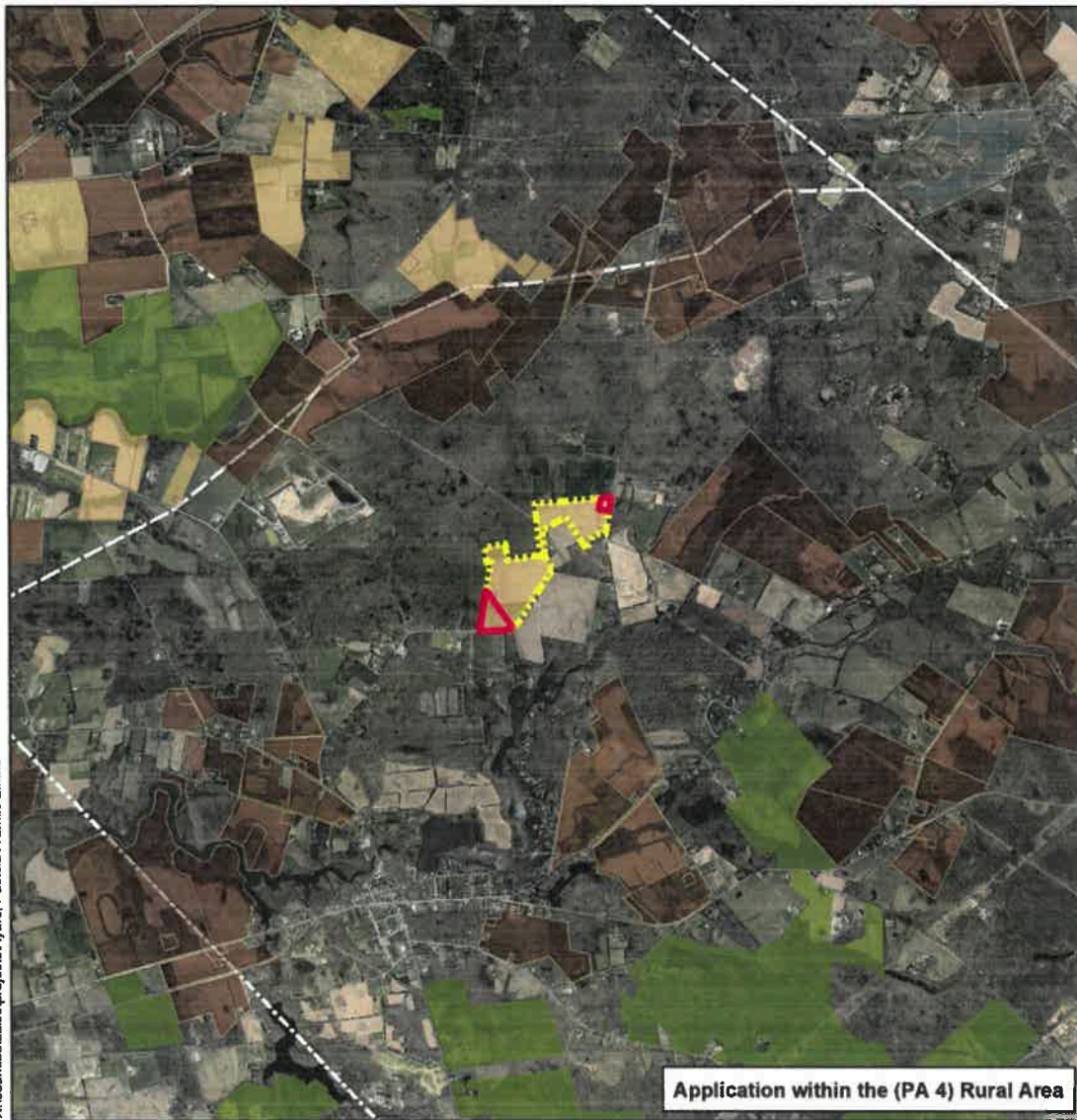
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

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March 18, 2020

Preserved Farms and Active Applications Within Two Miles



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ayars, Patricia A.
Block 11 Lots P/O 16 (77.6 ac); P/O 16-ES (severable exception - 10.0 ac);
& P/O 16-EN (non-severable exception - 2.0 ac)
Gross Total = 89.6 ac
Alloway Twp., Salem County



