

**TOWNSHIP  
OF  
MONTGOMERY**

**SOMERSET COUNTY  
NEW JERSEY**

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**COMPREHENSIVE  
FARMLAND PRESERVATION  
PLAN**

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**AS ADOPTED  
FEBRUARY 22, 2010**

**Prepared by: Montgomery Township Planning Department**

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OF  
MONTGOMERY**

**SOMERSET COUNTY  
NEW JERSEY**

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**AS ADOPTED  
February 22, 2010**

THE ORIGINAL OF THIS REPORT WAS SIGNED AND SEALED IN  
ACCORDANCE WITH N.J.S.A. 45:14A-12

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*Lori Savron, P.P. #5741*

**Prepared by: Montgomery Township Planning Department**

**TOWNSHIP OF MONTGOMERY  
COMPREHENSIVE FARMLAND PRESERVATION PLAN  
February 22, 2010**

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**TOWNSHIP OF MONTGOMERY  
COMPREHENSIVE FARMLAND PRESERVATION PLAN  
February 22, 2010**

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# COMPREHENSIVE FARMLAND PRESERVATION PLAN

## TOWNSHIP OF MONTGOMERY

### February 22, 2010

#### INTRODUCTION

The main objective of this 2010 Montgomery Township “Comprehensive Farmland Preservation Plan” is to guide Montgomery Township’s continuing efforts to preserve its remaining farmland and maintain a viable agricultural industry. Farming is a significant component of the Township’s economy, and farmland is an irreplaceable natural resource. The plan identifies the entire Township as one project area to target for preservation and sets preservation goals in 1, 5 and 10-year increments.

The Montgomery Township Farmland Preservation Master Plan was last adopted in 2003. The Township is updating the 2003 plan to reflect the current state of farmland within the Township and to meet the State Agriculture Development Committee’s (SADC) requirements for the municipal Planning Incentive Grant (PIG) program. It is also anticipated that the plan will improve coordination between the Township and Somerset County for their respective farmland preservation programs.

#### SECTION I: AGRICULTURAL LAND BASE OF MONTGOMERY TOWNSHIP

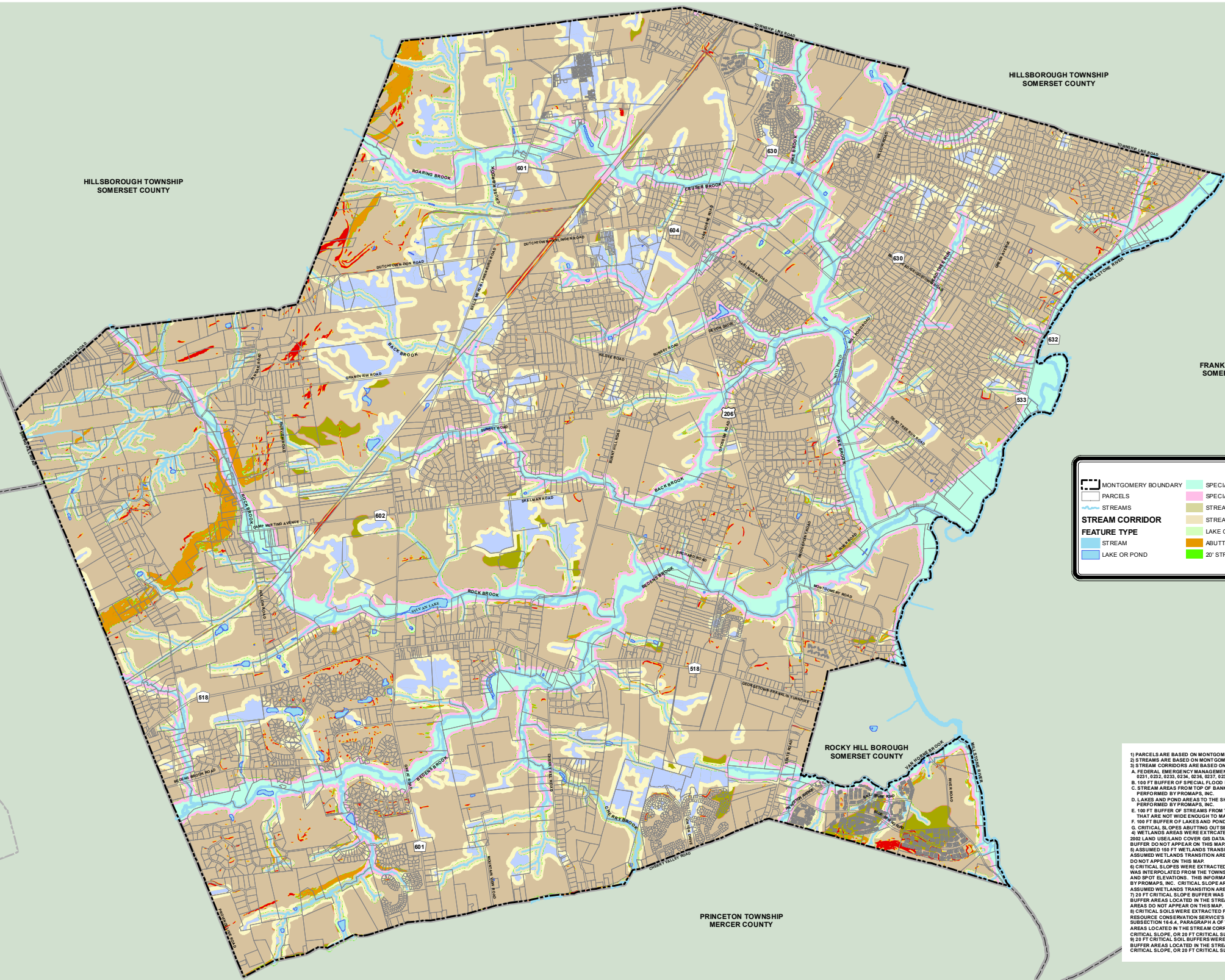
Montgomery Township is a suburban community with a rich agricultural heritage. Preservation of farmland is a priority for the Township because maintaining a contiguous land area that is dedicated to agriculture will support the sustainability of farming within the community. Montgomery Township is situated in the southeastern corner of Somerset County and contains approximately 32.26 square miles, or 20,646 acres of land. Despite tremendous growth pressure from the suburban expansion of both the Philadelphia and New York metropolitan areas, Montgomery has retained much of its rural character. Regional growth and Montgomery’s attractive natural surroundings continue to attract new residents.

A significant portion of the Township is environmentally constrained, as shown on the “**Critical Areas Map**” as shown on the following page, and efforts have been put into place to protect these resources. Preserving the Sourland Mountains is particularly important in Montgomery since it is the headwaters location for several streams that feed into the Millstone River.

In Montgomery Township, the benefits of farmland are the important production of agricultural products, and a strong attachment by Montgomery residents to the characteristics that make up the agricultural landscape, including the rolling fields, hedgerows and wooded stream corridors. This plan moves beyond this notion and focuses on the viability of agriculture as a business. It is Montgomery Township’s goal to preserve as many farms as possible.



NAD 83 NJ STATE PLANE  
COORDINATE SYSTEM



LEGEND		
MONTGOMERY BOUNDARY	SPECIAL FLOOD HAZARD AREA	NJDEP WETLANDS 2002
PARCELS	SPECIAL FLOOD HAZARD AREA BUFFER	ASSUMED 150' WETLANDS TRANSITION AREA
STREAMS	STREAM BUFFER (TOP OF BANK)	CRITICAL SLOPE (> 15%)
<b>STREAM CORRIDOR</b>	STREAM BUFFER (CENTERLINE)	20' CRITICAL SLOPE BUFFER
<b>FEATURE TYPE</b>	LAKE OR POND BUFFER	CRITICAL SOILS
STREAM	ABUTTING CRITICAL SLOPE	20' CRITICAL SOIL BUFFER
LAKE OR POND	20' STREAM CORRIDOR BUFFER	OTHER AREAS
		ADJACENT MUNICIPALITIES

1) PARCELS ARE BASED ON MONTGOMERY TOWNSHIP TAX MAPS, 2005 EDITION.  
 2) STREAMS ARE BASED ON MONTGOMERY TOWNSHIP "HYDROGRAPHY MAP", DATED AUGUST 2007, LATEST REVISION.  
 3) STREAM CORRIDORS ARE BASED ON THE FOLLOWING:  
 A. FEDERAL EMERGENCY MANAGEMENT AGENCY'S "1,000 INSURANCE RATE MAPS", PANEL NO. 0217, 0227, 0238, 0229, 0231, 0232, 0234, 0236, 0237, 0241, 0242, 0243, 0244, 0245, 0246, 0247, 0248, 0249, 0250, 0251, 0252, WHOSE EFFECTIVE DATE IS SEPTEMBER 28, 2007.  
 B. 150 FT BUFFER OF SPECIAL FLOOD HAZARD AREAS.  
 C. STREAM AREAS FROM TOP OF BANK TO TOP OF BANK. AREAS ARE BASED ON APRIL 1996, 1"=100' AERIAL PHOTOGRAPHY PERFORMED BY FROMAPS, INC.  
 D. LAKE AND POND AREAS TO THE SHORELINE. AREAS ARE BASED ON APRIL 1996, 1"=100' AERIAL PHOTOGRAPHY PERFORMED BY FROMAPS, INC.  
 E. 100 FT BUFFER OF STREAMS FROM TOP OF BANK WHERE STREAM IS WIDE ENOUGH TO MAP AS SUCH. STREAMS THAT ARE NOT WIDE ENOUGH TO MAP FROM TOP OF BANK TO 50' OF BANK WERE BUFFERED FROM STREAM CENTERLINE.  
 F. 100 FT BUFFER OF LAKES AND PONDS FROM SHORELINE.  
 G. CRITICAL SLOPES ABUTTING OUTSIDE OF STREAM CORRIDOR WERE EXTRACTED FROM THE CRITICAL SLOPES DATASET.  
 4) WETLANDS AREAS WERE EXTRACTED FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION'S 2002 LAND USE AND COVER GIS DATASET. WETLANDS AREAS LOCATED WITHIN THE STREAM CORRIDOR OR 20 FT STREAM CORRIDOR BUFFER DO NOT APPEAR ON THIS MAP.  
 5) ASSUMED 150 FT WETLANDS TRANSITION AREA WAS CREATED BY BUFFERING THE WETLANDS AREAS ASSUMED WETLANDS TRANSITION AREAS LOCATED WITHIN THE STREAM CORRIDOR OR 20 FT STREAM CORRIDOR BUFFER DO NOT APPEAR ON THIS MAP.  
 6) CRITICAL SLOPES WERE EXTRACTED FROM THE TOWNSHIP'S DIGITAL ELEVATION MODEL (DEM). THE DEM WAS INTERPOLATED FROM THE TOWNSHIP'S DIGITAL TERRAIN MODEL (DTM), WHICH CONSISTS OF 2 FT CONTOURS AND SPOT ELEVATIONS. THIS INFORMATION WAS OBTAINED FROM APRIL 1996, 1"=100' AERIAL PHOTOGRAPHY BY FROMAPS, INC. CRITICAL SLOPE AREAS LOCATED IN THE STREAM CORRIDOR, 20 FT STREAM CORRIDOR BUFFER, WETLANDS, OR ASSUMED WETLANDS TRANSITION AREAS DO NOT APPEAR ON THIS MAP.  
 7) 25 FT CRITICAL SLOPE BUFFER WAS OBTAINED BY BUFFERING THE CRITICAL SLOPE AREAS. 20 FT CRITICAL SLOPE BUFFER AREAS LOCATED IN THE STREAM CORRIDOR, 20 FT STREAM CORRIDOR BUFFER, WETLANDS, OR ASSUMED WETLANDS TRANSITION AREAS DO NOT APPEAR ON THIS MAP.  
 8) CRITICAL SOILS WERE EXTRACTED FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE'S 1998 SURGO SOIL DATABASE, USING THE SOIL TYPES LISTED IN SUBSECTION 14.4, PARAGRAPH A OF THE MONTGOMERY TOWNSHIP LAND DEVELOPMENT ORDINANCE. CRITICAL SOIL AREAS LOCATED IN THE STREAM CORRIDOR, 20 FT STREAM CORRIDOR BUFFER, WETLANDS, ASSUMED WETLANDS TRANSITION AREAS, CRITICAL SLOPE, OR 20 FT CRITICAL SLOPE BUFFER AREAS DO NOT APPEAR ON THIS MAP.  
 9) 20 FT CRITICAL SOIL BUFFER AREAS OBTAINED BY BUFFERING THE CRITICAL SOIL AREAS. 20 FT CRITICAL SOIL BUFFER AREAS LOCATED IN THE STREAM CORRIDOR, 20 FT STREAM CORRIDOR BUFFER, WETLANDS, ASSUMED WETLANDS TRANSITION AREAS, CRITICAL SLOPE, OR 20 FT CRITICAL SLOPE BUFFER AREAS DO NOT APPEAR ON THIS MAP.



**TOWNSHIP OF MONTGOMERY**  
 SOMERSET COUNTY, NEW JERSEY  
 GEOGRAPHIC INFORMATION SYSTEM

**CRITICAL AREAS**  
**AUGUST 2007**

DATE: AUGUST 02, 2007

DRAWN BY: P.A.M.

LAST REVISED:

CHECKED BY: G.S.

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**A. Location & Size Of Agricultural Land Base**

Farmland contributes to the economic base of the Montgomery Township and it is essential to the open rural landscape that characterizes much of the community. It is also important to conserve the parts of the community that are designated as a rural planning area. The number of farms and the amount of farmland in Montgomery has, however, declined. During the last twenty years, over half of the farmland was lost, with the greatest decline in farmland experienced during the late 1980’s until the mid 1990’s as reported by the NJDEP Land Use/Land Cover data. Between 1986 and 1995 there was a reported loss of 2,026 acres of farmland. In the past ten years the rate of loss has somewhat declined. The DEP reported a loss of 1,183 acres of farmland between 1995 and 2002. Land use trends are more fully discussed in section three.

Yet despite these losses, according to the NJ Farmland Assessment, a significant area of Montgomery Township, roughly 5,594 acres or 27% of the Township, continues to be farmed (see “Farmland Assessed Parcels” map on page 9). For a complete listing of farmland assessed parcels by block and lot, see Addendum I. An overlay of preserved open space and farmland, farmland assessed parcels, and NJ DEP’s 2002 Land Use / Land Cover data categorizes a significant portion of the Township as agricultural or preserved open space. Hopewell and Franklin Townships also appear to have a large concentration of farmland according to DEP’s Land Use / Land Cover (see map on page 10). To maintain its rural environment and landscape, the Township needs to preserve as much farmland as possible.

**TOTAL AGRICULTURAL ACRES 1986 – 2002**

**Source: NJ DEP Land Use / Land Cover**

<b>Year</b>	<b>Acreage</b>
1986	7775.00
1995	5341.23
2002	4051.49

**AGRICULTURAL LAND USE ANALYSIS: 1986 – 1995**

**Source: NJ DEP Land Use / Land Cover**

<b>Total Agricultural Acres 1995</b>	<b>Total Agricultural Acres Lost 1986-1995</b>	<b>Current Land Use Type</b>	<b>Agricultural Acres Lost To Land Use Type</b>
5341.23	2050.00	BARREN LAND	410.22
		FOREST	500.08
		URBAN	1135.27
		WATER	4.43

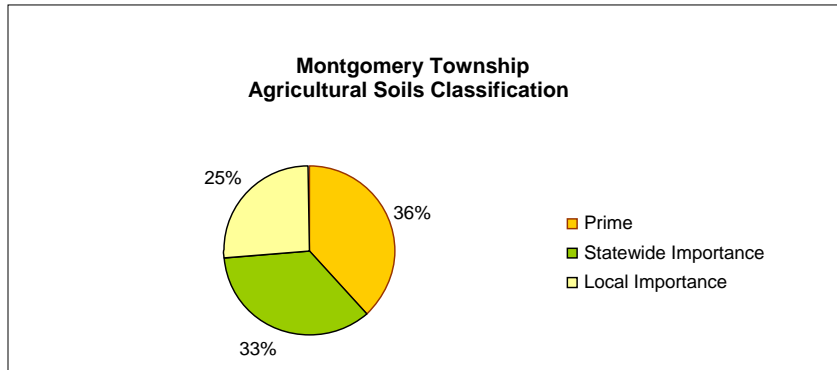
**AGRICULTURAL LAND USE ANALYSIS: 1995 - 2002**  
**Source: NJ DEP Land Use / Land Cover**

<b>Total Agricultural Acres 2002</b>	<b>Total Agricultural Acres Lost 1995-2002</b>	<b>Current Land Use Type</b>	<b>Agricultural Acres Lost To Land Use Type</b>
4051.49	1220.39	BARREN LAND	185.59
		FOREST	254.24
		URBAN	777.92
		WATER	1.20
		WETLANDS	1.45

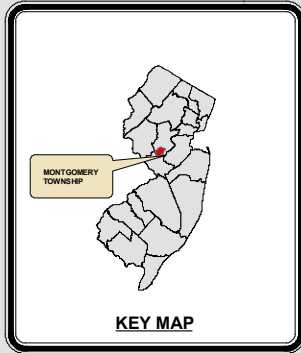
**B. Soil Types & Their Agricultural Capability**

An important factor for agriculture is the productivity of the soil. The Natural Resources Conservation Service (NRCS) classifies certain soils as *prime*, *statewide important*, or *unique* based on their agricultural productivity. Prime farmland soils rest on land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops. They have the quality, growing season and moisture supply needed to produce sustained high yields of crops when treated and managed according to acceptable farming methods. Prime soils are not excessively erodible or saturated with water for a long period of time, and they either flood infrequently or are protected from flooding. Farmland soils of statewide importance produce high yields of crops when treated and managed according to acceptable farming methods, but have yields that are not as high as prime soils. Unique soils exhibit specific qualities that may be favorable to the production of specialized crops such as tree nuts, olives, cranberries, fruit and vegetables. Additionally, Somerset County recognizes soils that are of *local importance* in identifying land suitable for preservation.

A vast majority (94%) of the land within Montgomery Township consists of productive agricultural soils; approximately 36% of the soil within Montgomery Township is classified as *prime*, followed by soils of *statewide important* (33%) and *local importance* (25%). These areas are represented on the **“Important Soils for Farmland”** map as shown on the following page.







HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

EAST AMWELL TOWNSHIP  
HUNTERDON COUNTY

FRANKLIN TOWNSHIP  
SOMERSET COUNTY

HOPEWELL TOWNSHIP  
MERCER COUNTY

**LEGEND**

- Prime Soil
- Statewide Important Soil
- Soil of Local Importance

Source: Natural Resource Conservation Service

ROCKY HILL BOROUGH  
SOMERSET COUNTY

SOUTH BRUNSWICK TOWNSHIP  
MIDDLESEX COUNTY

HOPEWELL BOROUGH  
MERCER COUNTY

PRINCETON TOWNSHIP  
MERCER COUNTY



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**IMPORTANT FARMLAND SOILS**

DATE: JULY 23, 2007

DRAWN BY: A.L.

LAST REVISED:

CHECKED BY: L.A.W.

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

There is very little irrigated farmland in Montgomery Township. Until recently, the Township has had minimal irrigation according to the New Jersey Farmland Assessment records (see chart below). Water intensive crops, such as vegetables, are not a typical crop in Montgomery, thus irrigation has previously not been a factor.

**NUMBER OF IRRIGATED ACRES**

<b>Year</b>	<b>Number of Irrigated Acres</b>
1984	63.5
1991	0
1992	5
1997	0
2001	5
2002	3
2005	223

The change in irrigated acres in 2005 is due to the presence of a sod farm operating on 220 acres of preserved farmland on Skillman Road.

According to the Township's 2004 Natural Resource Inventory (NRI), there are over 116 miles of surface water in the Township, with the principal body identified as the Millstone River. According to data from the New Jersey Department of Environmental Protection, there are 9 individual subwatersheds within Montgomery, all of which are part of the Millstone River drainage basin, eventually draining to the Raritan River. None of these subwatersheds have their boundaries completely within the Township and some have only a small portion within Montgomery's boundaries. According to NJDEP, all surface waters within Montgomery are classified as "FW2". "FW2" means the general surface water classification applied to those fresh waters that are not designated as FW1 or Pinelands Waters. In addition, NJDEP classifies all surface waters within Montgomery as Category 2 waters and fall under the general anti-degradation policies of the regulations as well as those specified for Category 2 waters.

Groundwater sources are generally preferred to surface waters for irrigation because they contain less sediment and particulates that may clog irrigation pipes and damage crops. However, agricultural use of groundwater resources has been challenged in areas where residential neighborhoods which also rely on groundwater are adjacent to farms. A more thorough discussion of a current water dispute in Montgomery Township involving residential neighbors and a sod farm is more fully discussed in Section 7.

The water levels in both the surface water and groundwater fluctuate based on the seasons. Depth to seasonal high water indicates the highest level below the surface that groundwater reaches in most years, typically occurring between October and June, with variations in the length of time dependent on soil type. Those soils with depth to seasonal high water of 4 feet or less exhibit two water table types; apparent and perched. An apparent water table is illustrated by water standing in a freshly dug hole. These soil types generally coincide with stream beds and wetland

areas, but do occur in other locations spread throughout the Township. Of the soils in the Montgomery, 42% have generally shallow depths to seasonal high water, ranging from 0 to 3 feet. Of these soils, only 3% exhibit depth to seasonal high water of 1 foot or less.

A mere 2% (466 acres) of soils in Montgomery possess what can be characterized as moderate depth to seasonal high water, generally around 4 feet. These soils are primarily located near Rocky Hill, with small pockets east and west of the rail line in the central portion of the Township and in the southwestern corner bordering Hopewell Township.

A majority of the soils in the Township, 56% (11,585 acres), have generally deep depths to seasonal high water at 6 feet. While these soil types are found throughout Montgomery, they are generally found in a swath running from northeast to southwest between the Sourland Mountain and the hills in the southern portion of the Township.

#### **D. Farmland Assessment Statistics & Trends**

The amount of farmland assessed acreage in Montgomery Township decreased by half over the past twenty years, with the greatest loss occurring between 1990 and 2000. However, since 2000, the amount of farmland assessed properties has stabilized and in fact, is on the rise. According to the Montgomery Township Tax Assessor, in 2007 there were 5,200 acres of assessed farmland consisting of 150 farms. This represents a gain of 161 acres since 2004. Properties that are currently under farmland tax assessment are shown on the “**Farmland Assessed Parcels**” map, which appears on page 9 of this document. Municipal farmland assessment records indicate the average farm size is 40.75 acres and the median is 18.44 acres.

According to NJ Farmland Assessment reports, most of the farmland that has been lost in Montgomery Township has been active crop and pasturelands, and nearly half of the permanent pasture was lost during the past twenty years.

With the proposed SADC rules changes to include the protection of equine activities under the Right to Farm Act, the amount of farm assessed acreage devoted to equine may increase.

#### **SUMMARY OF ACTIVE AGRICULTURAL ACREAGE 1983-2004**

<b>Type</b>	<b>1983</b>	<b>1990</b>	<b>2000</b>	<b>2004</b>	<b>% Change from 1983-2004</b>
Cropland Harvested	6,682	4,751	2,964	2,662	- 60.2%
Cropland Pastured	636	708	623	461	- 27.5%
Permanent Pasture	868	654	430	431	- 50.3%
Woodland	2,179	2,318	1,735	1,474	-32.4%
Equine	226	214	34	11	-95.1%
<b>TOTAL AG USE</b>	<b>10,591</b>	<b>8,645</b>	<b>5,786</b>	<b>5,039</b>	<b>-52.4%</b>

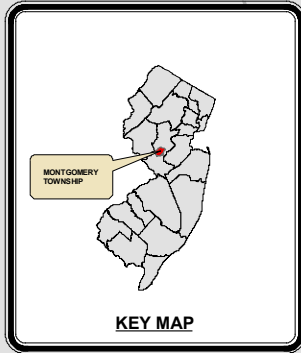
The average farm size has also decreased slightly over the past few years for which the Township has available data. According to the 2007 Census of Agriculture, Somerset County had an average farm size of 74 acres which is considerably larger than the Township average in 2007. The Township's average and median farm sizes were calculated on a per farm basis, not a parcel basis based on applications to the Township's Tax Assessor for farmland assessment.

#### **MEAN FARM SIZE**

<b>Year</b>	<b>Mean Farm Size (acres)</b>
2007	41.871
2008	40.967
2009	40.753

#### **MEDIAN FARM SIZE**

<b>Year</b>	<b>Median Farm Size (acres)</b>
2007	19.834
2008	18.520
2009	18.440



HILLSBOROUGH TOWNSHIP  
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SOMERSET COUNTY

HOPEWELL TOWNSHIP  
MERCER COUNTY

HOPEWELL BOROUGH  
MERCER COUNTY

ROCKY HILL BOROUGH  
SOMERSET COUNTY

PRINCETON TOWNSHIP  
MERCER COUNTY

**LEGEND**

FARMLAND ASSESSED LOTS



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**FARMLAND ASSESSMENT**

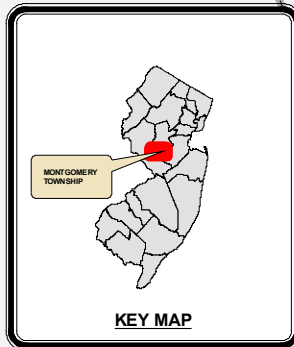
DATE: NOVEMBER 29, 2007

DRAWN BY: A.L.

LAST REVISED:

CHECKED BY:

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NAD 83 NJ STATE PLANE  
COORDINATE SYSTEM

HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

EAST AMWELL TOWNSHIP  
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SOMERSET COUNTY

HOPEWELL BOROUGH  
MERCER COUNTY

SOUTH BRUNSWICK TOWNSHIP  
MIDDLESEX COUNTY

PRINCETON TOWNSHIP  
MERCER COUNTY

**LEGEND**

- EXISTING GREENWAY
- PRESERVED FARMLAND
- FARMLAND ASSESSED PARCELS
- 2002 NJDEP LAND USE/LAND COVER - AGRICULTURAL
- 2002 NJDEP LAND USE/LAND COVER - AGRICULTURAL (OTHER TWPS)
- ADJACENT MUNICIPALITIES



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**PRESERVED FARMS & OPEN SPACE  
FARMLAND ASSESSED PARCELS  
& 2002 NJ DEP LAND USE LAND COVER**

DATE: JULY 23, 2009

DRAWN BY: A.L.

LAST REVISED:

CHECKED BY: L.A.W.

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**SECTION II:  
AGRICULTURAL INDUSTRY OVERVIEW**

**A. Trends In Market Value Of Agricultural Products Sold**

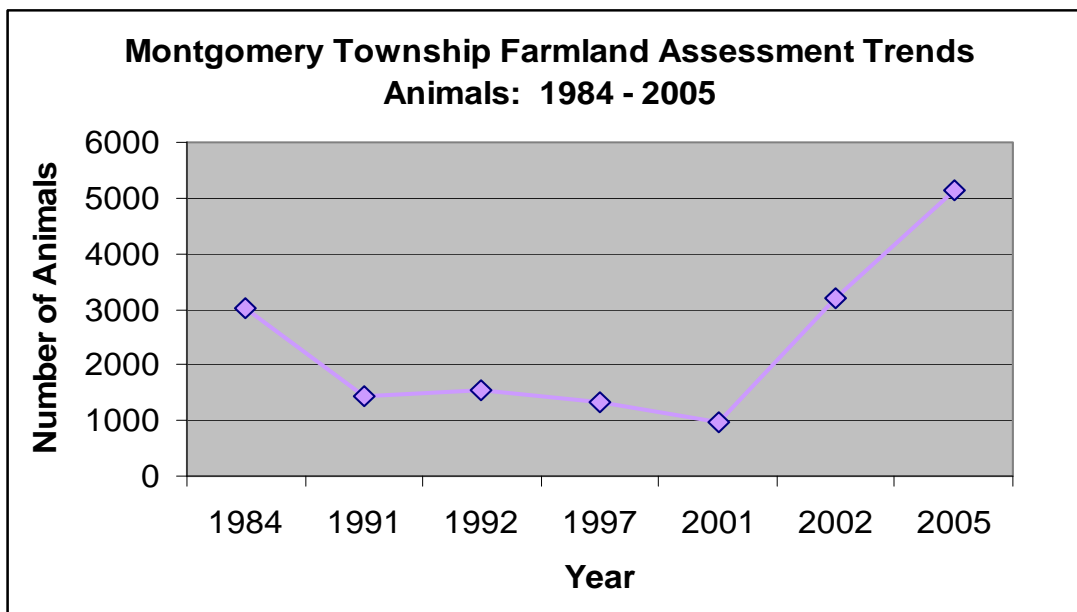
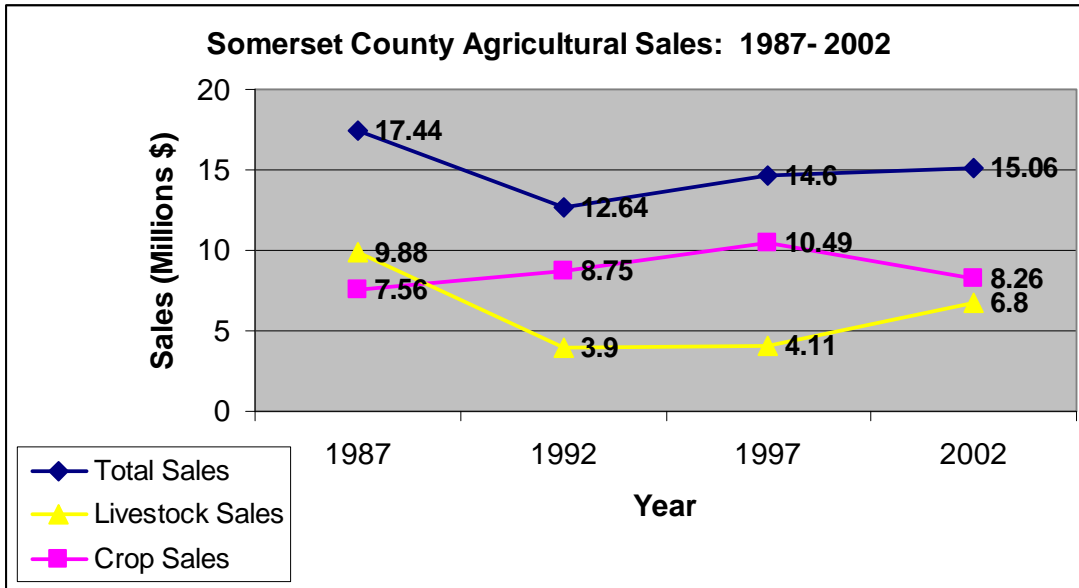
Due to higher production costs related to land values, property taxes and labor costs, New Jersey farmers are at a disadvantage compared to farmers in other areas of the country. Since commodity prices are based upon national production costs and demands, New Jersey farmers will remain at a disadvantage and the profit margins will remain less than in other regions of the country. Yet, in spite of this, the 2006 prices for New Jersey field and forage crops were strong. According to the 2007 USDA Census of Agriculture (CoA), the average per farm sales in Somerset County increased by over \$8,000 between 2002 and 2007.

