

# Comprehensive Farmland Preservation Plan

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## Bedminster Township Somerset County, NJ



December 15, 2007

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*Revised as of February 2010 per SADC Draft Comments*

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Prepared by the Bedminster Township Land Use Board

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**Introduction**

The purpose of the Farmland Preservation Plan is to provide a blueprint for maintaining Bedminster’s agricultural character, and preserving and promoting the vitality of the agricultural industry in the Township. This concept seeks to preserve the agricultural heartland through a combination of strategies, including the acquisition of development rights through purchase or other means, including donations by landowners.

Much of the unique character of Bedminster’s countryside results from agricultural and equestrian activity and use of land. The Township has a solid agricultural land base, including many large parcels in common ownership. Bedminster’s heartland is dominated by a variety of agricultural uses and the proprietors of these lands in many cases have tended these farms for generations.

Bedminster’s farmland preservation efforts are not limited to the central portion of the community. Attractive and viable farms still exist around the margins of the community, in some cases adjacent to more intensive development in neighboring municipalities. The focus of this Farmland Preservation Plan is to develop a cohesive strategy which preserves the most productive agricultural lands for continued agricultural use, encourages the expansion of agricultural pursuits and a diversification of agricultural activities and maintains the scenic character of the Township, particularly at the gateways where residents and visitors enter the Bedminster countryside.

This farmland preservation plan is prepared pursuant to Paragraph (13) of section 19 of P.L. 1975, c.291 (C.40:55D-28). This section provides that a farmland preservation plan element shall include:

1. an inventory of farm properties in the entire municipality and a map illustrating significant areas of agricultural lands;
2. a detailed statement showing that municipal plans and ordinances support and promote agriculture as a business; and,
3. a plan for preserving as much farmland as possible in the short-term by leveraging monies made available by the Garden State Preservation Trust Act, N.J.S.A. 13:8-1 et seq., P.L. 1999, c. 152 through a variety of mechanisms including but not limited to utilizing:
  - i. Option agreements;
  - ii. Installment purchases; and
  - iii. Encouraging donations for permanent development easements.

This Comprehensive Farmland Preservation Plan also incorporates the recent rule changes under N.J.A.C. 2:76-17A. The criteria under this regulation require Farmland Preservation Plans to include a description of:

- Municipality’s Agricultural Land Base
- Municipality’s Agricultural Industry – Overview



- Land Use Planning Context
- Municipality’s Farmland Preservation Program – Overview
- Future Farmland Preservation Program
- Economic Development
- Natural Resource Conservation
- Agricultural Industry Sustainability, Retention and Promotion

**I. Bedminster Township’s Agricultural Land Base**

**A. Location and Size of Agricultural Land Base**

Bedminster Township retains a large amount of active farmland despite the Township’s suburban growth. Approximately 67% of the Township’s total 16,876 acres (11,324 acres) qualify for reduced tax assessment under the Farmland Assessment Act of 1964 (Figure 1). Table 1 identifies farmland-assessed and farm-qualified parcels within Bedminster, according to the 2007 MOD IV tax data (See Appendix A for list of farms).

**Table 1: Bedminster Township Property Class**

<b>Class</b>	<b>Acres</b>	<b>%</b>
<b>Farm Assessed</b>	<b>8,174.0</b>	<b>48</b>
<b>Farm Qualified</b>	<b>3,150.4</b>	<b>19</b>
<b>Residential</b>	1,867.2	11
<b>Public Property</b>	658.2	4
<b>Other Exempt</b>	690.1	4
<b>Commercial</b>	743.8	4
<b>Vacant</b>	430.5	3
<b>No Data</b>	221.8	1
<b>Cemetery</b>	85.3	1
<b>Public School</b>	30.9	0
<b>Church</b>	24.1	0
<b>Total</b>	<b>16,876.5</b>	<b>100</b>

*Source: Somerset County/Bedminster Township MOD IV tax data*

A property that is classified as “farmland-assessed” by the tax assessor means that entirety or a portion of the property currently meets the State’s minimum farm production value requirements, is currently being farmed and is currently receiving reduced farmland assessment under the Farmland Assessment Act of 1964. A property that is classified “farm-qualified” by the assessor means that the entirety or a portion of the property is eligible to receive farmland assessment, has demonstrated that farm activities meet that State’s minimum farm production value requirements, but cannot yet be farm assessed because the farm may not meet the State’s minimum three year production and eligibility requirements to receive farmland assessment. A “farm qualified” parcel must demonstrate three consecutive years of eligibility under State requirements in order to receive farmland assessment (farm qualified for at least three years = farmland assessment the fourth year).

The Township has identified a project area (Figure 1) located in the central and western portions of the Township. The project area consists of 10,005 acres, of which 91% (9,078 acres) are farm assessed or qualified (Table 2). Farm assessed and qualified lands may include privately-owned forest (see Land Use Land Cover comparison below).

**Table 2: Property Class for Bedminster Township Project Area**

<b>Class</b>	<b>Acres</b>	<b>%</b>
<b>Farm Assessed</b>	<b>6,528</b>	<b>65</b>
<b>Farm Qualified</b>	<b>2,550</b>	<b>25</b>
Residential	354	4
Road Area	246	2
Vacant	156	2
No data	137	1
Public Property	19	0
Commercial	8	0
Other Exempt	3	0
Church	2	0
Cemetery	2	0
<b>TOTAL</b>	<b>10,005</b>	<b>100</b>

*Source: Somerset County/Bedminster Township MOD IV tax data*

The project areas correlate to the Somerset County Project Area and Agricultural Development Area (ADA) called the Upper Raritan ADA.

The nature of the Township is further highlighted by the 2002 Land Use/Land Cover data (Figure 2). Table 3 identifies the Land Use/Land Cover for the entire Township. There are 6,243 acres (37%) of the Township are classified as Agricultural.

**Table 3: 2002 Land use/Land Cover for Bedminster Township**

<b>Type</b>	<b>Acres</b>	<b>%</b>
<b>Agriculture</b>	<b>6,243</b>	<b>37</b>
<b>Barren Land</b>	<b>51</b>	<b>0</b>
<b>Forest</b>	<b>6,275</b>	<b>37</b>
<b>Urban</b>	<b>3,062</b>	<b>18</b>
<b>Water</b>	<b>177</b>	<b>1</b>
<b>Wetland</b>	<b>1,069</b>	<b>6</b>
<b>Total</b>	<b>16,889</b>	<b>100</b>

*Source: NJDEP 2002 Land Use/Land Cover*

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When the 2002 Land Use/Land Cover is focused on the Township's project area, the agricultural land totals 49% (4,956 acres) of the area (Table 4 and Figure 2).

**Table 4: 2002 Land Use/Land Cover for Project Area**

Type	Acres	%
<b>Agriculture</b>	<b>4,956</b>	<b>49</b>
Barren Land	19	0
Forest	3,627	36
Urban	843	8
Water	77	1
Wetland	589	6
<b>Total</b>	<b>10,111</b>	<b>100</b>

*Source: NJDEP 2002 Land Use/Land Cover*

Furthermore, 45% (4,545 acres) of the project area is classified as cropland and pastureland in the 2002 Land Use/Land Cover (Figure 3).

Finally, it is important to note the amount of existing preserved farmland in the Township. To date, there are 1,900 acres of farmland preserved through SADC, the County and Municipal Funding and private donations (Table 5).

**Table 5: Preserved Farmland**

Property	Program	Acres
Marano I & II	Bedminster PIG	85.5
Marano III	Donation to County through Bedminster PIG	31.7
Harms	Bedminster PIG	29.6
Hayfields I & II	Bedminster PIG	71.4
EG Anderson I & II	County Easement Purchase	377
<i>Staats*</i>	<i>County Easement Purchase</i>	<i>37</i>
Doyle	County Easement Purchase	96.6
Marki	County Easement Purchase	29.9
Piancone I, II & III	State Direct (County and Municipal Cost shares)	147
Buffalo Country	State Direct Easement	357
<i>Sneardowski Farm B 61 L 7*</i>	<i>County Purchase – farm leased</i>	<i>116</i>
Stanley	Private Agricultural Easement donation to Nonprofit	50
Todd Easement	Private Agricultural Easement donation to Nonprofit	60
Eweson	Private Agricultural Easement donation to Nonprofit	80
Filley	Private Agricultural Easement donation to Nonprofit	87
Merck	Private Agricultural Easement donation to Nonprofit	97
Stanley	Private Agricultural Easement donation to Nonprofit	50
Sarr	Private Agricultural Easement donation to Nonprofit	32
Mantz	Agricultural and conservation easement purchase - Bedminster	14.2
Brady Easement donation	Private Agricultural Easement donation to Nonprofit	52
<b>TOTAL</b>		<b>1,900.9</b>

*\*Located outside of Project Area. Source: SADC and Bedminster Township*

There are 18 preserved farms in the project area totaling 1,747 acres. The project area includes target farms that will expand the existing base of preserved farmland and create large contiguous areas of active and preserved farms. These targets will be discussed further in Sections 4 and 5 below but are noted here to show the proximity and nature of the Township's Project Area (Figure 4).

**B. Distribution of soil types and their characteristics**

According to the "New Jersey Important Farmlands Inventory", prepared by the State Agriculture Development Committee in 1990, soil classifications are defined as:

Prime Farmlands - Prime Farmlands include all those soils in Land Capability Class I and selected soils from Land Capability Class II. Prime Farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops and is also available for these uses. It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed according to acceptable farming methods. Prime Farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding.

Soils of Statewide Importance - Farmlands of statewide importance include those soils in Land Capability Classes II and III that do not meet the criteria as Prime Farmland. These soils are nearly Prime Farmland and economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce yields as high as Prime Farmland if conditions are favorable.

Farmland of Local Importance - Farmland of local importance includes those soils that are not prime or statewide importance and are used for the production of high value food, fiber or horticultural crops.

Farmland of Unique Importance - Farmland of unique importance includes those soils that are not of prime or statewide importance and are used for the production of specialty crops.

The soils that are found in Bedminster are highly suitable for farmland production (Figure 5). Overall, 81% (13,542 acres) of the Township has farmland capable soils (Table 6).

**Table 6: Farm Capable Soils for Bedminster Township**

<b>Soil</b>	<b>Acres</b>	<b>%</b>
<b>Prime Soils</b>	5,694	34
<b>Statewide Important</b>	4,666	28
<b>Locally Important Soils</b>	3,182	19

<b>Other</b>	3,321	20
<b>Total</b>	<b>16,864</b>	<b>100</b>

*Source: NRCS SSURGO Soils Data20080818*

The project area also contains a high amount of farmland capable soils with 88% (8,863 acres) rated as Prime soils, Statewide Important soils or locally important soils (Table 7).

**Table 7: Farm Capable Soils for Lamington Road Project Area**

<b>Soil</b>	<b>Acres</b>	<b>%</b>
<b>Prime Soils</b>	3,925	39
<b>Statewide Important</b>	2,962	29
<b>Locally Important Soils</b>	1,976	20
<b>Other</b>	1,227	12
<b>Total</b>	<b>10,090</b>	<b>100</b>

*Source: NRCS SSURGO Soils Data20080818*

Soils descriptions<sup>1</sup>

The following is a brief description of the soils located in Bedminster Township.

Abbotsville Series – consists of deep and somewhat poorly drained soils on upland areas. Abbotsville soils are suited well for hay and pastures consisting of grasses and legumes that tolerate wetness.

Amwell Series – consists of deep to moderately and poorly drained soils that are located hillsides and sloping areas. These soils are often found in wooded areas but if found in clearings are suitable for hay and pasture.

Arendtsville Series – consists of deep well drained soils found on gently to strongly sloped areas. The soils are well suited for a variety of crops including corn, soybeans, small grains, fruit, hay and pasture.

Birdsboro Series – consist of deep well drained soil often located on stream terraces. These soils are suitable for a variety of crops including vegetables, fruits, nursery stock, and are excellent for corn, soybeans and small grains.

Bowmansville Series – consist of deep poorly drained soils located on floodplains and major rivers and streams. These soils are typically not suitable for crops since they are located in areas that are frequently flooded. Areas that can be productive are used for pasture or hay.

Bucks Series – consist of deep well-drained soils on upland areas. These soils are well suited for a variety of crops including corn, soybeans, small grains and vegetables.

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<sup>1</sup> Soil Survey of Somerset County, USDA Soil Conservation Service, 1979.

*Califon Series* – these soils are deep and moderately to somewhat well drained. They are typically found in gently sloping areas. If these soils are drained they are well suited for corn, soybeans, small grains, hay and pasture.

*Cokesbury Series* – consist of deep, poorly drained and stony soils. They are often found on nearly level and gently sloping areas. If the soils are cleared of stones and drained they can be suitable for hay and legumes that tolerate wetness.

*Croton Series* – these soils are deep and poorly drained and are usually located in areas that are level or gently rolling. The soils often require a delay in plowing and cultivation due to excessive wetness in spring after heavy rains. The soils are mainly used for hay and pasture.

*Dunellen Series* – these soils are deep and well drained and often located on nearly level to sloping areas. Dunellen soils are well suited for vegetables, fruit, corn, small grains, nursery crops and alfalfa.

*Klinesville Series* – consist of shallow well drained soils located on the narrow divides and rolling uplands. These soils are well suited for small grains, hay and pasture plants, but pasture plants grow slowly due to a low availability of water capacity.

*Lamington Series* – the lamington series soils are deep and poorly drained. They are often found in depressions in the stream terraces. If the soils are drained they are suitable for corn, soybeans, grasses and legumes that can tolerate wetness.

*Lansdowne Series* – these soils are deep and moderately well drained. They are typically found on broad uplands and low lying flats. These soils are typically used for hay and pasture, and if drained, can be used for row crops. However, water tolerant grasses and legumes are better suited for these soils.

*Meckesville Series* – consist of deep moderately drained soils that are found on gently to strongly sloped areas. These soils are well suited for hay, corn, vegetables, small grains and pasture.

*Mount Lucas Series* – these soils are deep and moderately to somewhat poorly drained and are often located on level to sloping areas. Due to wetness and stoniness, these soils are not good for intense cultivation but are suited for row crops.

*Norton Series* – these soils are typically deep and well drained located on nearly level to strongly sloping areas. If cultivated, these soils are well suited for corn, soybeans, small grains, vegetables and nursery crops.

*Parsippany Series* – consist of deep and poorly drained soils that are located in nearly flat areas. These soils need to be drained in order to properly cultivate crops. If drained they are suitable for corn, soybeans, hay and pasture.

Pattenburg Series – these soils are deep and well drained, often located in strongly sloping areas. These soils are suitable for general crops.

Penn Series – the Penn series are often moderately deep and well drained soils located on nearly level to strongly sloping areas. These soils are well suited for all general crops.

Raritan Series – these soils are deep and moderately to poorly drained. They are often located on stream terraces. These soils are suitable for commonly grown field crops however the wetness of the soils limits the selection of crops. Alfalfa and fall sown small grains are subject frost heaving and winterkill.

Readington Series – these soils are often deep and moderately well drained. They are often located in gently sloping areas. These soils are fairly well suited for corn, soybeans, spring sown small grains, vegetables, hay and pasture.

Reaville Series – consist of moderately deep and moderately well drained to poorly drained soils. They are often located on nearly level to gently sloping soils. These soils are best suited hay and pasture land consisting of grasses and legumes that can tolerate wetness.

Rowland Series – the Rowland series consist of deep moderately well drained to somewhat poorly drained soils. They are often located on flood plains. Because of the flood prone nature of these areas, they are not well suited for crops and are more suited for pasture.

Royce Series – these spoils are deep and well drained and located on gently sloping soils in upland areas. These soils are well suited for all general crop production.

**C. Number of Irrigated Acres and Available Water Resources**

According to the 2005 New Jersey Farmland Assessment, there are no irrigated acres in the Township. The land farmed in the Township is primarily dedicated to field crops, pasture land and livestock. Field crops such as corn, grass, alfalfa, and small grains typically rely on groundwater resources and require no additional irrigated water sources.

Annual NJ Farmland Assessment reports identify the number of irrigated acres by County and by municipality. The number of irrigated acres reported for Bedminster Township for the Tax Years 1984, 1991, 2001 and 2005 are listed below:

Irrigated acres:	
Farmland Assessment 1983; Tax Year 1984:	8.10 acres
Farmland Assessment 1990; Tax Year 1991:	20 (field crops)
Farmland Assessment 2000; Tax Year 2001:	0 acres
Farmland Assessment 2004; Tax Year 2005:	0 acres.

Net Water Availability in Bedminster is fairly limited, according to the NJ Highlands council. Net Water Availability is calculated by HUC14 subwatershed. There are essentially three HUC 14 subwatersheds in Bedminster. These are (1) the east, central and northeast section of the project area is characterized by water availability in the subwatershed as between 0.05 – 0.90 mgd (50,000 and 90,000 gallons per day); (2) the southerly portion of the Township is characterized as being at a potential deficit of -0.09 – 0.00 mgd (90,000 to 0); and (3) the westerly portion of the Township in the Black River area at a potential deficit of -0.99 - -0.10 mdg (-990,000 to -100,000).

According to the Highlands Plan:

$$\begin{array}{r} \text{(Ground Water Availability)} \\ - \text{(Consumptive/Depletive Water Use)} \\ + \text{Net Water Availability} \end{array}$$

Where Net Water Availability is positive, it is assumed there is water available beyond existing demands. This availability must not be exceeded, so that new deficits are avoided in the future. Where Net Water Availability is negative, existing uses are exceeding sustainable supplies and the subwatershed is deemed to be a Current Deficit Area. In addition, maintenance of stream flows within any HUC14 subwatersheds upstream of a Current Deficit Area is necessary without further impairing the ecological health of the stream. These areas, classified as Existing Constrained Areas, have their Ground Water Availability threshold adjusted to 5% more than the existing consumptive/depletive uses or the default threshold for the Zone, whichever is lower. Where water resources are stressed, additional planning and mitigation is necessary.”

A majority of Bedminster’s farmland preservation project area is characterized by the Highlands Council as having surplus water available for human activity (including farming and agriculture). Portions of the project area are characterized as potential net water availability deficit areas. This suggests that agricultural activities that consume large quantities of water may not likely the most suitable form of agriculture for Bedminster in the future. Competition for water during dry summer months could become as an issue, if water intensive farming emerges in Bedminster in the future.

**D. Farmland Assessment and Census of Agriculture Statistics and Trends**

1. *Number of Farms and Farms by Size*
2. *Average and Median Farm Size*

According to the 2004 New Jersey Farmland Assessment Profiles, Bedminster has a total of 239 farms comprised of 11,087 acres. Using the Township’s GIS data, farms were categorized and the average and median sizes determined. The 2004 average farm parcel in the Township is 54.7 acres with a median of 22.7 acres.



The Township's average and median farm parcel correlates to Somerset County's farm averages and median farm parcels. The County's average farm parcel in 2002 was 82 acres with a median of 23 acres. In 2007, the average farm parcel in the County was 74 acres, down from 82-acres in 2002 with a median size of 20-acres.

3. *Cropland Harvested, Pasture, Woodland, Equine and total for Agricultural Use*

According to the 2004 New Jersey Farmland Assessment, the Township's primary agriculture is located on harvested cropland (Table 8). This is typical of the type of farming currently underway in the Township where silage crops are the primary source of income.

**Table 8: Agricultural Land Use**

Use	1983 (Acres)	1990 (Acres)	2000 (Acres)	2004 (Acres)	Acres Change 1983- 2004	% Change 1983- 2004
<b>Cropland Harvested</b>	3,736	3,385	3,224	3,236	-500	-13
<b>Permanent Pasture</b>	1,972	2,321	1,810	2,125	153	8
<b>Attached Woodland</b>	-	2,543	1,637	1,358	-1,185	-47
<b>Cropland Pastured</b>	1,702	1,360	1,083	455	-1,247	-73
<b>Unattached Woodland</b>	-	1,303	2,172	2,583	1,280	98
<b>Equine Acres</b>	-	-	155	168	13	8
<b>Woodland/Wetland</b>	4,072	-	-	-	-4,072	-100
<b>Total for Ag Use</b>	<b>11,482</b>	<b>10,912</b>	<b>10,081</b>	<b>9,925</b>	<b>-1,557</b>	<b>-14</b>

*Source: 2004 New Jersey Farmland Assessment*

The larger percentage of land devoted to cropland in the Township in 2004 correlates to the amount of cropland in the County. According to the Somerset County Comprehensive Farmland Preservation Plan, 44% of the County's farmland is devoted to cropland.

## **II. Bedminster Agricultural Industry**

### **A. Trends in Market Value of Agricultural Products**

According to the Somerset County Comprehensive Farmland Preservation Plan, agriculture accounted for more than \$15.1 million in sales during 2002 and in 2007 agriculture accounted for \$18.9 million in sales in the county. The total amounts of revenue generated by farms in Bedminster Township are hard to identify. As stated in the Somerset County plan, the use of the United States Department of Agriculture's National Agriculture Statistics Service (NASS) is tabulated annually with certain crop yields recorded in recent years that were not previously recorded. Additionally, trends in the market value are not compiled annually at the County level, but rather reported every five years as part of the National Census of Agriculture. The next Census report will be available at the beginning of 2008. While these statistics are available at the County level, they are not typically available at the municipal level. However, much of the trending witnessed in at the County level correlates to the Township level.

According to the Census of Agriculture, as identified in the Somerset County Plan, County sales from “crops, including nursery and greenhouse” category, which had steadily increased from 1987 to 1997, were down 27% from \$10.5 million in 1997 to \$8.3 million in 2002. Sales rebounded to \$9.3 million in 2007. The 2002 declines were seen across New Jersey due to the severe drought conditions that were observed during the 2002 Census year. “Livestock, poultry and their products” from Somerset County produced \$6.8 million in sales during 2002, up 66% from \$4.1 million in 1997. This trend could be witnessed in Bedminster Township as lands devoted to pastureland and the total number of livestock increased.

**B. Crop/Production Trends over the last 20 years**

As identified in the previous section, many production trends have been decreasing throughout the State over the past 20 years. Bedminster Township has also witnessed this decline. For the most part, agricultural acreage and production units have been on the decline with the exception of hay products. Table 9 identifies the 20 year trend of acres devoted to field crops such as barley, grains, grasses and soybeans. Most crop production has been in decline over the past 20 years with the exception of barley, alfalfa and other hay products. No crops in greenhouse production were reported.

**Table 9: Bedminster Township Land devoted to field crops (Acres)**

	1983	1990	2000	2004	Acres Change 1983-2004	% Change 1983-2004
<b>Barely</b>	5	0	0	8	3	60
<b>Grain Corn</b>	151	110	63	24	-127	-84
<b>Silage Corn</b>	218	55	78	6	-212	-97
<b>Grass Silage</b>	4	0	0	0	-4	-100
<b>Alfalfa Hay</b>	298	415	549	450	152	51
<b>Other Hay</b>	2315	2,630	2132	2571	256	11
<b>Oats</b>	98	96	63	0	-98	-100
<b>Rye Grain</b>	18	10	123	9	-9	-50
<b>Sorghum</b>	40	5	0	0	-40	-100
<b>soybeans</b>	227	0	0	0	-227	-100
<b>wheat</b>	20	35	46	17	-3	-15
<b>cover cop</b>	12	0	0	0	-12	-100
<b>other field crops</b>	285	24	0	13	-272	-95

*Source: New Jersey Farmland Assessment*

Table 10 identifies acres devoted to fruit productions. The only remaining fruit crop produced in the Township is apples and other mixed fruit. In each category of previously grown fruit, a reduction in the total amount of acres utilized has decreased or been completely removed.

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**Table 10: Bedminster Township Fruit Production (Acres)**

	1983	1990	2000	2004	Acres Change 1983-2004	% Change 1983-2004
<b>Apples</b>	19	18	21	26	7	37
<b>Grapes</b>	1.5	4	0	0	-1.5	-100
<b>Peaches</b>	2.1	1	1	1	-1.1	-52
<b>Blackberries/Raspberries</b>	.5	0	0	0	-0.5	-100
<b>Cranberries</b>	.5	0	0	0	-0.5	-100
<b>Blueberries</b>	.3	0	0	0	-0.3	-100
<b>Other Fruit</b>	2.5	0	0	3	0.5	20

*Source: New Jersey Farmland Assessment*

Table 11 depicts the amount of farm acres devoted to vegetable production. The only remaining vegetable production in the Township is classified as mixed vegetable crop.

**Table 11: Bedminster Township Vegetable Production (Acres)**

	1983	1990	2000	2004	Acres Change 1983-2004	% Change 1983-2004
<b>White Potatoes</b>	1	0	0	0	-1	-100
<b>Pumpkins</b>	3.6	0	11	0	-3.6	-100
<b>Tomatoes</b>	.1	0	0	0	-0.1	-100
<b>mixed veg crops</b>	1	0	2	4	3	300
<b>Other crops</b>	7.87	0	0	0	-7.87	-100

*Source: New Jersey Farmland Assessment*

Table 12 identifies nursery and tree stock acres produced in the Township. This category indicates that there is currently limited production of nursery stock in the Township.

**Table 12: Bedminster Township Nursery and Tree Production (Acres)**

	1983	1990	2000	2004	Acres Change 1983-2004	% Change 1983-2004
<b>Trees &amp; Shrubs</b>	136	128	59	58	-78	-57
<b>Christmas Trees</b>	15	0	14	0	-15	-100
<b>Other Nursery</b>	1	35	0	0	-1	-100

*Source: New Jersey Farmland Assessment*

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Table 13 identifies timber and woodland production and areas in the Township.

**Table 13: Timber and Woodland Product and Areas**

	1983	1990	2000	2004	Change 1983-2004	% Change 1983-2004
Fuelwood (Cords)	343	112	10	84	-259	-76
Timber (Board Feet)	3362	0	0	0	-3,362	-100
Other wood (Board Feet)	90	0	0	0	-90	-100
Woodland State Plan (acres)	289	0	0	0	-289	-100
Woodlands Private Plan (Acres)	1596	0	0	0	-1,596	-100
Woodland No Plan (Acres)	600	0	0	0	-600	-100
Land in Federal or Government Program (Acres)	0	546	0	21	21	100

*Source: New Jersey Farmland Assessment*

The last trend analyzed is livestock and poultry product (Table 14). Beef cattle, ducks and equine areas have increased from the original 1983 amount. This increase may also attribute to the increase in Hay production as many farmers choose to raise their own hay to feed their livestock.

**Table 14: Bedminster Township Livestock and Poultry Products (head)**

	1983	1990	2000	2004	Change 1983-2004	% Change 1983-2004
Beef Cattle	696	480	1,779	560	136	-20
Bee Hives	21	19	19	27	6	29
Mature Dairy	165	4	0	8	-157	-95
Young Dairy	71	13	0	10	-61	-86
Ducks	12	2	92	4	-8	-67
Geese	4	0	0	0	-4	-100
Goats	8	2	6	5	-3	-38
Ponies & Horses	477	428	500	486	9	2
Meat Chickens	50	25	35	265	215	430
Laying Chickens	581	92	114	232	-349	-60
Rabbits	15	0	0	0	-15	-100
Sheep	153	72	63	123	-20	-20
Swine	81	21	0	19	-62	-77
Turkeys	2	0	0	0	-2	-100
Other Livestock	0	1,323	328	1,726	1,726	100

*Source: New Jersey Farmland Assessment*

Overall the trends witnessed in the Township reflect the trends of the County. As identified in the Somerset County Comprehensive Farmland Preservation Plan, total land area and total net production has been decreasing over the last 20 years. Development pressures and land costs have forced out many farms, especially farms devoted to

livestock. All livestock except horses, meat chickens and an undetermined livestock, declined from 1983 to 2004.

**C & D. Support Services within Market Region and Other Agricultural Related Industries**

The Somerset County Comprehensive Farmland Preservation Plan identified a variety of local support services in the Region. Overall, large production farmers in the County generally rely on mail order for special items and will travel to Pennsylvania or other large agricultural areas to purchase large scale items such as tractors and other heavy equipment. This has led to a decrease in retail stores specializing in farm supplies in the County.

However, there are still retailers that tailor to farm supplies. As identified in the County Plan some farmers will still shop locally for small items such as seeds and large equipment parts. Other niche markets have opened up to address a growing equine base in the County. Bedminster, Bernardsville as well as neighboring Townships in Hunterdon (Tewksbury, Lebanon, and Whitehouse Station) have stores that cater to horse supplies. Grain and feed stores are found in Hackettstown and Bernardsville. Branchburg has a supplier catering to turf and irrigation supplies. Table 15 is taken from the County Plan and supplemented by a survey performed by Bedminster Agricultural Advisory Committee of local career farmers.

**Table 15: Local Farm Supply Retailers**

<b>Supplier</b>	<b>Address</b>	<b>Town</b>	<b>Phone</b>	<b>Webpage</b>
Coach Stop Saddlery Limited	244 Lamington Rd	Bedminster, NJ 07921	908-2342640	
Binder Machinery	2820 Hamilton Blvd	South Plainfield, NJ 07080	908-5619000	
Somerset Grain, Feed, & Supply Corp	74 Mine Brook Rd	Bernardsville, NJ 07924	908-7660204	www.somersetgrain.com
Storr Tractor Company	3191 Route 22	Somerville, NJ 08876	908-7229830	www.storrtractor.com
The Horse and Rider Shop	284 Route 206	Hillsborough, NJ 08844	908-2815333	www.thehorseandridershop.com
Raritan Agway	77 Thompson St	Raritan, NJ 08869	908-7259252	
Powerco (full service Kubota dealer)	12 State Route 173	Clinton, NJ 08809	(908) 735-2149	www.gopowerco.com
Hunterdon Mill and Machine	289 US Highway 22	Lebanon, NJ 08833	(908) 534-2221	www.hunterdonmill.com

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Supplier	Address	Town	Phone	Webpage
Global Ag		Flemington, NJ		
Brown's Feed (Bulk feed)		Sinking Spring, PA		
Horseman's Outlet		Lebanon, NJ		
Copper Creek Tack Shop	Rt 22	Readington, NJ		
Bevals Saddlery		Gladstone, NJ		
Dover Saddlery (newly opened)		Branchburg, NJ		
Seargentsville Grain and Feed		Seargentsville, NJ		

*Source: Somerset County Comprehensive Farmland Preservation Plan and Bedminster AAC*

Based on Bedminster's survey, Equipment is generally purchased in Pennsylvania. Dealers used include Deere Country in Allentown, Charles Snyder in Tamaqua, and Messicks Farm Equipment in Elizabethtown. There are some local dealers, including Powerco in Clinton, NJ, Smith Ford in Washington, NJ, and D&R Equipment in Ringoes, NJ. Most farmers do small repairs in house and use the original dealer for larger issues. A Bloomsbury mechanic, Howard Barnes, provides farm equipment repair services as well. Jugtown Tire in Asbury provides full service tractor tire service.