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



NOTE:
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
Projected Areas Database of the United States (PAD-US)
NJOT/CGIS 2015 Digital Aerial Image

March 18, 2020

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Ayars, Patricia A.
Easement Purchase - SADC
78 Acres

Block 11	Lot 16	Alloway Twp.	Salem County	
SOILS:		Other	1% * 0	= .00
		Prime	96% * .15	= 14.40
		Statewide	3% * .1	= .20
				SOIL SCORE: 14.70
TILLABLE SOILS:		Cropland Harvested	90% * .15	= 13.50
		Wetlands/Water	8% * 0	= .00
		Woodlands	2% * 0	= .00
				TILLABLE SOILS SCORE: 13.50
FARM USE:	Soybeans-Cash Grain		77 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 two (2) acres for future single family residential unit
Exception is not to be severable from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be limited to one future single family residential unit(s)
 - 2nd ten (10) acres for future single family residential unit and existing hunting cabin
Exception is severable
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
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2020R4(12)

Preliminary Approval
SADC Easement Purchase
of an
"ALTERNATE" FARM

On the Property of
Ayars, Patricia A.

April 23, 2020

Subject Property: **Ayars, Patricia A.**
Block 11, Lot 16
Alloway Township, Salem County
SADC ID#:17-0353-DE
Approximately 77.3 Net Easement Acres

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

WHEREAS, on February 12, 2020, the SADC received a development easement sale application from Patricia A. Ayars, hereinafter "Owner," identified as Block 11, Lot 16, Alloway Township, Salem County, hereinafter "the Property," totaling approximately 89.6 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes one (1), approximately 10-acre severable exception area for and limited to one future single family residential unit and an existing recreational hunting cabin and one (1) approximately 2-acre non-severable exception area for and limited to one future single family residential unit resulting in approximately 77.3 net acres to be preserved; and

WHEREAS, the 10-acre Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) May be severed or subdivided from the Premises
- 3) Shall be restricted to one (1) single family residential unit and
- 4) The existing recreational hunting cabin, to be noted on the survey, is not considered a residential unit
- 5) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the 2-acre Exception Area:

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

WHEREAS, the portion of the Property outside the exception area includes 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 soybean production; and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to N.J.A.C. 2:76-11.5 and the State Acquisition Selection Criteria approved by the SADC on September 26, 2019, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff finds that the Property, has a quality score of 70.65 and contains approximately 77.3 net acres (Schedule B); and

WHEREAS, the Property does not meet the SADC's Salem County minimum ranking criteria for the "Priority" category which requires a quality score of at least 63 combined with at least 94 acres, however it is higher than the minimum quality score of 49 and 69 acres needed for an "Alternate" farm designation, therefore, this farm is categorized as an "Alternate" farm, requiring SADC preliminary approval; and

WHEREAS, because this 77.3 acre farm meets the priority score, has approximately 96% Prime soils and is within the County Agriculture Development Area, SADC staff recommends selecting the Property for processing as an "alternate" farm; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and pursuant to N.J.A.C. 2:76-11.6(b)i. there are no "priority" ranked applications that have not already been selected for processing at this time; and

