

**STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC)
REGULAR MEETING**

April 27, 2023

Chairman Fisher called the meeting to order at 9:12 a.m.

Ms. Payne read the notice stating that the meeting was being held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.

Roll call indicated the following:

Members Present

Chairman Fisher
Martin Bullock
Scott Ellis
Brian Schilling
Gina Fischetti
Renee Jones
Pete Johnson
James Waltman
Richard Norz

Members Absent

Charles Rosen
Julie Krause

Susan Payne, Executive Director
Alexandra Horn, Esq., Deputy Attorney General

Minutes

SADC Regular Meeting of March 23, 2023 (Open Session)

It was moved by Mr. Ellis and seconded by Mr. Bullock to approve the Open Session and closed session minutes of the SADC regular meeting of March 23, 2023. A roll call was taken. Mr. Johnson and Mr. Waltman abstained from the vote. The motion was approved.

Report of the Chairman

Chairman Fisher stated the soil protection standards (SPS) rules will be discussed in detail today based on conversations that have been taking place over many years. He commended Ms. Payne and SADC staff for years of listening to the committee's requests and stated that he looks forward to hearing the presentation today.

Report of the Executive Director

Ms. Payne advised that staff has made several public presentations on the special occasion events law, including in-person presentations to county agriculture development board (CADB) administrators and staff, and to the county planners association, and a remote webinar presentation to all counties and nonprofit partners who hold easements. The webinar has been posted to the SADC website. Ms. Payne stated staff will continue to provide support to partners and others on the issue.

Ms. Payne stated that every year the Governor recognizes outstanding state employees and invites nominations from executive branch departments. This year, SADC Acquisition Program Manager Stephanie Miller nominated Heidi Winzinger, the SADC's Communications and Resource manager, and Ms. Winzinger was selected to receive the Governor's award for outstanding service. Ms. Payne read an excerpt to the committee on the nature of the award: *"Nominees selected for the leadership in achievement award which recognizes employees who have established a high standard of work performance by example of demonstrating leadership qualities when presented with challenging assignments, voluntarily use their knowledge and skills to promote work related development of other employees, contributed to building employee morale, improved work processes and procedures, encouraged initiatives of forward thinking, has successfully established new and outstanding methods and practices, plans or designs resulting in cost savings, revenue generation and or work place efficiencies."*

Ms. Payne stated that since Ms. Winzinger joined SADC staff as the Chief of Acquisitions, she has been focused on getting SADC resources organized, getting things documented properly and improving customer service. Ms. Winzinger is also instrumental regarding Human Resources as she helps to find, hire and retain great people to work for the SADC. Ms. Payne stated that Ms. Winzinger is very important to the functioning of the organization, and she looks forward to accompanying Ms. Winzinger to the War Memorial to celebrate this achievement.

Public Comment

Ms. Patricia Springwell from Hunterdon County requested that the committee pay appropriate values for the land and urged the members not to falter to political and personal interests and sacrifice the wellbeing of the soil. She suggested prohibiting "monster houses" from being built so that future farmers could afford the land and keep the soil protected.

Old Business

A. Soil Protection Standards

At its February 2023 meeting the SADC authorized staff to proceed with drafting regulations on soil protection standards (SPS) based on the information presented at that meeting. Since

that time, the SADC's SPS subcommittee met again to discuss the details associated with two proposed "waivers": a "production" waiver that allows a landowner to go beyond the 12% or 4 acre soil disturbance limit, whichever is greater, up to 15% or 6 acres of soil disturbance, whichever is greater; and an "innovation" waiver, which enables the SADC to approve new and innovative practices that aren't currently known/common, as long as those practices have no negative impacts to soil and water resources. Further, as discussed in February, approval of either kind of waiver is contingent on the implementation of conservation practices on the undisturbed portions of the farm to protect soil, water, and forest resources.

The result of the subcommittee's discussion is reflected in the final draft of the rule now presented to the SADC, and staff will review the new parts of the rule to ensure that the recent waivers and conservation provisions reflect the Committee's thinking. If the Committee approves this draft, then staff will prepare a formal proposed rule document that will be sent to the Governor's office for approval. Once that approval is received, the Committee will then formally act to authorize publication of the SPS standards in the NJ Register as a proposed rule.