Most farmers still buy their seed, pesticides and fertilizers locally, at Crop Production Services in Pittstown and Growmark Farm Services in Bloomsbury. Some buy seed directly from other local growers, as well.

Hay is the predominant crop in Bedminster. As such, few farmers sell at the local farmers markets. Most of them sell directly to the consumer. There is a substantial hay market for both horses and cattle within Bedminster itself. Thus, the hay produced here goes almost exclusively to feed livestock within miles of the farms on which it is produced. The market has such a high demand, in fact, that few even advertise their product – they can sell their entire crop by word of mouth. Many of the farmers actually load the hay wagons and bring them directly to the purchasers, cutting out the need for storage. Some hay is stored and sold throughout the year, as well.

Other than hay, surveyed farmers produce beef cattle, chickens, fruit and vegetables, corn, wheat, soy beans, and eggs. Farmers growing grains feed it to livestock, sell directly to other local farmers for livestock feed, or sell grain wholesale and raw, for processing by purchaser. Some of every product, in fact, is sold directly to consumers – both private individuals and restaurants. Beef cattle farmers also sell calves to feed lots in South Jersey. One of the farmers raising purebred Angus cattle ships them for sale out of State. One farmer participates in the Hackettstown Livestock cooperative Market's

auction.

A few of the survey respondents cannot meet the local demand and buy additional hay or corn for their livestock or to sell to consumers. None of the farmers surveyed sell value-added products or use the local farmers markets. The local farmers markets, however, play the valuable role in promoting agriculture in New Jersey. Local residents who frequent farmer's markets appreciate locally grown products and can be the largest advocates for the retention of agriculture in an area. The following table 16, taken from the County's plan, identifies local farmers markets.

**Table 16: Regional Farmer's Markets**

<b>Market:</b>	<b>Bernardsville Farmers' Market</b>	<b>Bound Brook Farmers' Market</b>	<b>Franklin Township Farmers' Market</b>	<b>Montgomery Farmers' Market</b>	<b>North Plainfield Farmers Market</b>
<b>Address:</b>	Rt. 202 & Clairmont Road, Bernardsville	Main Street - NJ Transit Parking Lot	720 Hamilton Street, Franklin Township	Route 206 & Route 518, Montgomery	Somerset & Race Streets, North Plainfield
<b>Phone:</b>	(908) 766-5836	(908) 894-0515	(732) 873-2500, x 362	(908) 359-9665	(908) 755-1526
<b>Contact:</b>	Christa O'Conner	Karen Fritz	Efren Dato	Kim Rowe	Doug Singletary
<b>Open:</b>	June 9 – November 24, Saturdays, 9 am - 2 pm	June 23 – October 27, Saturdays, 9 am - 2 pm	May 12 – November 17, Saturdays, 9am 2 pm	June 14 – October 25, Thursdays, 12:30pm - 6:30pm	July 14 – September 27, Saturdays, 9am - 2pm
<b>Products:</b>	Variety of fruits and vegetables	Variety of fruits and vegetables	Variety of fruits and vegetables	Variety of fruits and vegetables	Variety of fruits and vegetables
<b>Other:</b>	WIC and Senior FMNP* checks accepted by some farmers	WIC and Senior FMNP checks accepted by some farmers	WIC and Senior FMNP checks accepted by some farmers	WIC and Senior FMNP checks accepted by some farmers	WIC and Senior FMNP checks accepted by some farmers

*Source: Somerset County Comprehensive Farmland Preservation Plan*

*\*FMNP – Farmers Market Nutrition Program*

Most of the farmers surveyed have a wealth of knowledge from years of experience, but when necessary they seek advice and support from a variety of sources, including: each other; the wealth of available publications and journals, notably the Lancaster Farmer; trade shows; Rutgers Cooperative Extension; and local agronomists, whom they hire for consult on a few hundred acres and then apply the knowledge across their entire operation.

The three most noted impediments to local farming operations are wildlife management (deer for grain and vegetables and coyotes and fox for poultry), land availability and fuel costs. Other challenges include increasing and dangerous traffic and poor road conditions. Respondents suggested making roads safer by posting road signs warning of slow moving farm equipment, increasing patrol and enforcement, and raising local awareness through education. Respondents also suggested strengthening and more strictly enforcing farmland assessment rules so that more local landowners are forced to use farmers to maintain farmland assessment. Interestingly, none of the farmers expressed any nuisance issues with adjacent landowners, complaining of the agricultural operations. This may be due to the largely uninterrupted agricultural landscape in Bedminster and large-lot zoning. Most neighbors are not exceedingly close to adjacent agricultural operations, and many of them rely on these same farmers to help meet the farmland assessment income requirements.

Local farmers also take advantage of agricultural organizations such as the Somerset County Board of Agriculture and Agriculture Development Board, the New Jersey Farm Bureau, Rutgers Cooperative Extension of Somerset County, Somerset 4-H Club, Duke Farms, Somerset-Union Soil Conservation District, and the Natural Resource Conservation Service. These types of agricultural organizations can help farmers in a variety of ways.



### III. Land Use Planning

#### A. State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP) offers guidance in the formulation of land management and natural resource conservation policy (Figure 6). The project area is located entirely within the Environmentally Sensitive Planning Area (PA5). This designation recognizes the valuable agricultural resources and environmentally sensitive natural features that Bedminster Township seeks to protect from development pressure within the region that can transform valued agricultural areas.

SDRP guidance for management of the Environmentally Sensitive Planning Area has been provided, as follows:

*“The Environmentally Sensitive Planning Area contains large contiguous land areas with valuable ecosystems, geological features and wildlife habitats particularly in the . . . Highlands region, . . . The future environmental and economic integrity of the state rests in the protection of these irreplaceable resources. . . Environmentally Sensitive Planning Areas are characterized by watersheds of pristine waters, trout streams and drinking water supply reservoirs; recharge areas for potable water aquifers; habitats of endangered and threatened plant and animal species; coastal and freshwater wetlands; prime forested areas; scenic vistas; and other significant topographical, geological or ecological features, . . . These resources are critically important not only for the residents of these areas, but for all New Jersey citizens.*

*The Environmentally Sensitive Planning Area is highly vulnerable to damage of many sorts from new development in the Environs, including fragmentation of landscapes, degradation of aquifers and potable water, habitat destruction, extinction of plant and animal species and destruction of other irreplaceable resources which are vital for the preservation of the ecological integrity of New Jersey’s natural resources. . . New development in these Environs has the potential to destroy the very characteristics” (environmental sensitivities) “that define the area”.*

The SDRP promotes the retention of large open land areas in PA5, and the Plan defines “large contiguous area”.

*“When applied to habitat, (large contiguous area) means the area of undisturbed land required to maintain a desired community of plants and animals”, and “when applied to farmland, large contiguous area means the amount of contiguous farmland usually considered necessary to permit normal farm operations to take place on a sustained basis.”*

The Township is endowed with large contiguous land areas with valuable ecosystems, geological features and wildlife habitats that support critical habitat. Whether it is the maintenance of large contiguous areas of farmland or to protect environmentally-sensitive areas, Bedminster’s stewardship of these areas requires policies and

management techniques to sustain the landscape in such a way that the long-term viability and function of these lands and natural systems may be assured. Bedminster seeks to manage these resources consistent with the SDRP policy orientation for the Environmentally Sensitive Planning Area.

### **Description of SDRP Planning Areas**

The Planning Areas outlined in the SDRP provide a regional framework for infrastructure development decisions, including the designation of Centers, areas to which growth should be focused, and areas where growth and development should not be encouraged and where resource protection, such as farmland preservation, should be focused. The SDRP includes seven (7) Planning Area (PA) designations including Centers, as explained below.

**PA1 – Metropolitan Planning Area** characterized by areas with Densities of more than 1,000 persons/sq mile; Population clusters of greater than 25,000 persons; Land area greater than 1 square mile; Existing public water and sewer systems; and Access to public transit.

**PA2 – Suburban Planning Area** is characterized by areas with Densities of less than 1,000 persons/sq mile; Are contiguous with PA1; Land area greater than 1 square mile; and has existing or planned infrastructure with capacity to support development.

**PA3 – Fringe Planning Area** is characterized by areas with Densities of less than 1,000 persons/sq mile; Served by rural roadways and utilities; generally; Lacking wastewater systems except in centers; Land area greater than 1 square mile; Lands not meeting criteria for PA4 or PA5.

**PA4 – Rural Planning Area** is characterized by areas with Densities of less than 1,000 persons/sq mile; Land area greater than 1 square mile; generally served by on-site water and wastewater systems; and are generally characterized by agricultural production, woodlands or other vacant lands.

**PA4B – Rural /Environmentally Sensitive Planning Area** is characterized by areas with Densities of less than 1,000 persons/sq mile; Land area greater than 1 square mile; Generally served by on-site water and wastewater systems; Generally characterized by agricultural production, and woodlands or other vacant lands. Land satisfying the delineation criteria for PA4 that also meets the delineation criteria for the Environmentally Sensitive Planning Area (PA5) is designated as Rural/Environmentally Sensitive (PA4B)

**PA5 – Environmentally Sensitive Planning Area** is characterized by areas with Densities of less than 1,000 persons/sq mile outside of centers; Land area greater than 1 square mile, exclusive of centers; Includes environmental features such as: Trout production/maintenance waters; Pristine non-tidal watersheds feeding Category 1 waters;

Threatened & Endangered species habitat; Coastal wetlands; Significant features such as slopes, ridgelines, unique ecosystems; and Prime forest.

**PA5b – Environmentally Sensitive/Barrier Islands Planning Area** is characterized by areas with Densities of less than 1,000 persons/sq mi outside of centers and land area greater than 1 square mile, exclusive of centers (shapes obviously different due to barrier island morphology). Includes environmental features such as: Barrier island habitat; Threatened & Endangered species habitat; Coastal wetlands; and Natural Dune Ecosystems, Vegetation and fauna. Intended to protect barrier island ecosystems while directing development into centers.

Centers are the State Plan’s preferred vehicle for accommodating growth. Center-based development patterns are superior to sprawl for a number of reasons. A Center is compact and considerably more efficient than sprawl, providing opportunities for cost savings across a wide range of factors. Compact form also translates into significant land savings which affords a community greater opportunity to preserve lands of importance, such as lands in active agriculture. The SDRP categorizes Centers as Urban, Regional, Town, Village and Hamlet, and are described as follows:

**Urban**

Generally the largest Centers, offering the most diverse mix of industry, commerce, services, residences and cultural facilities.

**Regional**

A compact mix of residential, commercial and public uses, serving a large surrounding area and developed at an intensity that makes public transportation feasible.

**Town**

Traditional Centers of commerce or government throughout New Jersey, with diverse residential neighborhoods served by a mixed-use Core offering locally oriented goods and services.

**Village**

Primarily residential places that offer a small Core with limited public facilities, consumer services and community activities.

**Hamlet**

Small-scale, compact residential settlements organized around a community focal point, such as a house of worship, luncheonette, small park or a civic building.

**B. Highlands Water Protection and Planning Act**

The Highlands Region is divided into two primary management areas, including (1) a Preservation Area and (2) a Planning Area. The entirety of Bedminster Township is

included within the Highlands Region. The majority of the Township is designated Planning Area (Figure 7). The Farmland Advisory Committee recommends that highlands conservation sub-zone farms should receive priority for preservation funds, in recognition of the underlying agricultural characteristics in this management area of the plan.

The goals of the regional master plan with respect to the preservation area shall be to:

- (1) protect, restore, and enhance the quality and quantity of surface and ground waters therein;
- (2) preserve extensive and, to the maximum extent possible, contiguous areas of land in its natural state, thereby ensuring the continuation of a Highlands environment which contains the unique and significant natural, scenic, and other resources representative of the Highlands Region;
- (3) protect the natural, scenic, and other resources of the Highlands Region, including but not limited to contiguous forests, wetlands, vegetated stream corridors, steep slopes, and critical habitat for fauna and flora;
- (4) preserve farmland and historic sites and other historic resources;
- (5) preserve outdoor recreation opportunities, including hunting and fishing, on publicly owned land;
- (6) promote conservation of water resources;
- (7) promote brownfield remediation and redevelopment;
- (8) promote compatible agricultural, horticultural, recreational, and cultural uses and opportunities within the framework of protecting the Highlands environment; and
- (9) prohibit or limit to the maximum extent possible construction or development which is incompatible with preservation of this unique area.

c. The goals of the regional master plan with respect to the planning area shall be to:

- (1) protect, restore, and enhance the quality and quantity of surface and ground waters therein;
- (2) preserve to the maximum extent possible any environmentally sensitive lands and other lands needed for recreation and conservation purposes;
- (3) protect and maintain the essential character of the Highlands environment;
- (4) preserve farmland and historic sites and other historic resources;
- (5) promote the continuation and expansion of agricultural, horticultural, recreational, and cultural uses and opportunities;
- (6) preserve outdoor recreation opportunities, including hunting and fishing, on publicly owned land;
- (7) promote conservation of water resources;
- (8) promote brownfield remediation and redevelopment;
- (9) encourage, consistent with the State Development and Redevelopment Plan and smart growth strategies and principles, appropriate patterns of compatible residential, commercial, and industrial development, redevelopment, and economic growth, in or adjacent to areas already utilized for such purposes, and

discourage piecemeal, scattered, and inappropriate development, in order to accommodate local and regional growth and economic development in an orderly way while protecting the Highlands environment from the individual and cumulative adverse impacts thereof; and

(10) promote a sound, balanced transportation system that is consistent with smart growth strategies and principles and which preserves mobility in the Highlands Region.

The Highlands Zones in the Bedminster Preservation Area include three primary zones (the Protection Zone, Conservation Zone, and Existing Community Zone). and two sub-zones (Conservation Zone–Environmentally Constrained Sub-Zone and Existing Community Zone–Environmentally Constrained Sub-Zone), each with its own purpose, application and development criteria. According to the Highlands Regional Master Plan the purpose of each zone includes:

1. **Protection Zone.** The Protection Zone consists of the highest quality natural resource value lands that are essential to maintaining water quality, water quantity and sensitive ecological resources and processes. Land acquisition is a high priority for lands in the Protection Zone and development activities will be extremely limited. Any development will be subject to stringent limitations on consumptive and depletive water use, degradation of water quality, and impacts to environmentally sensitive lands and natural resources.
  
2. **Conservation Zone.** The Conservation Zone consists of areas with significant agricultural lands interspersed with associated woodlands and environmental features and the protection of these woodlands and environmental resources is paramount. The Conservation Zone is intended primarily for agricultural use and development, including ancillary and supporting uses and activities that are consistent with the environmental constraints. Non-agricultural development activities will be limited in area and intensity due to infrastructure constraints and resource protection goals. Where non-agricultural development does occur it must be designed to ensure compatibility with environmental conservation and agricultural uses.
  - a. **Conservation Zone–Environmentally Constrained Sub-Zone.** The Conservation Zone–Environmentally Constrained Sub-Zone consists of significant environmental features within the Conservation Zone that should be preserved and protected from the adverse impacts of agricultural and non-agricultural development. Development activities will be limited and subject to stringent limitations on consumptive and depletive water use, degradation of water quality, and impacts to environmentally sensitive lands.
  
3. **Existing Community Zone.** The Existing Community Zone consists of areas of concentrated development representing existing communities. These areas tend to have limited environmental constraints due to previous development patterns, and

may have existing infrastructure that can support additional development and/or redevelopment. Where served by adequate supporting infrastructure, lands within the Existing Community Zone are suited to higher densities and intensities of development (see Section C, below) than other Zones and Sub-Zones.

**a. Existing Community Zone–Environmentally Constrained Sub-Zone.** The Existing Community Zone–Environmentally Constrained Sub-Zone consists of significant contiguous critical habitat, steep slopes and forested lands within the Existing Community Zone that should be protected from further fragmentation. They serve as regional habitat “stepping stones” to larger contiguous critical habitat and forested areas. As such, they are not appropriate for significant development, and are best served by land preservation and protection. Development is subject to stringent limitations on consumptive and depletive water use, degradation of water quality, and impacts to environmentally sensitive lands.

In addition, Bedminster includes lands in the Highlands Agricultural Resource Area (ARA) and the Agricultural Priority Area (APA). The Highlands RMP and the *Sustainable Agriculture Technical Report* describe the Agricultural Resource Area (ARA) and the resource values used to define the ARA. The ARA consists of those areas of the most concentrated, contiguous agricultural uses, using Important Farmland Soils as a critical factor in the Highlands Region. The Highlands Regional Master Plan furthers the analysis of the Agricultural Areas to Agricultural Priority Areas which identify lands within the Highlands Region that have the highest agricultural resource values. The Agricultural Priority Area (APA) displays the relative value of these agricultural resources in order to provide a prioritization mechanism for future farmland preservation activities in the Highlands Region.

#### Additional Farmland Advisory Committee Recommendations

1. Consider the designation of Protection and Conservation Zones as potential Highlands TDR ‘sending areas’. This land preservation technique could serve as an additional vehicle for funding farmland preservation in Bedminster Township.
2. Conservation Zone lands are primarily comprised of farmland areas. In Bedminster, farms often include forested and wooded stream corridor areas, which could be preserved through the NJDEP Green Acres Program as priority natural resource areas. Green Acres funding could supplement farmland preservation funding for farmers interested in preserving their farms, and should be used, where appropriate, to enhance Agricultural Advisory Committee preservation efforts.

### **C. Bedminster Township Master Plan and Development Regulations**

The Project Area is located entirely in the Township’s R-10 Rural Residential District. The R-10 District is a very low density zoning classification that was created in response

to a broad range of local objectives for preservation of the "countryside" portions of the Township. A very large lot, agricultural land use pattern prevails throughout the R-10 District. The R-10 District provides for a maximum residential development density of one-tenth (1/10) unit per acre. Lot size averaging is permitted in this district, in an effort to better achieve the goals of farmland and resource conservation and rural character preservation. When lot size averaging is employed, the size of some lots may be reduced to six (6) acres, provided that for each lot smaller than ten (10) acres there shall be a lot larger than ten (10) acres. If an accessory dwelling unit is, the minimum lot size is 14 acres.

The major types of activities permitted within the R-10 Rural Residential District include farming, public and private day schools, private boarding schools, outdoor recreational uses, single family dwellings and their accessory structures. An airport, golf course/club or houses of worship are permitted as a conditional use.

The R-10 occupies the majority of Bedminster Township's lands and extends from the northerly boundary with Chester Township to the southerly border with Branchburg and Bridgewater Township. In the easterly-central portion of the Township, Bedminster's land use plan and zoning identify a concentrated area of development. This area occupies approximately 1/5 of the Township's land area within which the majority of Bedminster's residents reside. This area includes a variety of zoning district designations that accommodate high-density residential development, commercial, and office uses. This area also includes hundreds of acres of municipal parkland and preserved farmland along the westerly limit of the villages that has been strategically acquired to separate this population and employment center from the open agricultural and natural resource lands of the R-10.

In this east-central portion of the municipality, I-78 and I-287 intersect. I-287 interchanges provide connectivity to the villages of Bedminster and Pluckemin. The residential zoning districts of Bedminster and Pluckemin provide for a range of housing densities that range from 3-acre single-family residential neighborhoods to high-density condominium development. Commercial and office development is located within this population center at a scale and intensity that is consistent with residential densities, which include single-family cluster development on 10,000 sq. ft. lots; townhouse and apartment development, and village-scale mixed use development in the established villages of Bedminster and Pluckemin at ranges of ¼-acre to ½ acres.

Bedminster Township has carefully planned and acquired open space to establish a nearly contiguous spine of preserved open space that separates the more intensively developed portions of the municipality in Bedminster and Pluckemin Village from the R-10 Rural Residential district that predominates in Bedminster Township. The planning purposes that underlie the Township's aggressive open space acquisitions include (1) responding to residents needs for open space and recreation and (2) establishing a limit beyond which higher density development will not be permitted in furtherance of the farmland and resource conservation protection objectives for the R-10 (see [Figure 9](#) identifying zoning).

**D. Current Land Use and Trends**

The Township’s development and land use trends have resulted in a more dense residential and commercial areas in the easterly portion of the Township with open space and agricultural areas covering the remainder (see [Figure 2](#)). This pattern has been developing over the past 20 years. Table 17 shows the breakdown of the land use change over from 1986 to 2002.

**Table 17: Land Use/Land Cover Change 1986 to 2002**

	1986		1995		2002		Percent Change
	Acres	%	Acres	%	Acres	%	
<b>Agriculture</b>	6,850	41	6,552	39	6,243	37	-9
<b>Barren Land</b>	61	0	56	0	51	0	-16
<b>Forest</b>	6,539	39	6,440	38	6,275	37	-4
<b>Urban</b>	2,214	13	2,585	15	3,062	18	38
<b>Water</b>	144	1	174	1	177	1	23
<b>Wetlands</b>	1,082	6	1,069	6	1,069	6	-1
<b>TOTAL</b>	<b>16,890</b>	<b>100</b>	<b>16,877</b>	<b>100</b>	<b>16,889</b>	<b>100</b>	

*Source: NJDEP Land Use/Land Cover 1995 and 2002.*

Land use in the Township echoes the land use trends of the County and State. Agricultural areas have shown a steady decrease as urban and developed areas have encroached on retiring farm lands.

**E. Sewer Service Areas and Public Water Supply**

Bedminster Township is currently served by one centralized wastewater treatment facility, owned by the Environmental Disposal Corporation (EDC) ([Figure 8](#)). In 1994 the Bedminster Township Wastewater Treatment Plant on Miller Lane was converted to a pumping station that diverted wastewater flows to the EDC facility in Pluckemin. The EDC now provides wastewater treatment for Bedminster and Pluckemin Villages, Far Hills, Peapack and Gladstone, and AT&T. EDC began operations at the Route 206 treatment plant in 1983, in conjunction with the development at The Hills.

EDC operates an advanced wastewater treatment facility on a 3.9-acre site just north of Pluckemin. This facility was constructed with an original design capacity of 0.85 million gallons/day (MGD), which was expanded to 1.5 MGD in 1989 and then to 2.1 MGD with the construction of a fourth process train.

Bedminster Township is provided potable water supplies from three primary sources, including the New Jersey American Water Company, Elizabethtown Water Company and private wells. Public water distribution systems (See [Figure 8](#)) are generally oriented toward the villages of Pluckemin and Bedminster in the State highway corridor area



(east-central portion of the Township) and Pottersville Road (northwest corner). Private wells provide water supplies throughout the remaining portions of the municipality.

The New Jersey American Water Company (formerly Commonwealth) provides direct service to roughly 2,831 customers. This service area is generally limited to Bedminster and Pluckemin village including The Hills, and some of this water is supplied to New Jersey American by the Elizabethtown Water Company, through an interconnection at Chambers Brook.

New Jersey American has developed a 250,000-gallon storage tank near The Hills development, at a site on Mt. Prospect Road. An additional 660,000-gallon storage tank in nearby Bridgewater also serves the Pluckemin area.

Elizabethtown Water Company provides service to the Pottersville Road area and Pottersville, as well as areas south of Pottersville along Black River Road. Elizabethtown serves 80 customers in this area. (The consumption data, provided by Elizabethtown Water, is determined via pressure zones and not by municipality. Bedminster Township is served via a 514' HGL Pressure Zone which also served Peapack and Gladstone Boroughs, and Tewksbury Township. In addition this zone served the New Jersey American Water Company through meter connection on Main Street in Peapack-Gladstone and on Route 206 in Bedminster.

For the most part, the project area does not have access to public sewer or water systems.

## **F. Bedminster Master Plan and Zoning Overview**

Bedminster's Land Use Plan Element of the Master Plan calls for a zoning strategy that acknowledges and reinforces the village character of the Township's existing villages of Bedminster, Pluckemin and Pottersville; and seeks to preserve and enhance the integrity of the Bedminster's vast open space 'countryside' area. Land Use Plan policies seek to carefully manage change that will ensure that concentrated residential and employment generating uses are localized in the villages of Bedminster and Pluckemin that are situated in the east-central portion of the Township within the I-287 and State Route 206 corridors. The Land Use Plan calls for more conservative zoning policies to protect the rural character of Pottersville in the northwest corner of the Township.

Bedminster's Land Use Plan also identifies 'countryside' low-density residential zoning in the vast majority of the Township through resource conservation policies that combine with large lot requirements that have resulted in the retention of very large tracts of contiguous farmland and open lands. These policies encourage the continuation of farming and the maintenance of interconnected natural systems that are the signature characteristics of Bedminster's very unique countryside. This area of the municipality is primarily included within the Township's R-10 Rural Residential Zone that has experienced limited conversions of farmland to residential use and is the focus of this Farmland Preservation Plan.

The information provided below identifies an array of zoning classifications, that are mostly concentrated in the east-central Bedminster and Pluckemin Village section of the Township. NJ Route 206 traverses these villages, which also enjoy direct access to I-287 via 206 north and southbound interchanges with the interstate highway. These zoning designations, as depicted in the table below and the Zoning Map, permit fairly high-density development to accommodate both residential and nonresidential uses that range from village scale retail to major regional corporate office and research developments. The Hills, a major planned residential and planned unit development includes a variety of high-density residential housing choices and regional shopping to serve the needs of the Township’s population. Zoning designations have been carefully calibrated to maintain the Township’s unique village and countryside character.

*1. General Lot Size Categories and Distribution throughout the Township*

The same development pattern emerges when viewing lot comparison. The east-central portion of the Township is mainly comprised of smaller lots with sewer service (Figure 10). The west, north and south portions of the Township contain a higher percentage of larger lots that are not serviced by sewer (Table 18).

**Table 18: Lot Comparison**

Lot Size	Number of Lots	Acres	% (from Acres)
Lots less than 1 acre (serviced by sewer):	3,573	237	1
Lots between 1 and 5 acres (septic/well):	265	615	4
Lots between 5 and 10 acres (septic/well):	163	1,107	7
Lots greater than 10 acres (septic/well):	323	12,939	77
	4,324	14,898	

*Source: Somerset County MOD IV tax data for Bedminster Township.*

As depicted on Table 18, 98% of the total land area of lots are located on lots serviced by on-site septic systems with 87% of the total lot land area on lots greater than 10 acres and serviced by on-site septic systems.

**General Lot Size Categories – Zoning:**

Bedminster’s lot size categories are reflective of the area of the municipality in which lands are located. As indicated in the Master Plan discussion above, Bedminster’s two existing villages of Bedminster and Pluckemin that are situated in the east central portion of the municipality provide for a range of lot sizes and land uses. The R-3, R-2, R-1 and R-1/2 zones requires minimum lot sizes of 3-, 2-, 1-, and ½-acres respectively. The following table identifies lot size requirements by zone and general use. These include:

Zone	Use (General) – Min. Lot Size (approx.)
SFC – Single-family cluster:	Residential - 10,000 s.f.
SFC-RD –Cluster-Restr. Development:	Residential - 10,000 s.f. (slope limitations)
MF – Multi-family Residence:	Residential - 3-acre / 12 units per acre

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SCH – Senior Citizens Housing:	Residential - 20-units per acre
VR-80 – Medium Density Residential:	Residential ¼-acre
VR-100 – Medium Density Residential:	Residential 3/10-acre
VN – Village Neighborhood:	Residential ¼-acre / Nonresidential ½-acre
VN-2 – Restr. Village Neighborhood:	Residential ½-acre / Nonres. ¼-, ½-acre
VN-3 – Village Neighborhood:	Residential / Nonresidential
PUC – Planned Unit Dev. (10 DU/Acre):	Residential 10-units/acre non-critical lands
PRD – Planned Res. Dev. (8 DU/Acre):	Residential 8-units/acre non-critical lands
OP – Professional and General Office:	Office 1-acre, 10% FAR (5,000 sq. ft. max.)
OR – Office Research:	Office 15-ac.& 100-ac.; 12.5% & 16.5% FAR
OR-V – Office Reseach – Village:	Office 10-acres, 40,000 sq. ft. max. bldg. size
P – Public:	

The VN-3 zone is located in the Village of Pottersville, which is situated in the northwest corner of the municipality.

Note that Bedminster’s farmland is concentrated in the R-10 zone (see Figure 9). See Figure 9 showing the correlation of lot sizes to areas of the Township served by sewer infrastructure.

*2. Innovative Planning Techniques*

The Farmland Advisory Committee believes the Township should evaluate opportunities for alternative development arrangements such as clustering as recommended under the highlands plan. Bedminster is perhaps the best example in the state of a centers/environs land use plan as evidences in existing development, with high density compact residential and non residential development confined within a village core; and expansive undeveloped farmland areas remain primarily intact and in agricultural use.

*Cluster Zoning*

The Township does not currently have a cluster provision. As outlined below there is a lot averaging development option in the R-10 District, which the project area is fully encompassed by. This allows for deed restricted open lands, with the minimum areas dedicated to development.

*Non-contiguous cluster zoning*

The Township does not currently have a non-contiguous cluster zoning provision. The Township’s densely developed eastern area does not lend itself naturally to a non-contiguous zoning provision.