The 2007 CoA also tracks the value of sales throughout Somerset County. The sales value range of \$250,000 – \$499,000 doubled between 2002 and 2007, but is still very small, representing only 6 farms in the County. In 2007, a majority of farms were in the less than \$1,000 of agricultural products sold category, whereas in 2002, the majority of farms were selling between \$1,000 and \$2,499. This represents a downward shift in the value of agricultural products.

**MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD 2002 & 2007  
SOMERSET COUNTY**

<b>Value</b>	<b>2002 (# of farms)</b>	<b>2007 (# of farms)</b>	<b>% change</b>
< \$1,000	114	138	21%
\$1,000 - \$2,499	127	91	-28%
\$2,500 - \$4,999	47	54	15%
\$5,000 - \$9,999	44	52	18%
\$10,000 - \$19,999	29	30	3%
\$20,000 - \$24,999	11	9	-18%
\$25,000 - \$39,999	17	19	12%
\$40,000 – \$49,999	9	7	-22%
\$50,000 - \$99,999	15	20	33%
\$100,000 - \$249,999	20	14	-30%
\$250,000 – \$499,000	3	6	100%
> \$500,000	6	5	-17%
<b>TOTAL FARMS</b>	<b>442</b>	<b>445</b>	<b>1%</b>

By comparison, the County has had a similar trend overall values, sales are down over \$2 million from 1987 to 2002. However, the livestock/animal sector has seen recent increases after a downturn in 1992 and 1997. The increase in animal numbers can also be seen on the Township level, with an increase of over 70% from 1984 to 2005 reported farmland assessment statistics.



## B. Crop Production Trends Over Past 20 Years

The most commonly produced field crop in Montgomery Township is wheat. Wheat is planted on nearly one-third of the Township’s cropland – 651 acres in 2004 (see Field Crop chart below). And while the total amount of cropland has declined by over half in the last twenty years, the acreage devoted to sorghum has increased, returning to 1983 levels. According to one local farmer, the value of sorghum is generally profitable, depending on the weather. Comparably, the most common field crop throughout Somerset County is hay, planted on one-third of the County’s cropland.



**MONTGOMERY TOWNSHIP FIELD CROPS: 1983-2004**

<b>Field Crop</b>	<b>1983</b>	<b>1990</b>	<b>2000</b>	<b>2004</b>
Barley	141	6	0	37
Corn/Grain	1,172	325	389	177
Corn/Silage	178	95	72	66
Grass/Silage	30	0	0	0
Alfalfa	234	240	337	285
Hay/Other	1,248	1,222	991	596
Oats/Grain	239	96	19	25
Rye/Grain	89	61	31	0
Sorghum	113	12	58	117
Soybeans	2,015	714	73	16
Wheat	399	510	314	651
Other Field Crops	52	100	19	93
<b>TOTAL FIELD CROPS</b>	<b>5,910</b>	<b>3,381</b>	<b>2,303</b>	<b>2,063</b>

The number of farm animals within Montgomery Township is on the rise. There were 5,132 farm animals reported on farmland assessment forms in 2004. Of those, egg chickens accounted for 87% of all farm animals. The following chart shows an increase in the number of swine, goats, turkeys, meat chickens and egg chickens in the past fourteen years. And while the number of beef cattle has declined, a local grass-fed beef operation is thriving, and a second operation is planned within the next two years. The decline of dairy cattle in Montgomery mirrors a trend seen County-wide; milk production in the County has declined 63% between 1971 and 1999.

**MONTGOMERY TOWNSHIP FARM ANIMALS: 1983-2004**

	<b>1983</b>	<b>1990</b>	<b>2000</b>	<b>2004</b>
Beef Cattle	442	196	202	145
Dairy Cattle	51	72	4	1
Equine	226	214	149	104
Sheep	191	222	105	26
Swine	32	18	38	206
Bee Hives	46	18	14	13
Ducks	32	49	76	37
Fur Animals	0	1	20	0
Goats	2	28	18	27
Meat Chickens	510	110	35	80
Egg Chickens	600	489	275	4,464
Turkeys	40	8	4	24
Other Livestock	803	19	15	5
<b>TOTAL LIVESTOCK</b>	<b>2,975</b>	<b>1,444</b>	<b>955</b>	<b>5,132</b>

The role of nursery operations within Montgomery Township comprises a small sector of the local agricultural industry and is on the rise. According to NJ Farmland Assessment, the number of acres devoted to nursery operations increased by 76 acres between 2000 and 2004. The largest segment of the nursery operation in Montgomery Township is sod, trees and shrubs, which accounted for half of the land area devoted to nursery.

**MONTGOMERY TOWNSHIP NURSERY ACRES  
1983-2004**

	<b>1983</b>	<b>1990</b>	<b>2000</b>	<b>2004</b>
Bedding Plants	0.20	0	4	0
Cut Flowers	0	1	2	3
Trees & Shrubs	68.25	92	54	31
Cultivated Sod	6	2	0	100
Christmas Trees	117.60	133	63	65
Other Ornamental	10	3	0	0
<b>TOTAL NURSERY</b>	<b>202.05</b>	<b>231</b>	<b>123</b>	<b>199</b>

**C. Support Services Within Agricultural Market Region**

There are several local and regional vendors and market venues that serve the agricultural community in Montgomery Township. Farmers in need of equipment and machinery typically use dealers in Cumberland or Salem Counties or travel to Lancaster County, Pennsylvania. Many also buy used equipment advertised in regional farm journals and on the Internet. Locally, there are a number of facilities that serve the local farmers. The most notable is the Belle Mead Cooperative which has been providing support services and the sale of products to local farmers since 1920. Equipment repair is provided locally by D&R Equipment in Ringoes and Caamps in Belle Mead. A local farmers market is operated by the nonprofit Montgomery Friends of Open Space every Thursday between 12:30PM – 6:30PM during the season at the Princeton North Shopping Center on Route 206. More services can found in a listing on the Rutgers Cooperative Extension of Salem County’s “Green Pages” (<http://salem.rutgers.edu/greenpages/index.html>) for information about service providers, a contact list and market opportunities. The listing includes an extensive contact list including information for the dairy and poultry industry, farriers, feed dealers and food processors.

The 2007 survey of local farmers, as well as discussions with Agricultural Advisory Committee members have yielded common results, a concern about the availability of farm-related services from equipment repair to opportunities for selling products. Indices such as RCE Salem’s “Green Pages” are extremely helpful, but opportunities closer to Montgomery are still needed.

**D. Other Agricultural Related Industries**

Montgomery Township’s agricultural industry is responding to market demands and continues to evolve as its support system shifts and its economic base changes. Innovation is important for

Montgomery farmers. Many of the Township's farming operations have already diversified and stabilized their products in response to changing industry and market conditions. Agri-tourism facilities such as hay rides, Pick Your Own, direct marketing, and special events are available in Montgomery Township. These activities appeal to the growing residential population in the region and provide farmers with an opportunity to generate additional farm income. One farmer has already established a successful CSA (Community Supported Agriculture), and a second farmer is thinking about establishing another.

Other trends in agricultural industries that are creating financial opportunities for Montgomery farmers to diversify include organic products. Within the past several years, nationwide consumer demand has risen 16-24% annually for organically grown produce and organically and grass-fed beef, pork and poultry. Consumers are seeking a greater variety of organic products and have demonstrated a willingness to pay more for these products. Local organic farms have begun to emerge in Montgomery, and this trend is expected to continue. There is currently one grass-fed beef operation operating in the Township, and there are plans for another. Operations like these work toward Montgomery's sustainability goals.

The "Green Pages" offered by RCE of Salem County lists opportunities for farmers to showcase and sell their products, as well contacts for right to farm, taxation rules.

### **SECTION III: LAND USE PLANNING CONTEXT**

The 2001 Montgomery Township Master Plan includes the adopted Conservation Plan Element. The Township has set forth a policy that development should be designed to preserve open space and established woodlands and to protect environmentally sensitive areas. Major developments are encouraged to be designed in such a way that they will have minimal effect on the flow of traffic on the existing road system. Maintaining the rural character of the Township, preserving farmland and open space, and protection of the environment are fundamental purposes of the Township land use plan. To better achieve these purposes, the land use plan element of the master plan identifies areas for rural preservation and conservation. The plan provides for both large scale and small scale farm operations. Smaller farmsteads provide more specialized products such as grass-fed beef, pork and poultry and horticultural products. This type of diversity between large-scale crop producers and small-scale alternative growers can help strengthen the local agricultural economy.

The goal of Montgomery Township is to maintain the rural character of the community and secure the environmental, economic and social benefits of a coordinated system of open space, outdoor recreation areas, and farmland. To achieve this goal, the Township acquires and develops land as local public parks and recreation space to meet the needs of existing and future residents. Additionally, the Township, in conjunction with the County and State, preserves as much farmland and open space as possible.

#### **A. Relationship To State Plan**

The State of New Jersey has adopted a State Plan known as the State Development and Redevelopment Plan that includes policies and goals to coordinate planning at all levels of government to increase efficiency and predictability and to optimize public investments. The plan includes a map that identifies areas with common characteristics (known as Planning Areas) and provides a policy direction for each area. The Plan also promotes the designation of Centers as the preferred forms of future development and redevelopment, designing and locating compact, mixed-use communities surrounded by natural landscapes.

Plan endorsement is a voluntary process in which a municipality may bring its Master Plan before the State Plan Commission. Endorsement occurs if the State Plan Commission finds the Master Plan is consistent with the State Plan.

The State Plan's policy for agriculture is to "promote and preserve the agricultural industry and retain farmland by coordinating planning and innovative land conservation techniques to protect agricultural viability while accommodating beneficial development and economic growth necessary to enhance vitality and by educating residents on the benefits and the special needs of agriculture."

The designation of planning areas within Montgomery Township accurately corresponds to the existing and planned development pattern of the Township. The State Development and Redevelopment Plan (adopted 2001) designates over half of Montgomery Township within the

rural planning area (PA-4) and environmentally sensitive planning area (PA5). The central portion of the Township along Route 206 is designated as fringe planning area (PA3), and the northeastern and southeastern portions are considered suburban planning area (PA2). These areas are shown on the “**SDRP Resource Planning & Management Map**” (Preliminary Plan “Delta Map”) which appears on the following page.

PA2 includes the lands in the so-called Belle Mead and Rocky Hill nodes of Montgomery Township, which have been planned to accommodate the principal commercial and higher density residential development in the Township, in a manner that recognizes the municipality’s affordable housing obligations, but with a goal to prevent sprawl and maintain a development mix which is balanced between residential and non-residential construction.

PA3 includes the portion of the Route 206 corridor and additional lands to the east and west which primarily contain moderate density residential development, mostly without public sewerage facilities, but which also contains the historic “Harlingen Village”, some preserved farmlands and some non-residential uses developed at relatively low intensities.

PA4 includes lands along the railroad corridor and those lands south of the “North Princeton Developmental Center” which primarily contain low density residential development on lands not served by public sewerage facilities, but which also contain the historic “Blawenburg Village”, very limited non-residential uses developed at low intensities and most of the lands in the Township which have been, or are targeted to be, preserved as farmland and/or open space.

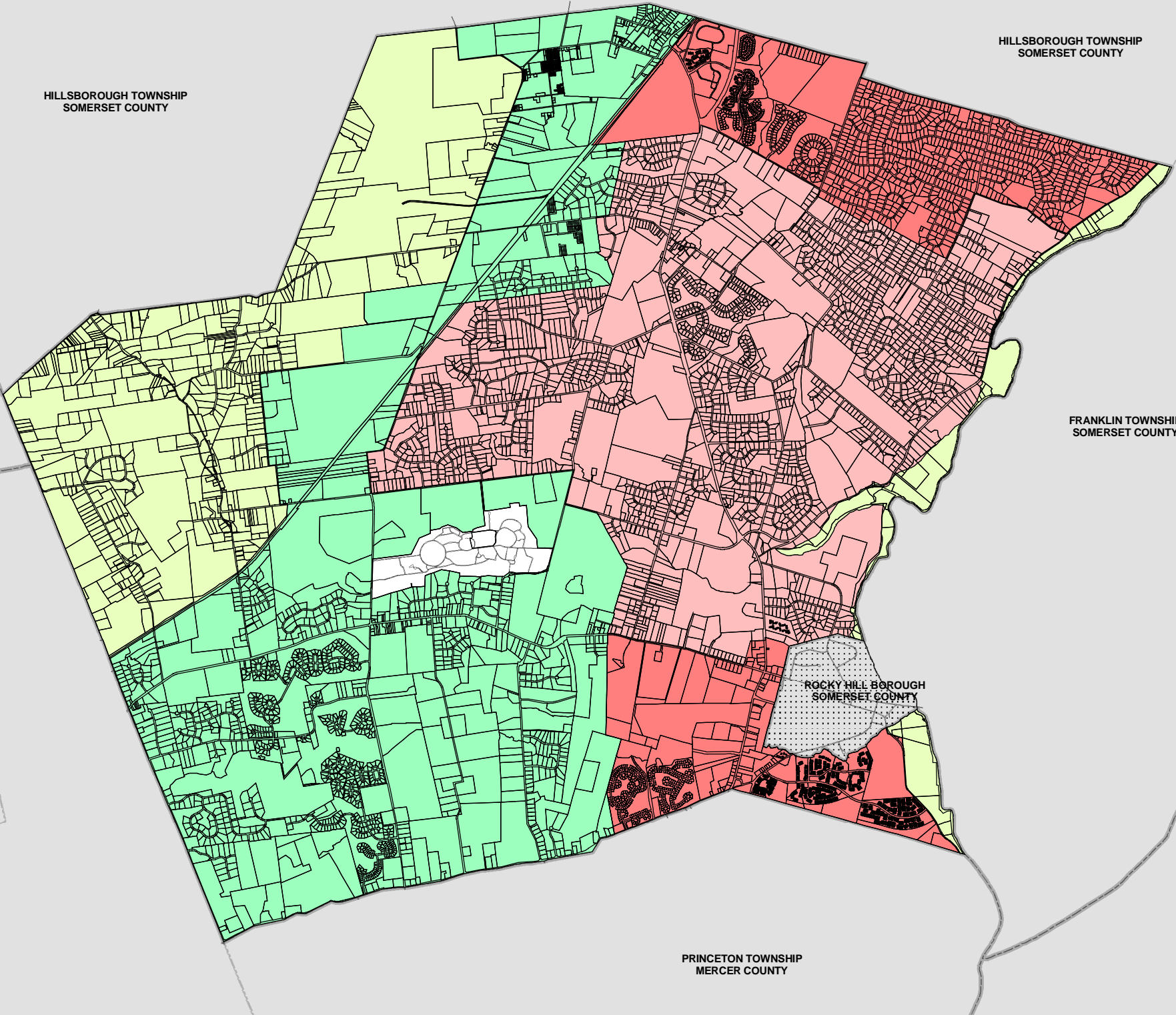
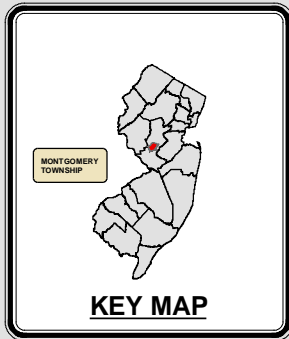
PA5 includes the particularly environmentally fragile lands at the base of the Sourland Mountains which are the location of low density residential development, and additional lands along the Millstone River, most of which have been preserved as open space.”

The Montgomery Township Master Plan is compatible with and supports the intent of the State Development and Redevelopment Plan.

## **B. Special Resource Areas**

The State Development and Redevelopment Plan provides for the designation of Special Resource Areas. The State Plan defines a Special Resource Area as “an area or region with unique characteristics or resources of statewide importance which are essential to the sustained wellbeing and function of its own region and other regions or systems – environmental, economic, and social – and to the quality of life for future generations.”

The Township is not located within a Special Resource Area such as the Highlands or Pinelands. However, the Township supports the designation of the Sourland Mountain Region as a Special Resource Area. The Sourland Mountain formation begins at the Delaware River in West Amwell Township, Hunterdon County and continues to the village of Neshanic in Hillsborough Township, Somerset County. A portion of the mountain range is located in the northwest section of Montgomery Township, part of which has been preserved by Somerset County as shown in “**Sourlands Region Map**” (see map on page 20). The Mountain has notable geologic outcroppings and also serves many ecosystem functions such as headwaters for local streams,



**LEGEND**

**STATE PLANNING AREA**

- 2 - SUBURBAN
- 3 - FRINGE
- 4 - RURAL
- 5 - ENVIRONMENTALLY SENSITIVE

PLANNING AREA	ACRES	% OF TOWNSHIP
2 Suburban	2979.281	14.3 %
3 Fringe	6197.671	29.8 %
4 Rural	7516.674	36.2 %
5 Environmentally Sensitive	4094.341	19.7 %



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
**GEOGRAPHIC INFORMATION SYSTEM**

**NEW JERSEY STATE DEVELOPMENT & REDEVELOPMENT PLAN RESOURCE PLANNING & MANAGEMENT MAP**

DATE: 12/18/2007	DRAWN BY: A.L.
LAST REVISED:	CHECKED BY: L.A.W.
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water recharge, stopover habitat for migratory birds, and habitat for other plant and animal species.

### **C. Municipal Master Plan and Development Regulations**

The Township's Master Plan was last updated in November 2001, and consists of over 15 documents as a whole. These documents address traffic, historic preservation, recreation and conservation planning, and housing. Chapter 16 of the Montgomery Township Code, the Land Development Ordinance, regulates land development, including zoning provisions and development application procedures. The Township's zoning permits farming in all residential zones, as well as within the Research Office and Engineering (REO)-1, -2, -3, Public Parks and Education (PPE), Light Manufacturing (LM) zones.

Although the primary land use within the Township has been single-family residential development, mixed-use development has been a basic theme of the Master Plan for the past thirty (30) years and is identified by two (2) "nodes" of mixed-use development along the State Route 206 corridor. One of these designated growth areas is the district surrounding the intersection of State Highway 206 and County Route 518, which has been the focus of intensive transportation and land use planning.

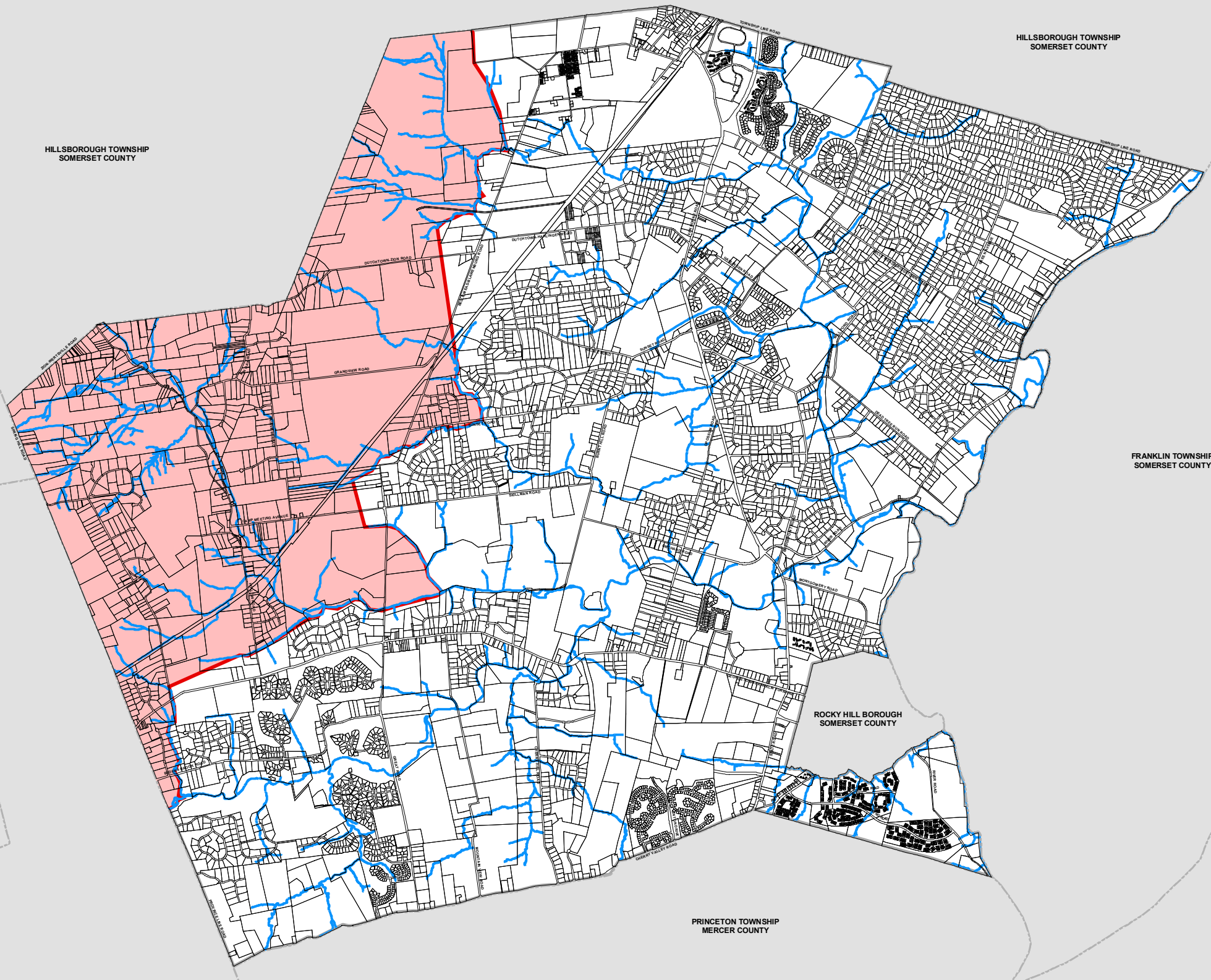
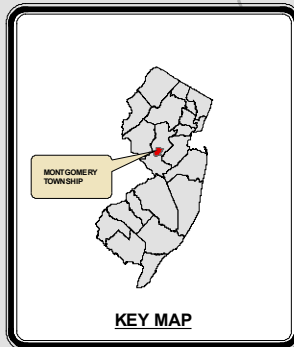
The second of these areas, known as the Belle Mead node, is located at the northern edge of the township, adjacent to Hillsborough Township. This node is being examined to become "transit-friendly" and include compact, mixed uses. Incorporated into this planning and zoning scenario would be an imperative to transfer development potential from nearby Planning Area 4. After the land-use and transportation analyses are complete, the Township will amend its Master Plan to incorporate zoning and circulation elements that emphasize smart growth principles and reflect the community's vision for smart growth. Transfer of Development Rights (TDR) is further discussed in the section entitled "TDR Opportunities".

Somerset County's Master Plan, Smart Growth Strategic Plan and the County's 2001 and 2007 Agriculture Retention and Farmland Preservation Plans have been used as important tools in providing the Township with a regional framework for the Township's Farmland Plan and preservation program.

The goals and objectives set forth in the Farmland Preservation Plan incorporate the goals and objectives of the "Part VI: Conservation and Recreation Plan" portion of the Montgomery Township Master Plan. The Conservation and Recreation Plan was adopted August 12, 1991 and updated in 1998 and 2001, and has been expanded to recognize certain principles set forth by the State Agriculture Development Committee.

The goals and objectives of the 2003 Farmland Preservation Plan include:

1. Support the viability of agriculture as a business.
2. Identify ways to help farmers maintain equity in his/her land, as tools become available.



**LEGEND**

-  STREAMS
-  SOURLANDS REGION



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
**GEOGRAPHIC INFORMATION SYSTEM**

**SOURLANDS REGION MAP**

DATE: JULY 24, 2007

DRAWN BY: A.L.

LAST REVISED:

CHECKED BY: L.A.W.

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3. Foster an environment that helps the farmers prosper and identify ways to expand their operations, should they so choose.
4. Preserve existing farmland and protect prime agricultural lands within the Township.
5. Encourage private and public support and participation in the New Jersey State Farmland Preservation Program and in local and non-profit farmland preservation initiatives.
6. Develop and foster alternative agricultural opportunities that reflect current trends in agriculture.
7. Encourage on-going dialogue between Township officials and farmers to determine needs and opportunities.
8. Continue the Township's Wildlife Management Program on municipal lands and encourage private lands to be hunted in appropriate ways to reduce crop damage.
9. Employ the use of creative planning tools and techniques including, but not limited to, the Conservation Design Subdivision, and when permissible by the Municipal Land Use Law, Transfer of Development Rights (TDR).

#### **D. Development Patterns & Trends**

Over a sixteen year period, Montgomery Township transformed from a rural farming community into a residential suburb with areas of preserved farmland and pockets of remaining vacant lands. According to the NJDEP 1986 Land Use/Land Cover, agriculture was the predominant land use in the Township with nearly 40% of the Township land base utilized for farming and only 23% of the Township was developed. By 2002, those numbers were reversed and nearly 40% of the Township was developed and 19% was in agricultural use, as shown on the 2002 Land Use/Land Cover chart which appears on the following page and “**Land Use/Land Cover Map**” which appears on page 23.

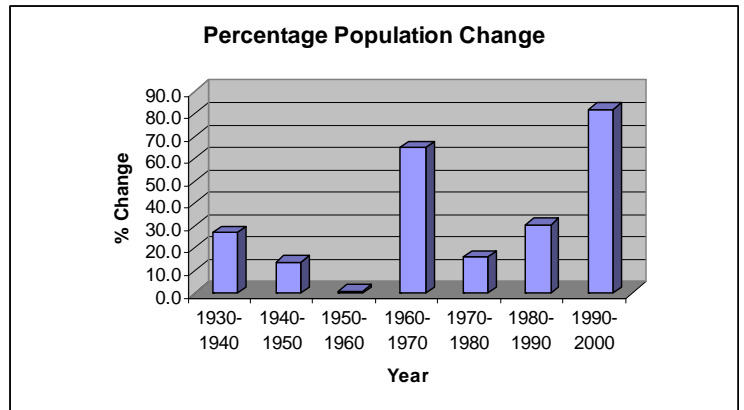
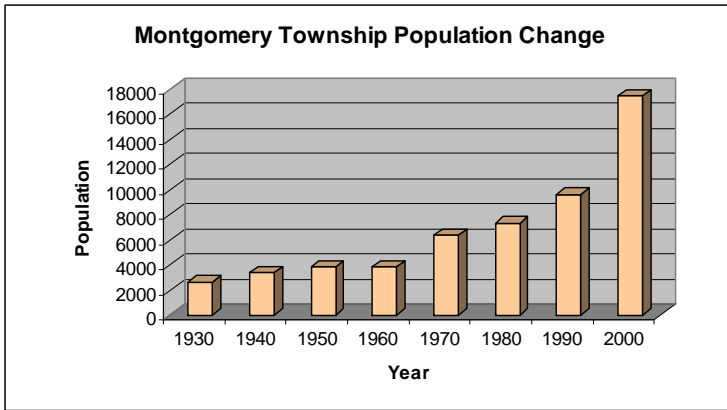
Throughout the 1990s, farmland disappeared at an alarming rate due to intense development pressure brought on by high residential market demand. Between 1995 and 2002 there was a 24% loss of farmland. It was the loss of farmland due to development that led the Township to initiate efforts to preserve the remaining farms and preserve Montgomery's agricultural landscape. If the Township is successful in its preservation efforts, over 30% of the remaining farmland would be preserved.