Ms. Payne showed the committee a summary of the changes to the rule. The disturbance limit is proposed at 12% of a preserved farm or 4 acres, whichever is greater, with a possibility for an additional 2% or 1 acre over what exists at the time the rule gets adopted. There are a small number of farms already over the proposed 12% and 15% limits, and the consensus was the rule needs to give everyone an opportunity to grow. With a production waiver a farmer can go from 12% or 4 acres to 15% or 6 acres. All preserved farms would be eligible for a waiver and the eligibility runs with the land. Ms. Payne stated the waiver requirements use a "stewardship approach" which requires implementation of enhanced resource protections for water, soil and forests/woodland. The other change in the current rule proposal is that livestock confinement areas are exempt and do not count towards the disturbance allocation.

Ms. Payne stated the production waiver requires compliance with construction standards so that the work performed is done in a way that makes the disturbance as reversible as possible. There are two paths for these plans: construction standards for expedited production waivers, or low impact disturbance design criteria. The first is a straightforward way where the landowner does not need to hire a professional and uses the construction standards included in the original best management practices (BMPs) for expedited construction waivers. For more complex projects, landowners would need to follow the low impact disturbance design criteria.

Ms. Payne reviewed the list of activities that are exempt from counting as disturbance under the SPS rule and stated the committee has the authority to revise this list at any time in the future. Mr. Schilling stated the innovation waiver is one of the mechanisms that could have a practice added to the exemption list. Chairman Fisher stated the purpose of this language in the rule is to allow the committee to review new practices as agriculture evolves.

Ms. Payne reminded the committee that the rule currently has a soil disturbance limitation of 12% or 4 acres with an option for an additional 2% or 1 acre over current disturbance, which allows all landowners in the program to grow their operation. For those landowners that are over the limit, they will need to obtain approval for the additional allocation. Once the rule has been published in the New Jersey Register, SADC staff will provide maps and review them with the landowners to ensure the maps are accurate by the time the rule is adopted. Once the rule is adopted, the maps will be finalized, and the landowners seeking to utilize the

“2 percent or 1-acre” allocation will be able to dispute a map within 60 days of adoption. Once the 60 days have concluded, the map is considered “locked” and all future requests for additional disturbance will be calculated based on that map. There is no deadline for future allocation requests, and the non-enforcement provision in the previous rule draft has been removed, as every property owner has the ability to grow.

Ms. Payne explained the two types of waivers included in the rule. The first is the production waiver which allows landowners to increase their disturbance allotment to 15% or 6 acres. The second is the innovation waiver, which has no limit of disturbance so long as it does not have a negative impact on the farm. Both waivers require the implementation of a stewardship conservation plan to conserve soil, water and forest resources on the remainder of the farm.

Mr. Norz asked for clarification as to what would be considered eligible for an innovation waiver. Ms. Payne stated it would be a practice that the agricultural community is not familiar with and does not quite know the impact of the practice. It is anticipated that agriculture is going to get more technological and evolve and it is important that the rule allows for that opportunity. This waiver will give the committee the ability to allow the practice and understand its impact over a set period of time to make an informed decision as to whether or not it should become an exempt activity.

Mr. Schilling questioned if the innovation waiver should be considered as allowing additional disturbance as the rule currently reads. Mr. Clapp stated the distinction is if there was a practice that didn't trigger the definition of soil disturbance which is “the surfacing, alteration and compaction of soil” then it would not need a waiver. In cases of an innovation waiver, those practices could be a disturbance, but it would be so de minimis that after review, it could be added to the exemption list.

Ms. Fischetti asked if an innovation waiver would increase the disturbance calculated on the farm and in addition, would they still be able to get a production waiver if they were close to the disturbance allowance cap. Ms. Payne clarified that if a practice is given an innovation waiver, it does not count towards disturbance and landowners are eligible for both innovation waivers and production waivers independently.

Mr. Norz stated that the rule provides no limit on the amount of disturbance for an innovation waiver and the possibility of the new practice not working as intended. Ms. Payne clarified the rule does not have a built-in limit, but it does include the process for which these waivers would be reviewed and approved by the committee and does provide the committee with the discretion to approve the amount of area affected to monitor the practice and its effects on the soil. Ms. Payne stated the requirements to be approved for an innovation waiver include that the project maintains minimum vegetative cover, does not cause compaction and does not cause soil resource concerns.