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

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

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

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

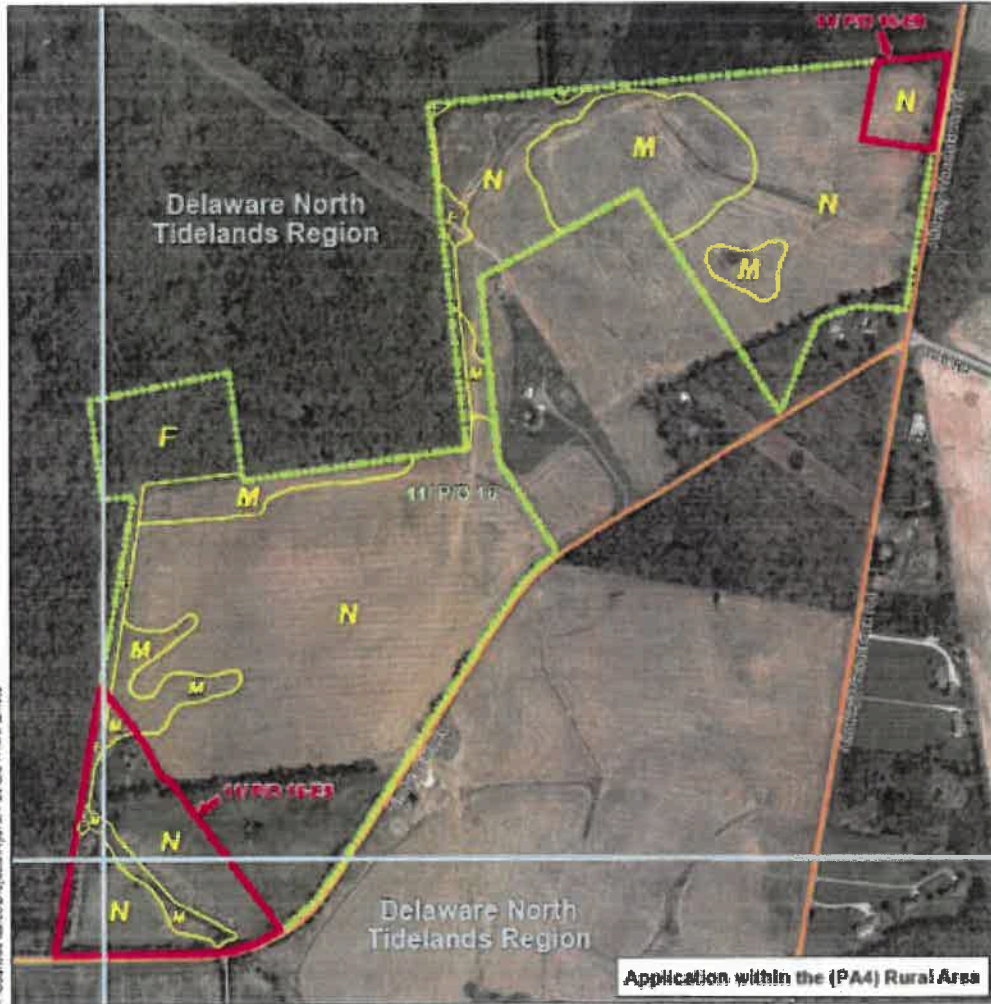
4/23/2020
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands



Source: USGS, aerial, 2010. Digitized by Patricia A. Lee 2/10/10

Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Ayers, Patricia A.
 Block 1 & Lots P/O 16 (77.6 ac); P/O 16-ES (severable exception - 10.0 ac);
 & P/O 16-EN (non-severable exception - 2.0 ac)
 Gross Total = 89.6 ac
 Alloway Twp., Salem County

Residence:
 All Properties Part of the Farmland Preservation Program
 Municipalities: Alloway Township, Delaware County
 Political Area: Delaware County, Salem County (PA4-49)
 All State roads are State
 Municipalities are in Delaware County