*Lot Averaging*

The R-10 District allows a Lot Averaging Development Option. The purpose is to provide an alternative and innovative design technique which promotes the

goals of the master plan to a greater degree than a conventional subdivision. The resource protection goals and objectives included in the master plan, and the goal of maintaining large, contiguous open areas, may be better addressed if some modification of the minimum lot size requirement is allowed, provided the overall intensity of permitted development is consistent with that which would result from conventional development of ten (10) acre lots.

*Transfer of Development Rights*

The Township currently does not have a TDR program. However, the Township has routinely investigated the option available through the State TDR program and the Highlands Plan. To date, the Township has not identified a feasible TDR program but continues to investigate the possibility.

Only a limited portion of the Township's PIG Project Area is included within the Highlands Preservation Area. This portion of the Township includes all lands situated north of Pottersville Road (CR512) and includes lands targeted for preservation, as well as farmland preserved and conservation easement/open space lands. Under the Highlands RMP, TDR Sending Areas must be located within the Preservation Area, which establishes at least one farm in the Township's Project Area as a potential TDR sending candidate.

At the present time, the Highlands HDC Bank (Highlands Development Credit Bank) appears to be the only realistic funding source for this program. Until such time as the private market responds to the Highlands TDR credit system, participation in the HCD program is likely to be limited due to the fact that the Highlands Development Credit Bank will ensure only a minimum value, which is not necessarily responsive to market forces that will ultimately be needed for this program to work. Nevertheless, future preservation of the target farm in Bedminster's Project Area would be eligible to participate in the Highlands transfer of development rights program.

Market-driven TDR Programs in New Jersey have limited success outside of the New Jersey Pinelands. A Burlington County TDR demonstration project in was established in the late 1980's and has shown some success over time, however start-up and private market participation in this program required several years time between the enactment of enabling legislation from the Legislature and the actual transfer of development rights. TDR in the Pinelands also required the passage of time before that program was effectively supported by the private market. As in the Pinelands and in Burlington County, Highlands TDR activity is expected to require the passage of time before market forces are capable of successfully driving TDR in the Highlands.

*Use of Mandatory vs. Voluntary Options*

The Township’s R-10 district allows for the voluntary option of utilizing the Lot Averaging Provisions. While developers are required to use the regulations set forth in the R-10 district, which has the purpose of reducing sprawl and associated negative impacts, the voluntary option of using the lot averaging option creates preservation of open space areas while permitting for appropriate development.

*3. Description of Buffer Requirements*

There are currently no provisions for a required buffer area between agricultural uses and non-agricultural uses. The Township does subscribe to the Right-to Farm Act and promotes and encourages agricultural uses and the rights afforded farmers through the act.

*4. Discussion of Development Pressures and Land Value Trends*

As identified in the previous sections, Bedminster Township has witnessed development pressures that have resulted in a net loss of farmland in the Township. As undeveloped land in the State, and the Township, becomes more and more scarce, farmland becomes an attractive opportunity for further development. The combination of these factors has resulted in increase in land values. Bedminster’s farmland and open space preservation activities over the past decade have been subject to these development pressures and increases in value. The pace of residential development in Bedminster Township for the years 2000 – 2007 is tracked below in the table that identifies residential certificates of occupancy that have been issued during this time period.

**Bedminster Township’s  
Residential Growth 1/1/2000- 12/31/2007**

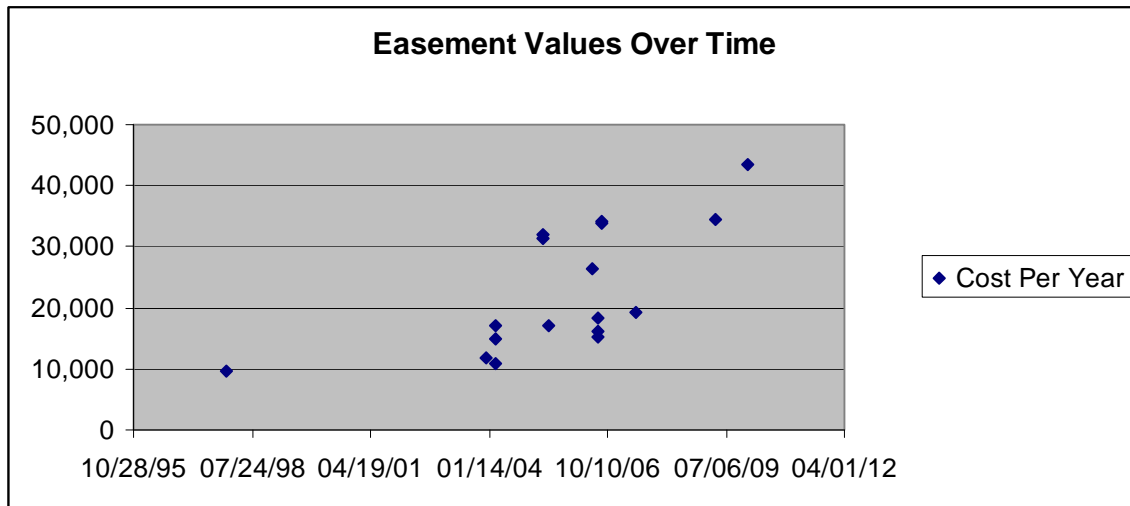
<b>Year</b>	<b>Residential CO’s</b>	<b>Residential DEMOS</b>	<b>Net Housing Units</b>
2000	7	1	6
2001	4	1	3
2002	5	2	3
2003	2	2	0
2004	9	3	6
2005	5	0	5
2006	1	1	0
2007	2	8	-6
<b>TOTAL</b>	<b>35</b>	<b>18</b>	<b>17</b>

*Source: New Jersey Construction Reporter*

The table above indicates that one-half of all residential certificates of occupancy were replacement dwellings owing to the knock-down phenomenon. Knock-downs are usually the demolition of existing, modest housing stock, that is replaced by larger, more modern and expensive replacement homes. This phenomenon was prevalent during the 1990’s

and the early years of this century that may be best characterized as economically robust. With the recent down-turn in the economy, almost all residential construction activity has ceased and is not expected to quickly recover. These economic circumstances may well result in increased opportunities for farmland preservation at somewhat moderated easement values that appear to have subsided from their recent all-time highs.

Appraisals and value certifications by the State over the last 5 years in Bedminster reflect easement values in the range of \$30,000 to \$50,000 per acre. Because of recent downward trends in the market, it is anticipated that easement values in Bedminster will not increase significantly in the foreseeable future. Therefore a \$30,000 to \$50,000 is estimated for this plan.



#### G. TDR Opportunities

Transfer of Development Rights (TDR) is a planning tool that allows the movement of development rights from an area where development is not suitable (sending area) to an area where development is more compatible (receiving area). TDR programs allow land owners to profit from the sale of their land while moving that development to more suitable areas. The goal of a TDR program is to channel development away from valuable resource areas to areas where development is more suitable.

There are currently three TDR programs in place on the State level, (1) through the State TDR Program (2) in the NJ Pinelands and (3) through the Highlands regulations. The Somerset County Farmland Plan states that the New Jersey State Transfer of Development Rights Act (*N.J.S.A. 40:55D-140*) authorizes the transfer of development rights by municipalities and outlines procedures to adopt or amend a TDR ordinance.

The NJ Pinelands Comprehensive Management Plan includes a Pinelands Development Credit (PDC) program, which functions as a TDR program. PDCs are development rights which are allocated to certain lands ("sending areas") that can be transferred to increase the amount of residential development permitted on other lands ("receiving areas"). PDC's originate in the Pinelands Preservation Areas, Special Production

Agricultural Areas, and Agriculture Production Areas. When severed from these lands, PDC's are redeemable in infrastructure-supported "Regional Growth Areas. Each credit is worth four residential units and can be used to increase development densities in the Regional Growth Areas. The Pinelands PDC program has been in existence for approximately 25 years. During the first several years of the program, PDC activity was almost non-existent and PDC values were very low. In more recent years, as the use of PDC became common and in some cases necessary for development, PDC values rapidly increased and voluntary landowner participation in the sale of their PDC's increased dramatically.

The New Jersey Highlands Council is currently establishing a regional TDR program that will be open to all Somerset County municipalities. Through the Highlands program, landowners may sell the development rights (Highlands Development Credits) on their Highlands Preservation Area lands at pre-Highlands Act values to a Highlands TDR Bank. The TDR Bank will then allocate them to voluntarily designated receiving areas throughout the seven-county region. Bedminster Township includes Highlands Preservation Area lands, that may be eligible to participate in the Highlands TDR Program.

As the Highlands Council continues to develop its TDR Program, Bedminster Township will continue to investigate the possibility of creating a TDR program but to date has not found an appropriate level on which to create a TDR program.

#### **IV. Bedminster Township's Plan to Preserve Farmland**

##### **A. Somerset County Agricultural Development Areas**

The Somerset County Comprehensive Farmland Preservation Plan adopted by the County Agriculture Development Board (CADB) has identified the Upper Raritan ADA, which includes all but the Hills section of Bedminster Township, as well as parts of Peapack Gladstone, Far Hills, Bernardsville and Branchburg Townships ([Figure 11](#)). The Township's project areas is located within the County's Upper Raritan ADA and highlights the large contiguous area of active and preserved farmland in the Township, which is contiguous to similarly situated farmland in adjoining Somerset and Hunterdon County municipalities.

Somerset County tries to ensure the long-term viability of agriculture when selecting ADA areas. In order for the County to designate an ADA, the following criteria must be met:

- Land is currently in agricultural production or has strong potential for agricultural production or is farm assessed through a woodland management plan.
- Agriculture is the preferred, but not necessarily the exclusive use.
- Agriculture is a use permitted by current municipal zoning ordinance or is allowed as a non-conforming use.

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The County Agriculture Advisory Board serves as a County agricultural advisory committee to municipalities included in the County Farmland Preservation Plan. The County Planning Incentive Grant program does not necessarily require that Township applications correlate with County plans beyond targeting farms in the ADA. Bedminster has not developed its plan to conform to the County PIG regulations, but rather to conform to SADC rules for a municipal Planning Incentive Grant Program.

**B. Bedminster Township Preserved Farmland**

Bedminster’s Farmland Preservation program is burgeoning. Farmland preservation has seen more than a 10 fold increase since Bedminster adopted its Farmland Preservation Plan in 2000. Currently, there are 1,262 acres that have been preserved through farmland preservation programs compared to 100 acres in 2000. In addition, many more acres of farmland have been preserved through private easement donation or other mechanisms, for a total of approximately 1,900 preserved acres of farmland in Bedminster (Table 19 and Figure 1).

**Table 19: Preserved Farmland**

<b>Property</b>	<b>Program</b>	<b>Acres</b>
Marano I & II	Bedminster PIG	85.5
Marano III	Donation to County through Bedminster PIG	31.7
Harms	Bedminster PIG	29.6
Hayfields I & II	Bedminster PIG	71.4
EG Anderson I & II	County Easement Purchase	377
Staats	County Easement Purchase	37
Doyle	County Easement Purchase	96.6
Marki	County Easement Purchase	29.9
Piancone I, II & III	State Direct (County and Municipal Cost shares)	147
Buffalo Country	State Direct Easement	357
Sneardowski Farm B 61 L 7	County Purchase – farm leased	116
Stanley	Private Agricultural Easement donation to Nonprofit	50
Todd Easement	Private Agricultural Easement donation to Nonprofit	60
Eweson	Private Agricultural Easement donation to Nonprofit	80
Filley	Private Agricultural Easement donation to Nonprofit	87
Merck	Private Agricultural Easement donation to Nonprofit	97
Starr	Private Agricultural Easement donation to Nonprofit	32
Mantz	Agricultural and conservation easement purchase - Bedminster	14.2
Brady Easement donation	Private Agricultural Easement donation to Nonprofit	52

*1. County Easement Purchase*

The County Easement Purchase Program allows farmers to sell their development rights to the County but retain ownership of the farm, continue to farm the land, and even sell the property at any time with a deed restriction preventing any future nonagricultural



development. In order to enter into the program a landowner must submit an application to the County where it is reviewed and ranked against the other applications. Two independent appraisals of the property are conducted to establish the value of the land. The first appraisal assumes development potential and the second appraisal assumes value once the development rights have been purchased. The resulting difference between the two totals the value of the “development rights,” also known as the easement value. The State Agriculture Development Committee reviews the two independent appraisal reports and certifies a value, which must be between the two values. The SADC ranks all of the applications from the participating counties and provides funding for the top ranking applications. Successful applicants are then offered the SADC’s certified value.

This program has been widely and successfully used in Bedminster. Nearly 560 acres have been preserved through this program. In many cases, Bedminster and its consultants have encouraged and assisted landowners in making application to this program, and have shepherded them through the process. The SADC’s new rules require that Counties either choose between continuing to participate in this traditional County program, or elect to participate in the County Planning Incentive Grant program. Somerset has elected to do the latter, so the traditional County easement program will not be available in the future. Rather, the County will consider applications from its target farms for its Planning Incentive Grant program that is currently in development.

## *2. County Planning Incentive Grants*

The County Planning Incentive Grants (PIGs) program is intended to protect and preserve large pieces of contiguous farmland through the purchase of development easements. In order to qualify for PIGs, the County must create an agricultural advisory board (the County Agriculture Development Board or CADB) and must also maintain a dedicated funding source to purchase development easements. Participating Counties are eligible for block grants and access to competitive funding from the SADC towards acquiring easements on their priority farms. In order to be eligible for farmland preservation through the County PIG’s, a farm must correlate with the County’s comprehensive farmland preservation plans. .

## *3. Municipal Planning Incentive Grants*

The Municipal Planning Incentive Grants (PIG’s), like the County PIG’s program, have similar requirements. Municipal PIG’s require the adoption of a Farmland Preservation Plan, an Agricultural Advisory Board and a standing commitment for preserving farmland. Municipal Planning Incentive Grants must target farms that are within the corresponding County’s ADA. Grants for a municipal PIG are provided by the SADC to purchase development easements. As identified in this Plan, the Township has identified farms for future preservation efforts. These targets will continue to be updated as farmer interest changes and farms are either preserved or removed for ineligibility. Somerset County provides matching funding (50:50) between the County and the municipality, as part of a municipal PIG, as long as its minimum criteria are met. Criteria include that

farms must be at least 25 acres, 50% tillable, and exceptions must encompass less than 5% of the total farm acreage.

Bedminster had two approved PIG project areas under the original SADC PIG program rules that were adopted in 2000 – the Lamington (2000B round) and the Black River (2003A round). These two Municipal PIGs have successfully preserved 6 farms totaling nearly 220 acres, which is impressive, considering that the program is in its infancy compared to the older more established State and County easement purchase programs. This application seeks to combine and expand the Lamington and Black River PIGs under one comprehensive Farmland Preservation Plan.

#### *4. SADC Direct Easement Purchase*

Another option for farmland preservation is the SADC Direct Easement Program. The SADC directly purchases development easements from landowners. Landowners do not have to be within an ADA if they are making an application directly to the State. In most cases, the State will pay up to 100% of the certified appraised easement value in the direct easement purchase program. By participating in this program, the landowner still retains ownership of their land, but agrees to restrict land use to agricultural purposes. The Direct Easement Program does not usually receive monetary contributions from the County. The State Direct program has successfully preserved over 500 acres of farmland in Bedminster. As with the County program, Bedminster and its consultants have assisted interested landowners in applying to and navigating through the program. In the case of the Piancone farms, Bedminster purchased the easements and subsequently sold them to the State through the Direct Easement program.

#### *5. SADC Fee Simple*

The SADC fee simple acquisition program involves an entire property being purchased directly by the state. The SADC pays the survey and title costs, the landowner is exempt from paying rollback taxes for farmland assessment and the transaction can be completed in a matter of months. The SADC negotiates a purchase price subject to recommendations of two independent appraisers and review by a state review appraiser. The land becomes restricted so that it becomes permanently preserved for agriculture. In this type of acquisition, the landowner does not retain any rights. The property is then resold at auction, the SADC does not retain ownership. To qualify to participate in this program, the farmland must be within an ADA and be eligible for Farmland Assessment. To date, no Bedminster farms have been sold to the Fee Simple program.

#### *6. Nonprofit Grant Program*

Nonprofit organizations have also been able to help achieve farmland preservation goals. The SADC will fund up to 50% of the value of either fee simple or development easements on farms. These grants help to preserve farmland throughout the County, generally these transactions involve properties with both agricultural and environmental significance. As with other programs, grants are obtained through an application process,

in which the land is valued by independent appraisers. No Bedminster farms have been preserved to date through this program, but two applications were submitted in the most recent Nonprofit Grant Program round.

#### *7. Transfer of Development Rights*

The transfer of development rights is a growth management tool that transfers development rights from one location, a preservation area, to another, an identified growth area. The development rights are used to allow for development at a higher density than what the previous zoning of the receiving area allowed. To date, this program has not been used to preserve farmland in the Township.

#### *8. Other Programs and Partnerships*

Significant swaths of farmland have been preserved through other mechanisms besides the Farmland Preservation Programs, listed above. Most notably, nearly 450 acres of farmland have been preserved through private easement donation to nonprofits and/or government agencies. Landowners have also provided significant bargain sales in instances where they have sold their easements through the farmland programs. Additionally, farmland has been preserved through Green Acres and the County Park program that remains in active agriculture. For instance, Bedminster purchased an easement on the Mantz property, which allows continued agriculture and is directly across from preserved farmland. The County purchased the Sneedowski Farm and continues to lease it for agricultural use. The County also purchased 300 acres on Rattlesnake Bridge Road that it leases to a local farmer. Continued agricultural use of these farms is anticipated.

### **C. Consistency with the SADC Strategic Targeting Project**

The purpose of the SADC Strategic Targeting Project is to prioritize farmland to be preserved by targeting farms for preservation based on specific criteria, including the prioritization of prime and statewide soils in agricultural production outside sewer service areas. According to the SADC, the Strategic Targeting Project has three primary goals. These are as follows:

- The coordination of farmland preservation and retention of agricultural practices “with proactive planning initiatives.”
- To update and create maps which serve as a tool for more accurate preservation targets.
- To coordinate different preservation efforts, such as open space, with farmland preservation.

Through the use of the Strategic Targeting Program, the SADC hopes to more efficiently target and designate farmland for preservation and, by doing so, boost the State’s agricultural industry. Bedminster Township has identified target farms that meet the SADC primary goals (Figure 12). In addition, the Township continues to update all available information, through GIS, statistical data and the like, in order to maintain a

data base of potential target farms for preservation efforts. Bedminster has hired New Jersey Conservation Foundation implement its Farmland as well as its Open Space Preservation plans. NJCF works as the Township Liaison to the Somerset CADB, gathering input and information from the AAC. The intent of the Strategic Targeting Project is to give priority to the preservation of prime and statewide soils in active agricultural use outside of sewer service areas.

**D. Eight Year Programs**

The 8-Year Farmland Preservation Program is a temporary farmland preservation option that includes a cost sharing programs for soil and water conservation projects. Landowners receive a 50% cost sharing match for projects and gain protection against emergency energy and water restrictions and eminent domain. The landowner must sign an agreement that restricts the land to agricultural use for eight years. A farm must be located within an ADA to qualify for the program. There are no farms in the Township that have been preserved using this program.

**E. Coordination with Open Space Preservation Initiatives**

Bedminster's active recreation is concentrated in River Road Park, near the populated center of Pluckemin and the Hills, and on the edge of the farmland that begins on Burnt Mills Road. In other parts of the Township, where the land is largely farmed, Bedminster limits its open space projects to nature areas and passive recreational opportunities that fit well with the adjoining farming activities. Farmland Preservation is the priority for Bedminster in its vast farming and rural area. Bedminster is dedicated to coordinating its open space and farmland preservation programs such that both thrive. It is in constant communication with the County Farmland Preservation program as well as County Parks program. A perfect example of this is on the E.G Anderson property, which was preserved through the County. Bedminster worked with the landowner to submit a farmland preservation application to the CADB, but by coordinating with the CADB, Bedminster was able to simultaneously acquire 72 acres from the landowner along the eastern boarder of the property for open space. This heavily wooded and wet area was not a priority for the farmland program, but fits neatly into Bedminster Open Space Plan and Hike and Bike Trail plan. Bedminster will build a bike trail through this piece so that nearby residences can access the River Road Park facility on foot or by bike. Bedminster simultaneously worked out management agreements for its Burnt Mills Park property that adjoins the EG Anderson property such that the active recreation at this park will not impede agricultural activities on the adjoining farm.

In western Bedminster, the Township acquired a 72-acre wooded property between the Lamington River and Black River Road from Mill House Associates in 2005. This property is dedicated for passive recreation only, with walking and equestrian trails. This use does not run contrary to the farming across the street, in Bedminster's Black River Farmland PIG. Bedminster has invested heavily in preserving farmland immediately across from this preserve, including the participating in both the Piancone and Marano farms. Often, there is friction between new residential development and existing

farming. By preserving the property along the Lamington River, Bedminster not only added to its preserve system, but also prevented additional residential development across from its FIG. Bedminster’s Hyde acquisition is another example of inter-program coordination. The Hyde property lies between farms that are current or anticipated farmland preservation program applicants. It sits across from the Carden farm and the Eweson farm, which are both preserved. Despite its important location, the property does not meet the SADC’s new minimum criteria. Bedminster worked with the County Parks Program and local nonprofits to acquire the property as a passive recreational preserve, again both preventing new development in a farmland preservation focus area while providing trails for people and equestrians – both complementary uses to the adjacent farms.

The Township has also developed a greenway system that would create a continuous system along stream corridors to further protect open space and environmental features. These areas dovetail with the New Jersey Conservation Foundation Garden State Greenway Project. This project was prepared as a means to identify larger areas of undeveloped land that include important natural resources such as habitat and sensitive environmental features and created linear connection to create a continuous linear greenway system throughout the State. The process involved using GIS information and a series of natural resource mapping to develop the Greenway system (Figure 13). The map is intended as planning tools to help coordinate efforts of private groups and government agencies.

**F. Farmland Preservation Program Funding Expended to Date**

**Table 20: Funding Expended to Date**

	<b>Total</b>	<b>% Cost share</b>
Preserved Acres	1,263	
Total Cost	\$23,733,551.47	
Average Cost/Acre	\$21,800	
SADC Share	\$16,386,462.94	69%
Federal Share	\$1,001,143.54	4%
County Share	\$4,866,369.08	21%
Municipal Share	\$1,497,575.92	6%

Landowners have provided a substantial cost share in farmland preservation in Bedminster Township, which is not represented in the table above. All of the projects in which Bedminster has been directly involved included at least a 10% bargain sale and in some cases, much more. The landowner contribution towards these transactions is over \$3.3M. Many of the County and State projects may also have benefited from a bargain sale element through the bid down process, but data for those transactions is not available. Many other landowners donated easements on their farms to private nonprofits. Although data for those donations is not available, \$10M worth of easement value is a modest estimate.

**G. Monitoring of Preserved Farmland**

Bedminster does not hold farmland easements acquired through the PIG program, so it is not responsible for their monitoring. Where the County provides cost sharing, Somerset County performs annual monitoring of the easements acquired through both the PIG and County Easement Purchase Program. The State monitors easements purchased through the State Direct program and in situations where the County provides no cost share. Bedminster does hold two easements on farmland, one of which was acquired by donation and the other with Green Acres funding. Bedminster performs annual monitoring of those properties. During the inspections, the inspector photographs the site and notes:

- change in ownership since the previous inspection
- evidence of development (approved or otherwise)
- use of the premises for agricultural activities
- evidence or presence of prohibited activity
- evidence of mining or removing of materials such as sand, gravel, rock, etc.
- evidence of dumping
- any improvements to farm buildings and residences
- any new agricultural buildings erected

In the event that violations of farmland easements are suspected, the AAC and Township will notify the responsible agency through the Township Administrator.

**H. Coordination with Transfer of Development Rights Programs**

Transfer of Development Rights (TDR) may be used in conjunction with the traditional Purchase of Development Rights (PDR) program; these two programs are not mutually exclusive. Currently, the Township has not developed a Transfer of Development Rights program.

**V. Future Farmland Preservation Program**

**A. Preservation Goals (1, 5 and 10 year acreage targets)**

The Township has seen a dramatic increase in farmland preservation in recent years. In fact, more than half of the preserved farmland has been preserved in the last three years - on average, over 400 acres per year. The County has received farmland preservation applications for 460 acres in the last round (2007). The Township and local nonprofits are actively discussing preservation with landowners owning a total of 450 acres of farmland. Based on recent preservation success and increasing landowner interest, it is estimated that approximately 450-500 acres per year could be preserved if adequate funding were provided. Table 21 highlights these acreage goals.

**Table 21: Preservation Goals by Year**

Year	Acres	Cumulative Total Acres
<b>1</b>	500	500
<b>5</b>	2,000 (yrs.2-5)	2,500
<b>10</b>	1,500(yrs. 6-10)	4,000

Based upon a goal of approximately 450-500 acres per year, Bedminster’s PIG plan targets nearly 4,000 acres in total. The supply of land available for preservation will decrease over time as land is either preserved or developed. This will ultimately affect the acres preserved per year, so it is anticipated that the rate of land preservation will decline in the final four years of the plan’s implementation, as reflected in Table 21 above.

Recent success has been both a function of increased farmer interest as well as funding in the form of State, County, Municipal, and landowner bargain sales and donations. The Table below shows the average annual expenditures per year, for the last three years.

**Table 22: Funding by year**

	2004	2005	2006	Average
<b>Federal</b>			\$1,001,143.92	\$333,714.64
<b>State</b>	\$4,970,415.00	\$4,280,212.78	\$5,312,603.41	\$4,854,410.40
<b>County</b>		\$2,417,610.19	\$1,769,317.06	\$1,395,642.42
<b>Municipal</b>		\$453,865.00	\$926,213.96	\$460,026.32

Programmatic changes by the SADC will cap funding at a maximum of \$1.5M of SADC money per municipality to municipal PIGs, and \$2M in baseline funding to to each of the County PIGs. Counties that use the entire \$2M allocation may compete with other counties for a total of the \$15M of remaining SADC funding. Counties will be capped at \$3M of additional funding through this competitive program. The SADC regulations cap municipal awards to \$1.5 million, however the SADC allocation to County’s can exceed these amounts. In 2009, the SADC was only able to provide municipalities with a total of \$750,000 per municipality. No funding is allocated for State Direct purchases in the

coming year, and limited funding is available for nonprofit projects. As such, funding will likely be the factor that limits farmland preservation in Bedminster. Below are three separate funding scenarios and the resulting farmland preservation goals. For planning purposes, the following assumptions were made:

1. Easement donations will continue at approximately the current rate of 150 acres per year for the 10-year project period (1,500-ac/10-yr.);
2. Easement acquisition value is estimated at an average value of \$30,000/acre, based upon today’s easement values as documented in recent appraisals;
3. SADC will continue to cost-share in County and Municipal PIGs with a 60% cost share, and County will continue to cost-share in Municipal PIG with a 20% cost-share.

**B. Bedminster Township Project Area Summary**

The Project Area seeks to expand the Township’s current preservation efforts. The project area includes existing preserved farmland and dedicated open space and is adjacent to other preserved farmland and open space (Figure 1). The Township’s Project Area will expand on Bedminster’s goal of creating a viable agricultural base by increasing preserved farmland.

The property class highlights the amount of active farming being conducted in the project area. As seen on Tables 23 and 24, 90% of the project area is classified as farm assessed or farm qualified and 49% of the project area is classified as agricultural by the 2002 Land Use/Land Cover data.

**Table 23: Property Class for Bedminster Township Project Area**

<b>Class</b>	<b>Acres</b>	<b>%</b>
<b>Farm Assessed</b>	<b>6,528</b>	<b>65</b>
<b>Farm Qualified</b>	<b>2,550</b>	<b>25</b>
Residential	354	4
Road Area	246	2
Vacant	156	2
No data	137	1
Public Property	19	0
Commercial	8	0
Other Exempt	3	0
Church	2	0
Cemetery	2	0
<b>TOTAL</b>	<b>10,005</b>	<b>100</b>

*Source: Somerset County MOD IV tax data for Bedminster Township*



**Table 24: 2002 Land Use/Land Cover for Bedminster Project Area**

Type	Acres	%
<b>Agriculture</b>	<b>4,956</b>	<b>49</b>
<b>Barren Land</b>	19	0
<b>Forest</b>	3,627	36
<b>Urban</b>	843	8
<b>Water</b>	77	1
<b>Wetland</b>	589	6
<b>Total</b>	<b>10,111</b>	<b>100</b>

*Source: NJDEP 2002 Land Use/Land Cover*

In addition, the project area contains 45% cropland and pastureland according to the 2002 Land Use/Land Cover data.

Soils located in the project area are very conducive to agricultural activity. The project area is comprised of 88% farm capable soils (Table 25).

**Table 25: Farm Capable Soils for Bedminster Project Area**

Soil	Acres	%
<b>Prime Soils</b>	3,925	39
<b>Statewide Important</b>	2,962	29
<b>Locally Important Soils</b>	1,976	20
<b>Other</b>	1,227	12
<b>Total</b>	<b>10,090</b>	<b>100</b>

*Source: NRCS SSURGO Soils Data20080818*

There are also 1,747 acres of preserved farmland located in the Project area. The combination of these factors results in the Township's focus on the Project Area for future farmland preservation efforts.