## LAND USE/LAND COVER: 1986– 2002

Land Use	1986 (acres)	% Cover	1995 (acres)	% Cover	2002 (acres)	% Cover	% Change 1986 v. 2002
<b>Agriculture</b>	7,825	38%	5,341	26%	4,052	19%	- 48%
<b>Forest</b>	5,445	26%	5,724	28%	5,460	26%	0%
<b>Urban</b>	4,745	23%	6,356	31%	8,214	39%	73%
<b>Wetlands*</b>	2,224	11%	2,666	13%	2,545	12%	14%
<b>Water</b>	121	0.6%	132.352	0.6%	163	0.8%	35%
<b>Barren Land</b>	369	1.8%	538.243	2.6%	350	1.7%	- 5%
<b>TOTALS</b>	<b>20,731</b>		<b>20,759</b>		<b>20,785</b>		

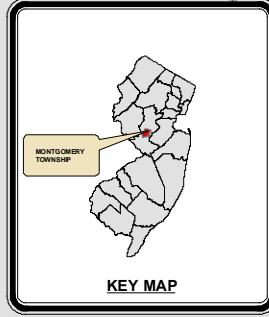
\*The increase in reported wetland acres from 1986 to 1995 is a result of other land uses (i.e. old field & pasture) being abandoned and reclassified as wetlands.

The shift in land use is even more vividly depicted in the population statistics. Montgomery Township was one of the fastest growing municipalities in New Jersey throughout most of the 1990s, with population growing by nearly 83% between 1990 and 2000. In 2008, according to the US Census, Montgomery Township had a population estimate of 22,958.



### E. Public Water & Sewer Service Areas

There are eleven (11) wastewater treatment plants in the Township; most are municipally-operated, but some are privately owned and operated (i.e. Cherry Valley Country Club, Johnson & Johnson). The Township is one of only thirteen (13) municipalities in the State of New Jersey with a Wastewater Management Plan that has been approved by the NJDEP. The municipal facilities are located in areas of higher concentration development and primarily serve the Apartment/Townhouse and R-1 zoning districts. The location of the sewer services areas is shown on the “**Existing Sewer Service Area Map**” which appears on page 25. There is very little vacant farmland, approximately 100 acres, located in the existing sewer service area. In 2007, the Township acquired a wastewater treatment plant from the State of New Jersey as part of the acquisition of the former State hospital known as the North Princeton Developmental Center (NPDC). The Township intends to rehabilitate the plant to serve wastewater treatment



HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

EAST AMWELL TOWNSHIP  
HUNTERDON COUNTY

FRANKLIN TOWNSHIP  
SOMERSET COUNTY

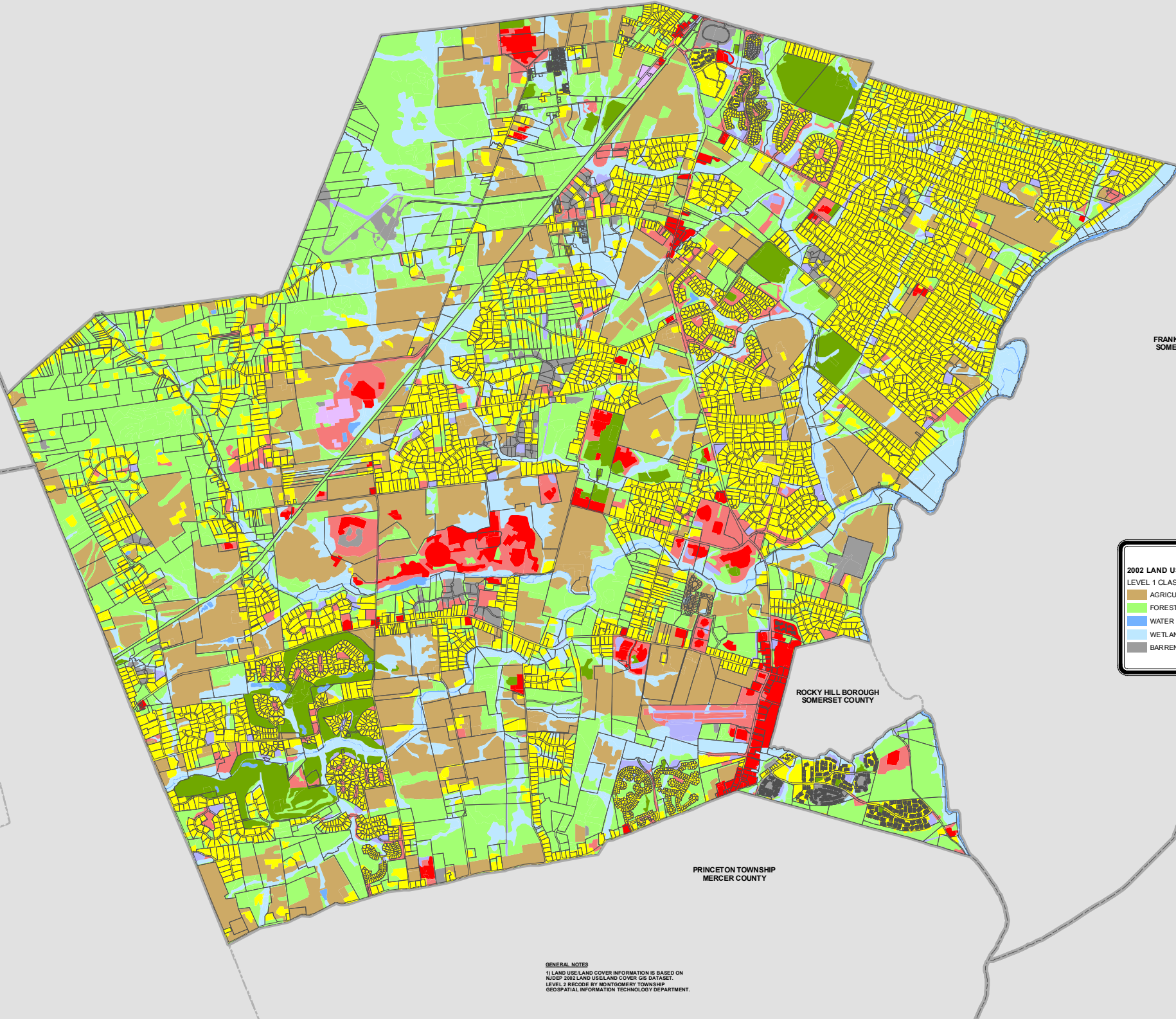
HOPEWELL TOWNSHIP  
MERCER COUNTY

HOPEWELL BOROUGH  
MERCER COUNTY

ROCKY HILL BOROUGH  
SOMERSET COUNTY

PRINCETON TOWNSHIP  
MERCER COUNTY

SOUTH BRUNSWICK TOWNSHIP  
MIDDLESEX COUNTY



LEGEND	
2002 LAND USE/LAND COVER (NON URBAN AREAS)	2002 LAND USE/LAND COVER (URBAN AREAS)
LEVEL 1 CLASSIFICATION	LEVEL 2 CLASSIFICATION
AGRICULTURE	RESIDENTIAL
FOREST	COMMERCIAL/SERVICES
WATER	INDUSTRIAL
WETLANDS	TRANSPORTATION/COMMUNICATION/UTILITIES
BARREN LAND	OTHER URBAN OR BUILT-UP LAND
	RECREATIONAL LAND

GENERAL NOTES  
 1) LAND USE/LAND COVER INFORMATION IS BASED ON NJDEP 2002 LAND USE/LAND COVER GIS DATASET.  
 LEVEL 2 RECODE BY MONTGOMERY TOWNSHIP  
 GEOGRAPHICAL INFORMATION TECHNOLOGY DEPARTMENT.

THIS MAP WAS DEVELOPED USING NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GEOGRAPHIC INFORMATION SYSTEM DIGITAL DATA, BUT THIS SECONDARY PRODUCT HAS NOT BEEN VERIFIED BY NJDEP AND IS NOT STATE-AUTHORIZED.



**TOWNSHIP OF MONTGOMERY**  
 SOMERSET COUNTY, NEW JERSEY  
 GEOGRAPHIC INFORMATION SYSTEM

**2002 LAND USE/LAND COVER  
 LEVEL 2 CLASSIFICATION (URBAN AREAS)  
 LEVEL 1 CLASSIFICATION (NON-URBAN AREAS)**

DATE: MARCH 22, 2006

DRAWN BY: P.A.M.

LAST REVISED:

CHECKED BY:

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plant to serve the former State-owned hospital facility which has been designated as a redevelopment area, as well serve the surrounding area. A copy of the “**Proposed Sewer Service Areas Map**” showing revisions to the sewer service areas since the 2001 map is on page 26. The map is not yet adopted formally in a master plan, but provides a more realistic scenario of the Township’s planning for sewer. Numerous parcels are proposed for removal from the sewer service area (shown in red), including one parcel that was preserved through the Farmland Program, the “Drake” farm.

Some parts of Montgomery Township have public water including the four residential cluster developments and areas in the central and northeasterly portions of the Township and along the Route 206 corridor. The remainder is served by private well, including the northwest region of the Township which encompasses a portion of the Sourland Mountain. The lack of public water in this area serves to curb development in this environmentally sensitive area. There is also no public water in the southern central portion of the Township where significant contiguous farmland has been preserved. The areas of Montgomery Township that are served by public water are shown on the “**Public Water Supply Map**” which appears on page 27.

## **F. Overview of Zoning Regulations**

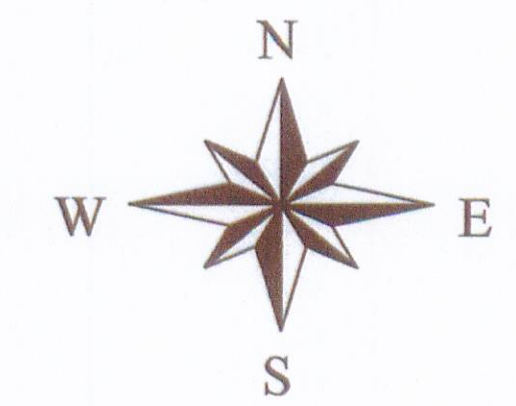
The Township consists of 19 different zoning districts as follows: public, parks & education (PPE); 10-acre mountain residential (MR); 5-acre residential (R-5); 2-acre residential (R-2); 1-acre residential (R-1); ½-acre residential (R); village neighborhood (VN); apartment/townhouse residential (APT/TH); neighborhood commercial (NC); CC-1 community commercial; CC-2 community commercial; highway commercial (HC); small business (SB); REO-1, REO-2, REO-3 research, engineering & office; limited manufacturing (LM); and mountain residential/special industrial (MR/SI). The locations of the zoning districts are shown on the “**Zoning Map**” which appears on page 28.

### **1. General Lot Size Categories & Distribution**

The basic theme of the Master Plan has been and continues to be that there are two (2) so-called “nodes” of mixed-used development along the Route 206 corridor (i.e. Rocky Hill and Belle Mead), with single-family residential development the primary land use in between. The steadfastness of Montgomery Township not to waiver from this basic theme of the Master Plan has prevented the evolution of a strip commercial pattern of development along Route 206. Most of the lands remaining available for development in Montgomery Township are not served by public sewerage facilities and are located in those portions of the Township designated within the “Rural” and “Environmentally Sensitive” planning areas by the State Plan.

The small historic neighborhood known as Old Belle Mead, located to the west of Route 206 and south of the border with Hillsborough Township, is zoned ½ acre residential and contains approximately 0.34% of the Township. The R-1 and R-2 zoning districts are located in the northeast and north central portions of the Township and require 1 and 2-acre residential lots sizes. These two zones contain 35.79% of the Township land area.

**MAP NO.1 EXISTING SEWER SERVICE AREA  
WASTEWATER MANAGEMENT PLAN  
MONTGOMERY TOWNSHIP AND ROCKY HILL BOROUGH  
SOMERSET COUNTY, NEW JERSEY**



NAD 83 NEW JERSEY  
STATE PLANE COORDINATES (FEET)

HOPEWELL USGS QUADRANGLE

ROCKY HILL USGS QUADRANGLE

ROCKY HILL USGS QUADRANGLE

MONMOUTH JUNCTION USGS QUADRANGLE

HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

LATITUDE 40°27' 39" N  
LONGITUDE 74°37' 30" W

HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

FRANKLIN TOWNSHIP  
SOMERSET COUNTY

LATITUDE 40°25' 58" N  
LONGITUDE 74°45' 00" W

EAST AMWELL TOWNSHIP  
HUNTERDON COUNTY

HOPEWELL TOWNSHIP  
MERCER COUNTY

LEGEND	
EXISTING SURFACE WATER DISCHARGE AREAS	EXISTING ON-SITE GROUNDWATER DISPOSAL AREAS
1 REVEREK FARM WWTP	1 BLOOMBERG
2 PINE BROOK WWTP	2 JIM
3 CROCKER WWTP	3 SOARES
4 HIGH SCHOOL WWTP	4 WALDORF SCHOOL
5 CROCKER ROAD SCHOOL WWTP	5 MONTGOMERY SCHOOL
6 BANC WWTP	6 PRINCETON AT PRINCETON
7 STAGE 1 WWTP	7 COMPUTER ASSOCIATES
8 CHERRY VALLEY WWTP	8 PRINCETON MONTESSORI SCHOOL
9 HILLSHILL ROAD WWTP	9 SOUTHERN COUNTY CLUB
10 JOHNSON & JOHNSON WWTP	EXISTING PRE-TREATMENT FACILITIES
11 CARBIDE FOUNDATION WWTP	7.1 Princeton Montgomery Car Wash
	PROPERTIES CURRENTLY UNDER CONSTRUCTION TO BE SERVED BY SANITARY SEWERS

\*PROPERTIES CURRENTLY SERVED BY SANITARY SEWERS  
AND EXISTING GROUNDWATER DISPOSAL AREAS

NOTE: AREAS NOT SHADED ON THIS MAP ARE "AREAS OF DISCHARGE TO  
GROUNDWATER FOR PLANNED FLOWS OF LESS THAN 2000 GPD."

THE REMAINDER OF THE  
PROPERTY IS OPEN SPACE

HOPEWELL TOWNSHIP  
MERCER COUNTY

HOPEWELL USGS QUADRANGLE

LATITUDE 40°22' 30" N  
LONGITUDE 74°45' 00" W

PRINCETON TOWNSHIP  
MERCER COUNTY

ROCKY HILL USGS QUADRANGLE

MONMOUTH JUNCTION USGS QUADRANGLE

LATITUDE 40°22' 30" N  
LONGITUDE 74°37' 30" W

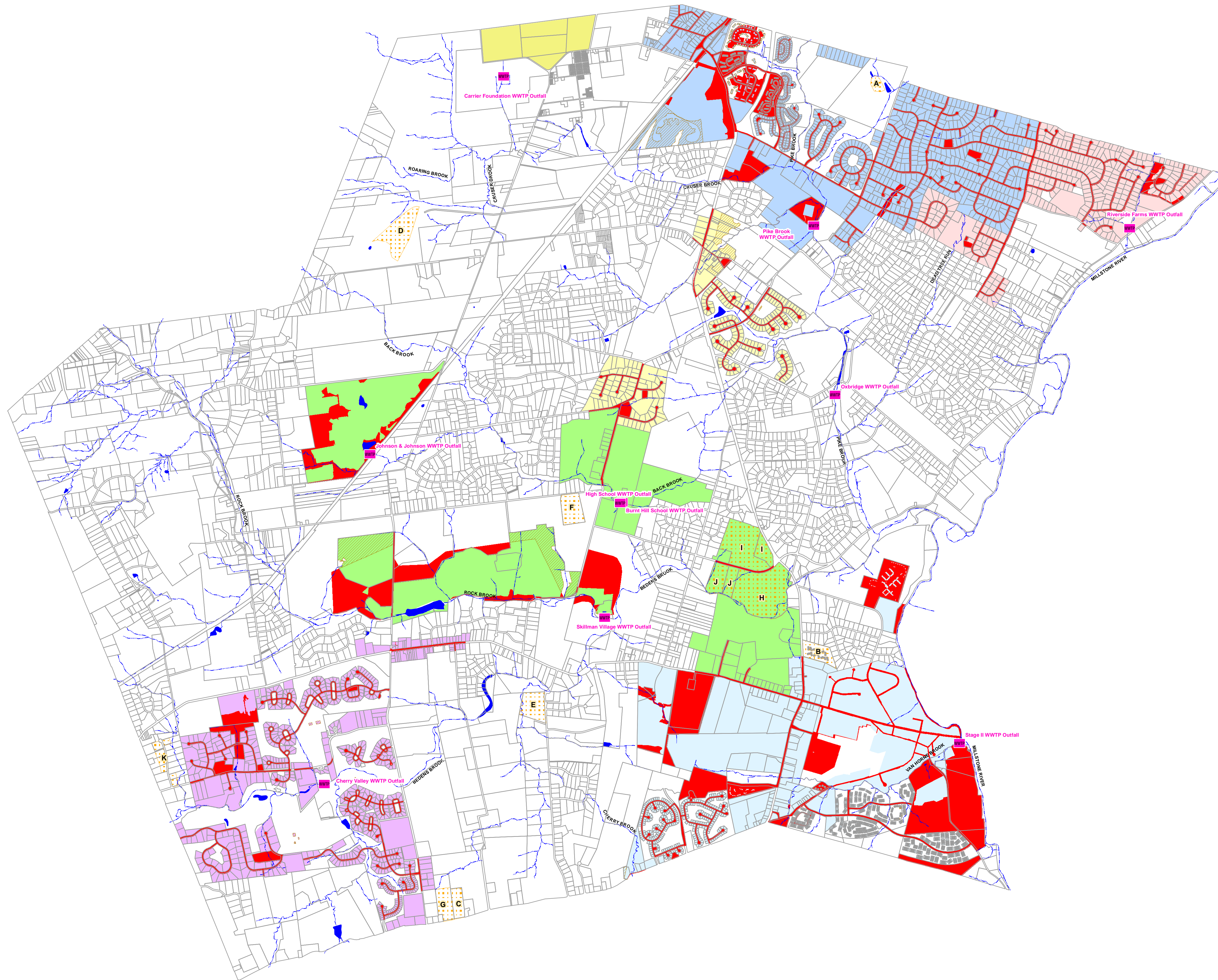
2000 0 2000 Feet

1) STREAMS ARE BASED ON INFORMATION PREPARED BY MONTGOMERY TOWNSHIP, USING 1"=100' AERIAL PHOTOGRAPHY  
2) ROCKY HILL PROPERTY LINES AND ROADS ARE BASED ON INFORMATION OBTAINED FROM HOPEWELL VALLEY ENGINEERING, P.C.

PREPARED BY: MONTGOMERY TOWNSHIP ENGINEERING DEPARTMENT  
DRAWN BY: P.A.M.  
DATE: JUNE, 2001

# Proposed Sewer Service Areas

Montgomery Township  
Somerset County, NJ

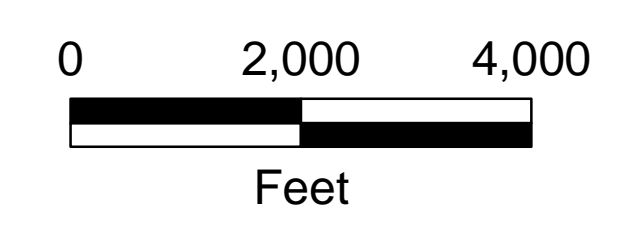
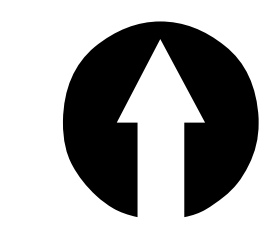


- Tax Parcel Boundary
- Proposed Sewer Service Area**
- Carrier Foundation WWTP
- Cherry Valley WWTP
- Oxbridge WWTP
- Pike Brook WWTP
- Riverside Farms WWTP
- Skillman Village WWTP
- Stage II WWTP
- WWTP Outfall
- Area Removed From Existing Sewer Service Area
- Area Added Into Future Sewer Service Area
- Discharge to Groundwater Area

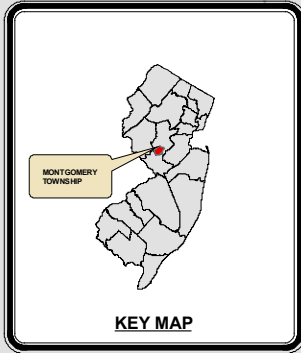
- A Mattawang Country Club
- B Montgomery Knolls Office Condominiums
- C Princeton Christian Church
- D 3M
- E Waldorf School
- F St. Charles Borromeo Roman Catholic Church
- G Princeton Montessori School
- H 23 Orchard Road
- I Squibb
- J Pavilions at Princeton
- K Crossing at Bedens Brook

THIS PLAN NOT YET ADOPTED

November 5, 2009



321 Wall Street  
Princeton, NJ 08540  
Tel: 609-924-8821  
Fax: 609-924-8831  
www.Omni-Env.com



HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

EAST AMWELL TOWNSHIP  
HUNTERDON COUNTY

FRANKLIN TOWNSHIP  
SOMERSET COUNTY

HOPEWELL TOWNSHIP  
MERCER COUNTY

**LEGEND**

- FIRE HYDRANT
- WATERLINE

ROCKY HILL BOROUGH  
SOMERSET COUNTY

SOUTH BRUNSWICK TOWNSHIP  
MIDDLESEX COUNTY

HOPEWELL BOROUGH  
MERCER COUNTY

PRINCETON TOWNSHIP  
MERCER COUNTY



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**PUBLIC WATER SUPPLY**

DATE: 12/18/2007

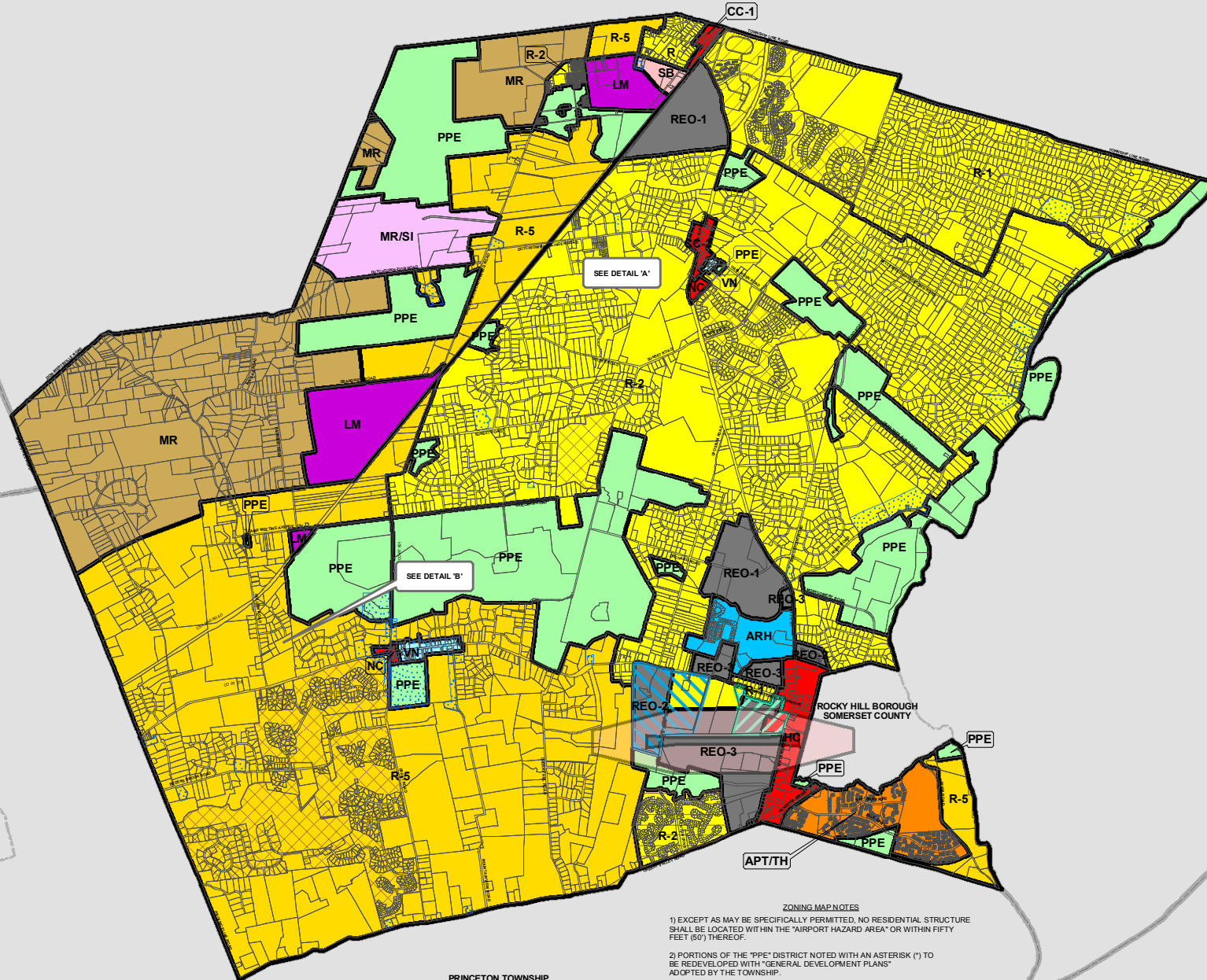
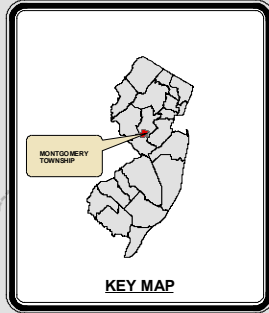
DRAWN BY: A.L.

LAST REVISED:

CHECKED BY: L.A.W.

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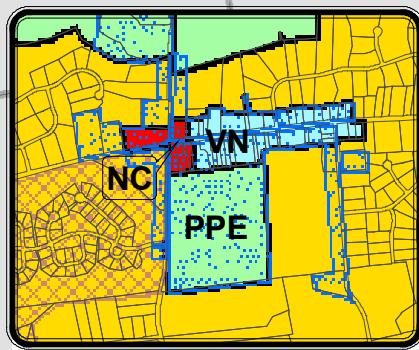
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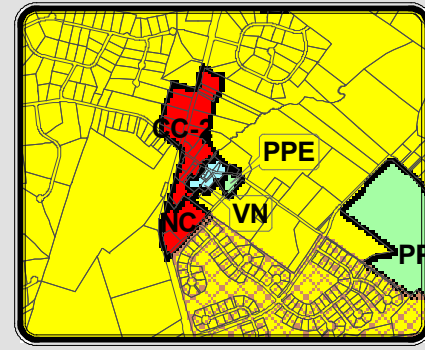
ZONING DISTRICTS	
PPE	PUBLIC, PARKS & EDUCATION
MR	MOUNTAIN RESIDENTIAL
R-5	SINGLE-FAMILY RESIDENTIAL
R-2	SINGLE-FAMILY RESIDENTIAL
R-1	SINGLE-FAMILY RESIDENTIAL
R	SINGLE-FAMILY RESIDENTIAL
LN	VILLAGE NEIGHBORHOOD
APT/TH	APARTMENT/TOWNHOUSE RESIDENTIAL
RRH	AGE-RESTRICTED HOUSING
NC	NEIGHBORHOOD COMMERCIAL
CC-1	COMMUNITY COMMERCIAL
CC-2	COMMUNITY COMMERCIAL
HC	HIGHWAY COMMERCIAL
SB	SMALL BUSINESS
REO-1	RESEARCH, ENGINEERING & OFFICE
REO-2	RESEARCH, ENGINEERING & OFFICE
REO-3	RESEARCH, ENGINEERING & OFFICE
LM	LIMITED MANUFACTURING
MRSI	MOUNTAIN RESIDENTIAL/SPECIAL INDUSTRIAL

OPTIONAL DEVELOPMENT ALTERNATIVE AREAS	
[Symbol]	PLANNED RESIDENTIAL DEVELOPMENT
[Symbol]	SINGLE FAMILY RESIDENTIAL CLUSTERS I
[Symbol]	SINGLE FAMILY RESIDENTIAL CLUSTERS II
[Symbol]	PLANNED SHOPPING COMPLEX
[Symbol]	PLANNED OFFICE COMPLEX

OTHER INFORMATION	
[Symbol]	EXIST PARCEL
[Symbol]	LANDMARK PRESERVATION AREAS
[Symbol]	AIRPORT HAZARD AREA



DETAIL 'B'



DETAIL 'A'

- ZONING MAP NOTES**
- EXCEPT AS MAY BE SPECIFICALLY PERMITTED, NO RESIDENTIAL STRUCTURE SHALL BE LOCATED WITHIN THE "AIRPORT HAZARD AREA" OR WITHIN FIFTY FEET (50') THEREOF.
  - PORTIONS OF THE "PPE" DISTRICT NOTED WITH AN ASTERISK (\*) TO BE REDEVELOPED WITH "GENERAL DEVELOPMENT PLANS" ADOPTED BY THE TOWNSHIP.
  - LOTS IN BELLE MEAD "CC-1" DISTRICT INCLUDE BLOCK 3005 LOTS 11-14 AND 16-20, BLOCK 4001 LOT 49, AND BLOCK 5001 LOTS 1-3.
  - PARCEL BOUNDARIES ARE BASED ON MONTGOMERY TOWNSHIP TAX MAPS 2003 EDITION.
  - AIRPORT HAZARD AREA BASED ON PRINCETON AIRPORT SUBDIVISION PLAT.
  - LANDMARK PRESERVATION AREA BASED ON ZONING MAP, TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY NEW JERSEY, PREPARED BY COPPOLA & COPPOLA ASSOCIATES ON DECEMBER 10, 2001.