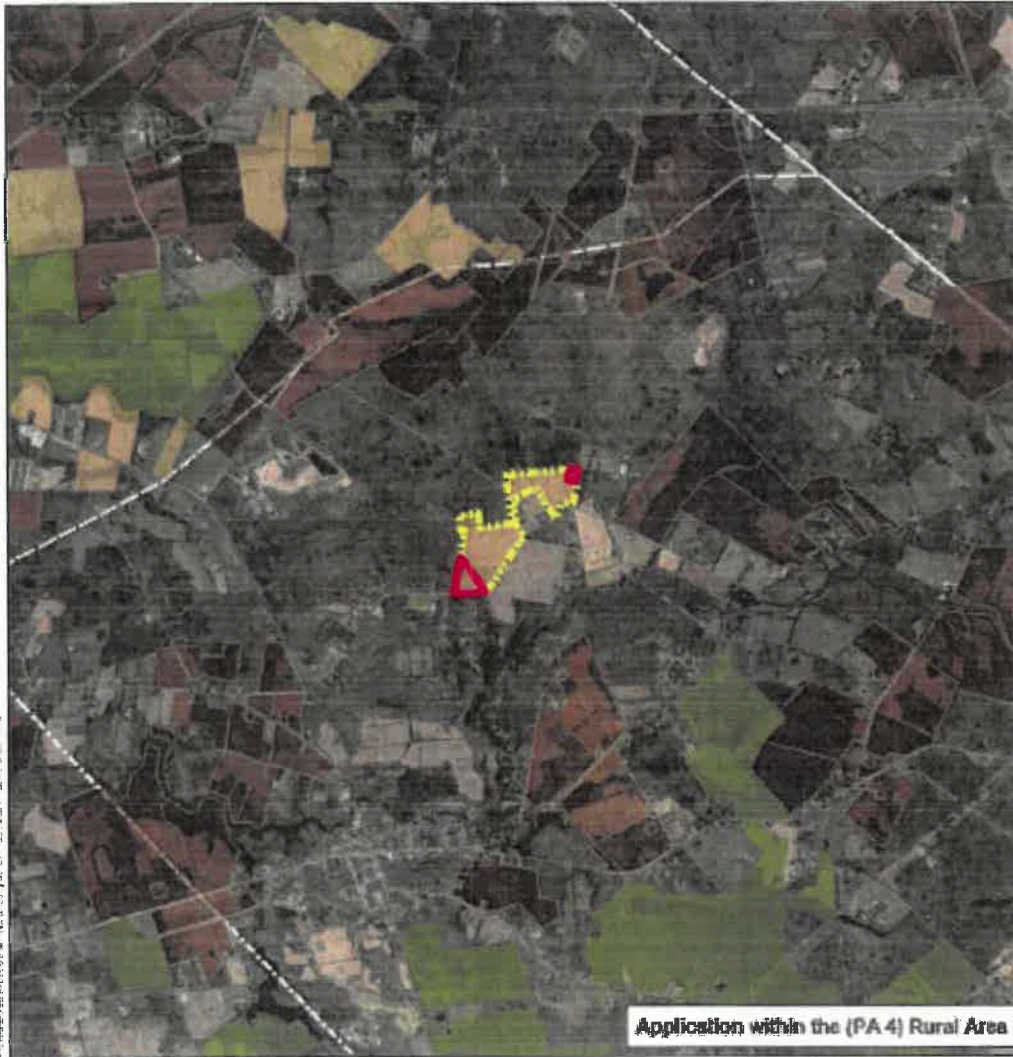
WETLANDS LEGEND:
 The wetlands shown on this map were derived from the National Wetlands Inventory, a project of the United States Fish and Wildlife Service. The National Wetlands Inventory is a project of the United States Fish and Wildlife Service. The National Wetlands Inventory is a project of the United States Fish and Wildlife Service. The National Wetlands Inventory is a project of the United States Fish and Wildlife Service.

Wetlands Legend:
 F - Freshwater Wetlands
 M - Marine Wetlands
 N - Non-tidal Wetlands
 S - Shrub Wetlands
 T - Tidal Wetlands
 U - Unlabeled
 W - Wetlands

- Property in Question
- E1 - (non-severable) Exception
- E2 - (severable) Exception
- Wetlands Enumeration
- Primary - Limited Access
- Federal or State Highways
- County Roads
- Municipal/Local Roads
- Tidelands Boundary



Preserved Farms and Active Applications Within Two Miles



X:\map\farmland\p4\p4_ayrns_pa4_2.mxd

Application within the (PA 4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ayars, Patricia A.
 Block 11 Lots P/O 16 (77.8 ac); P/O 16-ES (severable exception - 18.0 ac);
 & P/O 16-EN (non-severable exception - 2.0 ac)
 Grand Total = 97.8 ac
 Atmazy Twp., Salem County



	Property in Question
	Exceptions
	Preserved Estates
	Transfer Development Rights (TDR)
	Preserved Highlands, Plateaus and Municipal
	Active Applications
	County Boundaries
	Municipal Boundaries
	Waterway, Quarry and Non-Point Pollution Open Space, State Outdoor Recreation, Forestlands, & State Owned Oils & Petroleum Reservoirs



NOTE: The parcel numbers and acreage shown on this map are approximate and should be verified by local land ownership records by the State Agency involved in preservation programs or the local landowner.

Source:
 NJ Farmland Preservation Program
 State Agency Database and Aerial Data
 Protected Areas Database of NJ (PADN) No. 010-100
 NJOCCGIS 2010 Digital Aerial Image

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

GENERAL INFORMATION

COUNTY OF Salem Alloway Twp. 1701
APPLICANT Ayers, Patricia A.