### **C. Municipal and County Minimum Eligibility Criteria Coordination**

Somerset County and Bedminster Township utilize the same minimum eligibility criteria as the State. The State regulations (N.J.A.C. 2:76-6.20) set a minimum eligibility criteria that all farms participating in farmland preservation must satisfy. The criteria differentiate between farms that are less than or equal to 10 acres in size and farms that are greater than 10 acres in size. For lands less than or equal to 10 acres in size, the land must produce agricultural or horticultural products of at least \$ 2,500 annually; at least 75 percent of the land must be tillable or a minimum of five acres, whichever is less; at least 75 percent of the land, or a minimum of five acres, whichever is less, must consist of soils that are capable of supporting agricultural or horticultural production; and the land must exhibit development potential based on certain standards. For lands greater than 10 acres in size, at least 50 percent of the land or a minimum of 25 acres, whichever is less, must be tillable; at least 50 percent of the land, or a minimum of 25 acres, whichever is less, must consist of soils that are capable of supporting agricultural or horticultural production; and the land must exhibit development potential based on standards set forth

in the rule. Lands that do not meet the minimum criteria are not eligible for a State cost share grant for farmland preservation purposes.

The Bedminster Township Committee and Bedminster's Farmland Advisory Committee view the farmland preservation program as dynamic. It is understood that farmland preservation candidates may not rigidly conform to the eligibility criteria identified in the State regulations. Factors and circumstances that may be considered by Bedminster Township in requesting/granting waivers from the minimum criteria would include the quality of soils that are capable of supporting agricultural or horticultural production and the character and viability of agricultural operations that may be threatened by development. Other circumstances that may warrant a waiver from the strict application of the minimum eligibility requirements may include consideration of the potential detrimental impact on the ADA of the development/conversion of farmland to nonfarm use.

#### **D. Municipal and County Ranking Criteria Used to Prioritize Farms**

Somerset County and Bedminster have previously relied on the SADC's criteria as outlined in the state regulations § 2:76-6.16 – Criteria for evaluating development easement applications. SADC Policy P-14E provides additional detail regarding ranking criteria. The evaluation is based on the merits of the individual application with a weighted factor assigned to each criterion. These include soil quality, tillable acres, boundaries and buffers, local commitment, size of farm and density of lands dedicated to farmland preservation, local factors encouraging agriculture and threat of development.

According to the Somerset County Plan, the County also evaluates an applications based on parcel size, contiguous farmland and if the farm is of local importance or has historic significance. The County might also take into consideration farms that may be a unique agricultural operation. In the event that a unique farm does not meet SADC criteria, the CADB will work with them to request a waiver (if the operation is agriculturally productive) from the SADC and gain support from the municipality.

The Township is currently working on creating a ranking system in the event that several farms become available for preservation at the same time and funding decisions need to be made. Until the ranking system is complete, the Township will continue to base decisions on the State regulations. The Farmland Advisory Committee has identified criteria. Though a point system has not yet been developed, the FAC has separated the ranking criteria into three tiers of importance.

Tier 1: Proximity to preserved farmland; Proximity to preserved land; Size of farm; Developable / lot yield; Former participant of 8-year program or adjacency to 8-year program participant; Gateway farm; Imminence of change.

Tier 2: Cost – Township's ability to finance project; Percent bargain sale/ landowner donation; Viewshed protection; Percent farmed (must be at least 50% or contain at least 25 tillable acres to qualify under PIG); Current agricultural use – food production vs. pasturing; Prime and statewide soils; Historic Farmstead

Tier 3: Proximity to land under application, negotiation or discussion (weighted by commitment level); Landowner willingness to limit impervious coverage; Appropriateness of current agricultural use to the natural conditions of the site; Size and location of proposed exception area/ impact of exception area on farm; Highlands Conservation sub-zone farm designations.

### **E. Municipal and County Policies Related to Farmland Preservation Applications**

The Township abides by the SADC's policies, including those regarding housing opportunities, division of premises and approval of exceptions. The Somerset County Comprehensive Farmland Preservation Plan provided a brief summary of the state policies for each of these issues:

#### ***“Approval of Housing Opportunities***

The Farmland Advisory Committee advises that the Township should seek to limit additional housing opportunities beyond those existing at the time of application wherever possible, except that vacant farms should provide for future farm house site so that they remain viable farms in the future. In cases where multiple house sites are requested, farm size should be considered. Limits to the size of future houses should be requested in all cases, though participation should not be excluded in cases where current landowner is not willing to place such limits.

*Agricultural labor housing:* Agricultural labor housing is not currently protected in the State of New Jersey. However, the State Agricultural Development Committee understands the need for this type of housing and does have a policy that a landowner may refer to in order to construct labor housing. These applications are reviewed by the State Agricultural Development Committee. The Farmland Advisory Committee advises that the Township should allow agricultural labor housing where necessary, but generally recommends that it be provided for in buildings already in existence on the farm where possible, such as above a barn or in an existing gate house, caretakers' cottage, or guest or rental unit so as not to increase the total Floor Area Ratio, or detract from the scenic landscape.

*House replacement:* The policy of the State Agricultural Development Committee on house replacement is that requests for replacement of a residence on permanently preserved land must be reviewed and approved on an individual basis by the CADB and the SADC. The Farmland Advisory Committee does not seek to establish policies that might restrict house replacement – they should continue to be considered on a case-by-case basis by the SADC, though Acts of God replacement of houses in the same location should be automatically approved by SADC. Replacement dwellings would be subject to local ordinance regulations, and landowners would be encourage to located dwellings in a manner

that does not conflict with agricultural operations. The Township will work with the County and the SADC to minimize impacts to agricultural operations.

*Residual dwelling site opportunity allocation:* Residual Dwelling Site Opportunities (RDSOs) are lingering potential housing prospects located within a deed-restricted farm. By designating an area as an RDSO, the landowner is implying that the land will be used for a residential unit or other structure as referred to in N.J.A.C. 2:76-6.17. These prospective residential units can be allocated to parcels that are over 100 acres in size, at a maximum rate of up to one RDSO per 100 acres (including existing houses). The purpose of the building in question must be for “single-family residential housing and its appurtenant uses.” To qualify as an RDSO, the SADC requires that the use of the residential unit be for agricultural purposes and “at least one person residing in the residential unit shall be regularly engaged in common farm site practices.”

The Farmland Advisory Committee feels that the provision for an RDSO can enhance the economic viability of a productive farm and assist farmers that are aging in place in keeping their farm in agricultural production by allowing younger farmers to reside on the farm. Additionally, the RDSO can be used to assist the farmer in transferring ownership of the farm over to the next generation farmer who may be insufficiently capitalized to buy an active agricultural operation. However, RDSO’s should be made sufficiently flexible to permit occupants and/or widows/widowers living in an RDSO residence to age in place.

### ***Division of the Premises***

The goal of the State Agriculture Development Committee is to preserve large tracts of farmland and, therefore, a division of the premises is not an encouraged practice. A landowner wishing to divide permanently preserved farmland must submit a written request. The application must be approved, in writing, by both the State Agriculture Development Committee and the CADB.

The Farmland Advisory Committee recommends that division of premises should be soberly considered and should be limited to situations where there is no negative impact on the agricultural resources. Such divisions should continue to be subject to SADC review and approval on a case by case basis. Divisions must be for an agricultural purpose and result in viable farm parcels.

### ***Approval of Exception***

Exceptions are defined by the SADC as “acres within a farm being preserved” which are “not subject to the terms of the deed of easement.” When an exception is made, the landowner does not receive any compensation in the excepted area. Exceptions are not a practice that is encouraged by the SADC and, when they occur, it is recommended that they should be as small as possible. There are two types of exceptions that can occur; severable and non-severable.

*Severable:* A severable exception is defined by the SADC as an “area which is part of an existing Block and Lot owned by the applicant which will be excluded from the restrictions of the Deed of Easement and may be sold as a separate lot in the future.” A severable exception is made “if a landowner wants to be able to sell the excepted area separate from the deed-restricted farm.” To date, none of Bedminster’s preserved farms have provided for severable exceptions. There may be some very limited situations when this would be appropriate, but generally the Farmland Advisory Committee and the Township strongly discourages them because it feels that severable exceptions detract from the farmland preservation goals and because changing zoning circumstances can affect the future subdividability, and thus may not be advisable for the landowner.

*Non-severable:* Non-severable exceptions are defined by the SADC as “areas which are part of an existing Block and Lot owned by the application that will not be subject to the restrictions of the Deed of Easement but cannot be sold separately from the remaining premises.” Unlike a severable exception, a nonseverable exception is “always attached to the protected farm.” Exceptions made to farmland have the potential to impact the value of the property. When an appraisal occurs, both severable and non-severable exceptions are considered in the determination of the restricted/ after value of the property.” Most of Bedminster’s farmland preservation projects include a nonseverable exception around existing structures, which has little to no negative impact on the agricultural operation. If the farm is vacant and the landowner intends to live on the farm in the future, Bedminster encourages siting a nonseverable location. Bedminster encourages siting and sizing exceptions such that they minimize the impact on the farm’s agricultural viability. The Farmland Advisory Committee agrees that landowners should be encouraged to limit the size and location of nonseverable exceptions such that their impact on natural and agricultural resources is limited. Generally they should be limited to one exception per farm unless current circumstances and uses make additional exceptions appropriate, such as: An existing residence and an existing non agricultural use are located too far from each other to be included in the same exception; or a particularly large farm owned by multiple family members or farm partners makes multiple housing opportunities/exception areas appropriate).

## **F. Funding Plan**

### *1. Description of Municipal and County Funding Sources*

Bedminster Township’s Open Space Tax is \$0.02 per \$100 of assessed value. In 2007, \$522,250 was raised. This will provide enough funding to match the SADC’s maximum

annual grant of \$1.5M. However, the tax provides funding for the both the Township's farmland and open space projects. By bonding and using the Open Space Trust Fund to pay off debt, Bedminster can leverage the annual tax so that funding is available to both match both the SADC's PIG grant as well as to acquire open space. Bedminster will also research creative financing such as implementing an installment purchase program.

According to the 2008 Somerset County Farmland Preservation Plan, The residents of Somerset County approved the doubling of the Somerset County Open Space Tax from \$0.015 per \$100 to \$0.030 per \$100 of assessed property evaluation in 1997. Since 1990 the overall allocation to open space, historic preservation, and farmland preservation in Somerset County is \$149,040,894. To date Somerset County has expended \$20,327,038 on 69 farmland projects preserving 6,710 acres. The state has contributed \$50,709,925, towns have contributed \$6,070,598, and federal funds have contributed \$1,532,951. The total expended on farmland projects in Somerset County is \$79,070,472.

Somerset County also does not adhere rigidly to a funding formula for the allocation of County Open Space Tax revenue. In recent years, the Freeholders have authorized \$1.5 million for farmland preservation, \$900,000 for historic resources, \$900,000 for the municipal / county open space acquisition partnership program, funding for the County Park Commission and debt service. There is no anticipated change to these allocations.

Bedminster Township also does not allocate open space tax revenue rigidly between open space and farmland preservation. There is no established local formula for the allocation of open space/farmland preservation funding, however the Township's primary efforts are now focused primarily on farmland preservation. This is primarily due to the fact that the Township has, over approximately 20 years, substantially completed its goal to acquire open space to establish a 'greenbelt' around the villages of Bedminster and Pluckemin; and to provide active recreation facilities for all of Bedminster's residents. The greenbelt effectively established a ring of preserved open space separating the densely populated areas of the Township from farmland areas. Thus, farmland preservation is now primarily the focus of expenditure of open space and farmland preservation tax revenue.

## *2. Financial Policies*

Bedminster Township's plan for farmland preservation will combine a variety of techniques to encourage as many landowners as possible to preserve their farms. These efforts will include encouraging farmers to enter their farms into Municipally Approved Farmland Preservation Programs, entering into option agreements for easement purchase with landowners, installment purchase agreements and direct development easement purchase. Bedminster has traditionally requested landowners participating in the Municipal PIG provide at least a 10% bargain sale. With increasingly limited funding, Bedminster will consider increasing the minimum bargain sale percentage. Bedminster's

easement values generally fall in the \$30K - \$50K range. Based on SADC’s sliding scale, the State’s cost share in the average project will be 60%. For approved PIG farms, the County will consider participating at up to 20%, though they reserve the right to decline participation, especially on farms that are smaller than 25 acres. The Township commits to providing the remaining 20% of the project cost. In the event that Federal funding is used on the project, the State and County have generally allowed that cost share to reduce the local and County shares equally in Highlands municipalities like Bedminster. For participating farms the County will provide \$1 for \$1 match to municipal funds up to a total of 20% of the total easement cost.

According to N.J.A.C. 2:76-6.11(d), the SADC’s rule for cost sharing is based upon easement value, as shown in the table below.

<b>Landowner's asking price</b>	<b>Percent committee cost share</b>
From \$0.00 to \$1,000	= 80% above \$0.00
From > \$ 1,000 to \$ 3,000	= \$ 800 + 70% above \$ 1,000
From > \$ 3,000 to \$ 5,000	= \$ 2,200 + 60% above \$ 3,000
From > \$ 5,000 to \$ 9,000	= \$ 3,400 + 50% above \$ 5,000
From > \$ 9,000 to \$ 50,000	= 60%
From > \$ 50,000 to \$ 75,000	= \$30,000 + 55% above \$ 50,000
From > \$ 75,000 to \$ 85,000	= \$43,750 + 50% above \$ 75,000
From > \$ 85,000 to \$ 95,000	= \$48,750 + 40% above \$ 85,000
From > \$ 95,000 to \$105,000	= \$52,750 + 30% above \$ 95,000
From > \$105,000 to \$115,000	= \$55,750 + 20% above \$105,000
From > \$115,000	= \$57,750 + 10% above \$115,000

Preservation of all farms in the project area is the intent of this application. Assuming inclusion in the PIG budget, including local, county and state contributions, it is hoped that the majority of parcels identified can be preserved. This total amount can be expanded through the use of option agreements and installment purchases, which will be determined after negotiations with landowners.

Upon approval of this Planning Incentive Grant Application, Bedminster will correspond with all property owners of the targeted properties in the project area and advise them of the parameters of the program.

In order to maximize preservation opportunities, Bedminster Township will utilize option agreements or installment sales where possible for easement purchases. These vehicles will allow the Township and property owners to develop agreements regarding price and terms that maximize the amount of farmland which can be brought into the preservation program in the early period.

### *3. Cost Projections and Funding Plan*

Bedminster Township anticipates the per acre value of development easements in the project area will be roughly \$30,000. This is based on analysis of the most recent appraisals performed by SADC, Somerset County, and Bedminster Township. This is an estimated average only: Many of the easements are anticipated to be valued substantially

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higher or lower, due to broad range of value that Bedminster has seen in recent appraisals that range from \$24,000 to \$65,000 per acre.

Achieving Bedminster’s target farm land preservation goals in accordance with PIG application and this plan’s 10-year goals is based upon the following assumptions:

- (1) 150 ac/yr. easement donations (1,500 ac);
- (2) \$30,000/ac. easement value; and
- (3) Cost shares: SADC - 60%, County - 20%, Municipal - 20% cost-share).

SADC annual funding required would be as follows: \$6.84 million in year 1; \$6.84 million each year for years 2-5; and \$3.24 million for years 6-10.

The following three cost projections and funding plans identify funding needs and acreage preservation estimates according to three assumptions: (1) unlimited SADC funding (2) maximum allowable SADC annual municipal PIG funding of \$1.5 million; and (3) one-half allowable SADC annual municipal PIG funding of \$750,000.

**Funding Plan Scenario #1 – unlimited SADC funding:**

- \$5.04 million spending plan per year – Total of \$50,400,000 from SADC over 10 years;
- 280-acres/ year \$5,040,000 SADC/\$1,680,000 CADB/ \$1,680,000 Municipality; and
- 2,800-acres preserved through development easement purchase over 10 years.

Year	Acres	Funding		
		SADC	County	Bedminster
1	280	\$5,040,000	\$1,680,000	\$1,680,000
5	1,120	\$20,160,000	\$6,720,000	\$6,720,000
10	1,400	\$25,200,000	\$8,400,000	\$8,400,000
	2,800	\$50,400,000.00	\$16,800,000.00	\$16,800,000.00

**Funding Plan Scenario #2 – maximum allowable SADC municipal PIG funding appropriation awarded to Township in the amount of \$1.5 million/yr. for each of 10 years:**

\$2.5 million spending plan per year – Total of \$15,000,000 from SADC over 10 years;

- 83 acres / year funded as follows: \$1,500,000 SADC/ \$500,000 CADB/ \$500,000 Municipality; and
- 830-acres preserved through development easement purchase over 10 years.

Year	Acres	Funding		
		SADC	County	Bedminster
1	83	\$1,500,000	\$500,000	\$500,000
5	332	\$6,000,000	\$2,000,000	\$2,000,000
10	415	\$7,500,000	\$2,500,000	\$2,500,000
	830	\$15,000,000.00	\$5,000,000.00	\$5,000,000.00



Funding Plan Scenario #3 – One-half of full \$1.5 annual municipal PIG appropriation awarded to Township in the amount of \$750,000/yr. for each of 10 years:

- \$1.25 million spending plan per year – Total of \$7,500,000 from SADC over 10 years;
- 42 acres / year funded as follows: \$750,000 SADC/ \$250,000 CADB/ \$250,000 Municipality; and
- 420 acres preserved through easement purchase over 10-years.

Year	Acres	Funding		
		SADC	County	Bedminster
1	42	\$750,000	\$250,000	\$250,000
5	168	\$3,000,000	\$1,000,000	\$1,000,000
10	210	\$3,750,000	\$1,250,000	\$1,250,000
	420	\$7,500,000.00	\$2,500,000.00	\$2,500,000.00

**G. Farmland Preservation Program and AAC Resources**

*1. Municipal Staff and Consultant Resources*

The Bedminster Township Committee, Land Use Board and Agricultural Advisory Committee are all participants in the planning and implementation of farmland preservation in Bedminster. The Agricultural Advisory Committee responds to the regulatory responsibilities for an AAC and meets on a monthly basis or as the need arises. The Agricultural Advisory Committee also is supported by consulting services through the Township’s Planner, Banisch Associates, Inc., the New Jersey Conservation Foundation and the Township’s Attorney’s office if necessary.

*2. Legal support*

Legal support for the Township’s farmland preservation program is provided by the Township’s Attorney, McElroy, Deutsch, Mulvaney and Carpenter, LLP.

*3. Database Development and Geographic Information System Resources*

The Township’s Planning Consultants, Banisch Associates, Inc currently provide database management, mapping and GIS resources for the Township.

**H. Factors Limiting Farmland Preservation Implementation**

*1. Funding*

Funding for farmland preservation within the Township is dependent on the amount and timing of funding sources on the State and County level. The Township has successfully been able to preserve farmland through a variety of sources in the past, but largely

through County Easement Purchase and the State Direct Easement Purchase Program. The Township would like to continue this relationship with the County to preserve additional properties. The Township is able to use the collection of the Open Space Tax, but these funds are a shared resource with open space preservation efforts and can not fund entire projects on their own and require the assistance of County and State matching funds. Therefore the limiting factor for funding is dependant on matching funds for the County and State.

2. *Projected Costs*

The Township has been able to identify a reasonable per acre value that can be projected out through the 10 year funding cycle as identified above. "Rising costs per acre will limit programs success, however declining costs per acre could significantly improve program success.

3. *Land Supply*

Bedminster, like much of the State and County, has witnessed increasing development pressure over the last 20 years. This increased pressure has resulted in a net loss of actively farmed land which has been converted to residential and non-residential development. However a strong agricultural base still exists in the Township with an active community of farmers and supportive land owners. This has resulted in a continued land supply of agricultural areas that can still be brought under the farmland preservation program.

4. *Landowner Interest*

Bedminster is fortunate to still have actively farmed areas with land owners dedicated to the promotion of farmland preservation and agricultural retention. This constant interest in local farmers has resulted in a large amount of lands being entered into the preservation program. There has been a great deal of interest by land owners to enter farmland preservation. Landowner interest continues to grow and is not anticipated to be a limiting factor in the foreseeable future.

5. *Administrative Resources*

The Agricultural Advisory Committee and Township Administrator have been extremely helpful in the promotion and execution of the farmland preservation program. Land owners have been able to contact the AAC and Township for assistance in preparing applications for farmland preservation. Administrative resources are not a limiting factor to the Township's preservation efforts.

## VI. Economic Development

### A. Consistency with N.J. Department of Agriculture Economic Development Strategies

The Somerset County Comprehensive Farmland Preservation Plan highlights the economic development strategies offered by the NJ Department of Agriculture. The Township has used the support services provided by the State and will continue to look to the State for guidance on ways to retain and promote agricultural production. The primary agricultural activities in the Township center around field crop production, nursery sales, and livestock. The Farmland Advisory Committee notes that much of the Greenhouse and Sod farming is fairly limited to taking place in other areas of the County, and thus the County's plan strategies for this type of farming may not be as pertinent today in Bedminster. The Committee also notes that there is an increase in llama and alpaca farming, and intends to consider the unique strategies that might be employed around that particular trend. Otherwise, the Farmland Advisory Committee finds these strategies useful and applicable to employ in Bedminster. The following section has been provided by the Somerset County plan as it relates to the efforts of Bedminster Township.

#### **Nursery, Greenhouses, Floriculture, and Sod**

These are fairly limited in Bedminster. However to the extent that these agricultural activities are being conducted, the following strategies could be promoted. However, the Township is concerned about impervious coverage as it relates to greenhouse construction. Additionally, the Farmland Advisory Committee is concerned about sod operations requiring pesticides and herbicides that could have negative impacts on the ecology of surface waters and stream corridors and thus discourages sod farming: :

- Explore the feasibility of more Somerset County farmers diversifying a portion of their output into this sector;
- Support efforts by NJDA to ensure plant health and disease-free material;
- Increase consumer awareness of the *Jersey Grown* brand;
- Seek contracts with big box store operations such as Home Depot and Lowes';
- Reach out to pharmaceutical and biotech companies to explore partnerships and growing contracts with County farmers;
- Promote "drive up" operations where consumers can buy directly from the nursery or greenhouse; and Encourage a) municipal support for irrigation (often necessary for sod and other crop cultivation in this area) and b) research into alternative water management strategies, such as drip tape.

#### **Field and Forage Crops**

Strategies to consider include:

- Educate farmers about any improved management practices and ways to

- improve yield per acre;
- Alert farmers to any available workshops on pasture and cropland management;
- Encourage diversification to row crops that meet newly emerging markets or markets with increasing demand (such as spelt as a dietary substitute for wheat) or lend themselves to value-added marketing opportunities (such as sorghum for homemade jams and jellies that can be marketed from roadside stands, at community markets and over the Internet);
- Encourage transition to certified organic or naturally grown bean and grain crops to increase their value;
- Engage the Somerset County Business Partnership in a campaign to promote the County as a site for construction of biofuels processing plant(s) by connecting with the multi-agency working group that is carrying forward the NJDA initiative to create a biofuels plant. The NJDA sees biofuels – ethanol, biodiesel and biogas – as an excellent opportunity for farmers in New Jersey to develop new markets for their agricultural products, byproducts and waste-stream items;
- Publicize to farmers the availability of state-sponsored grain marketing sessions, when scheduled;
- Inform producers about the role of crop insurance in mitigating marketing risk; and
- Investigate availability of free deer fencing programs, as well as other measures for deterrence of wildlife, and promote to County farmers.

### **Livestock**

Traditional cattle farming is fairly limited in Bedminster, and the trend has been the expansion of nontraditional livestock, including llamas and alpaca. To strengthen and expand its place in the County economy, some non-dairy cattle, sheep, hogs, and poultry strategies may include:

- Ensure animal health, including investigating incentives for bringing large animal veterinarians back to the area;
- Explore various additional products and markets, including local hospitals and assisted living operations, restaurants and grocery markets, and increased outlets for meat sales at community markets and special events;
- Seek more opportunities for production contracts with poultry and livestock processors;
- Investigate outlets for dairy products for goats, and educate farmers about the benefits of diversifying into this sector, especially considering the development of value-added dairy products for goats;
- Explore increased marketing opportunities for goat meat to meet the preferences of growing ethnic populations in the county and the region;
- Assist farmers with farming techniques, regulatory requirements and the latest research for livestock and poultry, including continued and additional cooperation with the RCRE, NJDA and Natural Resources Conservation Service (NRCS); and

- Promote the agritourism portion of livestock, including exotic animals and poultry, such as “looking” zoos and educational school tours.

The Farmland Advisory Committee notes that the increase in alpaca and llama farming presents a new set of strategies that could be employed. The promotion of agritourism fits in nicely for this more exotic livestock. Additionally, some direct marketing to specialty wool and weaving shops may be appropriate.

## **B. Agricultural Industry Retention, Expansion and Recruitment Strategies**

The Somerset County Comprehensive Farmland Preservation Plan provided an extensive wealth of information on agricultural retention, expansion and recruitment strategies. The following sections have been taken from the County’s plan as it relates to Bedminster Township, for additional information refer to the County’s plan. The Township promotes and encourages these strategies in an effort to maintain and expand the Township’s agricultural base. The Farmland Advisory Committee plans to expand this effort by providing links to resources such as those listed below on Bedminster’s web site. Additionally, the Committee intends to participate in the County’s events and in those of neighboring townships. They will advertise these events locally and man informational tables with information and resources for local farmers. They will also use the annual farmland assessment mailing to send information regarding resources and upcoming events directly to Bedminster farmers and farmland owners.

### *1. Institutional*

#### ***Farmer Support***

Farmers at all levels can benefit from support, from the experienced farmer who owns a multigenerational farm and is concerned about farm succession, to a tenant farmer who seeks ways to maximize his profitability, to a young would-be farmer looking for guidance on how to break into agribusiness. There are a variety of resources at the state level, published on the SADC website. One such program, *Farm Link*,<sup>32</sup> serves as a resource and referral center for new farmers, farmers seeking access to land and farming opportunities, landowners seeking farmers, and farmers working on estate and farm transfer plans.

Farm succession is a concern. The *2002 Census of Agriculture* reported the average age of farmers in Somerset County as 56.2. When farmers express an interest in entering the farmland preservation program, the CADB advises them to consult with their financial and tax advisors about estate planning to be sure they understand the implications and find the best solutions for their particular situations. In addition, the SADC’s Farm Link website offers Estate Planning Tools,<sup>35</sup> including “Transferring the Family Farm: What Worked, What Didn’t for 10 New Jersey Families,” estate planning tips from First Pioneer Credit, “Your Land is Your Legacy: A Guide to Planning for the Future of Your Farm” — a reference available from the American Farmland Trust — and other references.

The Farm Link website also has a page devoted to Web resources for new farmers, who are a critical component in the ongoing success of farming in the county as well as the state. Plus, there are resources that provide helpful information and guidelines for established farmers and landowners interested in creating tenure agreements. The NJDOA website<sup>36</sup> offers a variety of technical and financial resources for agritourism assistance, First Pioneer Farm Credit, deer fencing, farmers' market assistance, etc.

***Marketing / Advertising / Public Relation Support***

Marketing and advertising are critical to profitability. According to the 1999 Survey of Somerset County Farmland Owners, some Somerset County farm operations market their crops to regional wholesale outlets (grain elevators, such as Perdue in south Jersey and Penfield in New York State and the Livestock Cooperative Auction in Hackettstown, which deals in crops and eggs as well as livestock). Many more directly market to consumers from farm stands or more often out of the barn on the farm. Some market through participation in community markets as well.

***Advertising.*** According to survey results and direct conversations with farmers, few farmers take the route of individually advertising their product in print, although many of those involved in on-site direct marketing do maintain websites.

***Direct Marketing.*** For those direct marketers who want to consider paid advertising and garner media coverage, Web resources can help with the planning.

***Community Farmers Markets***

- Explore with municipalities and farmers the feasibility of starting markets in towns that don't have them (contacts: New Jersey Council of Farmers and Communities, a nonprofit organization serving as a liaison between New Jersey Farm families and 35 market members, probably can help with logistics of startups, ongoing management).
- Explore organizing a pool of farmers who would be interested in cooperative stands at regular and special County events, such as the Raritan Cruise Nights on summer Wednesdays or at annual street or craft fairs in various towns or parks or other organizations.

The Farmland Advisory Committee is investigating the possibility of incorporating a farmers market into Fall Fest – an annual local event bringing together hundreds of local residents for activities, events, celebration and networking.

***Community Supported Agriculture***

The CADB and the RCRE can work to publicize this concept, which has not been widely adopted in Somerset County, through newsletters such as *Green and*

*Growing*, or a workshop led by a current CSA farmer or farmers. According to the University of Massachusetts extension “CSA is a partnership of mutual commitment between a farm and a community of supporters which provides a direct link between the production and consumption of food. Supporters cover a farm’s yearly operating budget by purchasing a share of the season’s harvest.” Additional advantages of CSA include not having to worry about the time, labor and transportation costs of selling at community markets, or the time and labor of running a farm stand. A CSA farmer can control scheduling of pick-ups to utilize existing farm personnel in labor downtimes (e.g. family members, one day a week, etc.). The Township and the Farmland Advisory Committee view Community Supported Agriculture not only as a way to make farming more profitable, but also as a way for the community to participate in farming, thereby raising awareness and support for local growing initiatives. There is interest and support in seeing a CSA established in Bedminster.

The CADB also can encourage connection between The Food Shed Alliance (FSA) and local farmers. The FSA is a grassroots, nonprofit group devoted to “promoting profitable, sustainable farming and locally-grown, fresh, healthy food in northwestern New Jersey.” The FSA closely links the health of land and communities with the existence of local farms, believing that farmers are the key in connecting people with “food, the land, and our sense of place.” These tenets foster a “self-sustaining “food shed” that supports farmers, nourishes people, respects the land, and strengthens (our) communities.” An extension of the FSA’s work is the Northwest Jersey “Buy Fresh, Buy Local” Campaign. This is an effort by the Food Shed Alliance, local farmers, and community leaders to build connections between farmers and consumers through food guides, food and farming events, and community outreach, and therefore encourage local residents to buy fresh, local produce. Currently, no Somerset County farms participate in this alliance.

### ***Agricultural Education and Market Research Coordination***

Farmers need to keep up to date with the latest information on agricultural practices and new market opportunities, as they strive to maximize their profitability and achieve their farming goals. The CADB has suggested:

- Coordinate with Rutgers Extension and NJDA to research and market agricultural education; and
- Seek grants to fund farmer education.