Mr. Clapp reviewed the waiver eligibility requirements contained in the draft rule. Landowners need to be in compliance with their deed of easement, the disturbance being requested needs to have an agricultural purpose and a positive impact on the productivity and the disturbance will not cause additional problems such as drainage, erosion, or contamination. Mr. Clapp stated the waivers require landowners to implement a stewardship conservation plan (SCP) to conserve soil and water, riparian zones, and forested areas. A forest stewardship plan (FSP) would be required for 5 or more acres of contiguous forested areas.

Mr. Bullock asked if existing conservation plans would meet this requirement. Mr. Clapp stated that a landowner who already has an NRCS plan in place may need it to include the NRCS criteria for soil and water resources. The farmer can work with NRCS or other professionals to develop a plan to meet the minimum standards for soil and water conservation.

Mr. Clapp stated the waiver project implementation schedule requires the conservation plan to be finalized prior to the approval of the waiver, but the new disturbance activity could not start until after the Year 1 engineering practices of the SCP were installed and the landowner was also on schedule with the remaining SCP practices. The purpose of these plans is to balance the increased disturbance for production and the conservation stewardship on the rest of the farm to ensure the natural resources provide all the functions they currently provide.

Mr. Norz expressed concern about the length of time it would take to implement a new practice. Mr. Waltman stated the impacts of these practices could affect the land forever and in comparison, the timeline contained in these rules is not far reaching. Mr. Roohr stated the rule requires the engineering practices to be installed, but the elements that deal with seasonally-sensitive plantings just need to be on schedule. He also stated landowners could hire private professionals which could speed up the process.

Mr. Clapp stated the production waiver allows for disturbance up to 15% or 6 acres. All farms that are under 15% or 6 acres are eligible for this waiver and eligibility runs with the land. There is an expedited production waiver which utilizes the BMPs created in previous versions of the rule. They are intentionally designed to be conservative and intended to simplify the regulatory process. If a landowner cannot meet those standards or no standards exist, they can use the low impact disturbance design criteria. Those criteria require landowners to consider the resources that go into soil and describe how their plan designs minimize the impacts to the soil. This pathway typically requires a professional. Mr. Clapp stated both the production and innovation waiver could be revoked if conditions are not maintained and the area would be required to be rehabilitated.

Mr. Clapp reviewed the logistics of how maps would be provided to landowners and how landowners could review and appeal their maps if necessary. Monitoring would be the responsibility of the easement holder with a reporting requirement for any increase in new disturbance of two or more acres. Monitoring reports on farms that are within 50% of the limit would be required to include a description of the new disturbance, size and photos. Additional disturbance of two or more acres on farms that are within 75% of the limit would need to be reported within 60 days. SADC staff will perform additional monitoring for farms that receive a waiver.

Ms. Payne reviewed the rule review and approval process with the committee. The next step is for the committee to vote to send the proposed rule to the Governor's office for review and approval.

Mr. Norz expressed concern that the rule has a hard cap of disturbance and should contemplate a waiver for increased disturbance if the practice was explicitly for an agricultural purpose.

Mr. Waltman expressed concern that the rule has increased the allotted disturbance too much

from where it originally started.

It was moved by Mr. Schilling and seconded by Ms. Fischetti to send the soil protection standards rule to the Governor's office for review and approval. A roll call vote was taken. Mr. Waltman voted against the motion. Mr. Norz abstained from the vote. The motion was approved.

B. Stewardship

NOTE: Brian Schilling and Richard Norz recused themselves from this matter.

1. Resolution: Review of Activities

Hunter Farms, Montgomery Township, Somerset County

Mr. Roohr stated that the committee was given a draft resolution memorializing the Committee's action at the March 2023 meeting to approve the Hunter Farms equine show schedule for 2023, with conditions, and remanding the issue of tent schedule to the Somerset CADB as a Right to Farm matter.

It was moved by Mr. Bullock and seconded by Mr. Ellis to approve Resolution FY2023R4(1) granting approval for the draft resolution memorializing the committee's actions to approve the Hunter Farms equine show schedule for 2023, with conditions, and remanding the issue of tent schedule to the Somerset CADB as a Right to Farm matter, as presented, subject to any condition of said resolution. A roll call vote was taken. Mr. Waltman abstained from the vote. Mr. Johnson was absent for the vote. The motion was approved by the remaining members.