PRIORITIZATION SCORE

SOILS:		Other	14 %	0	=	.00	
		Prime	86 %	.15	=	14.40	
		Statewide	31 %	.1	=	.30	
						SOIL SCORE:	14.70
TILLABLE SOILS:		Cropland Harvested	50 %	.15	=	13.50	
		Wetlands/Water	34 %	0	=	.00	
		Woodlands	24 %	0	=	.00	
						TILLABLE SOILS SCORE:	13.50
BOUNDARIES AND BUFFERS:		Farmland (Unrestricted)	36 %	.05	=	2.10	
		Residential Development	11 %	0	=	.00	
		Streams and Wetlands	48 %	.15	=	4.82	
		Woodlands	5 %	.05	=	.30	
						BOUNDARIES AND BUFFERS SCORE:	11.22
CONTIGUOUS PROPERTIES / DENSITY:		Byzant	Restricted Farm or Current Application			2	
		Leslie	Restricted Farm or Current Application			2	
		Scrang	Restricted Farm or Current Application			2	
		Vaasle	Restricted Farm or Current Application			1	
		Harich	Restricted Farm or Current Application			2	
						DENSITY SCORE:	10.00
LOCAL COMMITMENT:			100 %	.15	=	15.00	
						LOCAL COMMITMENT SCORE:	15.00
SIZE:							SIZE SCORE: 3.10
IMMINENCE OF CHANGE:		SAC Impact factor = 2.13					
						IMMINENCE OF CHANGE SCORE:	2.13
COUNTY RANKING:							
EXCEPTIONS:		Exceptions amount to more than 10% of Property			EXCEPTION SCORE:		-3.00
						TOTAL SCORE:	70.65

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2021R12(13)
Preliminary Approval
SADC Easement Purchase
of an
"OTHER" FARM

On the Property of
Riggs, Donald

DECEMBER 3, 2020

Subject Property: **Riggs, Donald**
Block 51, Lot 1 - Franklin Township, Warren County
SADC ID#:21-0078-DE
Approximately 34 Net Easement Acres

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

WHEREAS, on October 10, 2020, the SADC received an application for the purchase of a development easement from Donald Riggs, hereinafter "Owner," identified as Block 51, Lot 1, Franklin Township, Warren County, totaling approximately 34 gross acres (herein after "the Property"), identified in (Schedule A); and

WHEREAS, the Property includes one (1), existing single family residential unit; and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to N.J.A.C. 2:76-11.5 and the State Acquisition Selection Criteria approved by the SADC on September 26, 2019, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff finds that the Property has a quality score of 66.89 and contains approximately 34 acres (Schedule B); and

WHEREAS, the Property does not meet the SADC's Warren County minimum ranking criteria for size in the "Priority" (60 acres) or "Alternate" (44 acres) categories, although it's quality score is higher than 57, which is the minimum score required to be considered a "Priority" farm, therefore the Property is categorized as an "Other" farm due to its acreage, requiring SADC preliminary approval; and

WHEREAS, because this 34 acre farm has a quality score higher than the County minimum for a "Priority" farm and is contiguous with another preserved farm in an area of significant farmland preservation, SADC staff recommends selecting the Property for processing as an "other" farm; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C.

2:76-6.20 and the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and pursuant to N.J.A.C. 2:76-11.6(b)i. there are no "priority" ranked applications that have not already been selected for processing at this time; and

WHEREAS, as per selection procedures approved by the SADC on September 20, 2017, SADC's "Partnership Pool" funding may be utilized for Direct Easement Purchase program applications that leverage SADC funds by utilizing non-SADC funding, including those that do not meet SADC's "Priority" criteria; and

WHEREAS, SADC staff forwarded the application to Warren County to determine if the County would be interested in providing a cost share contribution and on September 17, 2020 the County Agriculture Development Board (CADB) supported the County's participation on acquisition of the development easement; and

WHEREAS, because this Property is an "Other Farm" and County funding has been preliminarily secured to leverage SADC funding, this farm will utilize SADC's "Partnership Pool" as per the Direct Easement selection procedures; and