### ***New Jersey Agricultural Experiment Station (NJAES) and Rutgers Cooperative Research and Extension***

According to the NJAES website *Jersey Fresh* Information Exchange, Rutgers Cooperative Extension launched an innovative produce distribution and merchandising pilot project in 2004 to help New Jersey farmers get their products into new retail locations, such as white-table restaurants and grocery chains. Less

than a month after a kickoff meeting that brought New Jersey growers face-to-face with noted New Jersey chefs, national chain grocers and multi-state distributors, these new relationships had already turned into critically needed new sales.

In addition, the NJAES website offers a wealth of information relating to animal agriculture, farm management and safety, pest management, plant agriculture and other elements of interest to those involved in commercial agriculture.

The Somerset County RCRE traditionally has been a sponsor of workshops and a helpful resource for local farmers.

### ***Rutgers School of Environmental and Biological Sciences***

The municipality can touch base periodically with Rutgers regarding any opportunities for farm research, test/experimental projects that might be appropriate for local farms. The RCRE in Somerset County can keep farmers abreast, through the *Green and Growing* newsletter and the RCRE website, of any upcoming special workshops or information or appropriate continuing education curriculum.

### ***Other***

Outreach to the County's vocational/technical school and Raritan Valley Community College regarding the feasibility of expanding or introducing agricultural curriculum, linking agriculture students (the vocational/technical school has a horticultural course at the high school level) with farmers and nurseries for intern/apprenticeship learning experience (transportation logistics may be an issue).

2. *Businesses* The 2007 FPP Update Farmer Survey and the Farmland Advisory Committee currently identify no specific grower needs that the Township can address. The municipality relies upon county, State and federal policies to advocate on behalf of the regions farmland businesses.

### ***Input Suppliers and Services (from Somerset County Comprehensive Farmland Preservation Plan)***

Somerset County farmers obtain farm supplies from a number of sources in and near the County, such as Belle Mead Farmers Coop; Neshanic Home & Garden; Somerset Grain, Feed & Supply, Bernardsville; and the Raritan Agway. Additional Agways are nearby in Clinton, Flemington, and Washington. Feed and hay supplies for livestock and equine often come from the farm itself or from other farms in the County. In its 2006 Directory of Facilities, the NJDA *New Jersey Equine* Advisory Board offers three listings in Somerset County for saddle shops and feed supply: The Horse and Rider Shop, Hillsborough; Coach Stop



Saddlery, Ltd., Bedminster; and Raritan Agway. In addition, four Somerset County operations are listed on the *Jersey Grown* website as certified suppliers of nursery product.

For new machinery, local farmers generally look out of county, to Tractor Supply in Washington, to New Holland dealers in Lawrenceville or Washington, or to a dealer over the state border in Elizabethtown, Pennsylvania, who will deliver and pick up. In-county, the Storr Tractor Company is located in Somerville, and nearby, in Middlesex County, Binder Machinery is located in South Plainfield. A couple of farmers noted that they have bought “remotely,” ordering equipment and parts either over the phone or by Internet and getting delivery by UPS or FedEx.

For equipment repairs, about half of the farmers often choose to “do it themselves” although that becomes increasingly more difficult as the new equipment becomes more sophisticated. A few offer repair services to other farmers, and there is a dealer in Ringoes (Hunterdon County), D&R Equipment, that does repairs and sells used machinery, short line machinery, mowers, balers, sheep wranglers and the like. A farmer in Jugtown (Hunterdon County) also does repairs and will come to the farm or have the farmer drop off the equipment.

Veterinarian services for large animals (livestock and equine) are available locally, including Dr. Gregory Staller, DVM Running S Equine Veterinary service on Fairmount Road (CR512) in Califon; and Dr. Brendon Furlong has a clinic named Equine Mri Of New Jersey LLC., on Homestead Road in Oldwick. Local farmers mentioned one in Hopewell (Mercer), one in Belle Mead (Somerset), several in Warren County, and a major equine hospital in Ringoes. The Equine Board’s 2006 Directory of Facilities lists some dozen equine practitioners in Somerset County, although several appear to be associated with companies such as Ethicon and Johnson & Johnson and probably service their private farms.

### ***Product Distributors and Processors***

Hay and other forage crops are often sold locally, to other farms, equine operations, landscapers and nurseries as baled straw, or used for the farmer’s own livestock and other uses. Some grain crops also are sold locally to small farmers with a few animals. In addition, there are three in-county feed outlets that process their own feed -- one does just feed; two are combination feed mill and garden center; all are in Hillsborough. Generally, however, grains are sold to large grain brokers, such as the one in Yardville, also out of county. Other outlets include the Perdue grain elevators in Bordentown and Bridgeton or Penfield in New York State. Another potential outlet is an ethanol plant in Pennsylvania, which can process up to 30 million bushels of corn and needs to draw from beyond its own area, which produces only 10 million bushels. Construction of biofuels facilities in New Jersey is a state initiative, and an opportunity for the Somerset County

Business Partnership to promote the County as a site for such a facility.

For livestock sales, there are two options in the state: the popular Livestock Cooperative Auction in Hackettstown auction or a more distant opportunity at Cowtown, in Swedesboro. At the Hackettstown auction, farmers sell one on one to other farmers or in lots to wholesalers.

Those wishing to directly market their meat products must use a federally licensed processor. The nearest facility is in Green Village, Morris County.

3. *Anticipated Agricultural Trends* (excerpted from the Somerset County Comprehensive Farmland Preservation Plan)

### ***Market Location***

Certainly from a market location perspective Somerset County is in a strong position. In the 1990s it was one of the fastest growing counties in the state and the second most affluent county in the United States according to the U.S. Census Bureau's *2004 American Community Survey*. In 2005 it boasted a median household income of \$88,532, and a population of 315,000 people in 114,000 households, predominantly single unit structures (71%). Many of these housing units are fairly new, with fully 28% having been built since 1990. In addition, the County is centrally located in a metropolitan area that includes New York and Philadelphia and other affluent New Jersey counties.

### ***Product Demand***

If the trend to more equine farms continues, this could provide additional outlets for hay producers, a popular low-intensity crop that requires little in the way of fertilizers or irrigation, and possibly an opportunity for more large-animal veterinarians to locate in Somerset County. The livestock sector, while still significant, has seen declines in inventory numbers, and, particularly in dairy farming, with the number of farms reduced from five in 2002 to just two in 2007. One avenue for diversifying in this sector is to look into exotic animals, which are marketable from an agritourism perspective as part of "looking" or "petting" zoos and whose byproducts, such as alpaca fur, can provide value-added direct marketing products, e.g., the sheared wool itself or clothing and other products made from that wool. Sheep and goats may offer the advantages of value-added marketing opportunities as well, in the form of goat cheese and products made from sheep's wool. Another opportunity for expansion may be in the area of supplying goat meat, which has seen a rise in demand due to the growing ethnic populations in the County and region.

Although vegetable and fruit crops make up a small sector of Somerset County's agricultural output, this is certainly not from a lack of demand. If challenges such as the deterrent of short-term leases versus high upfront costs and the cost of labor

and transportation difficulties of getting labor to the farm site (no public transportation) can be addressed, more farmers might take advantage of this sector. Employing the Community Supported Agriculture model may be a way to overcome many of these financial issues that prevent farmers from branching into the fresh produce market. Societal issues of food availability and cost, as well as trends towards purchasing local and organic produce serve to amplify the potential market for CSA's. Bedminster's population centers are generally both affluent and health conscious, and could easily sustain a local CSA.

An additional challenge for those considering direct marketing homemade food products at farmers markets is the need to have the goods prepared in inspected facilities such as federally approved facilities for meats and cheeses and state inspected and licensed facilities for baked good and other food products. On the output side, there are the advantages of selling at retail rather than wholesale, selling from your own location rather than having to pay transport costs, and of generating additional income by developing value-added products such as pies, cheeses, jams, honey, and other products that serve the increasing numbers of customers who want the advantages of ready-made.

Increased demand for organic products may encourage farmers to adopt more natural farming methods. Since federal certification requires a three-year commitment, many farmers may lean toward "natural" rather than strictly organic processes, such as grass-fed beef raised without hormones or antibiotics and food crops that use natural farming methods. Already there are at least two farms with produce crops that use natural or organic methods but are not certified.

4. *Agricultural Support Needs* (excerpted from the Somerset County Comprehensive Farmland Preservation Plan)

#### ***Agricultural Facilities, and Infrastructure***

Although many of the suppliers and processors the farmers utilize are not located in the County, declining production and inventory figures in the crop and livestock sectors may indicate that there is little need to alter this state of affairs. The infrastructure the farmers most need is on the regulatory and technical assistance side: getting municipalities, residents and consumers to look favorably on agriculture and understand the economic and quality of life advantages it brings to the County, getting municipal support through flexible land use regulations and ordinances that take into consideration the special needs of the agricultural operations, and getting help with financial and planning matters through workshops and other educational and counseling services provided by the state, RCRE, the CADB and the federal government.

Additional support could come from a concerted effort to promote agritourism through signage, publications, website and media promotion.

### ***Flexible Land Use Regulations***

The County can work with local municipalities toward understanding the importance of agriculture to the economy of the county and the importance of an agriculture-friendly environment at the municipal level in support of the agricultural sector of the community. Right to Farm and accommodations for agricultural vehicle movement and the building of an awareness of and provisions supportive of agriculture into municipal master plans and zoning ordinances go a long way towards the kind of support agriculture needs in order to be an economically viable sector.

Other areas where municipal sensitivity to the land use needs of agriculture can be helpful include consideration of the following issues when creating municipal ordinances and regulations:

- Setting specific buffer standards for non-farm development adjacent to working farms that help to limit trespassing and littering and also protect the residential landowner from dust and spray materials spread during farming activities, thus minimizing potential Right to Farm conflicts;
- Code or ordinance provisions requiring developers to notify purchasers of the proximate existence of active agriculture;
- Exemptions for certain farm structures from building height restrictions;
- Allowing additional principal dwelling units on farms in order to meet the needs of farmers for additional housing for their children or for farm managers;
- Exemptions from setback requirements when farmers seek to expand an existing nonconforming structure;
- Flexible fencing ordinances that make allowances for types of fencing on farms that might not be desirable in residential zones, in consideration of the farmers needs to prevent wildlife damage; and
- Construction fee reduction for agricultural buildings.

### **Agricultural Support Implementation**

Suggestions for future agricultural support include workshops and other educational opportunities at the state and county level that may require funding through the many grant opportunities available from state and federal programs. In addition, support for the implementation and monitoring of farmland preservation, one of the chief ways to protect and ensure the continued presence of agriculture in the County, comes from the County's open space trust fund, local contributions from municipalities, SADC dollars through programs such as Planning Incentive Grants and soil and water conservation grants and federal dollars from federal programs such as the Farm and Ranch Lands Protection Program. The mechanism is in place for increasing the trust fund if the county freeholders see the need. In addition, the freeholders reevaluate the trust fund each year and can shift the proportion of trust fund dollars allotted to farmland

preservation, open space and historic preservation based on the priorities for the given year.

In addition, the County maximizes the amount of land it preserves by encouraging applicants to donate a portion of the land preserved through the traditional easement program and to accept a lower amount for the land than the certified market value. This benefits the preservation program by enabling the acquisition of property it might not otherwise have been able to acquire, while at the same time providing the landowner with tax benefits.

Bedminster's consultant reaches out to landowners and provides information regarding various farmland preservation options, as well as landowner tax benefits for donations and bargain sales. The Farmland Advisory Committee functions as the eyes and ears for identifying the agricultural development needs as they emerge. The Township will work with county, State and federal agencies to advocate for farmers and farm-related businesses. The Township would be willing to host a meeting for agriculture economic development interests in the region if the need arises.

## **VII. Natural Resource Conservation**

### **A. Natural Resource Protection Coordination**

The Somerset County Farmland Preservation Plan provided information on various services involved in farmland preservation and natural resources protection. The following section has been excerpted from the County Plan. The Township seeks to increase its communication with the Natural Resource Conservation Service (NRCS) and the Somerset County Soils District to encourage agricultural retention and best management practices by local farmers. Please refer to the full County Plan for additional information.

#### *1. Natural Resource Conservation Service*

The local NRCS office serving Somerset, Hunterdon and Union Counties is located at 687 Pittstown Road, Suite 2 in Franklin Township (mailing address of Frenchtown). Somerset County farmers may utilize this local NRCS office for technical assistance with conservation issues. NRCS will also reach out directly to landowners if they know of a farmer who is in need of assistance, or can use the guidance of the NRCS staff. The local NRCS office also helps to prepare Conservation Plans for Somerset County farmers. These Conservation Plans nearly always include strategies to conserve soil and water, but may also include conservation practices for flora, fauna and clean air. If all five elements are included, they are referred to as Resource Management Plans.

Conservation Plans are required within one year after the date of closing on development easements for those who wish to sell their property or sell a

development easement via the Farmland Preservation Program, or apply for natural resource conservation program grants such as the WHIP and EQIP. The local NRCS office administers these conservation program grants, which offer financial incentives to support conservation projects, including stream riparian buffers and wildlife habitat. Administration of these grant programs includes field visits to prepare the Conservation Plans, preparation of grant program contracts, assistance with installation of contract conservation practices, and inspection of farms to verify contract conservation practices are implemented and maintained. It should be noted that the Somerset County Soil Conservation District gives final approval on all Conservation Plans and program contracts, and the USDA Farm Service Agency (FSA) assists NRCS in administration of an additional natural resource conservation program entitled Conservation Reserve Enhancement Program (CREP). The phone number for the local NRCS office is (908) 782-4614, and the District Conservationist is Gail Bartok.

## *2. Somerset County Soil Conservation District*

An additional partner in the conservation of agricultural resources is the New Jersey Department of Agriculture, Division of Agricultural and Natural Resources. Among its responsibilities, the Division implements natural resource conservation programs, administered by the State Soil Conservation Committee (SSCC). These programs “provide engineering services and regulatory guidance to soil conservation districts, homeowners, engineers, planners and virtually all development activities. The Division provides technical standards applicable to construction and mining sites regulated by the Soil Erosion and Sediment Control Act program ...”

The SSCC coordinates and supports the work of the state’s 15 local soil conservation districts (SCD), one of which is the Somerset County SCD. The Somerset County SCD is charged with reviewing and approving natural resource conservation and assistance program grants, implementing agricultural conservation planning assistance, agricultural conservation cost-sharing program grants, application of organic materials on agricultural land, agricultural water supply and management, soil erosion and sediment control, storm water discharge authorization, and soil surveys.

The Somerset County SCD office is located in the 4-H Center at 308 Milltown Road in Bridgewater. Somerset County Farmers may approach this local SCD office (as well as the local NRCS office) with a Request for Assistance (RFA), to apply for funds from natural resource conservation grant programs such as WHIP and EQIP. If approved, the RFA is forwarded to the local NRCS office in Franklin Township for processing. The administration of the RFA includes preparation of a Conservation Plan and grant program contract, as previously described. The Somerset County SCD is involved in review of Conservation Plans and grant program contracts, and must give final approval to both.

The phone number for the Somerset County SCD office is (908) 526-2701, and the District Manager is Ernest Thurlow.

**B. Natural Resource Protection Programs**

The following section is taken from the Somerset County Comprehensive Farmland Preservation Plan. The Township and local farmers are encouraged to use any available grant program to retain agricultural production in the Township. The Township will seek to provide additional support to local farmers in educating and outreach to ensure that land owners are aware of all the support opportunities available to them. The follow is an outline of some of the grant opportunities provided by the State and Federal programs.

*NJDA Soil and Water Conservation Grants*

The New Jersey Department of Agriculture, State Agriculture Development Committee (SADC) has in the past provided soil and water conservation grants to farms that are permanently preserved, or are enrolled in the eight year preservation program, with priority for preserved farms. The eight year program is currently unfunded, but efforts are underway to restore such funding. The purpose of the grants and program is to protect Somerset County agricultural lands from soil erosion.

These grants fund soil and water conservation projects approved by the Somerset County Soil Conservation District (District), with the program administered by both the district and the local NRCS office in Franklin Township. Once the District deems the conservation project necessary and feasible, applications are forwarded to the N.J. State Soil Conservation Committee, which recommends projects to the SADC for funding approvals. Traditionally 50% of the costs of approved soil and water conservation projects are paid with grant funds, but up to 75% has also been approved in the past. Hopefully these funds will be restored so that conservation projects can continue in Somerset County.

The types of soil and water conservation projects funded by SADC include soil erosion and sediment control systems (terrace systems), control of farmland pollution (stream protection; sediment retention, erosion or water control systems; animal waste control facilities; and agri-chemical handling facilities), the impoundment, storage and management of water for agricultural purposes (diversions; water impoundment reservoirs; irrigation systems; and, drainage systems), and management of land to achieve maximum agricultural productivity (land shaping or grading).

*Conservation Reserve Enhancement Program (CREP) and Conservation Reserve Program (CRP)*

Through CREP and CRP, agricultural producers voluntarily retire land to protect environmentally sensitive areas, decrease soil erosion, provide and restore

wildlife habitat, and protect ground and surface water. Examples of conservation practices include riparian buffers and filter strips for water quality, and contour buffer strips to reduce soil erosion. With incentive payments for farmers to fully implement a CREP contract, payment for this program can be fully funded by NRCS and NJDA. Within Somerset County, CREP has been “slow getting started” due to strict eligibility requirements. This includes requirements that the land must have been cropped for 4 of the 6 years between 1998 and 2002, and detailed paperwork documentation is required when applying. CRP is more widely used in Somerset County than CREP.

*Conservation Innovation Grant program (CIG)*

The aim of the CIG program is to stimulate the development and adoption of conservation approaches and technologies which are innovative, in conjunction with agricultural production. Funds are awarded as competitive 50-50 match grants to non-governmental organizations, tribes, or individuals. At present, CIG is not being used in Somerset County.

*Environmental Quality Incentive Program (EQIP)*

EQIP is a conservation program in which farmers receive financial and technical assistance with structural and management conservation practices that address soil, water, and grazing land concerns. EQIP is the most popular and widely used conservation program in Somerset County, and is the most well funded of all the programs, receiving approximately \$4 million statewide on an annual basis. Nationally, the proposed 2007 Farm Bill would raise authorized EQIP funding to \$1 Billion. In Somerset County, between 2005 and 2007 there are 2,056 contracted acres, with 10 active contracts. However, newly enrolled acreage has declined from 2005 to 2006, and again from 2006 to 2007.

*Farm and Ranch Land Protection Program (FRPP)*

FRPP provides up to 50% matching funds to purchase development rights and conservation easements to keep farm and ranchland in agricultural use. The USDA partners with state, tribal, or local governments, and non-governmental organizations. Farmers accepting funds through this program must adhere to strict impervious surface limitations. In New Jersey, this program receives approximately \$500,000 to \$1 million annually. The local NRCS office prepares the Conservation Plans used in the Program, which is then administered by the NJDA. To date, acreage in Somerset County is not available for this report. Nationally, the proposed 2007 Farm Bill would raise authorized FRPP funding to \$300 million.

*Grassland Reserve Program (GRP)*

GRP offered landowners the opportunity to protect, restore, and enhance



grasslands on their property, which play a vital role in protecting water quality and providing wildlife habitat. This program was coordinated through several federal agencies, but has become inactive in Somerset County. The proposed 2007 Farm Bill would provide only minimal funding for GRP.

*Wetlands Reserve program (WRP)*

WRP offers farmers payments for restoring and protecting wetlands on their property that had been previously drained for agricultural use. Wetlands help reduce flooding, filter pollutants from water, provide critical wildlife habitat, and protect open space. Payment by NRCS is based upon appraised agricultural land value. With appraised values from \$100 to \$2000 per acre, many farmers are not willing to create wetlands on otherwise productive agricultural lands. As a result, the WRP has not been used in Somerset County.

*Wildlife Habitat Incentives Program (WHIP)*

WHIP provides technical and financial assistance for creating, enhancing, and maintaining wildlife habitat. The State Technical Committee for WHIP in New Jersey awards project contracts for designated wildlife habitat categories. Since its inception in 1998, WHIP has been a popular program for non-federal landowners interested in wildlife habitat management in New Jersey. WHIP is second only to EQIP in use for Somerset County, with 1,800 contracted acres and 8 active contracts since 2005.

*NJDEP Landowner Incentive Program –*

New Jersey's Landowner Incentive Program provides technical and financial assistance to private landowners interested in conserving threatened and endangered plant and animal species on their property. Potential projects include vernal pool restoration, prescribed burns, and stream fencing. The State is particularly focused on grassland within regional priority areas and lands adjacent to Wildlife Management Areas and other permanently protected areas.

**C. Water Resources**

Water conservation is an important issue for local farmers. Much of the active farmland in the Township relies on groundwater and rain water recharge. Prudent use of water helps to maintain aquifer recharge and groundwater supplies. The following section is a brief description of the local water supply characteristics and conservation strategies relevant to the Township as provided by the Somerset County Plan.

*Supply Characteristics*

The physiographic and geologic layout of Somerset County dictates water supply,

availability and recharge, as well as location of agriculture. As discussed in the *Natural Resource Inventory for Somerset County, New Jersey*, the County "... exhibits four distinct geologic regions which are reflected in its topography". The Somerville Lowlands are located within Bedminster Township. These lowlands are a local division of the Piedmont Province. These lowlands are underlain mainly by red shale, sandstone, and lesser areas of limestone. The terrain is generally of low relief, low rolling hills, and wide valleys.

The major (water) aquifer in Somerset County is known as the Brunswick Shale. It has a limited capacity for water storage, and is usually filled during periods of normal precipitation. The limited ability of this aquifer to accept and transmit water is exhibited in the extreme differences between minimum and maximum flow in streams overlying the shale. In areas underlain by highly fractured shale containing mineral voids, the groundwater storage capacity is moderately high. Large diameter industrial wells in the Brunswick Formation of the Raritan Valley typically yield over 200 gallons per minute, and can exceed 500 gallons per minute.

Groundwater recharge within Somerset County is derived primarily from the local region. It comes either from precipitation falling on intake or outcrop areas, vertical leakage from nearby runoff, or from infiltration from adjacent water bodies. Variables such as depth to water table, runoff, vegetation, soil type, soil thickness, temperature, and topography can affect the amount of water available and able to enter the aquifer. Most of the natural infiltration in Somerset County occurs between late fall and early spring, when the ground is not frozen and vegetation is in early growth or dormant. It is possible for the prolonged withdrawal of water to exceed the recharge potential in an aquifer, resulting in diminution of available water which can be economically pumped. Over-development can cause a serious and continuous decline in the water supply.

Natural groundwater quality is considered to be generally good in Somerset County. However, this quality can be affected by infiltration from surface sources, particularly in populated and industrialized areas. Contamination can come from such diverse sources as malfunctioning or improperly designed septic systems; infiltration of agricultural fertilizers such as nitrates, and pesticides; salt run-off from winter road de-icing; gas and oil products from leaking underground storage tanks; leachate from landfills; and, industrial discharges.

#### *Water Conservation Strategies*

An adequate water supply is important to successful agriculture operations in Somerset County. Droughts in recent years have highlighted the precarious nature of the agriculture (and general) water supply, and the need for water conservation systems and regimens.

The NJ Department of Agriculture, through its Agricultural Smart Growth Plan,

encourages farmers to “... work to accelerate the use of efficient water conservation technologies, such as drip irrigation. Identify and promote new and efficient methods to conduct water distribution on farms, utilizing farm ponds and water reuse options.”

The dominant field crops in Somerset County are corn, soybean and hay. These crops rely on rain and some groundwater for water needs, and as such water conservation strategies per se are difficult to implement. With nursery and greenhouse, sod, and vegetable farming, it is possible to implement conservation strategies such as drip irrigation, or watering crops in the cooler parts of the day so as to minimize evaporation. Water re-use is another possible option. For livestock, floats and timers in watering troughs can conserve water by negating the need for constantly running water to keep troughs full. Somerset County farmers should implement water conservation strategies whenever feasible, and include such in Conservation Plans whenever practicable.

Does that the Township or AAC see water resources and water availability as a potential problem in the future – Add the following positive statement:

The Township and AAC will work with the County, SADC and other agriculture advocacy groups to ensure that there is a reasonable water allocation for future agriculture production

#### **D. Waste Management and Recycling**

Waste management for the Township exists on several levels. Field crop production and nursery stock can create a large amount of agricultural byproducts. Additionally livestock production creates a great deal of organic waste byproducts that need to be carefully disposed of to avoid pollution issues. The following section, as provided by the Somerset County Plan, highlights the current strategies employed by the County that are also subscribed to by the Township.

Management of livestock waste has serious implications for the quality of ground and surface waters. Unchecked, or poorly managed, these wastes can cause serious water quality problems by the introduction of unwanted microorganisms into natural systems. Poor management of animal waste can also cause disease among farm animals. Proper animal waste management is not only required, but is also a sign of good environmental stewardship, as is recycling of farm by-products whenever possible.

##### *Concentrated Animal Feeding Operations & Animal Feed Operations*

Concentrated Animal Feeding Operations (CAFO) are defined at N.J.A.C. 7:14A-2.13 (New Jersey Pollutant Discharge Elimination System (NJPDES) as:

- Operations with more than 1,000 slaughter or feeder cattle, 700 dairy cattle, 2,500 swine, 500 horses or other animal populations. Somerset

- County does not have any operations that fit into this category; or,
- Operations with more than 300 slaughter or feeder cattle, 200 dairy cattle, 750 swine, 150 horses or other animal populations, and which discharge pollutants directly to state waterways either through manmade devices or as a result of water passing through the facility or having direct contact with confined animals. A number of Somerset County farms do fit into this latter category, and are required to have waste management plans to ensure that animal wastes are properly managed. In addition, any livestock operation receiving EQIP funds must have a waste management plan.

Concentrated Animal Feeding Operations (CAFOs) and Animal Feeding Operations (AFO) have the potential to, or do cause, water pollution through the collection of large amounts of animal waste in relatively small areas. Mismanagement of the animal waste has the potential to cause large amounts of soil and groundwater contamination via introduction of the bacteria, fecal coliform, a known contaminant from animal farming operations. The state's agricultural community bears a responsibility to help protect and restore natural resources for which they are the stewards.

The NJDEP has outlined a statewide strategy to manage and regulate these operations. The strategy calls for NJDEP to administer CAFO permits and NJDA to administer the appropriate measures for AFOs. The permits and measures require development and implementation of comprehensive waste management plans, utilizing "animal waste standards", proposed by NJDA for adoption in late 2007. The strategy emphasizes the use of cost-effective voluntary measures, limiting the need for permits.

#### *NJDEP, Division of Water Quality - Concentrated Animal Feeding Operations*

To protect the quality of surface and groundwater in and around animal farming operations, the NJDEP has adopted a general permit for managing and regulating Concentrated Animal Feeding Operations (CAFOs). The permit is administered through the New Jersey Pollutant Discharge Elimination System (NJPDES) regulations at N.J.A.C. 7:14A-2.13, under authority of the Water Pollution Control Act. In general, the permits require CAFOs to comply with the federal effluent limitation guidelines that prohibit discharge to state waters.

The New Jersey Department of Agriculture, State Soil Conservation Committee, Natural Resources Conservation Service and New Jersey Soil Conservation Districts have partnered with NJDEP to implement the general permit as part of a statewide strategy to control pollution from CAFOs.

#### *Recycling*

Recycling is an important part of natural resource conservation for the agriculture

industry. Recycling saves natural resources, and also saves farmers money through creative reuse, such as using leaves and grass clippings to mulch and fertilize farm fields, and saving on solid waste disposal costs. Recycling reduces the amount of refuse finding its way to limited landfill space. Corn, soybeans and hay, the dominant field crops in Somerset County, use limited products which can be recycled, and as such limit recycling opportunities.

However, the nursery and greenhouse industry in the County does offer recycling opportunities for such things as nursery film, and potting and pesticide containers. Discussions with the Somerset County Solid Waste Management Division indicate that the County does not do any type of agricultural recycling, and has no plans to do such. One of the reasons cited is lack of space at County facilities to operate such a recycling program. However, it was indicated that Somerset County may be interested in partnering with a neighboring county if it is logistically feasible to transport materials from Somerset County to the partner county.

The Township recognizes that there could be an advantage locally if farmers organized a local composting cooperative for manure composting. Efforts should be directed to encouraging such cooperatives among local farmers, which could also serve to provide a basis for local farmers to communicate about other issues common to local farming operations that could be addressed cooperatively.

#### **E. Energy Conservation**

Energy conservation has wide ranging implications, not only on the local environment but on a global scale. Climate change has been on the forefront of the world stage and strategies to combat the resulting issues have been promoted and encouraged. One such strategy is to conserve energy and find alternative energy production that does not further degrade the environment. The following section has been prepared as part of the County Plan and reflect the hopes of the Township to encourage alternative energy sources and energy conservation practices. To date the Township has not amended or created new policies directly related to energy conservation.

##### *Solar Energy*

Solar energy can be harnessed via the installation of solar panels. This harnessed or stored energy can then be used to create electricity and provide heat. If excess electricity is generated, it can be sold back to the electric grid for a profit. The overall use of solar panels has greatly increased in New Jersey. EQIP does provide some funding for solar panels, and farmers interested in using this alternate energy source can contact the local NRCS office in Franklin Township for more information.

### *Wind Energy*

The power of a strong wind can be captured by turbines or windmills, turning such power into electricity. Expanding and evolving technology is making this option more attractive to farmers as a way to cut energy costs. According to the NJDA the northwestern part of New Jersey, which includes Somerset County, has ample and consistent enough wind power to make turbine energy feasible. One possible roadblock to use of wind turbines, is that few, if any, municipal ordinances allow the use of wind turbines.