BASED ON "ZONING MAP, TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY, NEW JERSEY" PREPARED BY COPPOLA & COPPOLA ASSOCIATES ON MARCH 15, 2004 AND REVISIONS TO ZONING DISTRICTS APPROVED BY MONTGOMERY TOWNSHIP COMMITTEE ON MAY 18, 2006



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**MONTGOMERY TOWNSHIP ZONING MAP**  
MAY 15, 2006 ZONING ORDINANCE REVISION

DATE: MAY 15, 2006	DRAWN BY: P.A.M.
LAST REVISED:	CHECKED BY: R.A.M.

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The R-5 zoning district covers 28.76% of the Township land area containing large tracts of existing farmland and prime agricultural soils. Located in the southwest corner of the Township this area is served by septic and private well. Areas designated R-5 have an average lot size in excess of 5 acres and contain large, contiguous tracts of viable farmland that contain prime agricultural soil. These areas contain some of the largest cropland areas in the Township. There is a minimum of 10 acre zoning in the MR (Mountain Residential) zone which covers areas of the Sourland Mountain in the northwestern section of the Township and contains 10% of the Township land area.

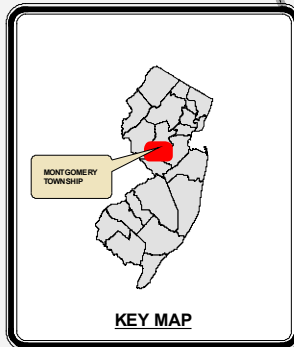
Moreover, during 1998, the Montgomery Township Board of Health Department evaluated the effect of septic systems on groundwater in the Township and issued a report to the Planning Board. The method of the evaluation was the "Nitrate Dilution Model" and led to the rezoning of approximately 76.84% of the lands then zoned within the R-1 zoning district to be rezoned into the R2 zoning district. Partly as a result of the strains upon the carrying capacity of the remaining vacant lands in Montgomery Township, the Township Board of Health requires each new residential lot to reserve an additional backup septic field area.

An examination of farmland assessed parcels by zone can be found in the map "Farmland Assessed Parcels by Zoning District" on page 30. The chart on the map indicates that over half of Township's farmland assessed property is in the R-5 and R-2 zoning districts. A complete chart of total acreage, undeveloped acreage and farmland assessed acreage by zoning district and general lot size category can be found in Addendum II.

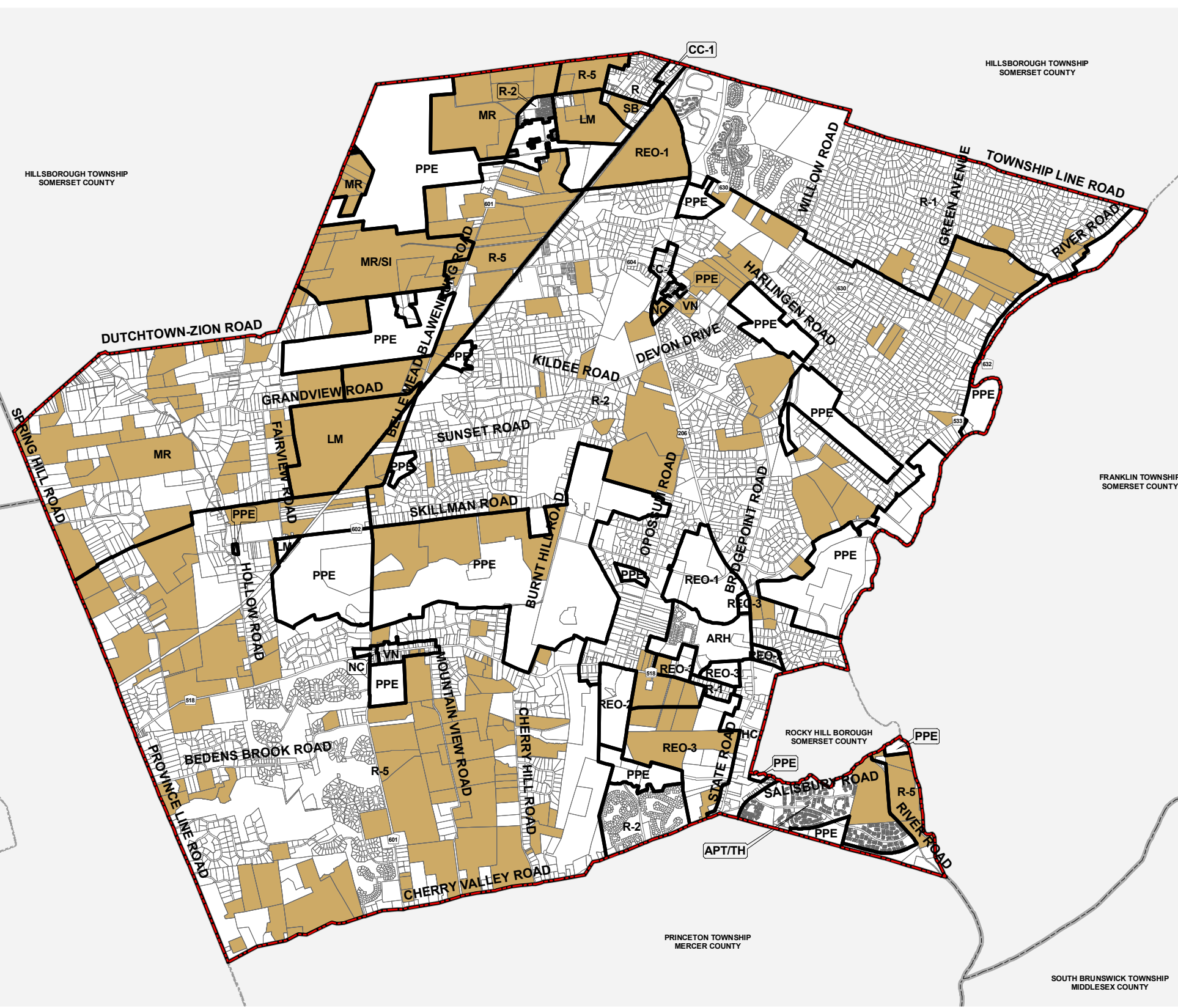
## **2. Description of Innovative Planning Techniques**

There are several innovative planning techniques that can preserve farmland including cluster zoning, non-contiguous cluster zoning, lot size averaging, and Transfer of Development Rights. Cluster zoning permits the subdivision of undersized lots in order to preserve farmland or open space, as long as the overall density that is permitted under the existing zoning is not exceeded. If the cluster project involves two separate parcels of land where one is preserved and the other is permitted to have increased density, this technique is considered a non-contiguous clustering. Lot size averaging permits the reduction of lot size and other bulk area requirements without exceeding the number of lots that would have been permitted without lot size averaging. Transfer of Development Rights involves the designation of a sending area where development potential is purchased and transferred to an area that has been designated as a receiving area. The receiving area must have the infrastructure capacity to accept the additional density.

Cluster zoning and lot size averaging are two of the planning techniques the have been permitted by the Township. There are five residential cluster developments within Montgomery Township. The Cluster zoning provisions were adopted in 1974, at a time when the Township was primarily a farming community and there were ample farms throughout the municipality. As such, the purpose of the cluster provision was to provide a method if developing single-family detached dwellings which would reserve desirable open space and conservation areas, flood plains, school sites, recreation and park areas and lands for other public purposes. It was not the intent to preserve farmland, again, because at the time there was ample farmland. Of the five existing cluster developments, none were developed to preserve farmland. All of the land area where



NAD 83 NJ STATE PLANE  
COORDINATE SYSTEM



Zone	Total Acres
APT/TH	292.52
ARH	138.88
CC-1	19.39
CC-2	28.79
HC	165.16
LM	387.14
MR	2065.42
MR/SI	336.88
NC	19.25
PPE	3070.87
R	70.33
R-1	1657.71
R-2	5731.67
R-5	5937.03
REO-1	335.40
REO-2	101.08
REO-3	359.62
SB	32.48
VN	38.44
<b>Total =</b>	<b>20788.05</b>

\* For a summary of total acreage, undeveloped acreage and farmland acreage by zone or general category, see addendum.

**LEGEND**

- ZONING DISTRICTS
- FARMLAND ASSESSED PARCELS
- ADJACENT MUNICIPALITIES



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**FARMLAND ASSESSED PARCELS  
BY ZONING DISTRICT**

DATE: JULY 23, 2009

DRAWN BY: A.L.

LAST REVISED:

CHECKED BY: L.A.W.

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cluster zoning was permitted, has been developed. No additional land areas are proposed for cluster zoning, and mandatory cluster zoning is not being considered.

The Single-Family Conservation Design Subdivisions is an optional design standard permitted within the R-5 and MR Zoning Districts, with individual lots served by individual septic systems, and with minimum tract size of 25 acres. A minimum of 1 ¼ acre for each individual residential lot is required. The basic purpose is to preserve open spaces, farmland, environmentally sensitive areas, historic sites and scenic vistas. Many of the Township's Targeted Farms are within the R-5 and MR zoning districts.

Another technique to protect farmland is requiring additional buffers or setbacks between farmland and other land uses, notably residential uses. The Township does not require a buffer between farmland and other land uses, but does seek the preservation of existing vegetated buffers to be placed in a conservation easement which serves as a permanent buffer between uses.

The Township does not have an approved Transfer of Development Rights (TDR) program, but has studied the feasibility of implementing such an ordinance. The findings of that study are more fully discussed on page 33.

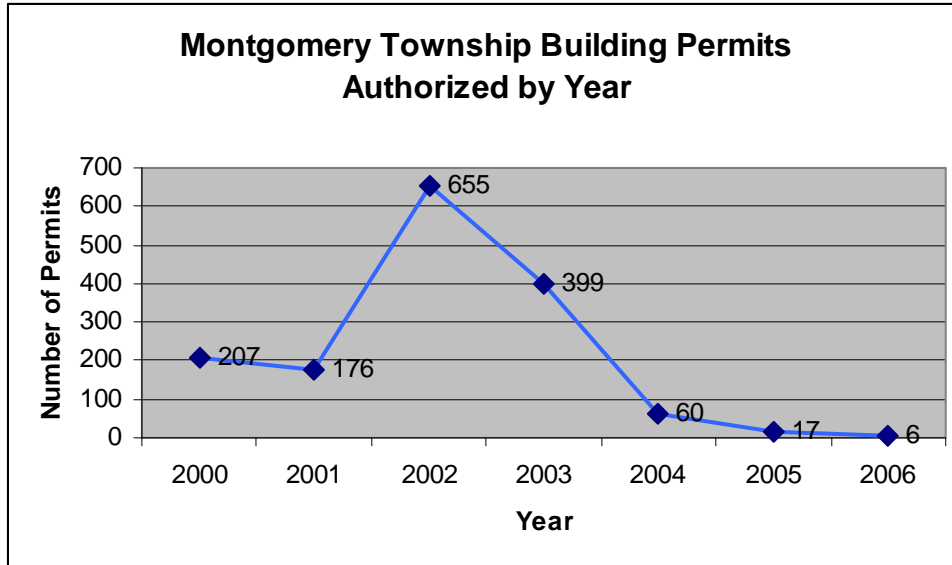
### **3. Buffer Requirements**

Currently, the Township does not mandate any agricultural buffers that would separate active agriculture from other land uses. The Township may consider implementing this technique that has been employed by other municipalities that require between 100 and 200 foot buffers. Agricultural buffers help farmers effectively and efficiently work the land and reduce neighbor complaints regarding the agricultural operation.

### **4. Development Pressures & Land Values**

Montgomery Township experienced a surge in residential development during the 1990's. Yet, even as the Township nears build-out, it remains a highly desirable place to live. This demand continues to threaten the remaining farmland that exists within the Township. And as demand increases and the availability of land decreases the resulting effect is escalating land values.

Based on a review of the Township's "Existing Land Use Map" dated October 2000 and comparing Planning Board's actions during this period of time, a total of 1,383 acres of farmland and woodland received preliminary and/or final approval for the development of 941 single family dwelling units since 2000. The spike in building permits reported in the "Montgomery Township Building Permits Authorized by Year" graph is primarily due to the build-out of a large 1,233 unit inclusionary cluster development known as Pike Run. The development includes apartments, condos, townhomes, and large and small scale single family homes. Building permits have significantly dropped off in 2005 and 2006, with 17 and 6 building permits issued respectively.



The number of building permits issued in the late 1990s dropped severely in the later 2000s in both Montgomery Township and Somerset County overall.

**RESIDENTIAL BUILDING PERMITS AUTHORIZED BY YEAR  
2000-2007**

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	TOTAL
Montgomery Township	676	333	207	176	655	399	60	17	6	6	1526
Somerset County	2923	2263	2282	1439	1530	1260	1362	1220	1058	768	10919

Over the last 10 years, easement values for undeveloped land have risen substantially. A “Conservation, Agricultural & Public Pathway” easement that the Township purchased in December 1999 was purchased for a price of approximately \$3,375 per acre. A current farmland preservation project was certified by the SADC at \$22,000 per acre in 2009. At the height of the real estate market, the Township preserved two farms in 2007 at values of \$51,000 and \$58,000 per acre. The chart below shows the trend of increasing values over the last 10 years.

Block & Lot(s)	Date of Preservation	Easement Per Acre Value
4001 / 10	12/23/1999	\$3,375
34001 / 13	6/28/2002	\$8,217
34001 / 43.05	6/5/2007	\$51,000
17001 / 11.02	7/3/2007	\$58,000
33001 / 24 & 32	TBD	\$22,000

## **G. Transfer Of Development Rights (TDR) Opportunities**

Montgomery Township is very interested in utilizing smart growth planning tools and entered into an agreement with the State of New Jersey Office of Smart Growth and the State Agriculture Development Committee to study the feasibility of establishing a Transfer of Development Right (TDR) program. Unlike other pilot TDR programs within the State, the Township's TDR study was environmental-based, not agricultural preservation based since the Township wanted to address the protection of environmentally fragile lands within the Sourland Mountain region of Montgomery Township. It was the intent of the Township that farmland preservation efforts would continue to utilize existing preservation programs. Another unique aspect of the program is the concept of transferring and converting residential development out of the MR zoning district into non-residential development within a single vacant parcel. The proposed sending and receiving areas are shown on the "**TDR Concept Plan Map**" which appears on page 36.

Following the guidelines set forth by the Office of Smart Growth, the Township retained the services of Jeffrey Donohoe Associates to establish a calculation for the development credits and the amount of commercial/retail square footage that would be needed in the receiving district. At the time of the initial review in October 2004, a total of 102 potential dwelling units were included as part of the sending area. An assessment of the capacity of the receiving area was also completed to ensure a balance between the sending and receiving districts.

The TDR study coincided with the initial discussions regarding the possible rezoning within the Belle Mead node. The 154-acre "receiving" parcel was the focus of this effort to determine whether the existing zoning could be modified to reflect the principles of smart growth. A number of complicating factors were to be addressed in order for any changes to the master plan to occur. These include developing a plan that would work with or without the reactivation of the West Trenton commuter rail line, the capacity of the Pike Brook waste water treatment plant, the ability to implement a TDR program, the revised Council on Affordable Housing mandates for affordable housing, and the final alignment of the proposed Route 206 by-pass. The by-pass alignment has since been resolved however all of the other issues are still unknown factors in the master planning process.

Moving forward with this master planning initiative and TDR study, the Township retained the Regional Plan Association (RPA) to develop a concept plan for the receiving area to serve as the platform for a revision to the master plan and ultimately revised zoning for the study area. The plan was to be technically and economically feasible, have broad support in the community, and integrate a proposed transfer of Development Rights (TDR) program that, if possible, results in no net new residential density within the Township. From a design perspective, the plan was to consider the long term potential for transit-oriented development if the passenger service on the West Trenton Line is reinstated, integrate the historic Belle Mead area, and make a discrete and identifiable "place" in the Township. The design study was also intended to account for the larger context of the Belle Mead area, but the more detailed design studies were to focus on the 154-acre parcel on the west side of Route 206, now referred to as the Atlantic Realty parcel.

In partnership with the Township and their consultants, RPA developed three alternative land use programs that were to reflect different mixes of uses of different scales and intensities; reflect

plausible market conditions; and the residential densities transferred to the study area through the proposed TDR program.

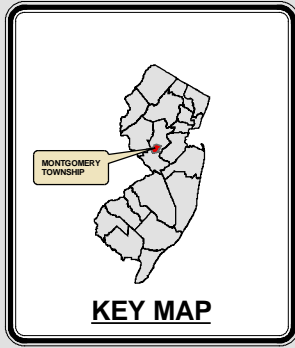
RPA prepared a set of planning framework diagrams to illustrate the issues and opportunities that should inform any proposal for the site and developed a statement of goals and principles that were tested at a community design workshop convened by the Township in 2005. The platform for the discussion was three concept plans and a draft statement of design principles in which the community responded. Community input was received at the workshop and used to develop a “consensus plan”. The release and critique of the consensus plan was delayed due to the unresolved issue of the termination point for the proposed Route 206 By-Pass through Hillsborough Township, and Montgomery Township’s strong resolve that the by-pass align with County Route 601, a major commuter roadway.

The Township has received a preliminary marketing report prepared by Jeffrey Donohoe Associates which indicated that the ratio required to implement TDR within the Township as originally planned was too costly from both from a market perspective and a fiscal impact perspective in terms of the density bonuses that would be required.

Subsequently, the Office of Smart Growth requested that the Township examine other parcels within the Township that could be designated as a receiving area since it is not ideal to have only one receiving area with a single property owner (which results in no competition for the credits). It was also discussed that by identifying additional receiving areas, there would not be enough development potential within the MR zoning district to accommodate an expanded receiving area and thus resulting in the need to expand the sending area. The Township reviewed the remaining vacant parcels and found limited opportunities for additional receiving areas. These candidate properties included the former North Princeton Developmental Center (NPDC) redevelopment area and the existing Kepner-Tregoe tract. The Township found that NPDC already has limited development potential related to infrastructure constraints and together with the high costs associated with the clean-up of the site would greatly limit the Township’s ability to require a redeveloper assume an additional cost for the purchase of development credits. At the Kepner-Tregoe tract, a developer did propose age-restricted housing for the parcel which is in the REO-3 zone, however, the Township hesitates to rezone one of the last remaining non-residential parcels within the Township to a residential use. Further, the Township is not inclined to zone for more age-restricted housing at this time, considering the already proposed, planned and approved number of age-restricted units that are already on the books and expected to come on line in the next 5 or so years.

The Office of Smart Growth has suggested that the Township examine whether farmland that has been targeted through the Planning Incentive Grant program could serve as the additional sending area. This modifies the Township’s original intent to preserve the environmentally fragile lands within the Sourland region and appears that the high price of the farmland makes it very difficult to translate into non-residential development without extremely high density bonuses that have significant implications on infrastructure constraints, affordable housing requirements and further stress on the local public schools. Further, the issue remains of finding suitable additional receiving areas.

The Township does not intend to pursue a municipal TDR program at this time. If a regional TDR program were to be developed, the Township would consider the possibility of tapping into that resource to preserve remaining farms within the Township. However, no receiving area has been identified that would be suitable for receiving the additional development.



HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY



EAST AMWELL TOWNSHIP  
HUNTERDON COUNTY

FRANKLIN TOWNSHIP  
SOMERSET COUNTY

HOPEWELL TOWNSHIP  
MERCER COUNTY

**LEGEND**

**TDR AREAS**

-  RECEIVING AREA
-  SENDING AREA

HOPEWELL BOROUGH  
MERCER COUNTY

ROCKY HILL BOROUGH  
SOMERSET COUNTY

SOUTH BRUNSWICK TOWNSHIP  
MIDDLESEX COUNTY

PRINCETON TOWNSHIP  
MERCER COUNTY



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
**GEOGRAPHIC INFORMATION SYSTEM**

**MONTGOMERY TOWNSHIP**  
**TDR CONCEPT PLAN**

DATE:12/18/2007

DRAWN BY: A.L.

LAST REVISED:

CHECKED BY: L.A.W.

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## **SECTION IV: FARMLAND PRESERVATION PROGRAM OVERVIEW**

Agriculture provides food and fiber, clean air, storm water management, groundwater recharge, wildlife habitat, and the scenic view sheds that are found throughout the Township. Montgomery Township has permanently preserved 1,136 acres of farmland. The first farmland preservation project in Montgomery Township was in 1989, when Somerset County acquired the development rights to a local vineyard in the historic village of Harlingen. Farmers and local officials in Montgomery Township remain firmly committed to farmland preservation and will continue to support these efforts.

The 2001 Conservation Plan element of the Township Master Plan identified properties for preservation, but did not specifically designate whether they were to be preserved as open space or farmland preservation. In 2003, the Township prepared and adopted a stand alone farmland preservation plan that specifically designated 52 farms proposed for farmland preservation. Following the adoption of that plan, the Township submitted an application to the SADC for the municipal Planning Incentive Grant program. The entire Township was designated as the project area and the farms were prioritized into two-tiers and classified as Priority A and Priority B. The Township later revised this list in 2005 to reflect any changes that occurred since the original list was developed. Specifically there were eight farms preserved through other programs or partnerships such as the Green Acres program.

The Targeted Farm List for 2010 includes 23 farms totaling 1,139 acres for preservation and eliminates the distinction between Priority A and Priority B. Previously, the entire Township was designated as a project area, but this plan has refined the project area to exclude existing built-out areas in the northeast and southeast sections of the Township, commercial areas along the Route 206 corridor, the area occupied by Bedens Brook Golf Club and Cherry Valley Country Club in the southwest quadrant of the Township, and a built-out sector near the center of the Township (see map on page 51). The purpose of refining the project area is to create a more strategic target for the Township's preservation efforts. Many of these areas correspond to existing sewer service areas, where development should be targeted, but are not necessarily suitable for preservation. Also, the likelihood of land developed by residential and commercial uses reverting to farmland is extremely low.

Because the Township has been aggressive in its preservation efforts, there are no additional State funds available to the Township at this time. Upon adoption of this plan, the Township anticipates the State will continue allocating funding for projects within Montgomery Township.

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

Somerset County Planning Board has identified several areas for agricultural development in Montgomery Township as shown on the “**Targeted Farms with Somerset County ADA Overlay Map**” prepared by the Somerset County Agricultural Development Board and Somerset County Planning Board which appears on page 41. An Agricultural Development Area (ADA) is a defined area of land that has the potential for long-term agricultural viability. All but six of Montgomery Township's Targeted Farms coincide with the County ADAs, however all of the

targeted farms meet with County Criteria in establishing its ADAs. This inconsistency may warrant expansion of ADAs in order to include all of the Township’s targeted farms. The Township will discuss expanding existing ADAs to accommodate the inclusion of these excluded farms. The County established the following criteria:

- 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 nonconforming use.

The County developed their criteria in compliance with the following statutory criteria:

- The land must be agriculturally productive or have future production potential. Also, zoning for the land must permit agriculture or permit it as a nonconforming use.
- Suburban and/or commercial development must be reasonably non-existent in the ADA area.
- The land must comprise no greater than 90% of the agricultural land mass of the County.
- Any attributes deemed appropriate by the Board must also be incorporated.

**B. Farmland Preserved To Date By Program**

In 1983, the New Jersey State Legislature adopted the State Agriculture Retention and Development Act and created the State Agriculture Development Committee (SADC), which provides funding for farmland preservation programs, establishes farmland preservation policy statewide, and oversees program administration. The Somerset County Board of Chosen Freeholders created the Somerset County Agriculture Development Board (CADB) in April 1983. In partnership with Montgomery Township, the State and County farmland preservation efforts have resulted in 1,136 acres of preserved farmland within Montgomery Township. The programs that were utilized to preserve these farms is summarized in the table below. A complete listing of each farm and the program in which they were preserved is included in Addendum III.

**FARMLAND PRESERVED BY PROGRAM AS OF JULY 2, 2009**

<b>PROGRAM</b>	<b>ACRES</b>
County Easement Purchase	687
SADC Direct Easement	271
Nonprofit	57
Municipal Planning Incentive Grants	121
<b>TOTAL</b>	<b>1,136</b>

The County Easement Purchase program purchases easements on approved farms with SADC providing 60% - 80% of the cost. The County holds an easement on the property which permanently restricts non-agricultural use, and the landowner continues to own and farm the property. The County Planning Incentive Grant (PIG) program requires participating counties to develop a comprehensive farmland plan before they can receive farmland preservation funds.

The plan must include a list of “targeted farms”, meaning farms that the county has determined are a high priority and appropriate for preservation based on the guidelines set forth in the farmland preservation plan. Unlike the traditional County Easement Purchase program, applications for individual farms are accepted year-round. The SADC has prioritized funding to the County PIG program versus the traditional County Easement Purchase program.

The SADC Direct Easement Purchase program allows landowners to apply directly to the State to buy the development rights for their property, while they continue to own and operate the farm. Applications are accepted by the SADC year-round. There is also the option to sell the farm in fee simple to the State, and it will later be auctioned as a deed restricted farm (SADC Fee Simple Program).

Nonprofits are also eligible for grant funding, up to 50%, for the cost of the fee simple purchase or an easement purchase on a farm. Locally, the Montgomery Friends of Open Space and the New Jersey Conservation Foundation have worked to preserve farms, and open space. Like all other land in the Farmland Preservation Program, farmland preserved by nonprofit organizations must be maintained for agricultural use.

The Municipal Planning Incentive Grant program provides a cost share of 60% SADC funds, 20% County funds and 20% Township funds (in most cases) to preserve approved farms. The farms are permanently restricted, the landowner continues to own and operate the farm, and the County holds the easement.

The “**Conservation Plan Map**”, which appears on page 42 of this document, indicates the location of the preserved farmland, as well as the location of privately-owned open space lands and those owned by the Township, County and/or State.

In addition to use of SADC programs for preservation, the Township has preserved several farms with Township open space tax and Green Acres funding. However, these preservation projects encumbered the properties with agricultural and conservation easements, which would allow the landowner to stop active farming of the property and transition to naturalizing the land.

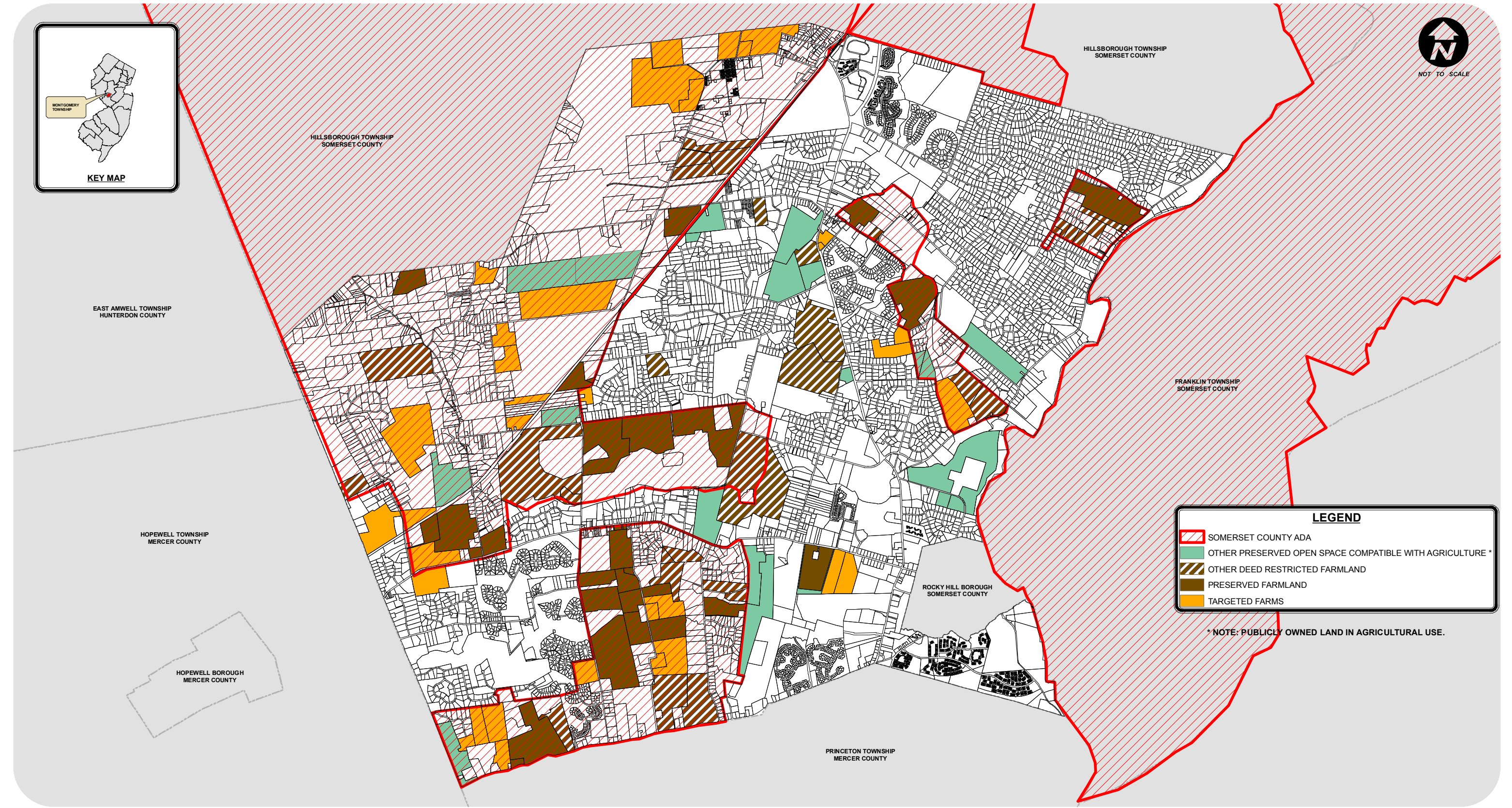
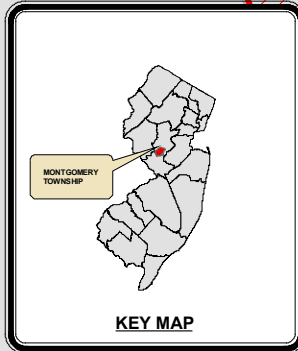
### **C. Consistency With SADC Strategic Targeting Project**

The purpose of the SADC Strategic Targeting Project is to prioritize farmland to be preserved by targeting farms for preservation based on specific criteria. According to the SADC, the Strategic Targeting Project has the following primary goals:

- 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.
- To coordinate farmland preservation efforts with infrastructure investments including water/wastewater, transportation infrastructure, historic preservation and open space.