WHEREAS, this preliminary approval is conditioned upon the receipt of a grant from the County of Warren equal to approximately 20 percent of the easement cost; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:
 - a) Utilize SADC's "Partnership Pool" funding used only for transactions that leverage SADC funds through the use of non-SADC funding;
 - b) Enter into a 120 day option agreement with the Landowner;
 - c) Secure two independent appraisals to estimate the fair market value of the Property;
 - d) Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.
3. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

___12/3/2020___

Date



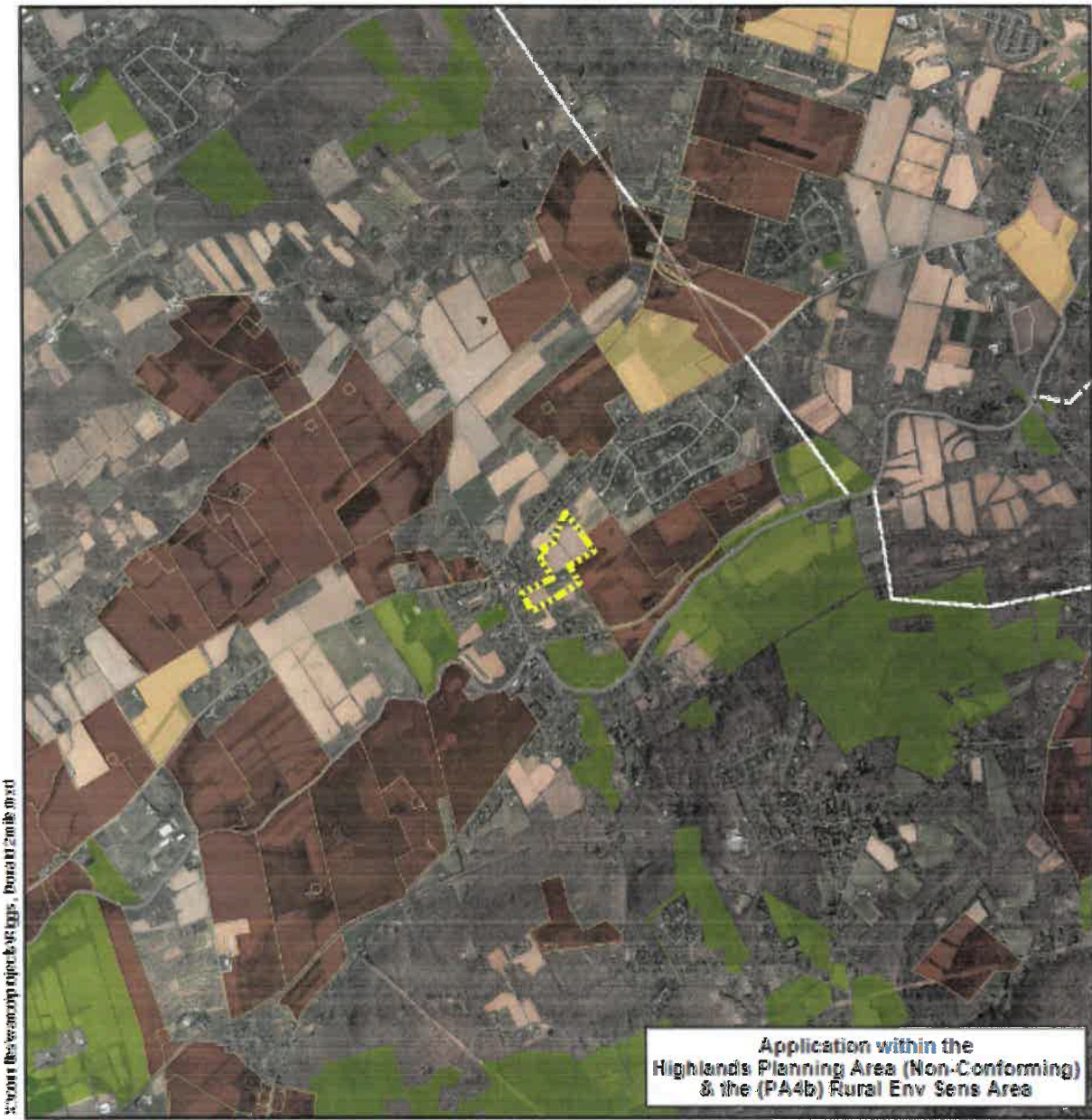
Jeffery Everett, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Richard Norz	NO
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Douglas Fisher, Chairperson	YES