### *Ethanol*

Ethanol is a renewable fuel “made by distilling the starch and sugar in a variety of plants.” It can then be blended into gasoline as an “oxygenate”, reducing air pollution. Its use may also reduce dependence on foreign oil, and the harmful environmental effects of oil drilling. Also, unlike the gasoline additive MTBE, Ethanol will not contaminate groundwater. Corn, a dominant field crop in Somerset County (along with hay and soybeans), could position Somerset County farmers to financially capitalize on the spreading movement towards ethanol-blended fuels. More study would need to be done on whether this would be profitable for County farmers, and how it would affect other local agriculture industries (for instance, how it would affect the dairy industry’s supply of, and price for, feed corn).

### *Bio-diesel*

Petroleum diesel is an emitter of sulfur emissions, a major air pollutant. Bio-diesel, made from the oils of soybeans, is an alternative to petroleum diesel. This organic fuel can be blended and used in diesel engines without modification. The result is a significant reduction of the harmful fumes produced by pure petroleum diesel. As of 2004, there were 866 acres of soybeans that were farmland assessed in Somerset County.

### *Outreach and Incentive Programs*

The Township and the Farmland Advisory Committee are committed to providing outreach to the farmers and landowners and identifying assistance for farmers where needed. Through establishment of a Farmer’s Market at Fall Fest, as well as through booths at other local community events, the Farmland Advisory Committee hopes to increase opportunities for direct marketing by local farmers, and for opportunities for farmers to network and gather information on resources available to them in the way of grants and programs. The NJDA provides the following information on renewable energy grant programs, which can help encourage the use of these energy sources:

**New Jersey’s Clean Energy Program:** Administered by the New Jersey Board of Public Utilities, this program provides financial incentives to install clean

energy systems, including fuel cells, solar energy, small wind and sustainable biomass equipment. Financial incentives are in the form of rebates, grants and loans. Additional information is at [www.njcep.com/](http://www.njcep.com/).

**Renewable Energy Systems and Energy Efficiency Improvements Program:**

As part of the 2002 Federal Farm Bill, this program “funds grants and loan guarantees to agricultural producers for assistance with purchasing renewable energy systems and making energy efficiency improvements”. Final rules for loans and grants were adopted by the U.S. Department of Agriculture in July 2005. The proposed 2007 Farm Bill would reportedly continue this funding. Additional information can be found at the following website: [www.rurdev.usda.gov/rbs/farmbill/index.html](http://www.rurdev.usda.gov/rbs/farmbill/index.html).

**Biomass Research and Development Initiative Grants:** The United States Departments of Agriculture and Energy support development of biomass energy. Grants are available for research, development and demonstrations on bio-based products, bio-energy, bio-fuels, bio-power and additional related processes. In the recent past, grants have focused on development and demonstration projects that lead to greater commercialization. Additional information is available at the following website:

<http://www.state.nj.us/agriculture/news/hottopics/topics060222.html>.

The AAC and Township does not have any knowledge of farmers utilizing these particular energy conservation strategies or programs at this time. However, the AAC and Township encourage such practices and will work with any farmers interested in the programs and techniques.

## VIII. Agricultural Industry Sustainability, Retention and Promotion

### A. Existing Agricultural Industry Support

#### 1. *Right to Farm*

New Jersey has enacted a strong right-to-farm statute, which applies statewide. New Jersey's Right-to-Farm Act provides commercial farm owners or operators with certain protections from restrictive municipal ordinances and public and private nuisance actions. Protected agricultural activities include production, processing and packaging of agricultural products, farm market sales and agriculture-related educational and farm-based recreational activities. Commercial farms are also protected from unduly restrictive municipal regulations and public and private nuisance lawsuits.

These protections are available to commercial farms which:

- are operated in conformance with federal and state laws, agricultural management practices recommended by the New Jersey State Agricultural Development Committee (SADC) or site specific agricultural management practices;
- are not a direct threat to public health and safety; and
- are located in an area where agriculture was a permitted use under municipal zoning ordinance; or
- were operating as of December 13, 1997

The SADC seeks to preserve agricultural viability, an individual parcel's ability to sustain "a variety of agricultural operations that yield a reasonable economic return under normal conditions. . .". However, to maintain the agricultural viability of a region or sector, smaller agricultural parcels, which may continue in agriculture through hobby-farming or other forms of household subsidy, remain an important part of the fabric of the agricultural landscape. Both the SADC and the State Planning Commission seek to retain large masses of viable agricultural land. SADC policies recognize that agricultural parcels may become less viable if reduced in size.

While the New Jersey right-to-farm statutes extends protection to all farms in the State, incorporating right-to-farm language into the municipal ordinance makes a strong statement to those developing lands within the Township. Continuing development will undoubtedly be at odds with existing agricultural operations and nuisance conflicts will arise.

Bedminster's right-to-farm ordinance is substantially similar to the NJ Model Ordinance that is available as the SADC website. It includes a list of protected activities, though Bedminster's ordinance does not specifically list each and every activity listed in the Model Ordinance. Additionally, conflict resolution procedures are identified in the Bedminster Ordinance as well as a deed notification to provide notice to properties subdivided in the vicinity of farms that agricultural operations are protected under the



Township's right-to-farm ordinance. A copy of the Township's right-to-farm ordinance is included in Appendix B.

The township AAC will work with landowners to resolve and avoid conflicts as early as possible when complaints are filed under the Township's ordinance, and participate where appropriate in the conflict resolution process and encourage the participation in SADC agriculture mediation programs.

## *2. Farmland Assessment*

The Somerset County Plan identifies the following summary on the Farmland Assessment Act of 1964:

“The Farmland Assessment program is a tax incentive which reduces property taxes on active commercial farmed land, thereby assisting farmers with a critical financial aspect in helping to keep land in farms. This tax incentive is made possible by the Farmland Assessment Act of 1964, N.J.S.A. 54:4-23.1 et seq.”

The County further identifies the eligibility requirements as:

- The applicant must own the land;
- The property owner must apply annually for Farmland Assessment on or before August 1 of the year immediately preceding the tax year;
- Land must be devoted to agricultural and/or horticultural uses for at least two years prior to the tax year;
- Land must consist of at least five contiguous farmed and/or woodland management plan acres. Land under or adjoining a farmhouse is not counted towards the minimum five acres;
- Gross sales of products from the land must average at least \$500 per year for the first five acres, plus an average of \$5.00 per acre for each acre over five. In the case of woodland or wetland, the income requirement is \$.50 per acre for any acreage over five. Dependent on the agricultural or horticultural products being produced, the farmer can also offer clear evidence of anticipated yearly gross sales, payments, or fees within a reasonable period of time; and,
- The property owner must represent that the land will continue in agricultural or horticultural use to the end of the tax year.

The Township uses the 1964 Farmland Assessment Act and subscribes to the eligibility standards it uses. As mentioned in previous sections, the Township currently has 11,324 acres under farmland assessment. Some respondents to the AAC's survey that was conducted as part of this planning effort suggested strengthening and more strictly enforcing farmland assessment rules so that more local landowners are forced to use farmers to maintain farmland assessment.

Bedminster recognizes that extending the 3-year rollback period for landowners to pay added assessments associated with converting farm assessed lands to development would

potentially have the effect of creating a disincentive to landowners developing their farms. In essence, paying a higher penalty for converting farms to non-farm use could discourage development of important farmland areas. A change to this requirement under the law would require an act of the Legislature. Bedminster would support this type of change that could have the effect of discouraging the conversion of farmland to development.

Another change in the law that could have the effect of encouraging landowners to preserve their farmland would be to tax improvements on preserved farms at either a different rate than the current full assessment practice. A reduction in taxes or an exemption for a portion of the value of improvements on preserved farms would add an additional benefit to farmers preserving their land. For example, an exemption on the dwelling on a farm could be based upon the median value of a home in the community in which the farm is located. Buildings that support agricultural activities, such as indoor riding rings, could be assessed at a reduced rate to provide preferential tax treatment to owners of preserved farms.

One important component of farmland preservation is ensuring that farmers entering the program are fully aware of the deed restrictions that will prohibit future development. Inadequate planning for future needs to maintain the family farm, for example, need to be clearly understood to assist in preserving the economic viability of a family farm. If additional dwellings are needed for younger generation family members, these have to be planned for prior to preserving the farm and placing development restrictions on the land. The SADC should adopt policies to revisit deed restrictions that have been put in place where development restrictions may have had the unintended consequence of preventing a family farm to develop additional housing that may be needed for the younger generations. Additionally, the family farm requires flexibility in the activities that may be conducted on preserved land. If additional land has to be set aside at the time development easements are purchased to allow for non-farm businesses, which may be needed to support the family farm, these considerations have to be taken into account at the time development easements are purchased. Bedminster's AAC will work to try to balance competing public expectations for farmland preservation and economic needs of farmers that may require operations of a more intensive land use.

## **B. Additional Strategies**

### *1. Permit Streamlining*

The Township has identified two goals in the 2004 Farmland Preservation Plan related to regulatory flexibility and streamlining:

1. Land use regulations should be reviewed and updated to minimize deterrents to agricultural activity, and provide increased opportunities for agricultural expansion. This may include expanded opportunities for direct marketing, such as small farm stands for locally grown produce and other vehicles for eliminating

the middleman, which make agricultural activities more rewarding to the farmer.

The Township will continue to pursue methods to provide streamlining and flexibility to promote agricultural retention.

2. *Agriculture vehicle movement*

The Township protects slow moving vehicles under their adopted Right to Farm ordinance. Under §3-7.5, “Protection” include “The operation and transport of all sizes of slow moving farm tractors, trucks, equipment, and livestock over roads within the township so long as the activity is in compliance with applicable road use regulations;” Some respondents of the 2007 Farmland Preservation Plan Update Farmer Survey report that some roads are particularly hazardous for moving for farm equipment – either because of other traffic or because of poor grading of local dirt roads. The Farmland Advisory Committee seeks to improve these conditions. Some possible approaches include better signage and warning signs, as well as better patrolling by local law enforcement.

3. *Farm Labor Housing/Training*

The Township’s Right to Farm Ordinance allows: “The employment of full or part time laborers and the hiring of contractors for the completion of activities indigenous to the operation of the farm”

The Township currently does not have a policy on farm labor housing. Most of the field crops grown in the Township do not typically require the hiring of seasonal farm labor that would require temporary housing. Field crops are often harvested through tractors and heavy equipment done by one or two workers.

4. Wildlife Management Strategies

The Township supports wildlife management strategies and will look to partner with the County and State in the future. The following is a description of wildlife strategies from the County Plan:

Management of nuisance and crop damaging wildlife is critical to the short and long term sustainability of Somerset County’s agriculture industry. Crop damage from wildlife leads to economic loss for the farmer and/or land owner, and is a serious problem in Somerset County, with “huge” crop loss in certain instances. Most damage is caused by a multitude of insects, as well as deer, turkey, Canada Geese and other wildlife. It is imperative to not only control and manage damage to crops, but also to do it in a manner which causes the least amount of collateral natural resource damage (i.e. limit pesticide use to the greatest extent possible, using natural pest control). State, county, and local government units must be

sensitive to the negative economic impacts caused by crop damage, and support efforts to control it through education, technical and financial assistance, and regulatory flexibility.

Deer exclusion fencing may be effective for protecting produce, since produce is grown on relatively small plots of land. However, it is not cost effective to erect deer fencing on very large tracts of land where, for example, corn may be grown. One key way for Somerset County farmers to control damage from deer is through hunting of crop damaging animals. This hunting is allowed on private lands through deprecation permits, issued by the New Jersey Department of Environmental Protection's (NJDEP) Fish and Wildlife Program.

Based on Bedminster's local survey, wildlife management was among one of the three most noted impediments to local farming (deer for grain and vegetables and coyotes and fox for poultry).

### ***Agriculture Education and Training***

The Township does not currently offer any agricultural education but does support the efforts of the Rutgers Cooperative Research and Extension. The following is an outline provided by the county on the RCRE efforts:

“One educational link for Somerset County agricultural land owners and operators is to collaborate with the Rutgers Cooperative Research and Extension (RCRE) of Somerset County (associated with Cook College, Rutgers University). There is not a minimum or maximum size farm to which the RCRE will lend assistance, so long as it is farmland assessed.

RCRE of Somerset County also provides practical assistance to farmers. Examples include:

- Assistance in obtaining water certification and registration permits from the New Jersey Department of Environmental Protection, for groundwater and/or surface water allocations;
- Soil testing for fields and pastures;
- Assistance with obtaining farmer certificates for N.J. Division of Motor Vehicle registrations;
- Assistance with applications for “Outstanding Young Farmer” (OYF) nominations. OYF is a state award given annually by the NJDA which “recognizes the outstanding achievements of a young person engaged in farming in New Jersey” (*Outstanding Young Farmer's Award*) ;
- Assistance with grant applications to the NJDA for various types of economic assistance. Examples include “Jersey Fresh” grants to advertise;
- Distribution of “Jersey Fresh” and “Jersey Grown” promotional material such as bumper stickers, banners and t-shirts;
- Assistance to connect owners of farmland with tenant farmers, so that land

- may stay in farmland assessment;
- Assist new farmers with various regulatory requirements, and acquaintance with various farmer organizations;
  - Provide outreach through the RCRE of Somerset County Website, and at the annual 4-H Fair; and,
  - Joint publication with the Somerset County Board of Agriculture of the quarterly “Green and Growing” newsletter, which is mailed to County farmers, and is also available at the RCRE of Somerset County website (<http://somerset.rcre.rutgers.edu/ag/greenandgrowing.html>). The newsletter covers news and issues for Somerset County farmers.”

### **Future of Farming in Bedminster**

Farming and the industry of agriculture is dynamic. Agricultural production in New Jersey has been continually changing, based upon market forces, production practices, the availability and cost of labor and increased competition from domestic and foreign growers of agricultural products. Domestic and world-wide agricultural production and transportation systems have served to reduce conventional agricultural production in New Jersey.

Bedminster is no exception to these changes. Acreage devoted to crop and grain production with 2004 production was reduced to just 38% of the acreage devoted to crop and grain that was reported in 1983. This excludes hay production, which remained somewhat steady with approximately 2,300-acres of hay production reported in 1983 and 2,600-acres reported in 2004. Another noteworthy change is in cattle. In Bedminster, there were 696 head of beef cattle reported in 1983 and 1,779 head in 2004, accounting for a 260% increase. Additionally, during this same time period the number of ponies and horses increased from 477 to 500 or an increase of only 5% between 1983 and 2004; the number of laying chickens fell from 581 to 114 and sheep fell from 153 to 63.

The future for farming in Bedminster may be best described as unpredictable. As agriculture evolves in New Jersey and the region, Bedminster’s large consolidated area of contiguous farmland provides an excellent land resource for agriculture. With the advent of the ‘Green’ movement, the advantage of location to consumer markets will become increasingly important, and is likely to result in renewed conventional farm production in Bedminster.

**BEDMINSTER TOWNSHIP FARMLAND PRESERVATION PLAN**  
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**APPENDIX A**

Farmland Assessed Property in Bedminster Township

<b>Block</b>	<b>Lot</b>	<b>Property Class</b>	<b>Qualified</b>	<b>Acres</b>	<b>Zone</b>
2	1	3B	QFARM	79.9	R10
2	5	3A		82.3	R10
2	5.01	3A		6.3	R10
2	5.03	3B	QFARM	8.9	R10
2	6	3A		218.1	R10
2	8.01	3A		8.7	R10
2	8.02	3A		39.5	R10
2	8.03	3B	QFARM	27.8	R10
2	8.04	3B	QFARM	24.0	R10
2	8.05	3B	QFARM	25.2	R10
2	8.06	3A		18.3	R10
2	8.08	3A		12.4	R10
2	13	3A		26.6	R10
2	14	3A		5.0	R10
3	2	3A		8.0	R10
5	1	3A		11.4	R10
5	1.01	3A		9.7	R10
5	1.06	3A		9.2	R10
5	1.07	3A		19.0	R10
5	2	3A		9.0	R10
5	4	3A		9.1	R10
6	1.03	3B	QFARM	9.5	R3
6	1.04	3B	QFARM	6.9	R3
6	2	3B	QFARM	35.4	R3
6	3	3B	QFARM	56.9	R3
7	21	3A		19.8	R10
7	22	3B	QFARM	74.4	R10
8	12	3B	QFARM	9.9	R10
8	14	3A		60.1	R10
8	15	3B	QFARM	16.5	R10
8	16	3B	QFARM	41.7	R10
8	17	3A		32.3	R10
8	17.01	3A		53.3	R10
8	17.02	3A		17.8	R10
8	17.03	3B	QFARM	27.4	R10
8	17.04	3A		33.9	R10
8	17.05	3A		21.4	R10
8	17.06	3A		13.4	R10
8	17.07	3A		21.2	R10
8	18	3A		8.0	R10
8	19	3A		10.3	R10
8	22	3A		81.8	R10

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<b>Block</b>	<b>Lot</b>	<b>Property Class</b>	<b>Qualified</b>	<b>Acres</b>	<b>Zone</b>
8	23.01	3B	QFARM	15.7	R10
8	23.02	3A		19.1	R10
8	23.03	3B	QFARM	16.8	R10
8	24	3B	QFARM	61.2	R10
8	24.01	3A		18.5	R10
8	24.02	3A		25.1	R10
8	24.03	3A		12.4	R10
8	24.04	3A		8.5	R10
8	24.05	3A		9.8	R10
8	24.06	3A		25.2	R10
8	24.08	3A		75.5	R10
8	24.09	3B	QFARM	19.7	R10
8	24.1	3A		43.8	R10
8	24.11	3B	QFARM	10.4	R10
8	24.12	3B	QFARM	26.1	R10
8	24.13	3A		33.9	R10
8	24.14	3B	QFARM	32.5	R10
8	24.15	3B	QFARM	18.1	R10
8	24.16	3B	QFARM	22.2	R10
8	24.17	3A		20.7	R10
9	1	3A		437.8	R10
9	1.04	3B	QFARM	10.7	R10
9	1.05	3A		10.2	R10
9	1.06	3B	QFARM	10.4	R10
9	1.07	3B	QFARM	12.5	R10
9	1.08	3A		35.8	R10
9	1.09	3A		10.4	R10
9	2	3A		7.1	R10
9	2.01	3A		10.0	R10
9	3	3A		5.1	R10
9	4	3B	QFARM	5.1	R10
9	5	3A		74.0	R10
9	6	3A		79.4	R10
9	6.01	3A		25.1	R10
9	6.02	3A		23.5	R10
9	7	3B	QFARM	25.7	R10
9	8	3B	QFARM	19.1	R10
9	9	3A		34.4	R10
9	10	3B	QFARM	32.4	R10
9	10.01	3B	QFARM	10.2	R10
10	1	3B	QFARM	16.5	R10
11	1	3A		63.5	R10
11	1.01	3A		81.4	R10
12	1	3A		43.1	R10
12	1.02	3A		17.1	R10
12	1.03	3A		20.8	R10

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<b>Block</b>	<b>Lot</b>	<b>Property Class</b>	<b>Qualified</b>	<b>Acres</b>	<b>Zone</b>
12	1.05	3A		15.7	R10
12	1.06	3B	QFARM	293.5	R10
12	1.07	3B		42.6	R10
12	1.08	3B		46.4	R10
12	1.09	3B		33.6	R10
12	1.1	3B		22.6	R10
12	1.11	3B		22.6	R10
12	1.12	3B		34.6	R10
12	1.13	3B		45.6	R10
12	1.14	3B		31.0	R10
12	1.15	3B		33.0	R10
12	1.16	3B		29.7	R10
12	1.17	3B		41.3	R10
12	1.18	3B		30.6	R10
12	3	3A		289.3	R10
12	3.01	3A	QFARM	130.9	R10
12	3.02	3A		65.7	R10
12	3.05	3A		604.9	R10
12	4	3A		29.8	R10
12	5	3A		44.3	R10
12	6	3A		33.0	R10
12	11	3A		18.0	R10
12	13	3A		175.4	R10
12	13.01	3B	QFARM	44.2	R10
12	13.02	3B	QFARM	28.9	R10
12	13.03	3A		77.4	R10
12	14.01	3A		14.2	R10
12	14.02	3A		11.0	R10
13	1	3B	QFARM	87.7	R10
13	2	3B	QFARM	4.5	R10
13	3	3A		22.3	R10
13	4	3A		23.6	R10
13	5	3B	QFARM	51.2	R10
13	6	3A		37.3	R10
13	7	3A		16.2	R10
13	8	3A		63.1	R10
13	9	3B	QFARM	34.7	R10
13	9.01	3B	QFARM	32.0	R10
13	9.02	3A		21.4	R10
13	10	3A		13.6	R10
13	11	3A		63.9	R10
13	12	3A		12.2	R10
13	12.01	3B	QFARM	10.3	R10
13	12.02	3B	QFARM	14.3	R10
13	13	3A		23.5	R10
13	13.01	3A		14.2	R10



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<b>Block</b>	<b>Lot</b>	<b>Property Class</b>	<b>Qualified</b>	<b>Acres</b>	<b>Zone</b>
14	4	3A		7.0	R10
14	4.01	3A		31.6	R10
14	5	3B	QFARM	0.8	R10
14	6.01	3B	QFARM	8.4	R10
14	8	3B	QFARM	6.3	R10
14	9	3A		18.7	R10
14	10	3A		24.1	R10
14	11	3B	QFARM	10.1	R10
14	12	3A		9.2	R10
14	13	3A		11.2	R10
14	14	3A		8.0	R10
21	2.01	3A		8.0	R10
21	2.02	3A		10.3	R10
21	3	3A		87.7	R10
21	3.01	3A		12.9	R10
21	5	3A		20.2	R10
21	6	3A		41.3	R10
21	6.02	3A		12.2	R10
21	6.03	3A		8.6	R10
21	8	3A		14.2	R10
21	11	3A		28.0	R10
21	11.02	3A		10.9	R10
21	11.03	3B	QFARM	8.6	R10
21	11.04	3A		10.5	R10
21	12	3A		6.3	R10
21	12.01	3A		6.1	R10
21	16	3A		83.0	R10
21	17	3A		49.1	R10
21	28	3A		10.4	R
32	6	3A		8.7	RA
35	22	3A		20.7	R3
35	23	3A		12.9	R3
37	1.01	3B	QFARM	59.5	R10
37	2	3B	QFARM	7.6	R10
37	3	3A		59.2	R10
37	4	3B	QFARM	17.4	R10
37.01	2	3B	QFARM	49.1	R10
38	1.01	3A		7.2	R10
38	4	3B	QFARM	16.1	R10
38	6	3A		5.2	R10
38	8	3B	QFARM	113.3	R10
38	8.01	3B	QFARM	121.3	R10
38	8.02	3B	QFARM	163.4	R10
38	10.01	3A		13.1	R10
38	11.02	3A		24.6	R10
38	11.03	3A		10.6	R10

**BEDMINSTER TOWNSHIP FARMLAND PRESERVATION PLAN**  
*February 2010*

<b>Block</b>	<b>Lot</b>	<b>Property Class</b>	<b>Qualified</b>	<b>Acres</b>	<b>Zone</b>
38	13	3A		246.8	R10
38.01	1	3B	QFARM	32.6	R10
38.01	2	3B	QFARM	48.5	R10
38.01	3.02	3B	QFARM	8.3	R10
38.01	3.03	3B	QFARM	8.3	R10
39	7	3B	QFARM	9.4	R10
39	9	3A		7.7	R10
39	10	3A		146.3	R10
39	12	3B	QFARM	68.5	R10
39	12.02	3B	QFARM	27.5	R10
39	12.03	3B	QFARM	41.5	R10
39	12.05	3A		87.4	R10
39	13	3A		15.0	R10
39	13.01	3A		14.7	R10
39	13.02	3A		19.8	R10
39	15	3A		21.7	R10
39	16	3B	QFARM	14.2	R10
39	18	3A		49.0	R3
39	20.01	3A		9.7	R10
39	21.02	3A		18.9	R10
39	21.03	3A		5.3	R10
39	23	3A		75.2	R10
39	24	3A		31.0	R10
39	26	3A		6.1	R10
39	26.01	3A		5.6	R10
39	26.02	3A		2.7	R10
39	26.03	3A		5.8	R10
39	27	3A		97.5	R10
39	29	3A		44.0	R10
39	29.01	3B		20.8	R10
39	29.02	3B		24.2	R10
39	29.03	3A		19.7	R10
39	30.02	3A		12.1	R10
39	32	3A		17.1	R10
40	2	3A		65.8	R10
40	2.01	3A		39.5	R10
40	3	3A		105.8	R10
40	4	3B	QFARM	22.2	R10
40	4.01	3A		5.2	R10
40	4.02	3A		11.8	R10
40	7	3A		41.2	R10
40	8.01	3A		12.7	R10
40	8.02	3B	QFARM	9.9	R10
40	9	3A		11.5	R10
40	10	3A		37.9	R10
40	11	3A		24.3	R10

**BEDMINSTER TOWNSHIP FARMLAND PRESERVATION PLAN**  
*February 2010*

<b>Block</b>	<b>Lot</b>	<b>Property Class</b>	<b>Qualified</b>	<b>Acres</b>	<b>Zone</b>
40	11.02	3A		6.8	R10
40	11.03	3A		23.0	R10
40	11.04	3A		10.2	R10
41	1	3A		29.5	R10
41	1.01	3A		59.7	R10
41	1.02	3A		10.0	R10
41	2	3B	QFARM	14.3	R10
41	2.01	3A		15.2	R10
41	3	3A		11.3	R10
41	4	3A		15.5	R10
41	4.01	3A		46.6	R10
41	17	3A		10.0	R3
41	18	3A		6.0	R3
41	19	3A		9.0	R1
41	25	3A		25.9	R10
41	25.01	3A		30.2	R10
41	25.06	3A		10.0	R10
41	25.07	3A		10.0	R10
41	27	3A		10.2	R3
41	33	3A		15.8	R10
41	33.01	3A		31.7	R10
41	33.03	3A		12.5	R3
44	1	3B	QFARM	38.6	R10
44	2	3A		95.2	R10
44	2.01	3A		121.9	R10
44	2.02	3A		39.4	R10
44	2.03	3A		14.7	R10
45.04	1	3A		20.8	R10
45.05	3	3A		46.3	R10
45.05	3.01	3A		9.6	R10
45.05	3.04	3A		10.5	R10
45.05	4	3A		10.1	R10
45.05	11	3A		10.2	R10
45.05	12	3B	QFARM	23.1	R10
45.05	13.01	3B		4.1	R10
46	3	3B	QFARM	8.2	R10
46	5	3B		0.5	R10
46	6	3B		0.5	R10
46	7	3B		0.1	R10
48	1.01	3A		16.1	R10
48	1.02	3A		24.7	R10
48	3	3B	QFARM	13.0	R10
48.01	1	3A		55.3	R10
48.01	1.01	3A		29.3	R10
49	3	3B	QFARM	14.2	R10
50	2	3A		104.5	R10

**BEDMINSTER TOWNSHIP FARMLAND PRESERVATION PLAN**  
*February 2010*

Block	Lot	Property Class	Qualified	Acres	Zone
50	2.01	3A		5.3	R10
50	3	3B	QFARM	7.5	R10
50.01	2	3A		103.9	R10
50.01	3	3A		64.4	R10
50.01	3.01	3B		17.4	R10
50.01	4	3A		39.3	R10
51	1	3A		27.8	R10
51	2	3B	QFARM	6.1	R10
51	2.01	3B	QFARM	6.9	R10
51	3	3B	QFARM	2.2	R10
52	1	3A		75.0	R10
52	1.01	3B	QFARM	27.9	R10
52	6	3A		24.3	R10
52	7	3A		4.8	R10
52.01	2	3A		69.7	R10
52.01	3	3A		25.1	R10
54	3	3A		116.4	R3
54	4	3A		98.3	R3
60	1	3B	QFARM	10.3	R3
61	2	3A		180.5	R3
61	3	3A		35.0	R10
61	4	3A		42.0	R3
61	5	3B	QFARM	52.2	R3
62	1	3A		19.8	R10
62	2	3A		6.5	R10
62	3	3B	QFARM	11.4	R10
62	4	3A		56.9	R10
62	5	3A		23.4	R10
62	9	3B	QFARM	11.4	R10
62	10	3A		107.9	R10
62	11	3A		19.9	R10
62	12	3A		20.1	R10
62	13	3B	QFARM	37.4	R10
62	24	3A		6.7	R10
62	28	3A		0.0	R10
62.01	2	3A		13.2	R10
63	1	3A		9.5	R10
63	1.01	3B	QFARM	63.7	R10
63	2	3B	QFARM	14.5	R10
63	3	3B		1.3	R10
69	4	3B	QFARM	1.4	R10
71.02	1	3B	QFARM	20.2	R10
71.02	2	3A		17.8	R3

**APPENDIX B**

Bedminster Township Right-to-Farm Ordinance

**3-7 RIGHT TO FARM WITHIN THE TOWNSHIP.\*\***

**3-7.1 Title.**

This section shall be known as the "Bedminster Township Right to Farm Ordinance."  
(Ord. #2000-07, S 1)

**3-7.2 Findings.**

Farming has existed and has been carried on in the Township of Bedminster for several hundred years, long before any substantial residential or non-farm commercial development existed in the township. The township committee further finds that economic and quality of living values derived from the beneficial use of land for agricultural purposes contribute greatly to the general welfare of the township, county and state. The township committee finds and determines that owners of agricultural lands and farm operators need a codified policy regarding farming in Bedminster Township in order to be secure in committing resources for agricultural land uses.