2. Resolution: Review of Activities

Atlantic Gardens Vineyard, Inc.

Block 507.01, Lot 2.01

Lower Township, Cape May County

81.84 Acres

Mr. Willmott called the Committee's attention to a draft resolution memorializing action at the March 2023 meeting finding the Atlantic Gardens Vineyard, LLC farm in violation of paragraphs 2 and 6 of the Deed of Easement and authorizing legal proceedings to remedy the situation, if necessary, since staff has been unsuccessful in resolving this issue.

It was moved by Mr. Ellis and seconded by Ms. Fischetti to approve Resolution FY2023R4(2) granting approval for the draft resolution memorializing the committee's actions at the March meeting finding the Atlantic Gardens Vineyard, LLC farm in violation of paragraphs 2 and 6 of the Deed of Easement and authorizing legal proceedings to remedy the situation, as presented, subject to any condition of said resolution. A roll call vote was taken. Mr. Waltman abstained from the vote. Mr. Johnson and Mr. Norz were absent for the vote. The motion was approved by the remaining members.

New Business**A. Authorization of Rule Proposal – Agricultural Management Practices**

Mr. Keller stated that at its December 2022 meeting the Committee reviewed draft rule amendments to several SADC agricultural management practices (AMPs). The amendments to the commercial vegetable production AMP, the commercial tree fruit production AMP and the wildlife fencing AMP are intended to update references to applicable Rutgers Cooperative Extension technical guidance documents, including future amendments and supplements thereto. The AMP for on-farm compost operations includes reference to a recently adopted Rutgers technical report allowing the on-farm composting of livestock mortalities, conditioned on addressing potential odor concerns. Mr. Keller stated that staff proposes a minor change involving a publication for the fence installation AMP written in 1997 by Rutgers Cooperative Extension which is not available on the Rutgers website. For the benefit of the public, staff is requesting that the proposed regulation be changed to indicate that the publication be posted on the SADC website. Mr. Keller stated that staff received approval from the Governor's office to proceed with the proposal of these rules and is seeking the Committee's approval to publish in the NJ Register as a formal rule proposal.

1. N.J.A.C. 2:76-2A.5 - Commercial vegetable production
2. N.J.A.C. 2:76-2A.6 - Commercial tree fruit production
3. N.J.A.C. 2:76-2A.8 - On-farm compost operations
4. N.J.A.C. 2:76-2A.9 - Fencing installation for wildlife control

It was moved by Mr. Schilling and seconded by Ms. Fischetti to approve the proposed rule for the SADC Agricultural management Practices and grant authorization to staff to publish the rules in the NJ Register as a formal rule proposal. The motion was unanimously approved.

B. Stewardship

Note: Mr. Norz and Mr. Schilling are recused from this discussion.

1. Resolution: Delegation of 2024 calendar show days

Hunter Farms, Montgomery Twp., Somerset County

Mr. Roohr brought the committee's attention to a draft resolution memorializing the Committee's action at the March 2023 meeting to delegate to staff the approval of Princeton Show Jumping's 2024 show schedule which will provide time for continued work on clarifying the production issue on this farm.

It was moved by Mr. Bullock and seconded by Ms. Ellis to approve Resolution FY2023R4(3) granting approval for the draft resolution memorializing the Committee's action at the March meeting to delegate to staff the approval of Princeton Show Jumping's 2024 show schedule which will provide time for continued work on clarifying the production issue on this farm, as presented, subject to any condition of said resolution. The motion was approved.

C. Resolutions: Preliminary Approval - State Acquisition Program

Note: Ms. Payne is recused from the Choi discussion and left the room.

Ms. Roberts and Ms. Mazzella referred the committee to three requests for preliminary approval under the State Acquisition Program. They reviewed the specifics of the requests with the committee and stated that the staff recommendation is to grant approval.

It was moved by Mr. Norz and seconded by Ms. Jones to approve Resolution FY2023R4(4) granting preliminary approval under the State Acquisition Program, as presented, subject to any condition of said resolution.

1. Kwang Wood Choi and Young Ja, SADC ID #03-0043-FS, FY2023R4(4), Block 1201, Lots 10.01, 10.02, and 12, Springfield Township, Burlington County, 97.2 gross acres. (fee simple)

The motion was unanimously approved. A copy of Resolution FY2023R4(4) is attached to and a part of these minutes.