[https://sonj.sharepoint.com/sites/AG-SADC/Hunterdon/DE/10-0269-DE/AQ2/Application GLR Maps/Preliminary Approval for Alternate Farms_2019.06.27.doc](https://sonj.sharepoint.com/sites/AG-SADC/Hunterdon/DE/10-0269-DE/AQ2/Application%20GLR%20Maps/Preliminary%20Approval%20for%20Alternate%20Farms_2019.06.27.doc)

Preserved Farms and Active Applications Within Two Miles



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Application within the Highlands Planning Area (Non-Conforming) & the (PA4b) Rural Env Sens Area

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

Riggs, Donald
Block 51 Lots 1 (33.8 ac)
Gross Total = 33.8 ac
Franklin Twp., Warren County



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



NOTE:
The parcel location and boundaries shown on this map are approximate and should not be considered as the authoritative as defined by the New Jersey Board of Professional Engineers and Land Surveyors.

Source:
NJ Farmland Preservation Program
Greenland, Connecticut: Planning Data
Protect Open Spaces with the State (PA4b)
2007-2010 State Digital Data Base

Wetlands



X:\00118\18\waco\proj\cb\riggs - Do not! New Area

Application within the Highlands Planning Area (Non-Conforming) & the (PA4b) Rural Env Sens Area

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

**Riggs, Donald
Block 51 Lots 1 (33.8 ac)
Gross Total = 33.8 ac
Franklin Twp., Warren County**



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Database Data
NJ Highlands Council Data
Aerial Digital Aerial Images

DISCLAIMER: Any use of this product for purposes beyond those intended by the developer is the sole responsibility of the user. The configuration and georeferenced location of all points, polygons, and data layers are approximate and were developed primarily for planning purposes. The geographic accuracy and precision of the data contained in this file and any other files, not included in this folder, is not warranted. The accuracy and location of the ground features and/or physical objects as shown on this map should be verified by a qualified Professional Land Surveyor.

	Property in Question
	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:
P - Pasture Wetlands
L - Lowland Wetlands
M - Marsh Wetlands
T - Tall Wetlands
N - Non-Wetlands
W - Water

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

GENERAL INFORMATION

COUNTY OF Warren Franklin Twp. 2105

APPLICANT Riggs, Donald

PRIORITIZATION SCORE

SOILS:		Other	164 *	0	=	.00		
		Prime	844 *	.15	=	12.60		
						SOIL SCORE:	12.60	
TILLABLE SOILS:		Cropland Harvested	604 *	.15	=	12.00		
		Other	75 *	0	=	.00		
		Woodlands	135 *	0	=	.00		
						TILLABLE SOILS SCORE:	12.00	
BOUNDARIES AND BUFFERS:		Cemeteries	63 *	.16	=	.96		
		Dead Restricted Farmland (Permanent)	234 *	.2	=	4.60		
		Farmland (Unrestricted)	274 *	.06	=	1.62		
		Residential Development	264 *	0	=	.00		
		Woodlands	186 *	.06	=	1.08		
						BOUNDARIES AND BUFFERS SCORE:	8.26	
CONTIGUOUS PROPERTIES / DENSITY:		Riggs	Restricted Farm or Current Application			2		
		Wax	Restricted Farm or Current Application			2		
		Leyburn	Restricted Farm or Current Application			2		
		Leavens	Restricted Farm or Current Application			2		
		Gardner	Restricted Farm or Current Application			2		
						DENSITY SCORE:	10.00	
LOCAL COMMITMENT:			1004 *	20	=	20.00		
						LOCAL COMMITMENT SCORE:	20.00	
SIZE:						SIZE SCORE:	2.13	
IMMINENCE OF CHANGE:		SADC Impact factor = 1.9						
						IMMINENCE OF CHANGE SCORE:	1.90	
COUNTY RANKING:								
EXCEPTIONS:						EXCEPTION SCORE:	.00	
						TOTAL SCORE:	66.89	