An example of this prioritization are farms with statewide important soils and prime agricultural

soils which are located outside of the sewer service area. Farms with good agricultural soils, located away from existing infrastructure, would be prioritized over others. Through the use of the Strategic Targeting Project, the SADC hopes to more efficiently target and designate farmland for preservation and, by doing so, boost the State's agricultural industry. Montgomery Township through the completion of its 2010 Comprehensive Farmland Preservation Plan, meets each of the goals as outlined in the Strategic Targeting Project.



**LEGEND**

- SOMERSET COUNTY ADA
- OTHER PRESERVED OPEN SPACE COMPATIBLE WITH AGRICULTURE \*
- OTHER DEED RESTRICTED FARMLAND
- PRESERVED FARMLAND
- TARGETED FARMS

\* NOTE: PUBLICLY OWNED LAND IN AGRICULTURAL USE.



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**PLANNING INCENTIVE GRANT  
TARGETED FARMS WITH  
SOMERSET COUNTY ADA OVERLAY**

DATE: NOVEMBER 29, 2007

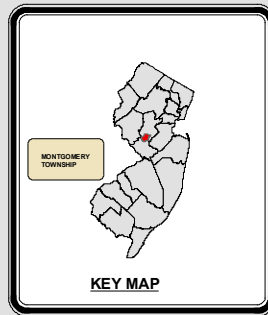
DRAWN BY: A.L.

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**LEGEND**

**MONTGOMERY PATHWAYS**

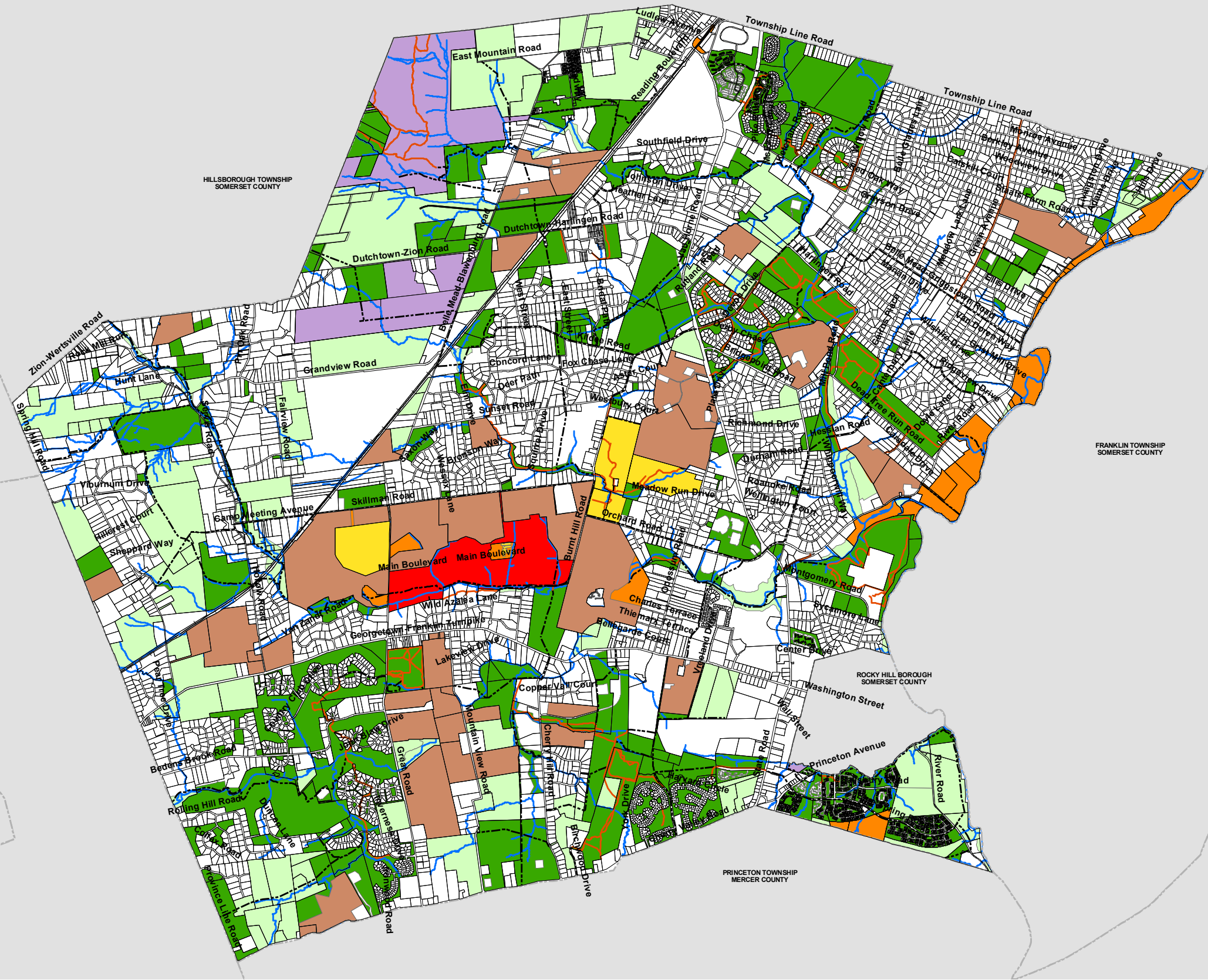
- EXISTING
- PROPOSED
- STREAMS
- NPDC REDEVELOPMENT AREA

**PUBLIC LANDS OWNER**

- Somerset County
- State of New Jersey
- Board of Education

**MONTGOMERY OPEN SPACE**

- Preserved Farmland
- Existing Greenway
- Potential Future Greenway
- Proposed Greenway



HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

EAST AMWELL TOWNSHIP  
HUNTERDON COUNTY

FRANKLIN TOWNSHIP  
SOMERSET COUNTY

HOPEWELL BOROUGH  
MERCER COUNTY

ROCKY HILL BOROUGH  
SOMERSET COUNTY

PRINCETON TOWNSHIP  
MERCER COUNTY



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**CONSERVATION PLAN**

DATE:12/20/07

DRAWN BY:A.L.

LAST REVISED:2/5/2010

CHECKED BY:L.A.W.

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#### **D. Eight-Year Programs**

The 8-Year Farmland Preservation Program and the Municipally Approved 8-Year Farmland Preservation Program are both cost sharing programs for soil and water conservation projects, in which the farmer receives 50% cost sharing for these projects as well as protection against emergency energy and water restrictions and eminent domain. These protections are only available to farmers who enroll with the Municipally Approved Eight Year Program, not with the County or State. In return, the farmer signs an agreement that restricts the land to agricultural use for eight years. For entrance into these programs and to qualify for benefits, a farm must be located within an ADA. Technical assistance for the soil and water practices comes through the Natural Resource Conservation Service. Currently, the Township does not have any farms enrolled in the eight year program.

#### **E. Coordination With Open Space Preservation Initiatives**

The Township coordinates all farmland and open space preservation efforts by having the Open Space Committee and Agricultural Advisory Council (AAC) work together to set priorities, pursue properties and make recommendations to the Township Committee. The Montgomery Township Open Space Coordinator is a full-time employee of the Township that coordinates the activities of both groups as well as all farmland and open space projects.

The Montgomery Township Master Plan (2001) had a combined Recreation and Conservation plan element that includes farmland. Specific targeted farms that have been designated within this plan may also be designated in the Master Plan for a public park or for recreation or community use. Should a designated parcel no longer be needed for park, recreation or community use, the Township would pursue the property for farmland preservation. Lands that have already been acquired by the Township for primarily open space are maintained as a farmland until such time that the parcel is needed for another use. This land is offered to local farmers so they can expand their operation.

Trail easements and adjacency to proposed and existing active recreational facilities are potential areas of concern for farmers. In Montgomery Township, these trail easements are a benefit to the local equine industry. As the establishment of trails grows in Montgomery Township the Agricultural Advisory Committee and Township Committee can look to the Pathways Plan to determine whether public access easements should be negotiated as part of a farmland preservation project. There is currently no formal policy on negotiating pathways with agricultural easements, they are done on a case-by-case basis. When pathways are requested, the Township tries to locate them on borders of the property so as not to interfere with the viability of current agricultural operation.

Montgomery Township supports the use of partnerships and/or funding from more than one agency to leverage farmland preservation dollars. These “hybrid” projects are an opportunity to use traditional open space funds, where appropriate, to help preserve farm properties, especially where those properties are a mixture of cropland and woodland areas. The use of Green Acres funding, local open space funds and nonprofit grant funds are becoming increasingly important for the preservation of agricultural landscapes. Montgomery Township is successfully

implementing hybrid projects that seek to protect a property's individual and unique resources. There are 1,237 acres within Montgomery Township that have been protected with a combination of farmland, conservation and public pathways easements.

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

According to municipal records, a total of \$14,202,837.80 has been expended to date to preserve 1,136 acres of farmland within Montgomery Township as part of the State's farmland preservation program.

<b>Program</b>	<b>Number of Farms</b>	<b>Acres</b>	<b>Total Cost</b>
<b>County Easement Purchase</b>	8	687	\$5,822,817.80
<b>Municipal Planning Incentive Grant</b>	2	121	\$7,520,100.00
<b>SADC Direct Easement Purchase</b>	3	271	\$0.00
<b>Non-profit</b>	1	57	\$859,920.00
<b>Other</b>			
<b>TOTAL</b>	<b>14</b>	<b>1,136</b>	<b>\$14,202,837.80</b>

In 2007, Montgomery Township preserved two (2) farms, Donald Drake farm and Johnson farm, through the Planning Incentive Grant program and is in the process of seeking reimbursement from the State and Somerset County for the Donald Drake farm, having already received reimbursement on the Johnson farm. The total cost share by the State is approximately 60% of purchase price and will result in a grant of approximately \$2.1 million. As of June 10, 2009, the Township has been appropriated \$4,257,057 by the SADC. The County cost share is approximately 20% on approved PIG projects.

The Township leverages State and County funds through partnerships with non-profit organizations such as the Montgomery Friends of Open Space, D&R Greenway Land Trust and the New Jersey Conservation Foundation, and private conservation buyers. One such example is the Donald Drake Farm preservation which utilized funding from SADC, Green Acres, Somerset County, Montgomery Township, D&R Greenway & the Montgomery Friends of Open Space (see photo on next page).





Stakeholders involved in the preservation of the Donald Drake farm on Route 518 celebrate the preservation in June 2007.

### **G. Monitoring Of Preserved Farmland**

The holder of an easement is responsible for monitoring annually. For example, the SADC monitors direct easement and fee simple purchases, while the County would monitor farms preserved through the Municipal PIG program (when the County participates in the cost share). If violations were suspected on a preserved farm, the Township would promptly notify the appropriate agency. Monitoring of easements that were purchased by the Township is also a priority. The local monitoring program was developed by the Montgomery Township Open Space Committee to monitor all municipally-held open space and farmland easements (see Addendum IV for monitoring form). The Open Space Coordinator manages the monitoring program and intends to involve the Agricultural Advisory Committee on this work.

### **H. Coordination with TDR Programs**

Currently, the Township does not have an approved TDR Program. As further described in section III, Montgomery Township examined the feasibility of establishing a TDR program based on the protection of environmental resources of the Sourland Mountain and not

specifically for agricultural land. The Township does not intend to utilize a TDR program to preserve farmland at this time.

## **SECTION V: FUTURE FARMLAND PRESERVATION PROGRAM**

### **A. Preservation Goals (1, 5 & 10 years)**

Montgomery Township has set an ambitious goal to preserve an additional 1,000 acres of farmland within the next ten years. The Township anticipates preserving an additional 115 acres within one year and 500 acres within five years. The overall goal is based on projecting that 100 acres of farmland will be preserved per year.

One year target: 115 acres

Five year target: 500 acres

Ten year target: 1,000 acres

### **B. Project Area Summary**

Montgomery Township has established one project area in which to focus its farmland preservation efforts on the preservation of an additional 1,139 acres. This consists of the entire Township with targeted farms spread throughout the Township but located in areas where farms or open space are already preserved. A list of the targeted farms appears on the following page and the “**Planning Incentive Grant Program Targeted Farms Map**” is shown on page 49.

The Township has targeted those farms that represent productive, viable farms, with the resources available to support them. Focusing on preservation will result in a sustainable supply of agricultural land for farming to continue into the future. Most of the farms targeted for preservation are in the northwest and southwest sections of the Township with a few other projects targeted in the eastern section of the Township.

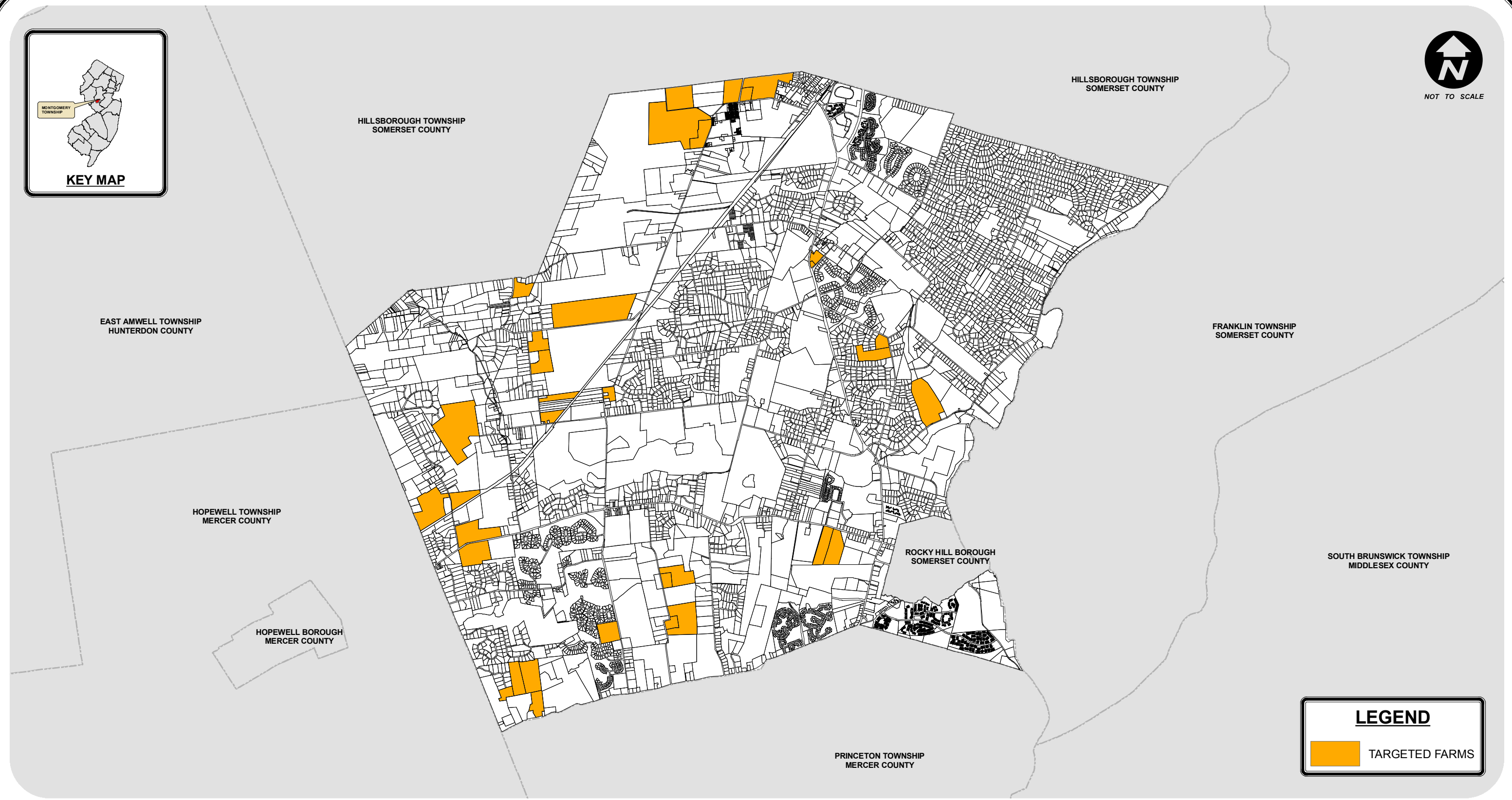
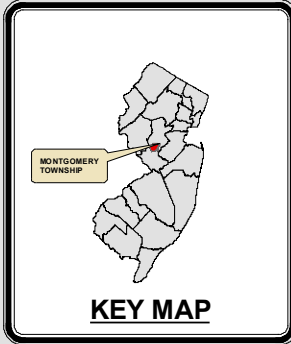
For the project area, the following information was determined:

- The size of the total project area (in acres);
- The total acreage of preserved farmland in the project area;
- The total acreage of pending applications for farmland preservation in each project area;
- The acreage of publicly held open space in each project area; and
- The total acreage of prime soils, soils of statewide importance, and unique agricultural soils in each project area.

**Montgomery Township Project Area  
Targeted Farm Chart**  
*(updated 1/15/2010)*

<b>Owner/Farm Name</b>	<b>Block</b>	<b>Lot</b>	<b>Acres*</b>
Carrier Clinic Foundation	1001 2001	14, 16 1, 5	213.67
Thompson	3001	1, 2	58.8
Antonacci	11001	46	115.03
D'Angelo	11001	57	21.01
Abrahamsen	11001	61	45.99
Harrison	13001	1	17.22
Johnson & Johnson	13001	15	125.71
Shadow Hill Farm	14001	1	20.38
Forfa	14001	7	24.38
Parochniak/Picone	14001	20	13.254
Pariso	14001	27	14.04
Faherty	16012	13	9.3
Don Matthews	17004	1, 2, 3	10.021
Howard	21007	6, 7	35.32
Weingart	22001	20.01	52
D'Angelo	24001	26	56.87
Brennan	30001	9	40.21
Hosea	31001	10, 12, 13	70.02
Ken Brown	31001	15	18.82
Cook	31007	30	25.678
Webster	33001	22, 22.01	39.633
Rossmassler	33001	24, 32	58.64
John Drake	34001	44, 46	53.687
<b>TOTAL ACRES TARGETED FOR PRESERVATION</b>			<b>1,139.723</b>

\*Acreage is based on Montgomery Township Tax Map information and subject to property survey identifying exact location and area that may be subject to the agricultural easement.



**LEGEND**

 TARGETED FARMS



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**PLANNING INCENTIVE GRANT PROGRAM**  
**TARGETED FARMS**

DATE: 9/4/07

DRAWN BY: A.L.

LAST REVISED: 2/5/2010

CHECKED BY: L.A.W.

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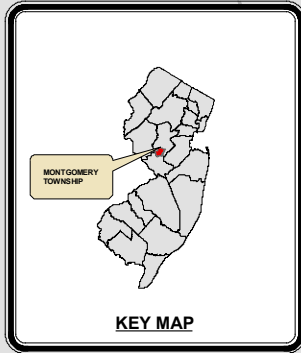
To date approximately 62% of the potential farmland base within Montgomery Township has been preserved. Of this, 1,136 acres of farmland was preserved through the State farmland preservation program. A summary of the preserved farmland is listed within the Appendix and a map of the preserved farmland properties appears is shown on the “**Project Area Map**” which appears on the following page.

**Summary of Existing Preserved Farmland**

<b>Program</b>	<b>Number of Farms</b>	<b>Acreage</b>
<b>State Farmland Preservation Program</b>	14	1,136
<b>Other Deed Restricted Farmland</b>	19	1,237
<b>Preserved Open Space Compatible with Agriculture &amp; In Current Agricultural Use</b>	14	776
<b>TOTAL</b>	<b>46</b>	<b>3,149</b>



The Township preserved the Johnson family farm in July 2007 with assistance from Somerset County and the SADC.



HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

HILLSBOROUGH TOWNSHIP  
SOMERSET COUNTY

EAST AMWELL TOWNSHIP  
HUNTERDON COUNTY

FRANKLIN TOWNSHIP  
SOMERSET COUNTY







HOPEWELL TOWNSHIP  
MERCER COUNTY

HOPEWELL BOROUGH  
MERCER COUNTY

ROCKY HILL BOROUGH  
SOMERSET COUNTY

PRINCETON TOWNSHIP  
MERCER COUNTY

**LEGEND**

-  MONTGOMERY PARCELS
-  EXCLUDED FROM PROJECT AREA
-  OTHER PRESERVED OPEN SPACE COMPATIBLE WITH AGRICULTURE \*
-  OTHER DEED RESTRICTED FARMLAND
-  PRESERVED FARMLAND
-  TARGETED FARMS

\* NOTE: PUBLICLY OWNED LAND IN AGRICULTURAL USE.

TOTAL PROJECT AREA = 14,555 ACRES



**TOWNSHIP OF MONTGOMERY**  
SOMERSET COUNTY, NEW JERSEY  
GEOGRAPHIC INFORMATION SYSTEM

**PLANNING INCENTIVE GRANT PROGRAM  
MONTGOMERY TOWNSHIP PROJECT AREA**

DATE: JULY 23, 2009

DRAWN BY: A.L.

LAST REVISED: 2/5/2010

CHECKED BY:

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### **C. Minimum Eligibility Criteria Coordination**

The SADC's minimum eligibility criteria are the following (pursuant to N.J.A.C. 2:76-6.20):

*Lands less than or equal to 10 acres:*

- Production of agricultural/horticultural products of at least \$2500/year;
- 75% or 5 acres (whichever is less) is tillable;
- 75% or 5 acres (whichever is less) has soils capable of supporting agriculture;
- Land must exhibit development potential; and
- Land must be eligible for allocation of development credits pursuant to a Transfer of Development Credits (TDR) program.

*Lands greater than 10 acres:*

- 50% or 25 acres (whichever is less) is tillable;
- 50% or 25 acres (whichever is less) has soils capable of supporting agriculture;
- Land must exhibit development potential; and
- Land must be eligible for allocation of development credits pursuant to a (TDR) program.

If these minimum standards are not met, the SADC will not cost share with the County or Township on a farmland preservation project. The County uses the SADC's criteria as listed above. The Township's minimum eligibility criteria differs from that of the County in that the Township does not have a TDR program. Except for this deviation, the Township plans to follow the SADC's minimum eligibility criteria. The SADC's new "eligible farm" standard does not apply to Montgomery's PIG program, only the County's.

### **D. Ranking Criteria Used To Prioritize Farms**

Landowner applications are accepted all year. After receiving an application, the Open Space Coordinator and members of the AAC make an appointment to visit the farm and interview the landowner. The Township's ranking criteria follows the SADC's ranking criteria (see Addendum V) for calculating the rank of each farm. This ranking criteria considers factors such as soil types, adjacent land uses, imminence of change and local commitment among other issues.

The Township plans to target farms with the highest ranking score for preservation. If the Township receives applications, or has multiple landowners express interest simultaneously, the ranking criteria will determine which farm(s) are prioritized for preservation because funding is often limited.

The Township may consider revising the State's criteria to add other ranking factors such as viewshed or historic significance, and landowner's willingness to preserve and/or utilize a bargain sale or Installment Purchase Agreement (IPA).

The Township is not subject to the "eligible farm" criteria that the SADC imposes on the County PIG program. However, the SADC ranks applications based on the guidelines laid forth in Policy #14e "Prioritization of Project Areas and Individual Applications" which "weighs" different aspects of the project area or individual farm application including adjacent land uses,



municipal commitment (i.e. zoning regulations, Planning Board action) and size. This puts Montgomery Township's applications in direct competition with other Somerset County PIG program municipalities. The combination of scarce funding and competition from other municipalities may mean that Montgomery's applications are not the highest scoring applications. This could lead to loss of farmland because of unavailable funding.

It is the intention of the Township to send a copy of the individual farm application to Somerset County at the same time it is sent to the State for consideration.

### **Policies Related To Farmland Preservation Programs**

Montgomery Township acknowledges the SADC's policies regarding housing opportunities, division of premises and exception areas, and works with each individual farmer to ascertain the implications of each opportunity. Below is a brief summary of the State's policies for each of these issues.

The *approval of housing opportunities* includes agricultural labor housing, house replacement and residual dwelling site opportunity allocation. These are described below.

**Agricultural labor housing:** Agricultural labor housing is not currently protected in the State of New Jersey Right to Farm regulations. 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 and the County Agricultural Development Board if they are the easement holder. According to the County's Farmland Plan, a policy for County Specific Agricultural Labor Housing will be developed by the SCADB. The Township and AAC look forward to working with the County on this policy to address local comments and concerns.

**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 Township is concerned with the size of replacement homes on preserved farms. Preserved farms can become "gentleman's farms" by replacing an existing 2,000 square foot home with a 5,000 square foot (or more) home. This drastically affects the affordability of the farm in the future; future buyers are paying for large new home, not the farmland. The Township AAC is concerned that this is not affordable for most farmers.

**Residual dwelling site opportunity allocation:** Residual Dwelling Site Opportunities (RDSOs) are 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 or more than 200 acres if one house already exists. According to the SADC Appraiser Handbook 2007, 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 AAC views the RDSO as additional reserved value for the farmer; a future sale of a homesite provides the possibility for future income for the landowner.

The *division of the premises* is not an encouraged practice by the SADC. A landowner wishing to divide permanently preserved farmland must submit a written request. The landowner must prove that the division is for agricultural purposes and will result in independently viable parcels that can support a variety of agricultural uses. The application must be approved, in writing, by both the State Agricultural Development Committee and the CADB. The AAC and Township share the concern of the SCADB and SADC that division will result in parcels that are not agriculturally viable.

*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. 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.

There are two types of exceptions that can occur; severable and non-severable. A severable exception is defined in the SADC Appraiser Handbook 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.” A non-severable exception is defined in the SADC Appraiser Handbook as “area which is 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 non-severable exception is “always attached to the protected farm.”

The Township works with farmers in identifying severable and non-severable exception areas. Non-Severable Exceptions are areas of a farm that are specifically delineated so they will not be subject to the deed restrictions. While the Township considers requests on a case-by-case basis, for all cases the size and location of exceptions may not negatively impact the farming operation. An exception often depends on the presence of nonagricultural uses on the site, future plans for the farm. Severable Exceptions are areas of a farm that are specifically delineated and separated by deed. The Township has allowed for severable exceptions when part of the property is to be retained as a separate building lot or is to be held by the Township for open space purposes. The CADB encourages at least one exception area on a property prior to preservation, and discusses the affect on the application and future of the farm with the landowner.

There are preserved farms within Montgomery Township that have Residential Dwelling Site Opportunities (RSDOs). These are floating housing opportunities that a farm over 100 acres in size may request as part of their deed of easement.