Residences or non-farm commercial businesses are or may be located in close proximity to existing home-based agriculture or commercial farms that may at times create inconveniences or annoyances such as noise, dust, odors and fumes. Any inconveniences or burdens that may be caused to other township residents or visitors by reasonable and/or customary farming activities are offset by the beneficial use to the township of having lands devoted to agricultural purposes. These benefits include, but are not limited to, the production of food, fiber and horticultural products, the conservation of top soils and water, the private maintenance of open space with a stable tax base, the preservation of the historic scenic agricultural character of the township, the enjoyment of equestrian activities, and the sustaining of wildlife habitat. (Ord. #2000-07, S 1)

**3-7.3 Purpose.**

The Bedminster Township Right to Farm Ordinance sets forth township policy to protect and to promote the continuation of agricultural land use within the township and to prevent farming from being declared a nuisance when it is practiced according to best management farming methods. It shall not be construed as a zoning or land use ordinance and shall not supersede any rights and privileges arising from such ordinances. This ordinance also provides a process for clarifying issues and mediating disputes involving agricultural land use activities within the township so as to encourage desirable agricultural land use and resolve conflicts arising from agricultural land use activities. An additional purpose of this ordinance is to promote a good neighbor policy by advising

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purchasers and users of property adjacent to or near agricultural operations of the inherent potential discomforts associated with the purchase or use of property adjacent to or near agricultural operations. It is intended that, through mandatory disclosures, purchasers and users will better understand the impacts of living near agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near land actively devoted to commercial agriculture or in an agricultural development area. (Ord. #2000-07, S 1)

#### **3-7.4 Definitions.**

*Commercial Agriculture* shall mean the production, primarily for sale to others, of plants and/or animals or their products, including forage and sod crops, grain and feed crops, dairy animals and dairy products, livestock including beef cattle, game birds, sheep, horses, ponies, mules and goats; the breeding and grazing of such animals; honey bees and apiary products, fruits of all kinds, including grapes, nuts and berries, vegetables, nursery floral, ornamental and greenhouse products and the boarding and/or training of farm livestock for others.

*Farm* shall mean any land and improvements under one (1) management of which five (5) acres or more of productive lands, within the Township of Bedminster, exclusive of a minimum of one (1) acre if a residential dwelling unit is included on the property, are in a single parcel used for cropland, pasture, idle or fallow land, woodland, wetlands, farm ponds, farm roads, fences, farm buildings and other enclosures actively devoted to the production of agricultural/horticultural crops and/or the management of agricultural livestock.

*Home based agriculture* shall mean the production, primarily for home use or consumption, of plants and/or animals or their products, honey bees or their products, and the marketing to others where such sales are incidental, including, gardening, fruit production, and poultry and livestock products for household use only.

*Management unit* shall mean any person or entity that manages a home-based or commercial farm as defined herein. The management unit can be a township farm owner, operator or other person who manages a farm within the township.  
(Ord. #2000-07, S 1; Ord. #2000-25, S 1)

#### **3-7.5 Protections.**

Any township farm owner/operator engaged in home-based agriculture or commercial agriculture qualifies for the protections and applications of this ordinance if the management unit is actively devoted to farming and if the owner/operator uses best management practices of agricultural production, and if such owner/operator is in compliance with all relevant zoning and land use ordinances and other applicable laws.

Specifically, the farm owner or operator shall be entitled to protection under this section if the farm owner or operator engages in activities including:

- a. The planting, cultivation, and harvesting of agricultural, horticultural, and forestry products;
- b. The application of organic and inorganic fertilizers, the application of chemicals as herbicides and pesticides, in accordance with manufacturer's instructions and regulatory requirements, and the application of farm manure and degradable farm wastes to the land to replenish and enhance soil nutrients;
- c. Caring for, handling, marketing and transporting farm livestock including, but not limited to, cattle, sheep, horses, poultry and game birds, and engaging in animal husbandry practices including, but not limited to, horse shoeing, shearing, training activities, reasonable and/or customary health or surgical procedures and euthanizing;
- d. The grazing of any farm livestock including breeding stock of both sexes together, provided that adequate natural or artificial protection from the elements is provided based on best management practices for the species;
- e. The construction of permanent and temporary fences, including electrified fences properly grounded, for the containment of livestock and the exclusion of predators and pests;
- f. The use and operation of plows, irrigation pumps, machines, saws, motors, aerial and ground seeding and spraying equipment, tractors, tools and other devices;
- g. Activities related to the processing and marketing of agricultural produce, provided that at least eighty (80%) percent of the produce originates from a farm within the township;
- h. The employment of full or part time laborers and the hiring of contractors for the completion of activities indigenous to the operation of the farm;
- i. The control of vermin, predators, and pests, provided such control is practiced in compliance with applicable fish and game laws and applicable health and safety regulations;
- j. The operation and transport of all sizes of slow moving farm tractors, trucks, equipment, and livestock over roads within the township so long as the activity is in compliance with applicable road use regulations;
- k. The removal of trees and brush to maintain or enlarge grazing and cropping areas so long as the activity is in compliance with local ordinances and other applicable laws;
- l. The grading, filling, and tile drainage of non-wetland areas as well as application of other soil and water conservation practices and the development of wells, springs and lakes for livestock water, fire protection and irrigation so long as they are in compliance with applicable regulations;
- m. The planting, nurturing, and harvesting of trees and shrubs for timber and other farm and horticultural uses provided that these activities are in compliance with existing local ordinances and zoning codes, and covered by an approved forestry management plan;

- n. The construction of farm buildings and structures required by the farm's operation so long as they conform to building code standards and local development ordinances.  
(Ord. #2000-7, S 1; Ord. #2000-25, S 2)

**3-7.6 Resolution of Complaints.**

- a. All complaints concerning the activities protected hereunder shall be in writing and forwarded to the township committee. The township committee shall refer the complaint to its duly appointed farmland advisory committee ("FAC") for mediation.
- b. Upon referral of such a complaint by the township committee, and within twenty-one (21) days thereafter, the FAC shall invite the parties to discuss the nature of the complaint and shall recommend a solution, which shall take into consideration the interests of all parties. The recommendation of the FAC shall be non-binding and shall not abridge the right of either party to take legal action or to pursue any remedy provided for in the general ordinances of the township, state regulations or state law. The FAC shall issue a written report of its recommendations and reasons therefore to the township committee within fourteen (14) days from the date thereof. The township committee shall either accept, modify, or remand the matter to the FAC for further hearing within twenty-eight (28) days from its receipt of the FAC's written report. If either party is dissatisfied with the decision of the FAC, he or she may pursue other remedies as provided under applicable law.
- c. The members of the FAC shall serve without compensation, and shall not be held liable for any errors in fact or judgment expressed in its findings regarding matters referred to it by the township committee.  
(Ord. #2000-07, S 1)

**3-7.7 Notice of Adjacent Farmland to New Owners of Non-Farm Commercial or Residential Property.**

The planning board and board of adjustment shall require any application for an adjacent site plan or an adjacent major or minor subdivision to include in the application the following provision:

"Applicant hereby acknowledges NOTICE that there are presently, or may in the future be, agricultural land uses adjacent or in close proximity to the within described premises and that from such uses there may arise or emanate noise, odors, dust, and fumes associated with agricultural practices permitted under the Bedminster Township Right to Farm Ordinance. Applicant hereby waives objection to such activities."

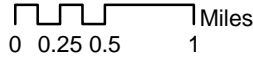
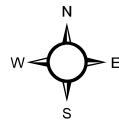
A copy of the Bedminster Township Right to Farm Ordinance shall be made available to the planning board, board of adjustment, Somerset/Hunterdon County Board of Realtors and to all realtors doing business in the township upon their request. (Ord. #2000-07, §1)



# Figure 1: Proposed Project Area, Preserved Farmland, Farm Assessed and Open Space

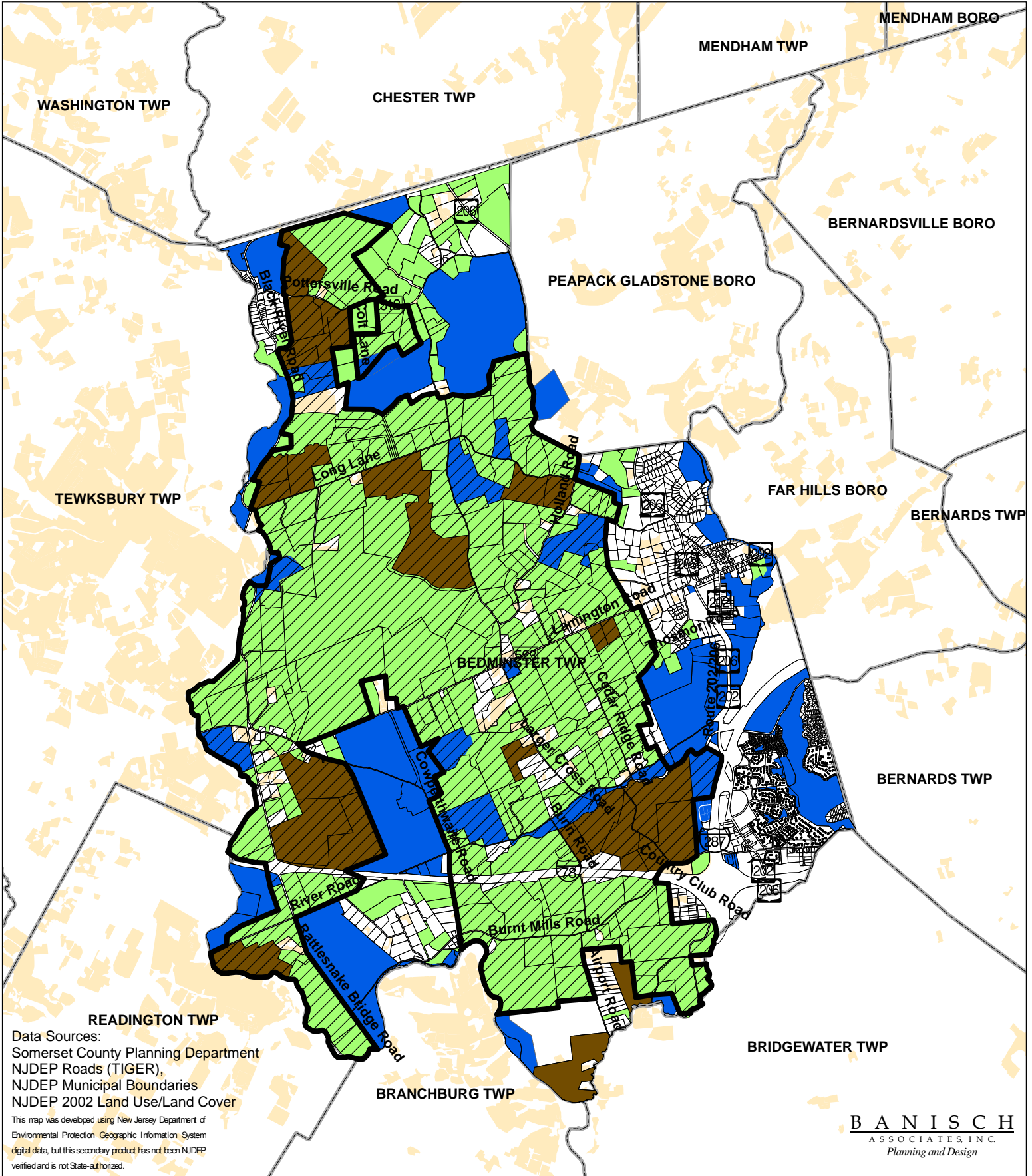
Bedminster Township, Somerset County

February 2010



## Legend

- Bedminster Proposed Project Area
- Preserved Farmland
- Open space, Conservation Easements and Recreation Areas
- Assessed Farmland
- Municipal Boundaries
- Agricultural Land Use



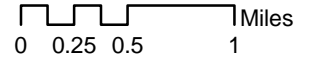
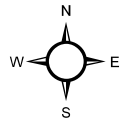
Data Sources:  
Somerset County Planning Department  
NJDEP Roads (TIGER),  
NJDEP Municipal Boundaries  
NJDEP 2002 Land Use/Land Cover

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.








# Figure 2: Proposed Project Area and 2002 Land Use/Land Cover

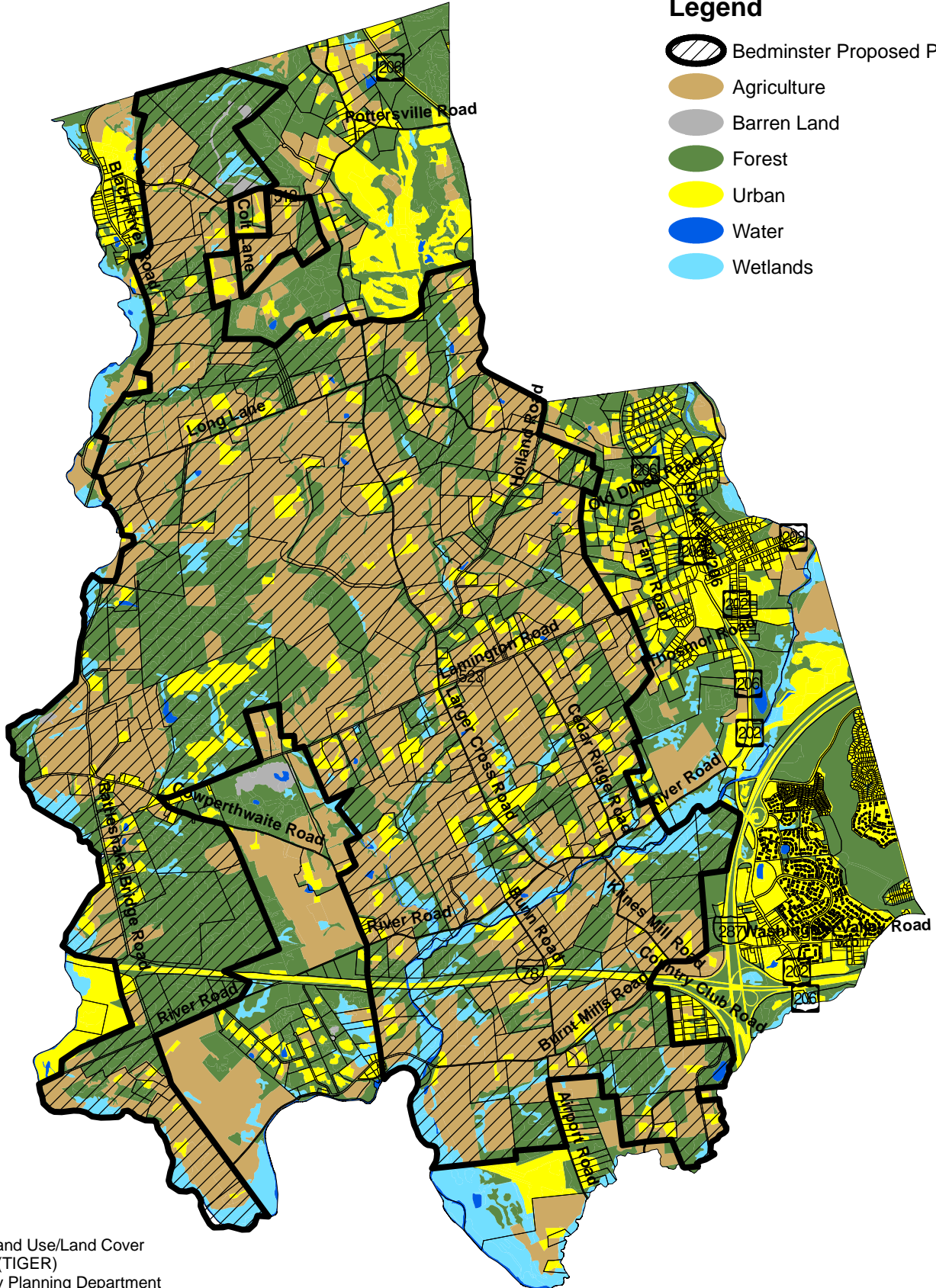
Bedminster Township, Somerset County

February 2010



## Legend

-  Bedminster Proposed Project Area
-  Agriculture
-  Barren Land
-  Forest
-  Urban
-  Water
-  Wetlands



Data Sources:  
 NJDEP - 2002 Land Use/Land Cover  
 NJDEP - Roads (TIGER)  
 Somerset County Planning Department

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

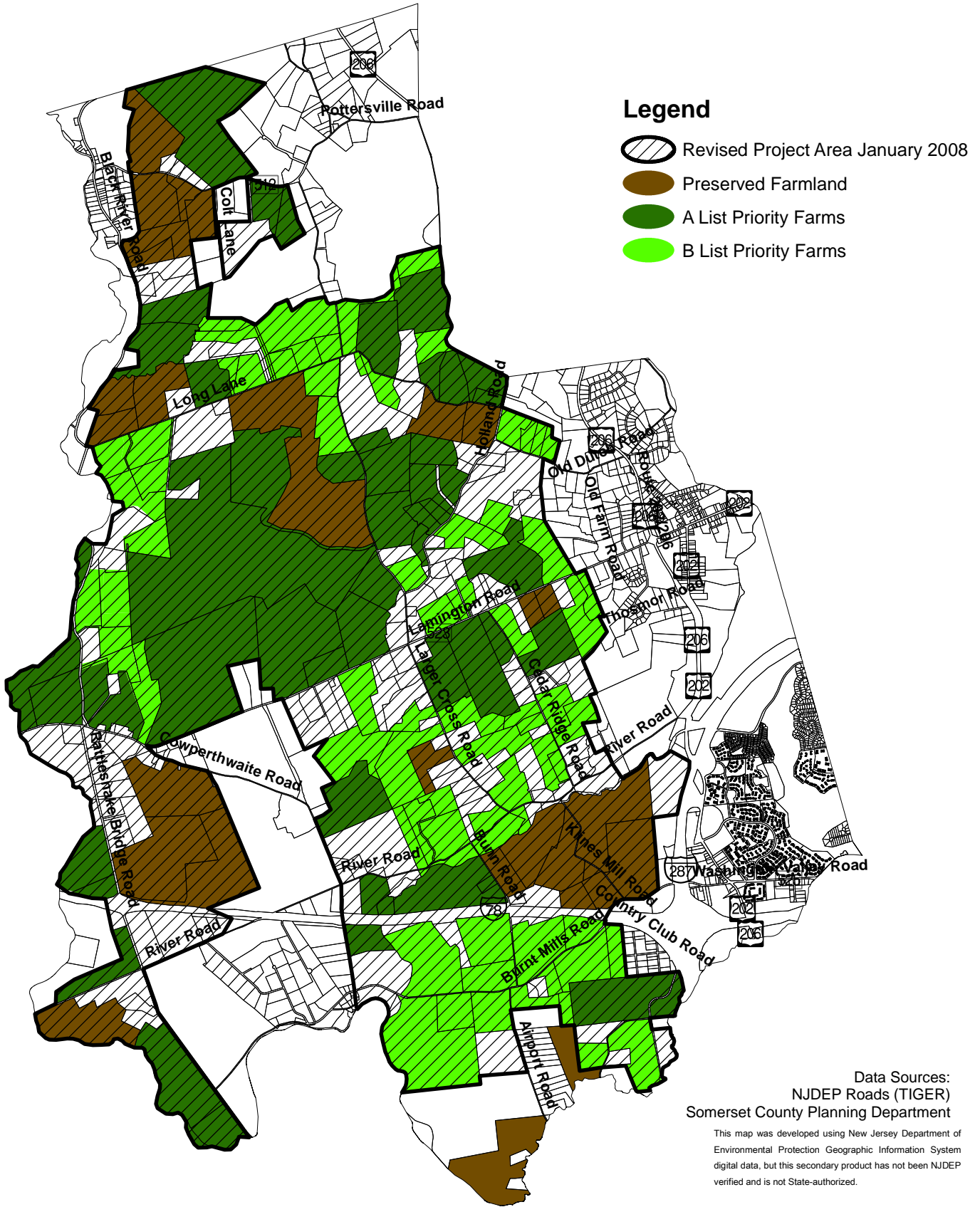
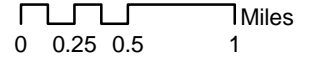
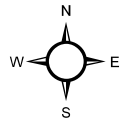




# Figure 4: Proposed Project Area and Target Farms

Bedminster Township, Somerset County

February 2010



### Legend

-  Revised Project Area January 2008
-  Preserved Farmland
-  A List Priority Farms
-  B List Priority Farms

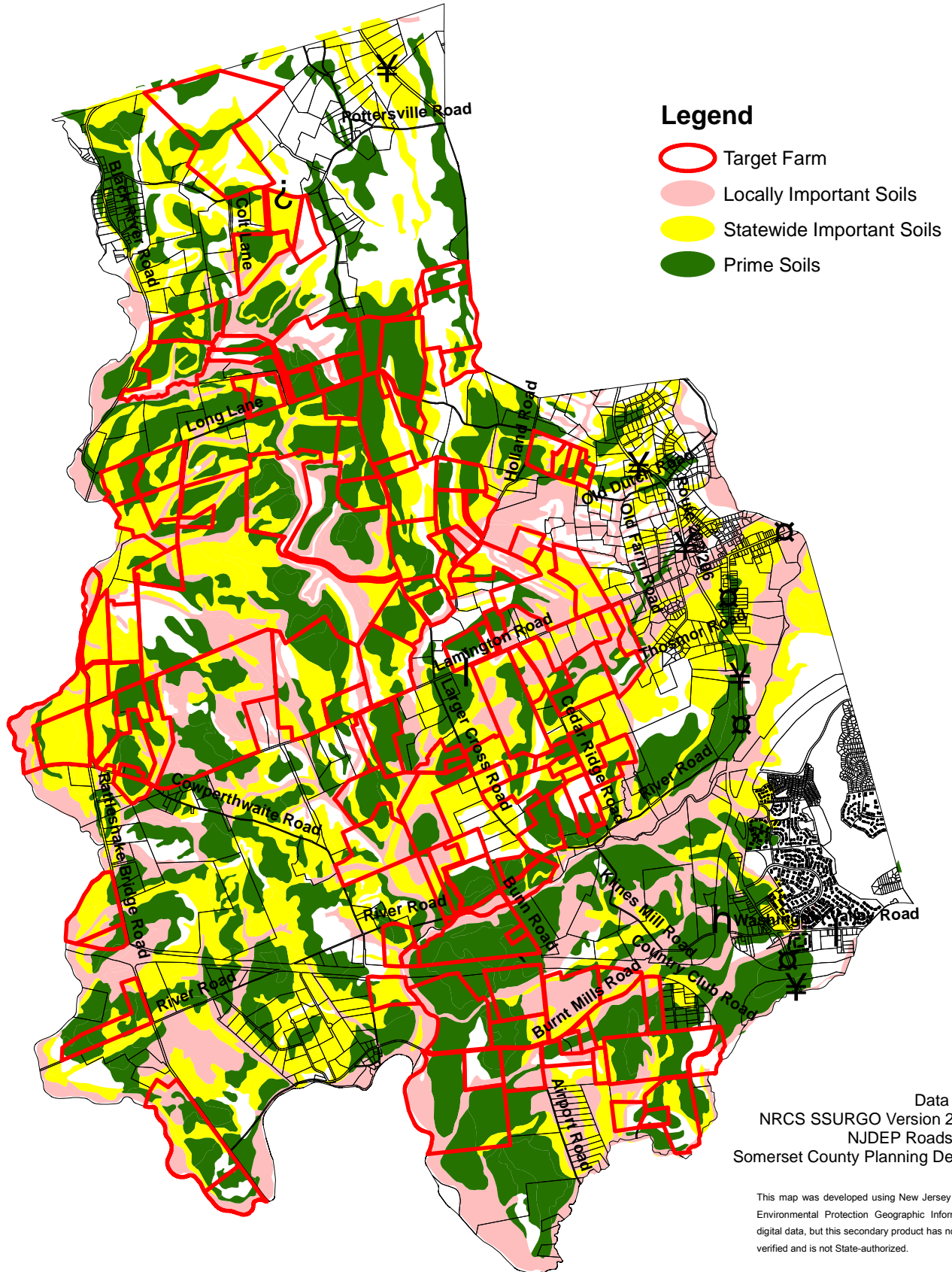
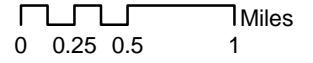
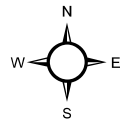
Data Sources:  
NJDEP Roads (TIGER)  
Somerset County Planning Department

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

**Figure 5:  
Proposed Project Area and Farm Capability**

*Bedminster Township, Somerset County*

*February 2010*



**Legend**

- Target Farm
- Locally Important Soils
- Statewide Important Soils
- Prime Soils

Data Sources:  
 NRCS SSURGO Version 20080818  
 NJDEP Roads (TIGER)  
 Somerset County Planning Department

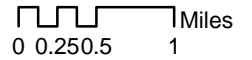
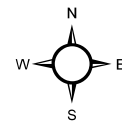
This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.



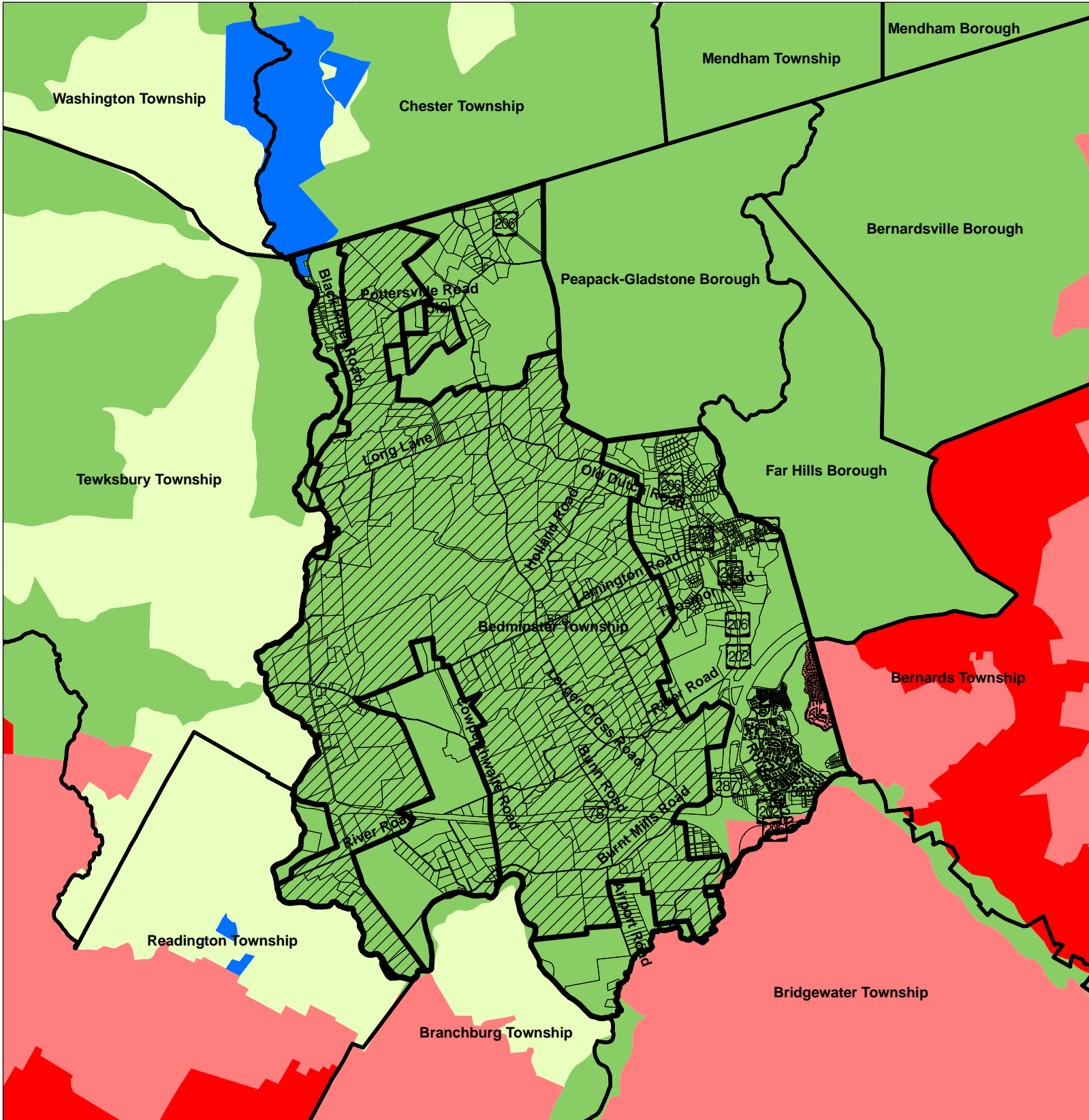
# Figure 6: Proposed Project Area and State Planning Areas

Bedminster Township, Somerset County

February 2010



This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.



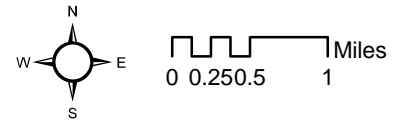
### Legend

- Bedminster Proposed Project Area
- PA 4B: Rural Environmentally Sensitive
- State Park
- PA 5: Environmentally Sensitive
- PA 2: Suburban
- PA 3: Fringe

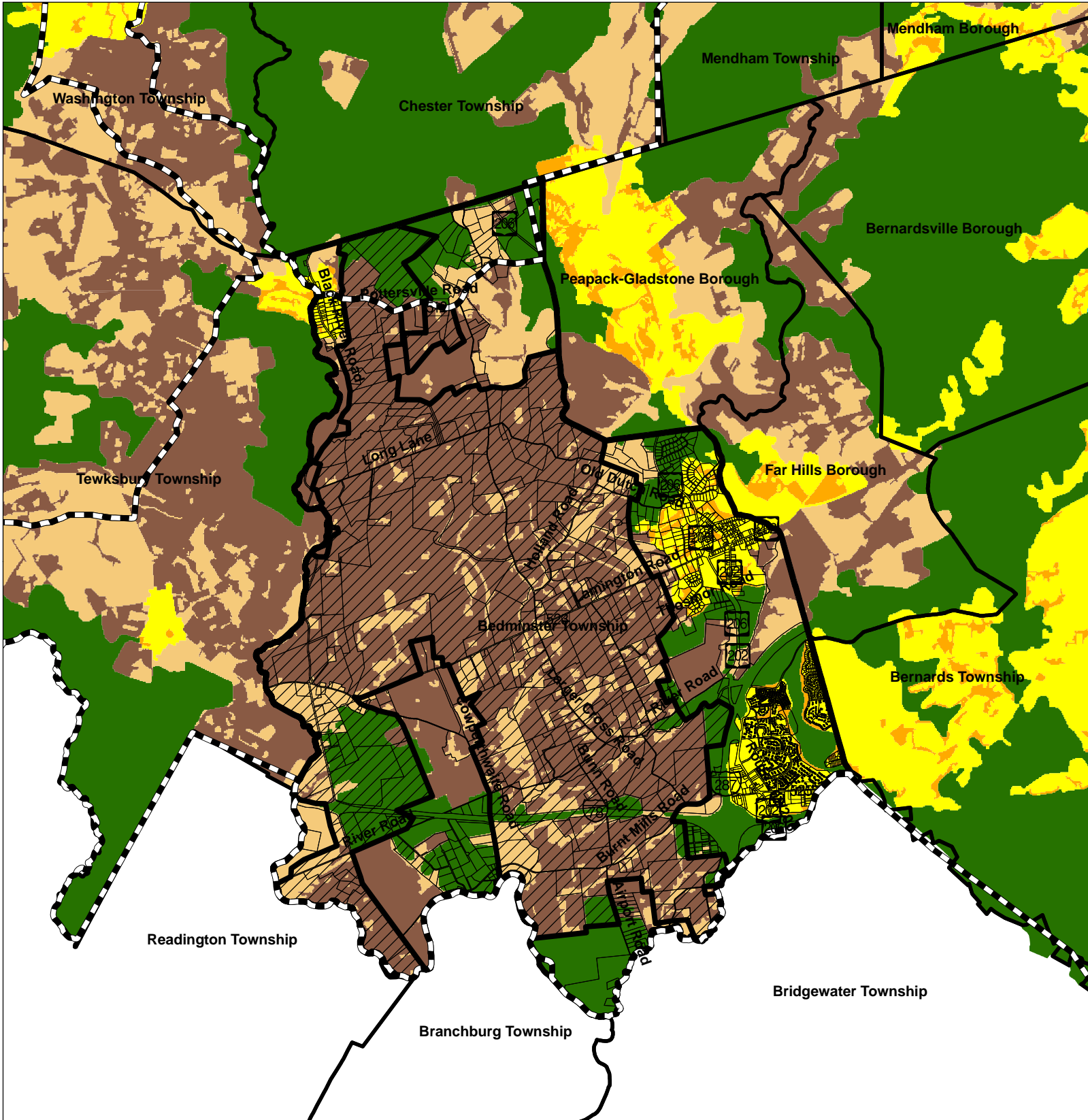
Data Sources:  
 NJ DCA OSG 20070620 - Planning Areas  
 NJDEP Roads (TIGER)  
 Somerset County Planning Department  
**BANISCH**  
 ASSOCIATES, INC.  
 Planning and Design

# Figure 7: Proposed Project Area and Highlands Planning Areas

Bedminster Township, Somerset County



February 2010



**Legend**

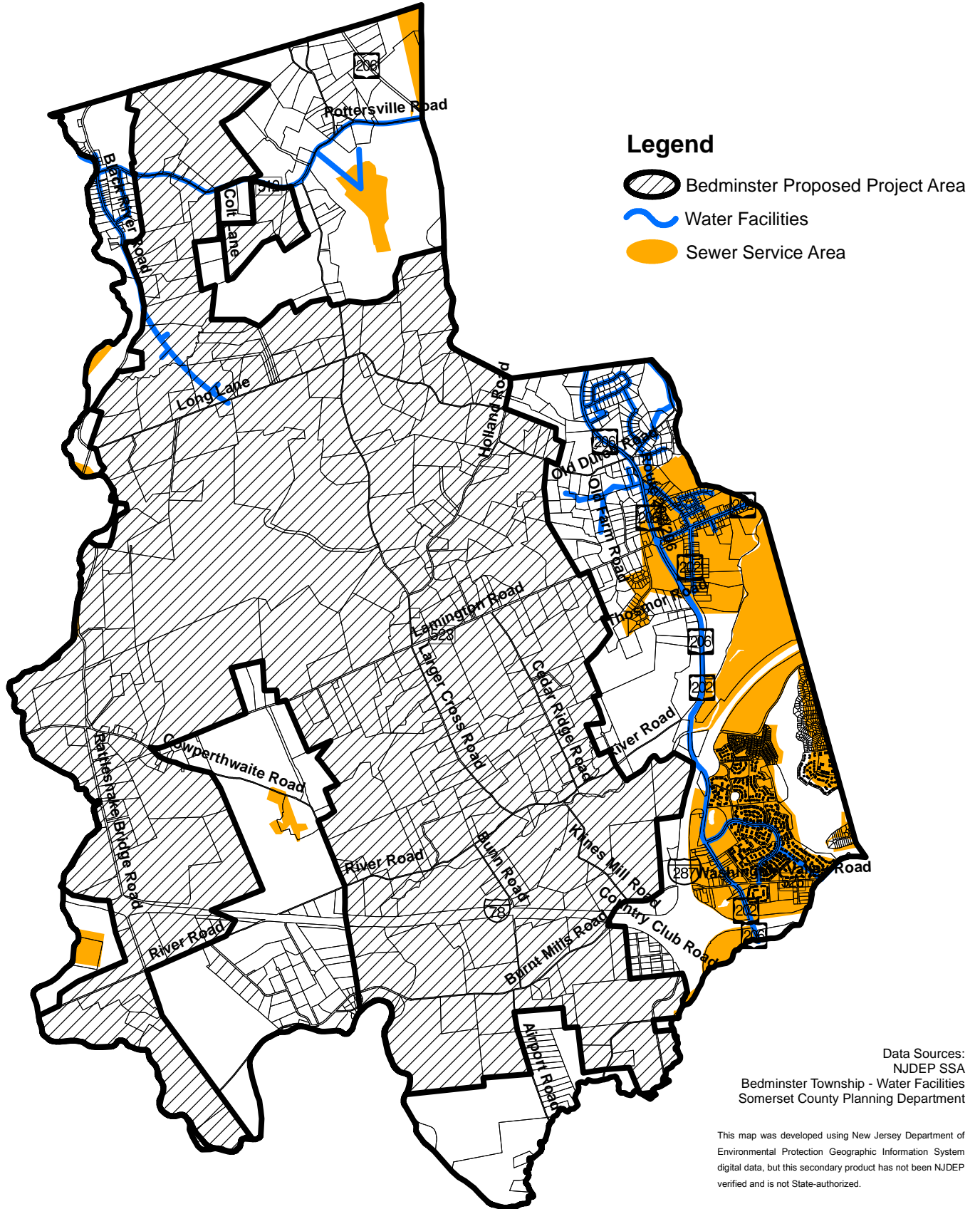
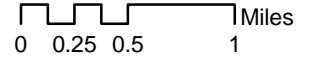
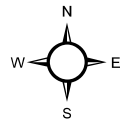
- Highlands Preservation Boundary
- Bedminster Proposed Project Area
- Existing Community - Environmentally Constrained
- Existing Community
- Lake Community
- Conservation Zone - Environmentally Constrained
- Protection Zone
- Conservation Zone
- Wildlife Management Zone

Data Sources:  
NJ Highlands Council  
NJDEP Roads (TIGER)  
Somerset County Planning Department  
**BANISCH**  
ASSOCIATES, INC.  
Planning and Design




# Figure 8: Proposed Project Area and Sewer and Water Service Areas

Bedminster Township, Somerset County

February 2010



### Legend

-  Bedminster Proposed Project Area
-  Water Facilities
-  Sewer Service Area

Data Sources:  
NJDEP SSA  
Bedminster Township - Water Facilities  
Somerset County Planning Department

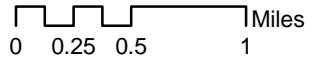
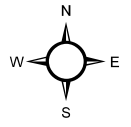
This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.








# Figure 9: Zoning and Agricultural Areas

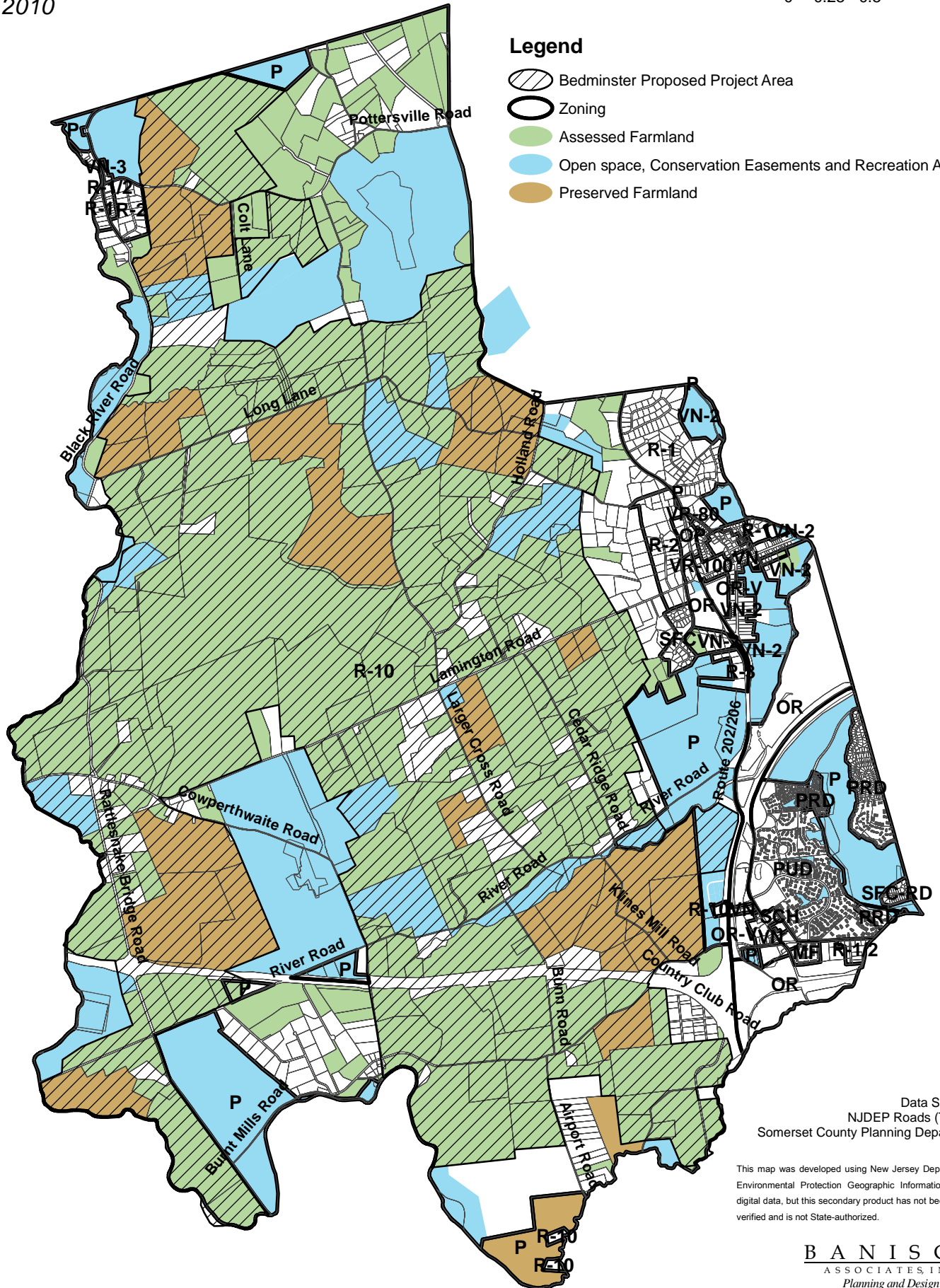
Bedminster Township, Somerset County

February 2010



### Legend

-  Bedminster Proposed Project Area
-  Zoning
-  Assessed Farmland
-  Open space, Conservation Easements and Recreation Areas
-  Preserved Farmland



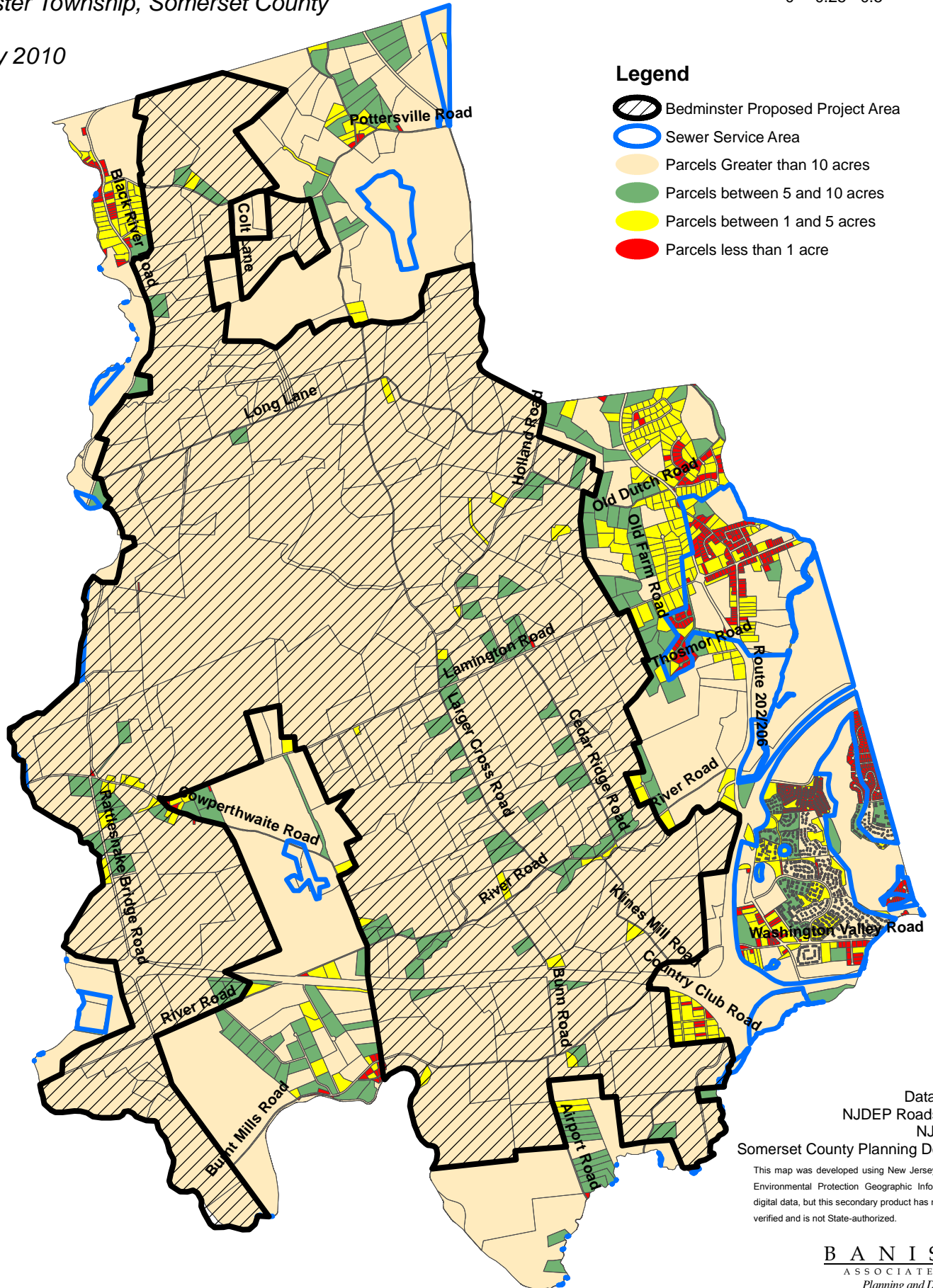
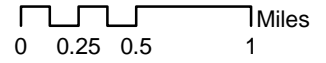
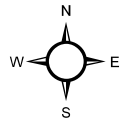
Data Sources:  
NJDEP Roads (TIGER)  
Somerset County Planning Department

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

**Figure 10:  
Lot Size Comparison with  
Sewer Service area and Proposed Project Area**

*Bedminster Township, Somerset County*

*February 2010*



**Legend**

- Bedminster Proposed Project Area
- Sewer Service Area
- Parcels Greater than 10 acres
- Parcels between 5 and 10 acres
- Parcels between 1 and 5 acres
- Parcels less than 1 acre

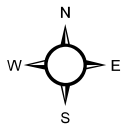
Data Sources:  
NJDEP Roads (TIGER)  
NJDEP SSA  
Somerset County Planning Department

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

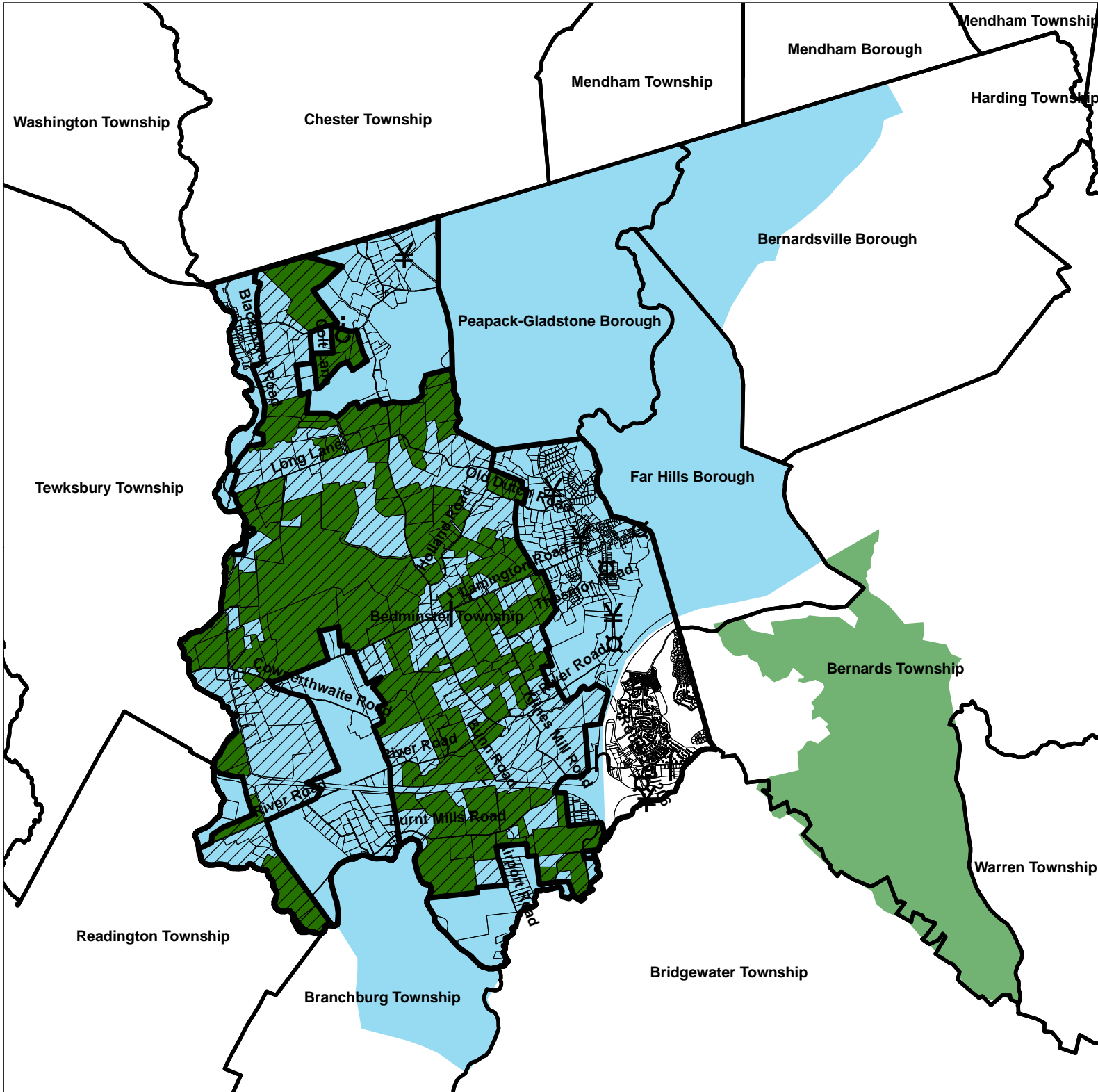
# Figure 11: Proposed Township Project Area and Somerset County ADA's

*Bedminster Township, Somerset County*





February 2010



0 0.25 0.5 1 Miles



## Legend

-  Bedminster Proposed Project Area
-  Target Farm
-  Somerset County Proposed Upper Raritan ADA
-  Somerset County Proposed Bernards Dead River ADA

Data Sources:  
NJDEP Municipal Boundaries  
Somerset County Planning Department

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

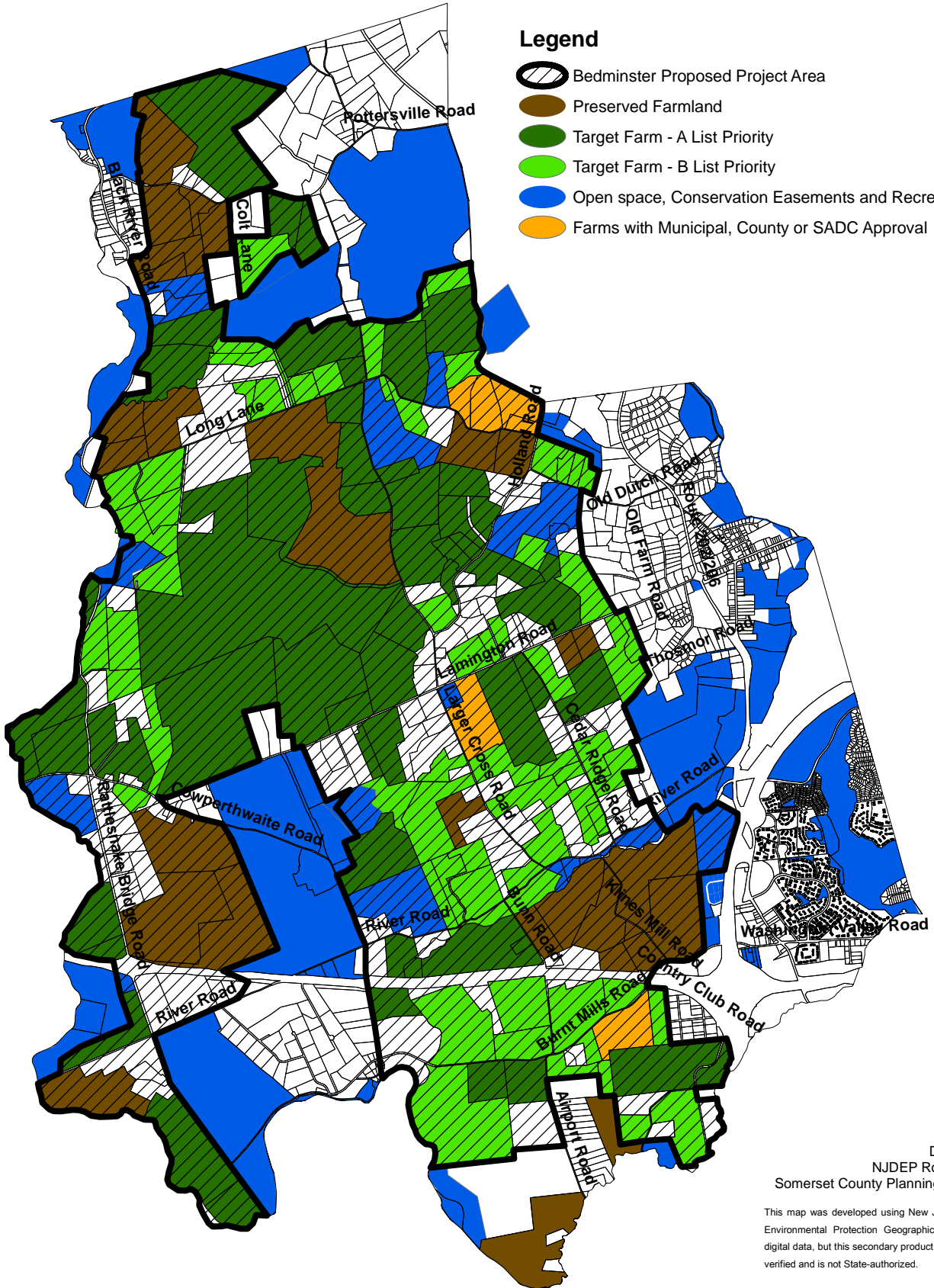
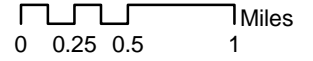
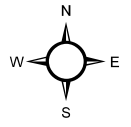
**BANISCH**  
ASSOCIATES, INC.  
Planning and Design



# Figure 12: Proposed Project Area and Target Farms

Bedminster Township, Somerset County

February 2010



### Legend

- Bedminster Proposed Project Area
- Preserved Farmland
- Target Farm - A List Priority
- Target Farm - B List Priority
- Open space, Conservation Easements and Recreation Areas
- Farms with Municipal, County or SADC Approval

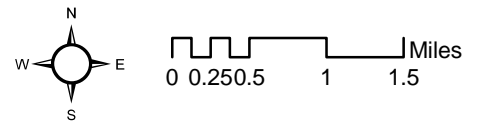
Data Sources:  
NJDEP Roads (TIGER)  
Somerset County Planning Department

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

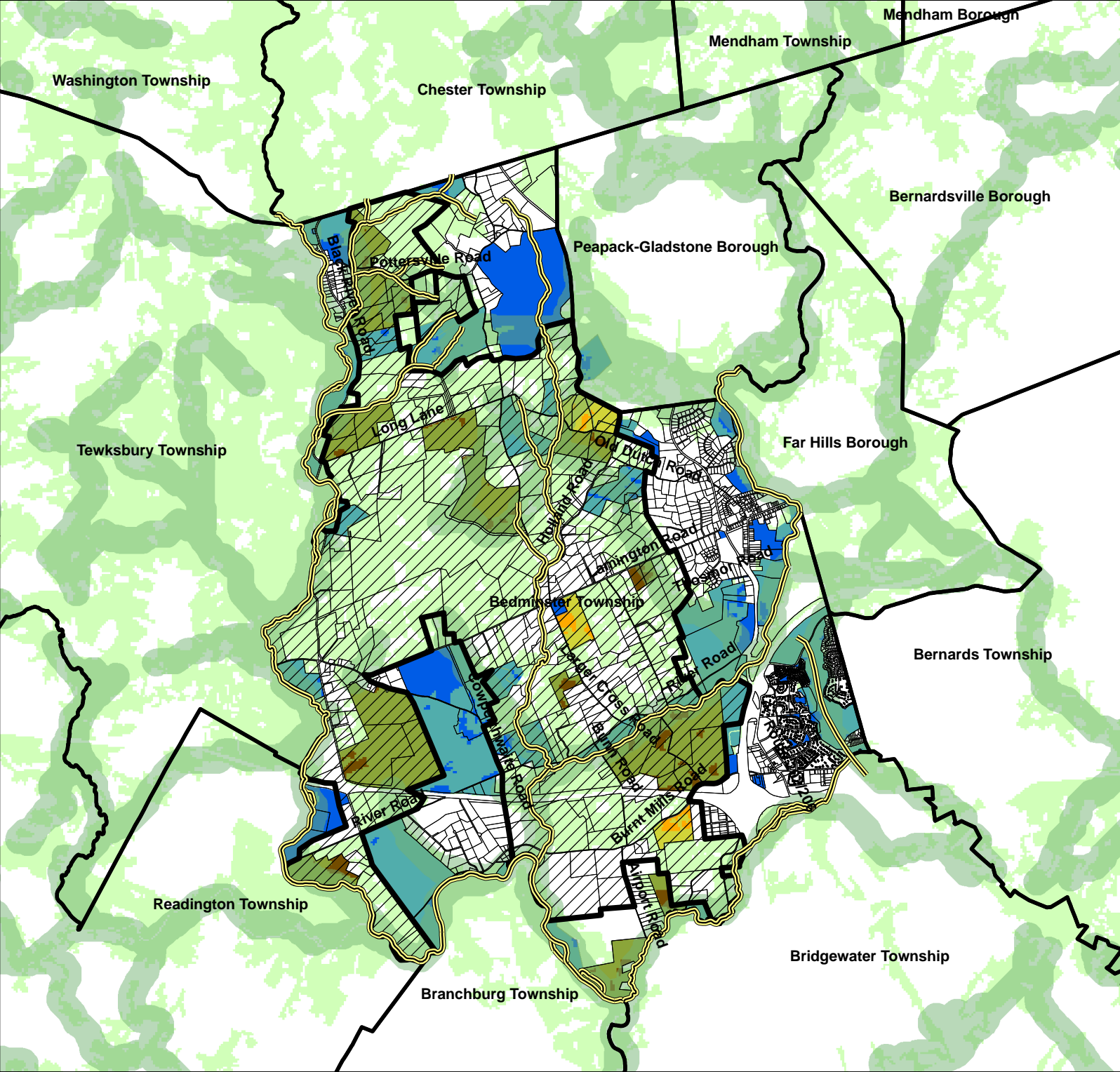
# Figure 13: Open Space and Greenway Areas

Bedminster Township, Somerset County

February 2010



This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.



## Legend

- Bedminster Township Greenway Plan
- Bedminster Proposed Project Area
- Garden State Greenways Connectors
- Garden State Greenways Critical Habitat Areas
- Farms with Municipal, County or SADC Approval
- Preserved Farmland
- Open space, Conservation Easements and Recreation Areas

Data Sources:  
NJDEP Roads (TIGER) and Municipal Boundaries  
Garden State Greenways  
Somerset County Planning Department