## F. Funding Plan

### 1. Description of Municipal and County Funding Sources (dedicated tax, bond proceeds, annual revenues (total), annual revenues dedicated to Farmland Preservation Program)

Funding for preservation comes from several sources including the municipal open space tax, State funding (Green Acres & SADC), County funds, non-profit funds (Montgomery Friends of Open Space, D&R Greenway Land Trust) and partnerships with conservation buyers. The Township has an open space tax of four cents per \$100 of assessed value that generates approximately \$1.5 million annually. The Township uses this money to pay down old debt and to purchase new properties (open space and farmland). As of the end of 2008, the Township has collected over \$12 million dollars. The terms of the Township's open space tax have not changed since the referendum was adopted by the voters in 1998. This money is used for both open space and farmland projects. Over the past several years, the Township has seen a steady flow of tax collection due to slowing of development in the Township. The tax collected by the County has risen since its inception in 1990 from over \$3 million to over \$18 million in 2007. This reflects the considerable influx of ratables County-wide.

Year	Montgomery Township Open Space Tax Dollars Collected
2004	\$1,260,564.26
2005	\$1,516,855.09
2006	\$1,523,091.12
2007	\$1,506,043.78
2008	\$1,511,123.37
2009	\$1,505,352 ( <i>estimated</i> )

The Township does not specify a breakdown of percentages of the open space tax fund that are used for farmland, open space, parkland preservation. The funding is expended to projects as they become available.

Over the years, Montgomery Township has adopted multiple bond ordinances related to open space and farmland preservation that have totaled \$24,700,000 up to 2003. One such ordinance, Ordinance # 89-638, specifically earmarked \$500,000 for farmland preservation with the intent to be available as a cost share with Somerset County. As of 2003, there was \$400,000 remaining in this ordinance that would be put towards future farmland preservation efforts in addition to the bonds that can be issued in the future.

The Township received approval in 2004 from the State Agriculture Development Committee (SADC) for participation in the Planning Incentive Grant (PIG) program. Using this program, the Township has preserved two important properties, using over \$3.7 million in State funds. The Township also applies to the County/Municipal Open Space Partnership grant offered by Somerset County each year, and on average, Montgomery receives \$250,000. Obviously, the Township will be limited in the future by the uncertainty of the Garden State Preservation Trust

(GSPT), thus limiting funding from the State and County. However, the Open Space tax ensures that a dedicated source of funding will be present for some preservation activities.

**2. Financial Policies related to cost-share requirements between county and municipal / other funding partners / installment purchases**

Using the Planning Incentive Grant program, the Township follows the cost-share guidelines set forth by SADC; the SADC contributes 60%, Somerset County 20% and the Township 20%. The Township, however, has contributed more than 20% funding due to the SADC sliding scale policy for easements costing more than \$50,000 and due to contract prices with landowners in which the Township agreed to pay over the appraised value. The SADC and SCADB will not match a purchase price dollar-for-dollar when the Township agrees to exceed the SADC certified value. In addition, cost shares may be unavailable from the SADC and SCADB if the Township prioritizes a farm that does not meet the minimum eligible criteria as established by both agencies.

SADC sliding scale cost share policy pursuant to § 2:76-6.11(d)1

<b>Landowner's Asking Price (per acre)</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

The Township has developed relationships with non-profit groups that also contribute to funding of preservation projects. These organizations include D&R Greenway Land Trust and Montgomery Friends of Open Space. These organizations could also be useful in working with the Township to purchase annuities for landowners who wish to structure a payment schedule over time.

Installment purchase agreements provide for development rights to be acquired by the Township (or County) through a payment plan that provides payments to the landowner over time. Receiving the income from the sale in installments may provide the landowner with financial management and/or tax advantages. Installment purchases are encouraged by the Township but have not yet been used. This funding option could become an especially useful tool in the interim while State funding is uncertain.

**3. Cost projections and funding plan associated with 1, 5, and 10 year preservation goals**

The Township develops a capital budget estimate each year for future acquisition spending and plans to preserve several properties each year. The Township is pursuing several large farms to purchase easements through the Municipal PIG. Significant donations of land value are anticipated on three of the farms targeted for 2010.

It is anticipated that the Township will have to advance significant sums beyond the traditional 20% municipal cost share to cover shortfalls in readily available cost sharing funds from the State and Countywide PIG until such time as reimbursement funding is made available. Meeting the projected cost for 5 and 10 year preservation goals are dependant upon new State and County funds becoming available. However, it is anticipated that as new development comes online, the increased property tax base will increase the revenue generated by the dedicated municipal open space tax.

A chart summarizing the cost projections for the one, five and ten year preservation goals is provided below.

**SUMMARY OF COST PROJECTIONS FOR  
1, 5 AND 10 YEAR PRESERVATION GOALS**

<b>Property Name</b>	<b>Acreage</b>	<b>Total Cost</b>	<b>Cost Per Acre</b>	<b>State Share</b>	<b>County Share</b>	<b>Municipal Share</b>
<b>ONE YEAR COST PROJECTIONS (2010) *</b>						
Rossmassler	59	\$1,200,000	\$20,338	\$720,000	\$240,000	\$240,000
Abrahamsen	46	\$1,300,000	\$28,260	\$780,000	\$260,000	\$260,000
Matthews	10	\$1,000,000	\$100,000	\$600,000	\$200,000	\$200,000
<b>Subtotal</b>	<b>115</b>	<b>\$3,500,000</b>		<b>\$2,100,000</b>	<b>\$700,000</b>	<b>\$700,000</b>
<b>FIVE YEAR COST PROJECTION (2015)</b>						
	<b>385</b>	<b>\$11,550,000</b>	<b>\$30,000</b>	<b>\$6,930,000</b>	<b>\$2,310,000</b>	<b>\$2,310,000</b>
<b>TEN YEAR COST PROJECTION (2020)</b>						
	<b>500</b>	<b>\$15,000,000</b>	<b>\$30,000</b>	<b>\$9,000,000</b>	<b>\$3,000,000</b>	<b>\$3,000,000</b>
<b>TOTAL</b>	<b>1,000</b>	<b>\$30,050,000</b>		<b>\$17,130,000</b>	<b>\$6,010,000</b>	<b>\$6,010,000</b>

\* The Township anticipates significant donations by each of the three landowners projected for 2010 which would reduce the costs across the board to the State, County and municipal cost shares.

#### **4. Any Other Financial Information as appropriate**

Montgomery Township has utilized a variety of creative mechanisms to preserve farmland and open space, and the Township would continue to pursue the use of option agreements, installment purchases and encourage donations for permanent development easements, and seek out other options as deemed necessary and appropriate.

Partnerships with local nonprofit land trusts and conservancy groups such as the New Jersey Conservation Foundation and the Montgomery Friends of Open Space (MFOS) are critical to the success of the Township's efforts to preserve farmland. The ability of these groups to obtain donations of development rights and their flexibility in structuring land transactions has played a key role in land preservation in Montgomery Township. One of the first partnerships between the Township and the New Jersey Conservation Foundation that utilized creative financial tools was the preservation of the 200 acre McAlpin farm in 1994.

#### **G. Farmland Preservation Program & Administrative Resources**

Farmland preservation efforts are led by the five-member Montgomery Township Committee as the governing body for the Township. Four affirmative votes of the Township Committee are required to authorize the issuance of either a Bond Anticipation Note or a Bond for preservation projects. There is a full-time Open Space Coordinator who is in charge of all open space and farmland preservation acquisitions and monitoring easements. The Township's Agricultural Advisory Committee (AAC) was first formed with three members and now consists of a five. The Township Committee adopted Resolution #07-10-243 which established a code of ethics for the AAC in accordance with the SADC's newly adopted regulations (see Addendum VI). There is also an Open Space Committee that was established in 1990. Both the AAC and OSC advise the Township Committee on matters related to acquisition, management and monitoring.

Several other professionals assist with preservation including the Township Engineer who provides lot-yield calculations for the appraisals, and survey review, a consulting Environmental Engineer who conducts Phase 1 Environmental Site Assessments; the Township Planning Director who ensures consistency with farming related ordinances and coordinates the farmland plan with the Township Master Plan; and the Township Attorney who provides legal counsel on matters relating to acquisitions and enforcement, reviews contracts and conducts the real estate closings. The Township Tax Assessor supplies database for municipal property tax assessment, specifically farm properties, and the Township Tax Collector informs the Open Space Coordinator regarding pending sales of properties resulting from a municipal property tax lien.

The Township presently uses an enterprise geodatabase to store farmland data including preserved farmland and open space as well as targeted properties for future preservation. The Township has a three member geospatial information technology department. Other departments access Township GIS information using ArcView or the Township's web-based intranet Geo-WebMapper. Staff frequently use this tool for planning for preservation by identifying critical parcels, wetlands etc. Most of the Township's GIS data is maintained by the Township's geospatial information technology department staff.

## **H. Factors Limiting Farmland Preservation Implementation**

Challenges to the farmland preservation program include the available supply of farmland, the cost of purchasing that land, the potential limitations of the preservation program once the land is preserved, and the infrastructure to support farming operations into the future. Flexibility in funding and preservation programs will enhance and sustain the farmland preservation program in Montgomery Township.

Landowner interest remains high and applications continue to be submitted to the Township. Montgomery Township prides itself on innovative partnerships, which can be seen by the popularity and success of the municipal PIG program and the local conservation projects with local nonprofit groups, including the D&R Greenway and Montgomery Friends of Open Space. It will take the effort and teamwork of landowners, government officials, nonprofit organizations and local residents to ensure that the farmland preservation program remains popular, supported and successful.

The rising cost per acre is the most significant factor limiting farmland preservation in Montgomery Township. Many active farms are interested in entering the preservation program and the existing municipal outreach projects continue to increase farmer interest each year. It is anticipated that the interest in preservation will exceed the funds available for preservation at the county and municipal level.

## **SECTION VI: ECONOMIC DEVELOPMENT**

### **A. Consistency with NJ Department of Agriculture Economic Development Strategies**

The State of New Jersey offers farmers a number of support services and programs ranging from technical advice to farm loans. One of these services is the New Jersey Department of Agriculture (NJDA) Smart Growth Toolkit, which provides information to support municipal governments, businesses, non-profit groups, and local citizens in their efforts to achieve the goals and objectives outlined in the NJDA Agricultural Smart Growth Plan for New Jersey, 2006. The Tool Kit embraces the five components that have been identified by the NJDA as critical for the future of farming: Farmland Preservation, Innovative Conservation Planning, Economic Development, Agriculture Industry Sustainability, and Natural Resource Conservation.

As part of this emphasis on the business of agriculture, NJDA has issued its *2007 Economic Development Strategies*, which identify and propose methods to expand and enhance various subsets of the agriculture industry in New Jersey, including produce, horticulture, dairy, livestock and poultry, field crops, organic, equine, wine, and agri-tourism. The NJDA observes that “local access to large affluent markets has long been an advantage for the marketing of (those) products. While our markets are still there, competition for those markets has become tougher. New Jersey’s (produce) industry must continually work to rediscover its competitive advantages, improving access to nearby markets and strengthening consumer loyalty.”

As Montgomery Township farmers continue to look for ways to reinvent themselves and their products, and to explore new markets and new methods for promoting their businesses, it is important that the Township continues to develop new ways to help farmers increase their profitability and coordinate with federal, state and county agencies and other organizations, both in the public and private sector to find solutions. These may include workshops, newsletters and other opportunities for farmers to continue to educate themselves about:

- Better ways to manage their farm as a business;
- Trends in agriculture;
- Ways to diversify, add value and maximize profitability;
- Technical advice and assistance with choosing and marketing their products; and
- Advances in technology that may help them farm more efficiently and productively.

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

The nursery industry has grown slightly in the Township between the 2002 and 2005 surveys from 2.5% to almost 4% of the total agricultural acreage. The Township can consider the following strategies:

- Support efforts by NJDA to ensure plant health and disease-free material;
- Increase consumer awareness of the “Jersey Grown” brand;
- Explore ways to deal with the challenges of irrigation needs/expenses, increased labor demands and short-term lease issues versus the start-up costs to change over.



## **Field and Forage Crops**

Field, forage and cover crops represent the largest sector of Montgomery's agricultural industry, 2,092 acres (41% of the total agricultural acreage). Of these, wheat is the largest commodity (651 acres reported), with sorghum second at 117 acres. This represents a shift from the 2002 tax year when other hay was the biggest crop (843 acres) followed by corn (for grain) at 376 acres. Overall, cover crops have remained a minor part of this sector increasing slightly from 2002 to 2005 from 14 acres to 29 acres.

Strategies for the Township to consider are as follows:

- Educate farmers about any improved management practices and ways to improve yield per acre;
- Alert farmers to any available workshop 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 or jellies that can be marketed from roadside stands and at community markets);
- Encourage transition to certified organic or naturally grown bean and grain crops to increase their value;
- 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 local farmers.

## **Organic Farming**

As the interest by consumers in organic produce and animal products increases, Montgomery Township farmers may be encouraged to expand or diversify into this sector. As a result, Montgomery Township may look to:

- Improve marketing of organic and natural produce;
- Explore various additional markets, including local restaurants and grocery markets and cooperative farm stands at municipal and county events;
- Promote agri-tourism for organic and natural farms stands;
- Promote the *Jersey Organic* brand when established by the NJDA;
- Educate growers about organic and natural regulatory and certification requirements and about the availability of federal funds to help offset certification costs; and,
- Explore ways to support organic food growing and processing, such as assisting growers, with the help of the NJDA and the Rutgers Extension, to identify products that can benefit as organic (high value/high demand products).

## **Equine**

As of the 2005 tax year, 11 of Montgomery's 5,039 agricultural acres (less than 1% of the total) represented acreage dedicated to equine uses. This number has certainly increased since 2005. For example, in 2008 a 111 acre preserved farm was purchased and is intended for use as a therapeutic horse-riding facility for children with disabilities. In order to encourage development of this sector, the Township could use the following strategies:

- Ensure the health of equine animals, including investigating incentives for bringing large animal veterinarians back to the area, particularly with the potential for growth in the equine sector;
- Educate farmers about the benefits of the new equine rules to commercial and preserved equine operations;
- Promote the industry through enhanced listings of Municipal and County equine events in the Township's website and print listings;
- Promote the agritourism aspect of the equine industry through farm tours, horse and pony rides, and boarding and riding lessons.

## **B. Agricultural Retention, Expansion & Recruitment Strategies**

### **1. Institutional**

The Montgomery Township website ([www.montgomery.nj.us](http://www.montgomery.nj.us)) is in the process of being updated to include information regarding the Right to Farm Ordinance, Right to Farm Act and press releases. The Township sent out a survey to all farmers using those landowners with farmland assessment as the mailing list. The survey (see Addendum VII) asked farmers what products were produced or sold on their farm, and how they sold these goods – by farmer's markets, advertising through a website etc. Additionally, farmers were asked to rank issues such as Right to Farm and the 2007 Farm Bill in terms of importance to their farming operation. The survey also asked for suggestions on ways that the Township could support the agricultural industry (i.e. through streamlining permitting, updating local ordinances etc.). The survey provided the Township with the opportunity to develop an email list in order to more effectively distribute information about upcoming events (conferences, application deadlines etc.) and news bulletins about policy changes at the local and State levels. Also included was a list of programs that offer assistance to farmers such as the federal CREP and WHIP programs, as well as outreach through Rutgers University. Once the feedback from farmers is analyzed, the results will be included in the final draft of the updated farmland preservation plan.

A common concern in the survey was affordability of land, the difficulty of making a profit by farming (all farmers surveyed had another full-time job), and a shortage of farm-related infrastructure (to buy or repair equipment). They all noted that farming seems to be a "dying" industry in New Jersey because of high land prices, and the absence of a new generation of farmers to continue farming land.

In the past, Township staff has assisted farmers in making application to the NJ Farmland Preservation Program. This assistance has been expanded to identify programs that make

available grants and loans for matters relating to farm operations, disseminate information regarding those programs and assist with the program application.

Partnerships with non-profit organizations have served to bring interest in farming in the Township. The D&R Greenway Land Trust recruited the conservation buyers for the Donald Drake Farm, and in 2002 the Montgomery Friends of Open Space (MFOS) received a grant from NJ Conservation Foundation to conduct a gathering of farmers to solicit their needs and concerns and present a selection of inventive farming practices in use throughout the state.

The Township offers Jersey Fresh bumper stickers proclaiming “Agriculture Keeps Somerset County Green!” from the Somerset County Board of Agriculture. There are several examples of agritourism in the Township including an annual Rodeo, pumpkin picking, pick your own Christmas Tree, and the Christmas light display at the Donald Drake farm.

The MFOS have initiated a weekly Farmers Market in Montgomery Township with the main objective to bring locally grown produce to the community and generate awareness about farmland preservation. The group conducts outreach to local farmers to encourage their participation in the market. The market features locally grown produce, organic vegetables from Orchard Farm, pies and poultry from Griggstown Quail Farm, fresh natural breads and sweets from Lawrence Bakery, organic popcorn from Farmer Steve, to name a few. The market is held annually from June until late October every Saturday from 9:00 AM to 1:00 PM in the Village Shopper Shopping Center on Route 206 just north of the intersection with Route 518. For more information, contact Kim Rowe at [krowe48483@aol.com](mailto:krowe48483@aol.com) or (908) 359-9665. The Township publicizes the Farmer’s Market through E-Bulletins as well as reminders in the Township’s monthly newsletter.

The Farmers’ Market was previously held on Thursday afternoons at another location, but the Friends moved in 2008 to the current location. The switch to Saturday as well as a more visible location has greatly increased attendance and sales at the Market.

In addition to the Farmer’s Market, the Township is working to encourage the development of a local farm economy. Community Supported Agriculture is gaining in popularity across the country and this region is no exception. Orchard Farm, an organic farm on Cherry Hill Road, is owned by Robert and Caroline Phinney who operate a small CSA. They participate in the MFOS Farmer’s Market as well as running their own roadside stand where they sell only products grown on their property. In June of 2007, Charlie & Lucia Huebner purchased the deed restricted farm previously owned by Donald & Alberta Drake. The new owners plan to use the property to graze organic beef cattle, as well as start a Community Supported Agriculture operation. The couple has preliminary and final major site plan approval for a year-round farm stand where they will sell seasonal crops from the farm as well as other foodstuffs and goods.

In March 2007, members of the Township’s Agricultural Advisory Committee attended the State’s Farmland Preservation Summit, held at the Cook Campus Center at Rutgers University. This day-long seminar included several lectures about Right to Farm legislation, municipal strategies to retain agriculture as well as an explanation of the new SADC regulations. This conference was very informative and served to create discussion among the Committee members

about future topics to explore at meetings. The Township hopes to provide the opportunity for Committee members to attend more of these types of informational conferences.

## 2. Businesses

Township farmers obtain farmer supplies from a number of sources in and near the County such as the Belle Mead Farmers Coop; Cammps Hardware & Lawn Products; Neshanic Home & Garden; Somerset Grain, Feed & Supply, Bernardsville; 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 South Plainfield. A couple of famers 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.

When it comes to needing the services of a veterinarian, both livestock and equine operations find that large-animal veterinarians are few and far between. 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.

Local farms need increased publicity for the goods, services and events that they offer. In response to this, the Township’s Economic Development Commission (EDC) launched a website in December 2009. Their website includes a business directory, listed by category, of business contact information. The website also provides information for business owners on expediting permits. There is information provided on Township ordinances related to signs, food handling permit requirements etc. The EDC has also included a community profile of Montgomery Township for those businesses that may potentially relocate to Montgomery.

The EDC is interested in further opportunities, such as launching a “Buy Local” campaign, and facilitating “ribbon cutting” events for new businesses. All of these initiatives will serve to

publicize Township businesses within our borders, as well as regionally to residents of surrounding areas.

The 2007 survey of Township farmers indicated a need for help in understanding Township ordinances and knowing what Township ordinances would apply to their businesses. The EDC's website is the first response to these questions, and the website will be expanded to offer additional information, on a layman's level, for business owners to understand Township requirements.

### 3. Anticipated Agricultural Trends

#### *Product Demand*

From a historical perspective, crop sales in 2002 (a drought year) were down from 1997, a peak year, but higher than 1987. Livestock sales were up, but not as high as in 1997. Nursery, greenhouse and sod represented 74% of all crop sales. Looking forward, this segment of the agricultural industry should continue to be a healthy, viable sector since it feeds the landscape and garden center industry that serves New Jersey's burgeoning population of homes and businesses that make use of these services.

If biofuel processing becomes a reality in New Jersey, this should serve the County well, since it would serve as an additional outlet for the grain sector, which has been in steady decline for the past 30 years. The combination of high crop loss from wildlife damage and high input costs for fertilizers would have to be addressed before farmers might be willing to invest more acreage in such crops. One area to research would be whether input costs for fertilizer could be lowered where the grain will be used for biofuels rather than for human or animal consumption.

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. 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. Other avenues to explore include the following areas put forth in the 2001 ARDMP:

- Changing the Farm Operation’s Mix of Products
  - Consider using FinPac, a program that allows the operator to enter his/her production and expense data, then try various alternatives to achieve more profitability; many participants are surprised that what previously appeared to be the logical choice is not the most effective; some have saved thousands of dollars by acting on the analysis. The County could seek funding to underwrite the cost of a one- or two-day workshop for up to eight farmers, which could be hosted at the Somerset County RCRE complex. Contact: Dave Lee, Salem County RCRE, 856-769-0090.
  - Consider new crop opportunities being promoted/researched by the NJDA, the New Jersey Agricultural Experiment Station and the New Jersey Farm Bureau: tree nut crops, organic or low input produce or meat products, aquaculture, biotechnical and pharmaceutical use of farm products or animals (this concept should be introduced to the Somerset County Business Partnership, which is pursuing the development of a Biotechnology center in the County), and ethanol production (the construction of an ethanol plant in New Jersey is being actively pursued by a working group that includes the state and the Farm Bureau).
- Value-adding
  - Marketing livestock as dressed meat on a retail basis (certain farms already do this)
  - Fresh herbs, sold at retail, in bunches or as potted plants
  - Vineyard development – poorly draining soils, cost of land acquisition and long lead time before first harvest (several years) could be deterrents, but state wine production exceeds the state-grown supply of grapes, creating a ready market for an operator with enough carrying capital
- Economic Development through Preservation – “Selling a development right is cashing in a non-performing asset which can create new options for the farm, including transferring property to the next generation, creating new markets, improving the existing operation, or expanding into new ones; one example is a farmer who used the money from the sale of easements to carry his operation through the three-year period needed to certify for organic production; another farmer changed his dairy to a grass-fed operation, increased vegetable production and built a farm stand for direct marketing.

- Agriculture Enterprise District – This concept began in Cumberland, Maryland, and has been enabled statewide through changes to its farmland preservation rules. Modeled after Urban Enterprise Zones, the AED provides economic development advantages, particularly to preserved farms and uses taxes from farmland assessed land to seed the formation of an economic development corporation and development of a program. It can be created by a county or a municipality and is designed by farmers, run by farmers, and provides a mechanism to do specially conceived agricultural economic development. The list of resources and benefits is developed through the identification of needs by the full agricultural community.

### *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%).

In addition, the County is centrally located in a metropolitan area that includes New York and Philadelphia and other affluent New Jersey counties.

### 4. Agricultural Support Needs

#### *Findings from the Somerset County 2001 Agriculture Retention and Development Master Plan:*

- A positive municipal regulatory environment is much needed, according to the 1999 Survey of Somerset County farmland owners. The municipal survey reveals many ways in which municipalities can support farming and farm-service businesses. Currently, municipal actions are cited by survey respondents as a major source of financial and emotional stress and discouragement.
- Municipalities can encourage farming by supporting agricultural economic development activities.
- The effective use of marketing and advertising can raise farm sales and productivity while also increasing the visibility of Somerset County farms. *Jersey Fresh* along with other state marketing publications can be used by more farm operations, if they had adequate information about them. Many County publicity actions can include farm products and events in their listings and connections can be made with county tourism enhancement efforts.
- Survey respondents show some interest in irrigation and greenhouse additions as ways to intensify their farm production. County and municipal support will be needed to make these changes. Analysis of a farm's cropping and management can result in changing the product mix to include more valuable crops. Financial and regulatory support will be necessary to bring about suggested changes.
- Connection needs to be made between state value-added agricultural programs and Somerset County farm operations.

- Agriculture can provide economic development opportunities for Somerset County municipalities, if it were part of the county economic development program and strategies. Currently, it is at times overlooked, even in the County's effort to promote tourism.
- There are seven easily identified agricultural sectors, all of which can be made more profitable through clustered economic development activities. Bringing together all producers and the related business to discover their mutual opportunities and constraints has created major market gains in other states. The sectors include:
  - Nursery, greenhouse and Christmas tree production (and sod)
  - Cash grains and field crops
  - Vegetables and fruit
  - Dairy and beef
  - Equine
  - Other livestock (poultry, sheep, goats)
  - Wood products

In addition, a challenge is to “educate other business leaders about the extent and character of agriculture in the County, and the potential business activities that might be created or attracted to serve these farm operations. One concept, mentioned above, is to cluster interdependent agricultural operations, for instance, agricultural suppliers to and developers of nutraceuticals. The American Farmland Trust considers a full time agricultural economic development effort within a farmland preservation program essential to ensure the viability of farm operations into the future, finding ways to assist farmers to diversify, change crops, develop business plans and coops and help them get into new or value-added crops and direct marketing, encouraging the continued development of agritourism and focusing on ways to reduce the costs of production. Fortunately, in New Jersey the state and the RCRE are actively involved in this process and, often times, the role of the CADB may be to find ways to bring farmers together with resources, to get the word out that help and alternatives are available.

#### *Agricultural Facilities, and Infrastructure*

As stated previously, additional community market-type opportunities could help support increased produce production; hospitals, assisted living facilities and other operations with food services are other prospective outlets that could support produce sector growth, in addition to any state or county correctional institutions and school district facilities, restaurants and gourmet and other food stores.

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. One avenue that could be



pursued by the Somerset County Business Partnership (SCBP) is to consider the possibility of agricultural suppliers to the biotech/Life Sciences sector, which the SCBP is trying to strengthen in the County.

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

#### *Flexible Land Use Regulations*

**State level** – The 2006 *Agricultural Smart Growth Plan for New Jersey*, prepared by the NJDA, identified flexibility in government regulation as an important component relative to farm viability. (*Agricultural Smart Growth Plan 2006*) The Somerset County Agriculture community, working with the New Jersey Department of Agriculture, and through advocacy groups such as the New Jersey Farm Bureau and Somerset County Board of Agriculture, can ensure regulatory flexibility to the greatest extent possible. Examples where regulatory flexibility is important are the New Jersey Department of Environmental Protection’s Freshwater Wetlands Protection Act Rules” (N.J.A.C. 7:7A-et. seq.), which grant exemptions for agricultural activities, and also the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13). The latter was adopted in November 2007 and includes numerous agricultural permits-by rule and general permits, which allows the continuation of agriculture activities in otherwise regulated areas.

**County level** – The Township can work with the County 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 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.

According to the 2001 ARDMP, “Planning and zoning to maintain and enhance agricultural viability is increasingly recognized as the foremost way to preserve both farmland and agricultural operations. Toward this end, the SADC website includes a link to a checklist communities can use to rate themselves, called “Is Your Town Farm Friendly?” developed by The New Hampshire Coalition.

#### 5. Agricultural Support Implementation

Some suggestions for future agricultural support have been sprinkled through this chapter and document, including 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 Township, comes from the Township’s open space trust fund, local contributions from the County, 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 SCADB also will be reassessing on an annual basis all available funding opportunities to optimize the dollars available for both the acquisition of farmland and the support of county farmers in their efforts to maximize the potential of their farmlands. The SCADB currently is in the process of seeking a grant that would provide money for workshops and other tools that will be helpful to its farm community.

Many of the ideas suggested here require manpower as much as dollar power and the SCADB is seeking to expand its staff, which should help in its ability to provide outreach to farmers, municipalities, event organizers, business organizations and individual citizens to expand marketing efforts and awareness and acceptance of agriculture as a valuable contributor to the economy and quality of life in Somerset County.

Listed below are local organizations that support or potentially can offer support to the business of agriculture

*Planning Department and AAC*

- Work with Somerset County to develop direct marketing strategies for agritourism and agricultural products grown in Somerset County
- Participate in Municipal Planning Incentive Grant Program
- Update the Township's Farmland Preservation Plan, based on the new guidelines set by the State Agricultural Development Committee in November 2006
- Hold a presentation for local farmers, residents and other interested citizens to explain the Farmland Preservation Plan and the new Municipal Planning Incentive Grant Program.

*Rutgers Cooperative Extension.*

- Continue to support the agricultural community with technical assistance and educational programs.

*Soil-Conservation District.*

- Accomplishments for 2006 included assisting 165 agricultural operators, assisting with conservation farm plans encompassing 1600 acres and saving 6724 tons of agricultural soil.

*Somerset County Vocational and Technical Schools.*

- Completed an upgrade to their high-school horticultural facilities in 2006.

*Cultural & Heritage Commission.*

- In 2006, the Commission initiated and widely promoted a successful new annual collaborative county-wide tourism event: Weekend Journey through the Past, involving 23 historic sites/heritage organizations and attracting hundreds of people from ten New Jersey counties and a total of six states. A goal is to further develop and expand this event. Already the southern tour includes a visit to The Farm Museum in Skillman. Inclusion of other agricultural destinations should be investigated. In addition, The Farm Museum, if relocated to an actual working farm, may be an appropriate starting point for a county educational tourist attraction similar to The Farm Institute on Martha's Vineyard.

## **SECTION VII. NATURAL RESOURCE CONSERVATION**

Preservation of farmland is the cornerstone of the New Jersey Department of Agriculture's (NJDA) Agricultural Smart Growth Plan, and the state and County's Farmland Preservation Program. However, there is more to farmland preservation than the retirement of development rights or the outright purchase of farms. One of the cornerstones of a successful, long term Farmland Preservation Program is the conservation of natural resources on farms, without which the long term sustainability and viability of New Jersey's preserved farmland would be in doubt. Montgomery Township recognizes the conservation of these natural resources as a long term goal, and a necessary part of farmland preservation.

### **A. Natural Resource Protection Agencies**

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

An important partner in support of natural resource conservation for the agricultural community is the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS). The NRCS assists landowners and managers with conserving soil, water and other natural resources. The agency has a field office at the county's agricultural building in Freehold Township and offers technical and financial assistance and oversees conservation programs such as the Wildlife Habitat Incentive Program (WHIP) and Environmental Quality Incentive Program (EQIP). Technical assistance is provided for the preparation of conservation plans. These plans are a written record of management decisions and conservation practices to be used on a farm and are intended to help protect soil fertility and productivity, improve water quality and attract desirable wildlife. Conservation Plans are a prerequisite for those who wish to enter the Farmland Preservation Program, or apply for natural resource conservation program grants such as the WHIP and EQIP.

The NRCS will assist landowners on how to best institute conservation practices that include providing for riparian buffers, no till and minimum till practices, prescribed grazing and pasture rotation, soil erosion control, nutrient management, and animal waste control. The local office serves Somerset, Hunterdon and Union Counties and is located at 687 Pittstown Road, Suite 2, Frenchtown, NJ 08825. The District Conservationist is Gail Bartok who can be reached at [gail.bartok@nj.usda.gov](mailto:gail.bartok@nj.usda.gov) or 908-782-4614.

#### **2. 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 the 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 and planners regarding virtually all development activities, with the goal of reducing the danger from stormwater runoff, retarding non-point source pollution from sediment, and conserving and protecting the land, water and other natural resources of the State.

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 at the 4-H Center, 308 Milltown Road, Bridgewater, NJ 08807. The District Manager is Ernest Thurlow who can be reached at thurlow@county.somerset.nj.us or (908) 526-2701.

Montgomery farmers may approach the 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 the review of Conservation Plans and grant program contracts, and must give final approval to both. Conservation Plans are not a prerequisite for those who wish to participate in the Farmland Preservation Program; the Plans are required within one year of the sale of development rights.

The SCD does public outreach via pamphlets, an exhibit at the yearly 4-H Fair, and through the RCE of Somerset County "Green and Growing" newsletter.

The SSCC, NRCS, Somerset County SCD, and Rutgers Cooperative Extension (RCE) of Somerset County, are part of the New Jersey Conservation Partnership. This partnership of agencies strives to further soil and natural resource conservation efforts.

Montgomery farmers are also served by the Rutgers Cooperative Extension (RCE) of Somerset County which provides both field and technical research. This research is focused on best management practices for farmers, to ensure the long term viability of both the agricultural economy and the natural resources upon which it is based. Relative to natural resource conservation, the RCE of Somerset County addresses "agricultural, environmental, and ecological concerns, and promoting the use of science-based knowledge and management techniques, agriculture and resource management agents and specialists provide professional expertise and training through a wide array of programming and outreach." The RCE is located at the 4H Center in Bridgewater Township.

The RCE's objectives are to provide educational tools necessary for proper resource management decisions; improve the knowledge and appreciation of agriculture and environmental resources; strengthen the relationships between agricultural and residential communities; and encourage the proper use and development of management strategies.

The RCE specialists are listed below.

Nicholas Polanin is a County Agent as well as an Associate Professor at Rutgers University. He

specializes in forestry, woodland management, christmas tree production, urban and community forestry and can be reached at Polanin@aesop.rutgers.edu or 908-526-6293.

William J. Bamka is a County Agent who specializes in field crops such as soybean and grains. He can be reached at the Burlington County office, bamka@njaes.rutgers.edu, or 609-265-5757.

Robert Mickel is a County Agricultural and Regional Livestock Agent who specializes in livestock and pasture. He is located at the Hunterdon County office and can be reached at mickel@njaes.rutgers.edu or 908-788-1338.

## **B. Natural Resource Protection Programs**

### **1. SADC Soil & Water Conservation Grant Program**

The SADC Soil and Water Conservation Grant Program awards grants of up to 50% the project cost to owners of permanently preserved farms and eight-year program participants. Irrigation, erosion control, and stream corridor enhancement projects are among those that are eligible.

### **2. Federal Conservation Programs**

The NRCS and Farm Service of America (FSA) administer a number of Federal Farm Bill programs including the Environmental Quality Incentives Program (EQIP), Wildlife Habitat Incentives Program (WHIP) and the Conservation Reserve Enhancement Program (CREP). EQIP funding is utilized for irrigation projects, manure management, and conversion of gas engines to diesel. The WHIP provides technical and financial assistance for creating, enhancing, and maintaining wildlife habitat. CREP is intended to reduce agricultural water runoff and improve water quality by paying farmers to remove highly erodible pastureland and cropland from production. 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.

The Grassland Reserve Program (GRP) is 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 2007 Farm Bill provided only minimal funding for GRP. The Wetlands Reserve program (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.

These programs compliment the Township's stream corridor ordinance which requires a 100-foot buffer. The Township has recommended these programs to farmers when a portion of the land is most suited for conservation rather than agricultural production. As of 2009 fiscal year, Montgomery Township has no farmers participating in WHIP or CREP. However, one farmer is addressing water conservation and air quality on approximately 500 acres within the EQIP program.

### 3. 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.

#### C. Water Resources

The protection of the water resource as it relates to agriculture and farmland preservation in Montgomery Township cannot be overstated. Without a consistent, plentiful, adequate and clean water source, agriculture cannot exist. In addition, farms provide critical open space areas for aquifer water recharge. To a certain extent, some aspects of ensuring clean and plentiful water can be controlled at the individual farm level, by doing the following:

- Minimizing the use of synthetic chemicals such as fertilizers, herbicides, pesticides, and fungicides so as to lessen impacts to groundwater;
- Providing riparian buffers along watercourses, so as to protect streams from the above mentioned synthetic chemicals, and from soil erosion;
- When possible, practicing organic farming methods;
- Practicing appropriate timing of chemical application, so as to minimize its use; and,
- Practicing water conservation techniques, such as drip irrigation and water re-use for certain types of farming where feasible, such as smaller scale vegetable and fruit operations.

There is a demand for water in the Township, particularly from a local sod farm operation. The sod farm presently operates on 220 acres of preserved farmland on Skillman Road between County Route 601 and Burnt Hill Road. The owner has applied to NJDEP's Bureau of Water Allocation for use of 8.5 million gallons per month (equal to 51.3 million gallons per year) for use over 107 acres. As noted in Somerset County's draft Farmland Preservation Plan, "agricultural use of groundwater resources has been challenged in areas where residential neighborhoods, which rely upon groundwater, are in close proximity to farms. The combination of increasing development and continued groundwater draw down may limit the potential productivity of farms in these areas." The Montgomery Township Health Officer estimates that there are over 200 private wells within a one-mile radius of the site and that some of these wells are older and shallower, making them particularly susceptible to fluctuations in the water table. Township Health Officer, Stephanie Carey wrote a letter to Joseph Miri, Hearing Officer at DEP, expressing that Montgomery's position regarding the water allocation permit was to conduct an aquifer test to determine more accurately the proposed well's hydrogeological impacts. Given the Township's concerns and its desire to more fully understand the potential impacts of the permit application, it retained the professional services of Demicco & Associates, Inc., a firm with considerable ground water resource expertise.

A public hearing was conducted on November 25, 2006 by the DEP in which the Township Environmental Commission, Health Officer, and residents raised concerns regarding the impact of the well on the groundwater supply. According to a letter dated August 21, 2007 from Jennifer Myers of the DEP's Bureau of Water Allocation, Ms. Myers writes, "The certification of application No. SO0016 is still under New Jersey Geological Survey (NJGS) review. After reviewing the NJGS report and all other comments received in relation to the certification application, the Department will make an appropriate decision on this application."

On November 21, 2007, the Somerset County Agriculture Development Board wrote to the DEP requesting that attention be paid to the water allocation permit, and for the issue to be resolved. As of the date of this plan, there has been no additional news regarding the status of the permit. There is a proposal to use treated sewage ("graywater") from the NPDC wastewater treatment plant as a surface application for use by the sod farm, but no feasibility study has been conducted to determine the viability of this suggestion.

Other water intensive users include three golf courses, a quarry and manufacturing plant operated by Gibraltar Rock, and recreational playing fields in Township parks and on Board of Education properties.

#### **D. Waste Management Planning**

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 also is a sign of good environmental stewardship, as is recycling of farm by-products whenever possible.

According to the Farmland Assessment and Census, Montgomery Township had 5,132 farm animals in 2004. The waste from these animals can contribute to water pollution by increasing nutrients, nitrates, sediment and bacteria at unhealthy levels in surface waters.

The Township operates in accordance with NJDEP and Somerset County permitting practices regarding waste management. The Township Board of Health coordinates with these entities and farmers, and records the applications and permits. Farmers are required to get permits from the State (also approved by the County) pursuant to N.J.A.C. 7:26 Solid and Hazardous Waste rules. Additionally, farmers are required to apply for exempt recycling activities such as leaf composting, recycling of tree limbs etc. according to N.J.A.C. 7:26A-1.4. Finally, the New Jersey Department of Agriculture's Animal Waste Management Rules can be found at: <http://www.nj.gov/agriculture/divisions/anr/agriassist/animalwaste.html>

Animal waste, in the form of manure, is the most prevalent problem, but most farm operations in the Township are small enough to manage this concern. The Township encourages farmers to use best management practices (BMPs) in terms of animal waste as well as other waste issues.

## **E. Energy Conservation Planning**

The New Jersey Department of Agriculture emphasizes the importance of energy conservation and alternative energy use in its Agricultural Smart Growth Plan. The Plan indicates that it is important to promote the use of innovative technologies, recycling, energy conservation and renewable energy systems on New Jersey's farms and to provide technical assistance for the agricultural community about new and existing energy conservation and renewable energy programs by promoting the financial and environmental benefits of implementing these programs. As of the date of this plan, the SADC has no official policy on installation of wind, solar or other energy generation facilities on preserved farms.

The agricultural community has shown initiative in pursuing alternative energy sources, such as solar, wind and bio-gas in running farm operations, and by being a leader in the pursuit of ethanol and bio-diesel fuel markets. Montgomery Township encourages farmers to participate in alternative and sustainable energy sources. However, as interest rises for alternative energy sources (such as wind turbines) the Township must consider the impact of these facilities on the surrounding community. Currently, the Township does not have an energy conservation plan. This area of agricultural planning will require further discussion and development.

## **F. Outreach & Incentives**

Montgomery Township provides information and education of natural resources to local residents and farmers, including guidelines and newsletter and information regarding State programs. This information is presented to the residents, both in paper and internet formats. The Stormwater Pollution newsletter has raised awareness on fertilizers, pesticides, household cleaning products and pet waste. The Township website is being revised and will post articles, newsletters, and information. Links to useful websites will also be provided. The Agricultural Advisory Committee is considering creating an outreach program to speak to farmers about new energy ideas. This is another area for development of a more formal policy and initiative.



## **SECTION VIII: AGRICULTURAL INDUSTRY SUSTAINABILITY, RETENTION & PROMOTION**

### **A. Existing Agricultural Industry Support**

#### **1. Right To Farm/Agricultural Mediation Programs**

To ensure farmers have the ability to continue accepted agricultural operations, the Right to Farm Act was enacted by the State Legislature in 1983 and amended in 1998. The Act provides protection of commercial farm operations from nuisance action, where recognized methods and techniques of agricultural production are applied, while, at the same time, acknowledging the need to provide a proper balance among the varied and conflicting interests of all lawful activities in New Jersey.

Another critical piece of legislation to support agriculture was the 1983 Agriculture Retention and Development Act. This Act created the State Agriculture Development Committee (SADC) and the eighteen County Agriculture Development Boards (CADBs). Both the SADC and CADB implement the Right to Farm Act on the State and local levels.

The SADC works to maximize protections for commercial farmers under the Right to Farm Act by developing Agricultural Management Practices (AMPs), tracking right to farm cases, offering a conflict resolution process, and reviewing rules proposed by other state agencies for the impact they may have on agriculture.

In order to qualify for Right to Farm protection a farm must meet the definition of a “commercial farm” in the Right to Farm Act; be operated in conformance with federal and state law; comply with the AMPs recommended by the SADC, or site specific AMPs developed by the Somerset County Agriculture Development Board (CADB) at the request of a commercial farmer; must not be a direct threat to public health and safety; and, must be located in an area where agriculture was a permitted use under municipal zoning ordinances as of December 31, 1997, or thereafter; or, must have been an operating farm as of December 31, 1997.

In the event of a dispute between a farmer and a neighbor (or a Township), the farmer is able to seek relief from the County Agriculture Development Board. The farmer can further appeal the CADB’s ruling at the SADC before having to file an action in court. Furthermore, the SADC has developed an Agricultural Mediation Program which utilizes a trained, impartial mediator. Usually one to two mediation sessions are held, but the mediator holds no formal power, so participation is voluntary, and compromises are sought. The program is free, and no attorneys are required to be present.

Montgomery Township’s Right to Farm Ordinance was adopted in 1990 to recognize the benefits derived from farming and prohibit customary farming practices from being found a nuisance. It also set forth the Township’s policy for preservation of farmland and the Township’s rich farming heritage (see Addendum VIII for a copy of the Township Right to Farm Ordinance). The Township’s ordinance deviates from the SADC’s model ordinance in several

ways. The Township's ordinance also does not regulate the farm stand and the products that can be sold. Additionally, farming is not considered a permitted use in all zoning districts in Montgomery Township. Finally, the Township's ordinance does not contain a requirement for a Real Estate Transfer Disclosure Statement when properties are transferred. The Township is not considering adding a provision to require this form because of logistical and enforcement issues associated with the requirement.

Presently, the Township does not have a formal mediation program. However, the Township recommends that the mediation process begin with the Agricultural Advisory Committee (AAC). If the farmer remains dissatisfied with the suggestions of the AAC, the next step is for the farmer to seek the counsel of the Somerset County Agricultural Development Board, and thereafter the State Board of Agriculture.

## **2. Farmland Assessment**

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 agricultural production. This tax incentive is made possible by the Farmland Assessment Act of 1964, N.J.S.A. 54:4-23.1 et seq. Basic eligibility requirements include:

- 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.

Montgomery Township's Tax Assessor has developed criteria for farmland assessment based upon these State-mandated criteria (see Addendum IX for Farmland Assessment Requirements). The application for farmland assessment is due annually before August 1<sup>st</sup>.

Without farmland assessment, farming in Montgomery Township would have disappeared long before now because of high land values in the Township. The decreased taxes help farmers to afford their land. Agricultural buildings are already assessed at a lower rate. The State could examine revising the Assessment regulations to provide a more exact formula for assessing

agricultural buildings. Currently, the roll back penalty requires repayment of the previous 3 years of taxes. This penalty already acts a deterrent for some landowners.

## **B. Other Strategies To Sustain, Retain and Promote Agriculture**

Over the last 50 years, Somerset County and the State of New Jersey have transformed from a largely rural and agricultural landscape, to a more urban and suburban landscape. However, farming remains strong and viable in many portions of the state, including sections of Montgomery Township.

If the Township's remaining agricultural areas are to survive and prosper, the non-farming public needs to be aware of, and be financially supportive of, the continuing economic, cultural, scenic and agricultural contributions made by Montgomery Township farmers. Public education and outreach will increase the recognition of the farm industry's importance to the non-agriculture resident, and should be continued and expanded whenever possible. Agri-tourism is one form of public outreach that exists in Montgomery Township and should be expanded wherever possible, and other public outreach mechanisms should be explored and instituted when feasible.

Preservation of the land is only a small part of the farmland preservation process, and the focus must also be on how to maintain agriculture as a viable industry. Some measures being undertaken by Montgomery Township include:

- Township leasing open space, when appropriate, to farmers.
- Adopted a soil disturbance ordinance (#14-1.3) that exempts agricultural uses when the farmer has an approved plan by the Somerset-Union Conservation District.
- Permit farm stands and seasonal agricultural signs related to farm stands, and exceptions from certain fencing requirements for farm fences.
- Set forth a policy that permits severable exception areas for preserved farms to be smaller than required by zoning if the balance of the land is being deed restricted or sold to the Township for open space.
- Exempt agricultural vehicles from the Township police ordinances that address "loud and unnecessary noise" and farm equipment traveling under 20 M.P.H. is exempt from registration according to New Jersey Motor Vehicle Commission Codes 51 & 52.
- Preparing (in conjunction with MFOS) "toolbox" for landowners in an informal style that will inform them of the range of preservation options, the benefits of preservation as well as present various funding strategies. This type of outreach is invaluable to the Township; discussion with a non-government group is often less intimidating to homeowners, and MFOS can identify interested parties that the Township should pursue.
- Conducting a deer management program on Township-owned land to reduce the population of white-tailed deer to assist with the reduction of crop damage and automobile accidents.

## **VISION STATEMENT**

Montgomery Township is committed to working hand-in-hand with local farmers, area businesses, government entities and nonprofit organizations to ensure its farmers can expand business operations and remain a viable part of the local economy. The Township will continue to lead in farmland preservation efforts while expanding the local farming economy, especially sustainable agriculture and agri-tourism opportunities.

## **ADDENDUM I**

Listing of all farmland assessed parcels by block and lot (as of 7/24/2009)

**Addendum I: Inventory of all Farmland Assessed Parcels**

<b>BLOCK</b>	<b>LOT</b>	<b>GIS ACRES</b>	<b>TAX MAP ACRES</b>	<b>BLSORT</b>	<b>LAND DESCRIPTION (ACRES)</b>	<b>PERCENTAGE FARMLAND ASSESSED</b>
1001	10	0.41	0.41	01001010	0.93	100.0%
1001	11	0.52	0.52	01001011	-	-
1001	13	0.87	0.87	01001013	0.87	100.0%
1001	14	121.95	122.37	01001014	120.37	98.4%
1001	16	23.67	24.31	01001016	22.91	94.2%
1001	17	8.50	8.66	01001017	8.66	100.0%
1001	18	3.17	3.20	01001018	19.80	100.0%
1001	19	4.61	4.70	01001019	-	-
1001	20	11.62	11.90	01001020	-	-
1001	26	12.30	12.30	01001026	12.30	100.0%
1001	31	10.03	10.00	01001031	10.00	100.0%
1001	32	11.96	11.40	01001032	11.40	100.0%
1001	34	25.59	25.62	01001034	24.62	96.1%
1001	35.01	19.65	19.57	01001035	17.57	89.8%
1001	38	5.80	6.50	01001038	6.50	100.0%
1001	39	5.96	5.95	01001039	5.95	100.0%
1001	40	21.57	22.80	01001040	22.80	100.0%
1001	42	27.96	29.00	01001042	29.00	100.0%
1001	43	9.20	9.17	01001043	9.17	100.0%
1001	44	3.99	3.70	01001044	3.70	100.0%
1001	45	223.51	222.50	01001045	187.40	84.2%
1001	46	24.76	25.43	01001046	25.43	100.0%
1001	47	7.62	7.50	01001047	7.50	100.0%
1001	48	6.60	6.75	01001048	5.00	74.1%
1001	49	21.82	21.70	01001049	21.70	100.0%
1001	51	2.31	2.56	01001051	5.00	195.3%
1002	1	8.03	8.35	01002001	9.75	100.0%
1002	2	1.59	1.40	01002002	-	-
2001	1	38.43	41.30	02001001	58.66	47.9%
2001	2	20.67	20.40	02001002	-	-
2001	3	25.15	25.40	02001003	-	-
2001	4	9.55	9.78	02001004	-	-
2001	5	25.43	25.70	02001005	25.70	100.0%
3001	1	9.49	9.40	03001001	9.40	100.0%
3001	2	49.51	49.40	03001002	49.40	100.0%
4001	3	15.52	15.43	04001003	14.43	93.5%
4001	5	7.00	7.00	04001005	6.00	85.7%
4001	8	25.98	25.67	04001008	24.67	96.1%
4001	8.01	6.52	6.33	04001008.01	6.33	100.0%
4001	9	22.02	21.90	04001009	19.90	90.9%
4001	10.01	28.57	28.16	04001010.01	28.16	100.0%
4001	10.02	33.00	32.54	04001010.02	32.54	100.0%
4001	10.03	25.91	25.58	04001010.03	25.58	100.0%
4001	12	49.73	68.90	04001012	68.90	100.0%
4001	12.01	14.73	0.00	04001012.01	-	-
4001	25.01	0.38	0.00	04001025.01	9.34	93.4%
4001	27	10.00	10.00	04001027	-	-
4001	26	4.57	5.00	04001026	101.84	93.7%

BLOCK	LOT	GIS ACRES	TAX MAP ACRES	BLSORT	LAND DESCRIPTION (ACRES)	PERCENTAGE FARMLAND ASSESSED
4001	28	95.69	103.66	04001028	-	-
4001	33	155.30	154.34	04001033	154.34	100.0%
6001	4	7.81	8.74	06001004	8.74	100.0%
6001	6	9.66	10.00	06001006	7.00	70.0%
6001	8	31.14	31.19	06001008	30.19	96.8%
6001	32	5.34	5.30	06001032	5.30	100.0%
6001	37	29.69	29.70	06001037	28.45	95.8%
6001	38	10.44	10.89	06001038	8.90	81.7%
6001	39	10.81	9.88	06001039	9.88	100.0%
6001	40	24.88	31.14	06001040	31.14	100.0%
6001	43	10.99	10.80	06001043	10.80	100.0%
7013	22	25.76	25.80	07013022	22.17	85.9%
7019	61	12.33	12.19	07019061	12.19	100.0%
7019	62	9.89	10.54	07019062	9.54	90.5%
7021	50	17.50	17.40	07021050	16.40	94.3%
8001	1	79.45	82.37	08001001	81.37	98.8%
8001	4	6.04	6.00	08001004	5.39	89.8%
8001	5	13.96	13.00	08001005	12.00	92.3%
8001	7.01	12.53	11.95	08001007.01	11.95	100.0%
8001	8	4.10	4.00	08001008	4.00	100.0%
8001	20	8.20	8.22	08001020	7.00	85.2%
8001	21	8.18	8.22	08001021	14.44	78.3%
8001	22.01	7.66	7.22	08001022.01	-	-
8001	22.02	3.02	3.00	08001022.02	-	-
9001	4	2.82	2.84	09001004	1.84	64.9%
10001	10	7.32	7.25	10001010	6.25	86.2%
10001	11	6.29	6.10	10001011	21.42	87.7%
10001	13	18.08	18.32	10001013	-	-
10001	14	2.81	2.75	10001014	3.75	68.2%
10001	16	3.17	2.75	10001016	-	-
10001	19	9.99	10.00	10001019	10.00	100.0%
10001	20	10.22	10.23	10001020	10.23	100.0%
10001	22	29.00	28.99	10001022	28.99	100.0%
10001	23	7.23	7.56	10001023	7.56	100.0%
10001	24.01	2.34	2.35	10001024.01	1.21	51.5%
11001	1	72.43	73.05	11001001	73.05	100.0%
11001	1.02	7.07	7.02	11001001.02	6.02	85.7%
11001	8.01	15.91	14.77	11001008.01	14.74	99.8%
11001	27	14.63	14.92	11001027	14.92	100.0%
11001	29	23.82	24.52	11001029	23.52	95.9%
11001	30	101.50	103.40	11001030	102.40	99.0%
11001	31.02	17.50	17.50	11001031.02	17.50	100.0%
11001	46	116.84	115.03	11001046	112.03	97.4%
11001	54	13.00	13.07	11001054	13.07	100.0%
11001	55	61.71	62.17	11001055	65.17	104.8%
11001	55.01	6.19	5.00	11001055.01	5.50	110.0%
11001	56.01	6.10	7.31	11001056.01	6.31	86.3%
11001	57	20.52	21.09	11001057	21.09	100.0%
11001	59.02	13.54	13.83	11001059.02	13.63	98.6%

BLOCK	LOT	GIS ACRES	TAX MAP ACRES	BLSORT	LAND DESCRIPTION (ACRES)	PERCENTAGE FARMLAND ASSESSED
11001	61	45.13	46.00	11001061	46.00	100.0%
11001	62	81.57	84.26	11001062	82.46	97.9%
11001	65	20.33	20.18	11001065	20.18	100.0%
11001	68	3.64	3.65	11001068	3.65	100.0%
11001	71	1.08	1.08	11001071	1.08	100.0%
11001	74.06	5.52	5.50	11001074.06	5.00	90.9%
11002	8	13.53	13.05	11002008	12.05	92.3%
11003	1	0.86	0.86	11003001	0.85	98.4%
12001	8	13.49	13.58	12001008	11.00	81.0%
12001	8.01	12.04	12.03	12001008.01	10.00	83.2%
12001	10.06	12.15	12.15	12001010.06	12.15	100.0%
12001	15	33.77	34.29	12001015	34.29	100.0%
13001	1	17.41	17.22	13001001	16.22	94.2%
13001	13	45.17	45.64	13001013	45.64	100.0%
13001	15	125.85	125.71	13001015	124.71	99.2%
13001	19	5.83	6.02	13001019	5.02	83.4%
13001	21	11.40	11.42	13001021	10.42	91.2%
14001	1	20.60	20.38	14001001	20.38	100.0%
14001	2	257.98	257.06	14001002	97.10	37.8%
14001	7	24.07	24.39	14001007	24.39	100.0%
14001	10.01	9.43	9.79	14001010.01	7.79	79.6%
14001	11	6.45	8.45	14001011	5.45	64.5%
14001	17	22.80	23.53	14001017	23.03	93.9%
14001	36	1.14	1.00	14001036	-	-
14001	18	11.86	12.50	14001018	11.50	92.0%
14001	20	13.31	13.25	14001020	11.00	83.0%
14001	27	13.14	14.04	14001027	13.04	92.9%
14001	31.01	3.54	3.74	14001031.01	10.55	100.0%
14001	32	6.70	6.81	14001032	-	-
15001	2	14.67	14.15	15001002	13.15	92.9%
15001	3.01	13.31	6.28	15001003.01	6.40	102.0%
15001	3.02	13.31	6.40	15001003.01	5.28	82.4%
15001	27	34.33	35.20	15001027	34.20	97.2%
15001	30	21.20	21.20	15001030	15.50	73.1%
15001	45	20.46	20.47	15001045	19.47	95.1%
15001	49	10.10	10.00	15001049	8.90	89.0%
15001	84	16.85	16.87	15001084	16.87	100.0%
15002	1	4.74	5.70	15002001	5.70	100.0%
15007	29	2.04	2.04	15007029	2.04	100.0%
15007	30	4.96	4.93	15007030	3.93	79.7%
16001	6	21.76	21.81	16001006	20.18	92.5%
16001	11.02	12.19	12.20	16001011.02	11.20	91.8%
16001	34.05	9.13	8.79	16001034.05	7.79	88.6%
16012	3.01	7.39	7.27	16012003.01	5.70	78.5%
16012	13	8.98	9.30	16012013	8.30	89.2%
17001	11.02	74.92	73.97	17001011.02	76.94	98.7%
17001	11.03	2.00	2.00	17001011.03	-	-
17001	11.04	1.96	2.00	17001011.04	-	-
17004	1	0.31	0.23	17004001	0.23	100.0%



BLOCK	LOT	GIS ACRES	TAX MAP ACRES	BLSORT	LAND DESCRIPTION (ACRES)	PERCENTAGE FARMLAND ASSESSED
17004	2	7.30	8.10	17004002	7.60	93.8%
17008	1	10.87	10.81	17008001	10.81	100.0%
18001	12.01	8.06	8.17	18001012.01	7.17	87.8%
18001	14	9.04	9.20	18001014	9.20	100.0%
18001	16	8.88	9.00	18001016	8.00	88.9%
18022	34	9.01	9.12	18022034	6.62	72.6%
19001	1	18.30	18.48	19001001	17.00	92.0%
19001	4	97.97	97.39	19001004	97.39	100.0%
19001	8.13	8.40	8.13	19001008.13	7.00	86.1%
19001	11	104.78	104.62	19001011	102.62	98.1%
20001	2	2.00	2.00	20001002	2.00	100.0%
21007	6	10.26	10.32	21007006	9.32	90.3%
21007	7	25.14	25.00	21007007	25.00	100.0%
22001	12	7.43	7.43	22001012	6.43	86.5%
22001	14	13.91	13.91	22001014	12.91	92.8%
22001	20.01	60.12	52.00	22001020.01	51.00	98.1%
22001	21.01	37.23	37.22	22001021.01	29.79	80.0%
23001	11	10.98	11.20	23001011	11.20	100.0%
24001	1	45.25	46.98	24001001	43.58	92.8%
24001	11	5.50	5.48	24001011	49.56	100.0%
24001	13	22.51	22.04	24001013	-	-
24001	13.01	22.24	22.04	24001013.01	-	-
24001	26	56.63	56.87	24001026	56.87	100.0%
24001	39	6.46	6.41	24001039	5.41	84.4%
25001	15	6.04	6.98	25001015	5.00	71.6%
25001	26	25.47	27.17	25001026	26.42	97.2%
25001	37	7.00	7.01	25001037	6.01	85.7%
26001	1.02	103.45	103.46	26001001.02	103.46	100.0%
26001	1.03	82.52	82.53	26001001.03	82.53	100.0%
26001	1.04	89.62	89.59	26001001.04	89.59	100.0%
26001	2	9.96	9.98	26001002	8.18	76.2%
26001	2.01	0.76	0.76	26001002.01	-	-
26001	22	9.75	9.75	26001022	8.75	89.7%
27001	8	9.01	9.38	27001008	7.88	84.0%
28006	38	3.89	4.00	28006038	4.00	100.0%
28006	39	3.87	4.00	28006039	5.00	83.3%
28006	40	1.97	2.00	28006040	-	-
28006	43	10.04	9.93	28006043	5.17	52.1%
29001	1	8.37	8.58	29001001	8.58	100.0%
29001	2	8.30	9.04	29001002	8.04	88.9%
29001	6.01	4.34	4.23	29001006.01	4.23	100.0%
30001	9	40.26	40.21	30001009	40.21	100.0%
30003	36	8.74	8.72	30003036	7.72	88.5%
31001	1.03	3.45	3.45	31001001.03	3.45	100.0%
31001	2	9.84	9.89	31001002	6.46	65.3%
31001	9.02	6.01	6.01	31001009.02	5.01	83.4%
31001	10	9.36	9.44	31001010	9.44	100.0%
31001	11	12.59	12.58	31001011	11.13	88.5%
31001	11.06	10.03	10.05	31001011.06	10.05	100.0%

BLOCK	LOT	GIS ACRES	TAX MAP ACRES	BLSORT	LAND DESCRIPTION (ACRES)	PERCENTAGE FARMLAND ASSESSED
31001	12	24.92	25.50	31001012	60.58	100.0%
31001	13	36.18	35.08	31001013	-	-
31001	15	18.81	18.82	31001015	16.82	89.4%
31001	17	9.93	10.22	31001017	9.22	90.2%
31001	20	92.52	93.26	31001020	92.26	98.9%
31001	20.01	4.42	4.64	31001020.01	4.64	100.0%
31001	31.01	31.37	31.94	31001031.01	31.94	100.0%
31001	192	13.86	14.83	31001192	10.00	67.4%
31001	193	5.06	5.05	31001193	5.06	100.2%
31007	30	25.17	25.68	31007030	21.68	84.4%
32001	2	39.93	41.70	32001002	40.70	97.6%
32001	4	21.40	21.53	32001004	21.53	100.0%
32001	4.01	19.58	19.57	32001004.01	19.57	100.0%
32001	4.02	2.93	2.93	32001004.02	1.93	65.8%
32001	4.03	23.98	23.98	32001004.03	23.98	100.0%
32001	5	111.83	111.79	32001005	111.79	100.0%
32001	5.02	39.94	39.93	32001005.02	39.93	100.0%
32001	5.03	25.43	25.44	32001005.03	20.00	78.6%
32001	6	31.08	31.63	32001006	31.63	100.0%
32001	6.01	5.28	5.69	32001006.01	3.19	56.1%
32001	8	11.39	11.65	32001008	10.66	91.5%
32001	19	1.55	1.55	32001019	1.55	100.0%
32001	20	5.02	5.00	32001020	9.00	90.0%
32001	21	5.01	5.00	32001021	-	-
32001	24	58.70	60.49	32001024	60.49	100.0%
32002	20	0.14	0.14	32002020	3.19	103.9%
32002	21	1.78	1.77	32002021	-	-
32002	22	0.29	0.29	32002022	-	-
32002	23	0.87	0.87	32002023	-	-
33001	17	5.92	5.88	33001017	24.48	100.0%
33001	18	18.74	18.60	33001018	-	-
33001	18.01	10.36	9.80	33001018.01	9.80	100.0%
33001	18.07	1.56	1.57	33001018.07	1.57	100.0%
33001	18.08	1.01	1.00	33001018.08	1.00	100.0%
33001	18.10	4.06	4.05	33001018.10	3.06	75.6%
33001	21	32.11	27.90	33001021	27.90	100.0%
33001	21.01	14.77	15.00	33001021.01	15.00	100.0%
33001	21.02	15.05	14.92	33001021.02	13.00	87.1%
33001	22	29.82	29.52	33001022	28.62	97.0%
33001	22.01	9.53	10.02	33001022.01	10.02	100.0%
33001	23	36.02	36.45	33001023	36.45	100.0%
33001	24	8.75	5.44	33001024	3.44	63.2%
33001	26.01	69.14	69.15	33001026.01	69.15	100.0%
33001	26.02	65.06	65.05	33001026.02	65.05	100.0%
33001	28	11.15	11.15	33001028	11.15	100.0%
33001	28.03	5.87	5.87	33001028.03	5.87	100.0%
33001	28.04	3.13	3.13	33001028.04	2.13	68.1%
33001	28.05	17.28	17.28	33001028.05	17.28	100.0%
33001	28.09	7.80	7.80	33001028.09	7.80	100.0%

BLOCK	LOT	GIS ACRES	TAX MAP ACRES	BLSORT	LAND DESCRIPTION (ACRES)	PERCENTAGE FARMLAND ASSESSED
33001	28.10	5.15	5.15	33001028.10	5.15	100.0%
33001	28.11	5.17	5.17	33001028.11	5.17	100.0%
33001	32	49.69	53.51	33001032	53.51	100.0%
34001	13.01	19.42	19.42	34001013.01	18.42	94.9%
34001	13.04	27.76	27.57	34001013.04	26.57	96.4%
34001	14	12.66	12.47	34001014	12.47	100.0%
34001	15	4.88	7.50	34001015	7.50	100.0%
34001	22	0.99	1.02	34001022	1.02	100.0%
34001	30	17.81	17.43	34001030	17.43	100.0%
34001	43.05	53.30	53.30	34001043.05	53.30	100.0%
34001	44	26.34	26.19	34001044	25.19	96.2%
34001	46	30.69	34.94	34001046	31.22	89.4%
34001	57	99.56	100.00	34001057	30.00	30.0%
34001	65	0.34	0.00	34001065	13.62	99.6%
34001	70	13.04	13.68	34001070	-	-
37003	7	73.87	72.80	37003007	64.80	89.0%
38001	1	2.73	1.67	38001001	1.67	100.0%
38001	3	11.80	11.00	38001003	11.00	100.0%
38001	4	51.29	57.64	38001004	57.64	100.0%
38001	5	14.75	17.00	38001005	17.00	100.0%
22001	21.02	28.90	28.90	2200102102	27.30	94.5%
<b>Total =</b>		<b>6051.12</b>	<b>6085.31</b>		<b>5594.15</b>	

## **ADDENDUM II**

Chart of agricultural acres by zoning district and general lot size category



**ADDENDUM III****FARMLAND PRESERVED TO DATE BY PROGRAM**

<b>Owner</b>	<b>Block</b>	<b>Lot</b>	<b>Approximate Acreage</b>	<b>Date</b>	<b>Program</b>
Pederson	4001	10	81.48	12/23/1999	Township Agricultural/Conservation/Pathway Easement
Summerskill	6001	37	29.70	11/16/1989	NJ State Farmland Preservation Program
Reading	6001 17009	42 1	6.00	10/30/2002	Township Agricultural/Conservation/Pathway Easement
Conard (formerly Donald Staats)	8001	1	88.55	3/18/1997	NJ State Farmland Preservation Program
Lloyd Staats	8001	5 (part) & 7.01	19.37	1/4/2001	Township Agricultural/Conservation/Pathway Easement
Brzyski	8001	20 (part)	7.00	4/17/2002	Township Agricultural/Conservation/Pathway Easement
Mueller	8001	21, 22.01, 22.02	15.94	12/28/2001	Township Agricultural/Conservation/Pathway Easement
Rhoda	10001	22	29.00	4/27/2004	NJ State Farmland Preservation Program
Medina	11001 25001	62, 65 & 68 26	133.00	4/3/1998	NJ State Farmland Preservation Program
Farkas	14001	17, 36	22.58	2/4/2009	NJ State Farmland Preservation Program
Tucker	15001	27	36.00	4/14/1998	NJ State Farmland Preservation Program
KBA/Grosso	15001	84	16	1/17/2007	Township Agricultural/Conservation/Pathway Easement
Drift	16001	6	18.09	6/2/2005	Township Agricultural/Conservation Easement
Johnson	17001	11	68	7/3/2007	NJ State Farmland Preservation Program/ Planning Incentive Grant

David McAlpin	19001	4, 6, 7, 9 10 & 11	201.72	6/29/1993	Township Agricultural/ Conservation/Pathway Easement
Campbell	22001	21 & 22	61.63	5/6/1997	Township Agricultural/ Conservation/Pathway Easement
Wilson	24001	13	22.04	12/17/1999	NJ Conservation Foundation Agricultural/ Conservation Easement
State of NJ	25001	27 (portion)	152.97	10/5/1988	Easement Granted by Assembly Bill A-3401
Selody	26001	1 (portion)	283.00	12/2/2003	NJ State Farmland Preservation Program by <sup>1</sup>
State of NJ	26001	1 (portion)	16.42	12/2/2003	Easement Granted by Assembly Bill A-3401 <sup>2</sup>
State of NJ	27001	7 (portion)	161.59	10/5/1988	Easement Granted by Assembly Bill A-3401
Raymond	31001	20	82.21	2/28/2007	NJ Conservation Foundation Agricultural/ Conservation Easement
Brown/Whittaker	31001	31.01 (part)	28.00	3/21/2002	Township Agricultural/ Conservation Easement
Gallup	32001	2, 4, 4.01, 4.02, 4.03,		6/10/1994	
	32002	5.02, 5 & 6			NJ State Farmland
Webster <sup>3</sup>	33001	20-23 21.01 & 23	375.00	6/10/1994	Preservation Program
Mayo	33001	17, 18 & 21 (part)	46.61	3/15/2001	Township Agricultural/ Conservation/Pathway Easement
Dressler	34001	13	29.00	6/28/2002	NJ State Farmland Preservation Program
Hilaire	34001	13.01	16.42	8/26/1998	Township Agricultural/ Conservation Easement
	34001	13.03	9.91		

<sup>1</sup> An agricultural easement was conveyed by the State of New Jersey to the NJ Farmland Preservation Program and the deed-restricted land was sold to a private owner in 2003 at public auction.

<sup>2</sup> State of New Jersey retained a small portion of lot 1 within block 26001 that contains a former landfill.

<sup>3</sup> 375 acres of farmland was preserved by the Gallup family through the NJ State Farmland Preservation Program. Of that land, lot 21.01 & 23 within block 33001 was then sold as a deed restricted farm to Elizabeth Webster.

Donald Drake	340001	43.05	51	6/5/2007	NJ State Farmland Preservation Program/ Planning Incentive Grant
		<b>Total:</b>	<b>2,108.23</b>		



**ADDENDUM IV**

**EASEMENT MONITORING FORM**

Date of visit: \_\_\_\_\_

Date of last visit: \_\_\_\_\_

**1. Block/Lot:**

Easement Name:

Location:

Current Owner:

Address and Phone #:

**2. Ownership transfer since last monitoring?** Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, record below:                      Date transferred:

Deed from:

Deed to:

Reference to conservation restrictions in deed? Yes \_\_\_\_\_ No \_\_\_\_\_

**3. Was owner contacted prior to visit?** Yes \_\_\_\_\_ No \_\_\_\_\_

Did owner or representative accompany monitor? Yes \_\_\_\_\_ No \_\_\_\_\_

**4. Description of Current Land Use** (open space, park, agriculture etc.):

**5. List man-made alterations** (i.e. construction, dredging/filling, trails, timber harvest, clearing of new fields) since easement was last monitored. Describe activity/alteration with location, extent, purpose, individual responsible (if known). Include maps, photos, illustrations.

**6. List natural alterations** (i.e. flooding, fire, erosion, insect infestation, deer). Describe alteration with location, extent. Include maps, photos, illustrations.

7. **Identify plant communities and dominant species, as well as invasive species.**
  
8. **Suggest any stewardship activity that would improve the site.**
  
9. **Summary of Easement Restrictions:**
  
10. To the best of your knowledge and observation, **are the restrictions in the conservation easement being complied with** (esp. boundary line)? Explain.
  
11. **Are the required open space signs present and visible on the property?**  
*Township Open Space Sign:*  
*Township Pathway Sign:*  
*Green Acres Sign:*
  
12. **Other observations/comments:**

**Method of inspection** (circle): Walk property / Perimeter inspection / Drive-by

**List all persons attending inspection** (landowners, others):

**Monitor's name / title:**

**Signature:** \_\_\_\_\_

**Address and phone #:**

Please indicate the number of attachments of each of the following. Be sure to date and sign all materials and provide a detailed description or map showing locations of on-site photos and illustrations:

\_\_\_\_ aerial photo

\_\_\_\_ ground photo

\_\_\_\_ maps

\_\_\_\_ illustrations

\_\_\_\_ other:

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**ADDENDUM V – RANKING CRITERIA**

**Applicant Name:** \_\_\_\_\_

**Block(s) / Lot(s):** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**Density or Contiguous Properties (maximum of 10 points)**

Add 2 points for the subject farm: \_\_\_\_\_

Add 2 points for each permanently preserved farm indicated \_\_\_\_\_

Add 1 point for each 8-Year farm indicated \_\_\_\_\_

**Sub total for this category:** \_\_\_\_\_

**Boundaries and Buffers (multiply percentage as indicated)**

Deed Restricted Farmland (permanent) x .20 \_\_\_\_\_

Deed Restricted Wildlife Areas x .18 \_\_\_\_\_

Streams (perennial) and Wetlands x .18 \_\_\_\_\_

Cemeteries x .16 \_\_\_\_\_

Parks (limited public access) x .14 \_\_\_\_\_

Military Installations x .14 \_\_\_\_\_

Golf Course (public) x .14 \_\_\_\_\_

8 year programs / EP Applications x .13 \_\_\_\_\_

Highway (limited access) or Railroads x .10 \_\_\_\_\_

Farmland (unrestricted) x .06 \_\_\_\_\_

Woodlands x .06 \_\_\_\_\_

Parks (high use) x .05 \_\_\_\_\_

Residential Development x .00 N/A

Residential (<5 acres w/o infrastructure) x .00 N/A

Commercial x .00 N/A

Industrial x .00 N/A

Schools x .00 N/A

**Sub total for this category:** \_\_\_\_\_

**Tillable Acres (multiply percentage as indicated)**

Cropland Harvested x .15 \_\_\_\_\_

Cropland Pastured x .15 \_\_\_\_\_

Permanent Pasture x .02 \_\_\_\_\_

Woodlands x .00 N/A

Wetlands x .00 N/A

Other x .00 N/A

**Sub total for this category:** \_\_\_\_\_

**Soils (multiply percentage as indicated)**

Prime x .15 \_\_\_\_\_

Statewide x .10 \_\_\_\_\_

Unique x .125 \_\_\_\_\_

Locals x .05 \_\_\_\_\_

Other x .00 N/A

**Sub total for this category:** \_\_\_\_\_

**Imminence of Change or Conversion**

- If the premises is in an estate situation, add 3 points \_\_\_\_\_
- If the owner has filed for bankruptcy, add 4 points \_\_\_\_\_
- If subdivision approval has been granted, add 2 points \_\_\_\_\_

**Sub total for this category:** \_\_\_\_\_

**Local Commitment (maximum of 20 points)**

- If any question 2a through 2e is "yes", add 5 points \_\_\_\_\_
- If there is **no** sewer/water indicated, add 3 points \_\_\_\_\_
- If preservation is supported by State/local plans, add 2 points \_\_\_\_\_
- If there is an active CADB liaison, add 1 point \_\_\_\_\_
- If planning board actions support preservation, add 1 point \_\_\_\_\_
- If municipal actions support preservation, add 1 point \_\_\_\_\_
- If any 8-Year municipal programs exist, add 1 point \_\_\_\_\_
- If any easements have been purchased in the Twp, add 1 pt \_\_\_\_\_
- If the Twp has a Right-to-Farm ordinance, add 4 points \_\_\_\_\_
- If the RTF ordinance requires builder notification, add 1 pt \_\_\_\_\_

**Sub total for this category:** \_\_\_\_\_

**Municipal Ranking**

- If the property is the Township's top ranked farm, add 10 points \_\_\_\_\_

**Sub total for this category:** \_\_\_\_\_

**General Applicant Information**

Up to 10 points can be added to the ranking score depending on the net acres to be preserved in comparison to the average size of a farm in the Township. The formula for determining point value for the Size Criteria is:

**10 x net acres to be preserved**

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**2 x average farm size in Twp.**

**(41 acres – from 2009 Tax Assessment records)**

Points based on above formula: \_\_\_\_\_

**Sub total for this category:** \_\_\_\_\_

**Exceptions**

- If exception sum is more than 10% of farm, subtract 1 point \_\_\_\_\_
- If the exception is severable, subtract 2 points \_\_\_\_\_
- If the landowner does not agree to restrict the exception
- To one house, subtract the number of units in excess of the
- Local zoning requirements \_\_\_\_\_

**Sub total for this category:** \_\_\_\_\_

**Amount of all subtotals** \_\_\_\_\_

**Final Ranking**

**Amount of farms submitted in round:** \_\_\_\_\_

**Ranking of property based on farms submitted in round** \_\_\_\_\_

## ADDENDUM VI

TOWNSHIP OF MONTGOMERY  
SOMERSET COUNTY, NEW JERSEY

**RESOLUTION #07-10-243 - REGULATIONS CONCERNING ETHICS FOR LOCAL AGRICULTURAL  
ADVISORY COMMITTEES**

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WHEREAS, The Township of Montgomery in Somerset County, New Jersey, has established an Agricultural Advisory Committee as set forth in Section 2-28 of the Code of the Township of Montgomery in Somerset County, New Jersey (1984); and

WHEREAS, Applicable regulations of the State Agricultural Development Committee (hereinafter "SADC"), specifically N.J.A.C. 2:76-17A.3(a)1.iii, prohibit a member of the Agricultural Advisory Committee, or a member of his or her immediate family, "from selling or applying to sell a development easement on his or her property or from selling or applying to sell his or her property in fee simple title pursuant to the Agricultural Retention and Development Act, N.J.S.A. 4:1C-11, et seq., and the Garden State Preservation Trust Act, N.J.S.A. 13:8C-1, et seq.;" and

WHEREAS, N.J.A.C. 2:76-17.83(a)iii..(1) further defines "member of the immediate family" as a "member's spouse, child, parent or sibling, residing in the same household."

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County, New Jersey, that it confirms that the members of the Montgomery Township Agricultural Advisory Committee shall be subject to said regulation, and that the Clerk shall transmit a copy of this resolution to all members thereof;

BE IT FURTHER RESOLVED That a true copy of this Resolution shall be submitted to the Somerset County Agricultural Development Board and the SADC.

**CERTIFICATION**

I HEREBY CERTIFY THE ABOVE TO BE A  
TRUE COPY OF A RESOLUTION ADOPTED BY THE  
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
MONTGOMERY AT A MEETING HELD

OCTOBER 18, 2007

  
Township Clerk

## ADDENDUM VII

### FARMER SURVEY

#### Tell us what you think

The Township is in the process of updating the Farmland Preservation element of the Master Plan and would like your input. *Please assist the Township by answering the following questions and returning this survey by September 14, 2007 to the Municipal Building or mailing it to the address above (feel free to attach more sheets if necessary).* Thank you for your comments. Please provide your **email address** if you would like news bulletins and information about upcoming events / conferences.

**Email:-**

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1. What is the size of your farm? What products are produced and / or sold on your farm? Do you sell your goods at a farmer's market? Please indicate which market(s). Do you host any family-friendly activities (i.e. hayrides, pumpkin picking, corn mazes etc.)? If so, how do you advertise these activities?

2. What do you see as the future trends in agriculture (i.e. organic farming, Community Supported Agriculture, switching to alternative energy sources, specialty foods)? Do you plan on implementing any of these practices on your farm?

3. Please rate the following issues (1-8) in terms of importance. (1 = most important, 8 = least important). Explain why your #1 choice is most important to you & your farming operation.

- |  |  |
|--|--|
| <input type="checkbox"/> produce safety  | <input type="checkbox"/> farmland assessment   |
| <input type="checkbox"/> Right to Farm   | <input type="checkbox"/> farmland preservation |
| <input type="checkbox"/> land use  | <input type="checkbox"/> Farm Bill             |
| <input type="checkbox"/> convenience/availability of support services infrastructure (equipment & seed dealers, processing etc.) |  |
| <input type="checkbox"/> Other _____   |  |

4. What do you need to make farming a more profitable enterprise for you? Does your farm have a website? What is the web address?

5. Is the Township doing enough to support farming? Do you have any suggestions or recommendations (i.e. updates to local ordinances, streamlining the permitting process, assistance with farming infrastructure)?

6. A variety of programs offer technical and financial assistance to farmers. Please check all that apply. If you would like more information about any of these programs, please indicate which ones and provide your email or mailing address.

Program	Currently Use	Do Not Use	Would Like Info.
<b>Farmland Assessment</b> is a lower property tax consideration offered by the municipality for farmers based on meeting the State mandated criteria.			
<b>Woodland Assessment</b> falls under Farmland Assessment and is offered to landowners who develop an approved woodland management plan for their forested lot(s).			
<b>CREP</b> (Conservation Reserve Enhancement Program) is a voluntary program offered through the Farm Service Agency that pays participants to implement conservation practices on environmentally sensitive land. Eligible practices include installing and maintaining grass waterways, contour grass strips, filter strips, and riparian buffers. <a href="http://www.fsa.usda.gov/FSA/webapp?area=home&amp;subject=copr&amp;topic=cep">http://www.fsa.usda.gov/FSA/webapp?area=home&amp;subject=copr&amp;topic=cep</a>			
<b>WHIP</b> (Wildlife Habitat Incentives Program) is a voluntary program for people who want to develop and improve wildlife habitat primarily on private land. Through WHIP, USDA's Natural Resources Conservation Service provides both technical assistance and up to 75 percent cost-share assistance to establish and improve fish and wildlife habitat. <a href="http://www.nrcs.usda.gov/programs/whip/">http://www.nrcs.usda.gov/programs/whip/</a>			
<b>Farm Link Program</b> is offered by the NJ SADC and works to link new farmers to land opportunities, link landowners to established farmers and provides a listing of events. <a href="http://www.state.nj.us/agriculture/sadc/farmlink.htm">http://www.state.nj.us/agriculture/sadc/farmlink.htm</a>			
<b>Rutgers - NJ Agricultural Experiment Station</b> works with farmers to navigate regulations, develop marketing techniques and use integrated management systems. <a href="http://njaes.rutgers.edu/ag/">http://njaes.rutgers.edu/ag/</a>			
<b>Rutgers School of Environmental Sciences</b> – Students often pursue groundbreaking research projects, internships, and service learning opportunities <a href="http://sebs.rutgers.edu/prospective/">http://sebs.rutgers.edu/prospective/</a>			
<b>NOFA (Northeast Organic Farming Association)</b> is a collaboration of farmers, consumers, retailers, processors, educators and researchers <a href="http://www.nofanj.org/">http://www.nofanj.org/</a>			
<b>Local Harvest</b> provides a nationwide directory of small farms, farmers markets, and other local food sources <a href="http://www.localharvest.org">www.localharvest.org</a>			

*Email and / or mailing address for more information:*

7. Over 100 acres of farmland was recently preserved as part of the State Agriculture Development Committee's Planning Incentive Grant (PIG) program: the Donald Drake farm on Route 518 and the Johnson farm on Bridgepoint Road. Is your farm preserved? If so, please rate your satisfaction with the preservation process (1 = very dissatisfied, 5 = very satisfied). Do you have any recommendations to improve the process? If not, would you be interested in preservation?



8. Do you have anything else you would like to tell us?



## **ADDENDUM VIII**

### **MONTGOMERY TOWNSHIP RIGHT TO FARM ORDINANCE**

#### ***8-5 RIGHT TO FARM.***

##### **8-5.1 Findings.**

The Township Committee finds:

- a. Farming has existed and been carried on in Montgomery Township for hundreds of years and before the residential, commercial and office development that has, since, become widespread in the Township.
- b. Residential, commercial and office buildings have been located in close proximity to existing working farms that engage in plowing, seeding, fertilizing, the spraying of insecticides and herbicides, the use of tractors and farm machinery, irrigation and other customary farming practices.
- c. The residential, commercial and office development have affected the abilities of farms to maintain their livelihood and utilize such customary farming practices.
- d. Whatever burden may be caused to such proximate residential, commercial and office properties from farming practices, such burden is offset by the benefits derived by the Township from the continued existence of farms in the Township and preservation of the Township's rich farming heritage.
- e. Hereinafter, the Township's policy shall be the preservation of farms and the establishment of a right to farm in the Township. (Ord. #90-654, S 2)

##### **8-5.2 Right to Farm Established.**

The right to farm lands within the Township of Montgomery and the right to utilize land in such a manner so as to pursue a farming livelihood are hereby recognized as rights of the farmer, its agents or assigns, subject only to applicable health codes regulations or ordinances established by the State of New Jersey, County of Somerset or Township. All farmers in pursuit of an agricultural livelihood shall be allowed to continue previous practices established as customary farming techniques and procedures with regard to all aspects of farming, including but not limited to plowing, seeding, fertilizing, the spraying of insecticides and herbicides, the use of tractors and farm machinery, and irrigation, utilized by the farmer for the purpose of producing from the land agricultural projects such as vegetables, grains, hay, fruits, fibers, woods, trees, plants, shrubs, agriculture flowers and seeds. The right to farm shall also include the right to utilize the land for grazing of animals, subject to such restrictions as may exist

pertaining to intensive fowl or livestock farms under State, County or local law. (Ord. #90-654, S 2)

### **8.5-3 Time/Noise and Odors.**

The activities, agricultural use and customary farming practices set forth hereinabove as incidental to the right to farm may occur seven (7) days a week inclusive of holidays and Sundays and on a twenty-four (24) hour daily basis. Any noise, odors, dust and fumes incidental to such activities are recognized as ancillary to the permitted activities set forth in this section and to the right to farm herein established. (Ord. #90-654, S 2)

### **8-5.4 Intent/Construction.**

This section shall not be construed as a land development ordinance and shall not supersede Chapter XVI of this Code and the rights, privileges and responsibilities established thereunder. It is the intent of this section to prohibit farming practices from being found to be a nuisance or in violation of the provisions of Section 3-3 Loud and Unnecessary Noise of this Code. (Ord. #90-654, S 2)

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**\*Editor's Note:** Chapter VIII, Building and Housing was retitled Building, Housing and Farming by Ordinance No. 90-654.

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## ADDENDUM IX

### FARMLAND ASSESSMENT REQUIREMENTS

#### FARMLAND REQUIREMENTS

Applicant must own the land in question.

Owner must apply annually on or before August 1.

Five (5) contiguous acres or more actively devoted to agricultural or horticultural use for at least two successive years immediately preceding the tax year at issue.

Minimum income of averaging at least \$500.00 per year in gross sales during the two years immediately preceding the tax year on the first five (5) acres of the total qualifying acreage OR that such five acres will earn at least \$500.00 per year in a reasonable period of time.

Each acre over the first five acres must satisfy the additional income requirements of average gross sales during the two years preceding of \$5.00 per acre on farmland and \$.50 on woodland or wetland, or there must be clear anticipation of such sales in a reasonable period of time.

#### FARMLAND INFORMATION

All structures located on land qualifying for farmland are to be assessed in accordance with the true value standard applicable to other structures in the taxing district. (except temporary, demountable plastic covered framework with no permanent understructures). The land upon which the farmhouse is situated is to be assessed at the same standard of value applicable to other taxable real property, along with lawns, flower gardens, pool areas, tennis courts and such **(NOTE: if, after this area is deducted from total acreage of parcel there remains less than 5 acres actively devoted, the entire parcel is ineligible).**

Agricultural use – production for sale of plants and animals useful to man including but not limited to:

Forages and sod crops	Livestock – beef cattle, sheep, swine
Grain and feed crops	horses, ponies, mules or goats
Dairy animals & products	Bees and apiary products
Poultry and poultry products	Fur animals
Trees and forest products (see below)	

Horticultural use – production for sale:

Fruits of all kinds including grapes, nuts and berries

Vegetables

Nursery, floral, ornamental or greenhouse products

Woodland - must self-qualifying or supportive in order to be considered under farmland.

Self-qualifying (aka non-appurtenant)- clearly meets all statutory requirements with respect to income, acreage, years in agriculture, and in compliance with an approved woodland management plan

**Supportive (aka appurtenant) – little or no productive value but contributes to farm by supplying lumber or fencing, protection from wind and erosion or is buffer from neighbors.**