NOTE: Ms. Payne returned to the meeting.

It was moved by Mr. Norz and seconded by Mr. Bullock to approve Resolutions FY2023R4(5) and FY2023R4(6) granting preliminary approval under the State Acquisition Program, as presented, subject to any condition of said resolution.

2. Michael G. McAllister (Lot 3), SADC ID#:17-0382-DE, FY2023R4(5), Block 105, Lot 3, Alloway Twp, Salem County, 62.8 net acres.
3. Michael G. McAllister (Lot 15), SADC ID#:17-0383-DE, FY2023R4(6), Block 103, Lot 15, Alloway Township, Salem County, 28.2 gross acres.

The motion was unanimously approved. A copy of Resolutions FY2023R4(5) and FY2023R4(6) is attached to and a part of these minutes.

D. Resolutions: Final Approval - Direct Easement Purchase Program

Ms. Roberts and Mr. Zaback referred the committee to two requests for approval under the Direct Easement Purchase Program. They reviewed the specifics of the requests with the committee and stated that the staff recommendation is to grant approval.

It was moved by Mr. Norz and seconded by Mr. Bullock to approve Resolution FY2023R4(7) granting approval under the Direct Easement Purchase Program, as presented, subject to any condition of said resolution.

1. S.F. Systems (Holding), SADC ID#:06-0090-DE, FY2023R4(7), Block 248, Lots 3 and 5, Lawrence Township, Cumberland County, 123.8 acres.

The motion was unanimously approved. A copy of Resolution FY2023R4(7) is attached to and a part of these minutes.

It was moved by Mr. Schilling and seconded by Ms. Jones to approve Resolution FY2023R4(8) granting approval under the Direct Easement Purchase Program, as presented, subject to any condition of said resolution.

2. Huckster, LLC, SADC ID#: 10-0288-DE, FY2023R4(8), Block 9, Lots 2, 6, 6.01 and 6.03, Tewksbury Township, Hunterdon County and Block 27, Lot 3, Califon Borough, Hunterdon County, 61.9 acres.

The motion was unanimously approved. A copy of Resolution FY2023R4(8) is attached to and a part of these minutes.

E. Resolutions: Final Approval - County PIG Program

Note: Mr. Ellis recused from this discussion.

Mr. Zaback referred the committee to one request for approval under the County PIG Program. He reviewed the specifics of the request with the committee and stated that the staff recommendation is to grant approval.

It was moved by Mr. Waltman and seconded by Mr. Schilling to approve Resolution FY2023R4(9) granting approval under the County PIG Program, as presented, subject to any condition of said resolution.

1. Mercer County (Wert), SADC ID# 11-0186-PG, FY2023R4(9), Hopewell Township, Mercer County, 34.288 acres.

The motion was unanimously approved. A copy of Resolution FY2023R4(9) is attached to and a part of these minutes.

Public Comment

Ms. Patricia Springwell from Hunterdon County asked the proposed percentage of soil disturbance applied to the entire farm or just tillable acreage. Ms. Payne stated the percentage is calculated based on the gross acreage of the preserved farm.

Mr. Paul Hlubik, a member of the State Board of Agriculture's (SBA) subcommittee that met with the SADC subcommittee on soil protection regulations, thanked the SADC and the subcommittee for the open dialogue between the boards and stated his appreciation for the consideration given to finding a balance between soil protection and ag viability.

Mr. David DeFrange, president of the SBA, also thanked the committee and stated the proposed rules give farmers the flexibility on how to approach their stewardship plans and the ability think outside the box as agriculture evolves.

CLOSED SESSION

At 11:52 a.m. Ms. Payne read the following resolution to go into Closed Session:

April 27, 2023

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into executive session to discuss pending or anticipated litigation; any matters falling within the attorney-client privilege; and any matters under N.J.S.A. 10:4-12(b) that have arisen during the public portion of the meeting. The minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists.

It was moved by Mr. Schilling and seconded by Mr. Ellis to go into Closed Session. The motion was unanimously approved.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 A.M., May 25, 2023

Location: 200 Riverview Plaza, Trenton, NJ

ADJOURNMENT

The meeting was adjourned at 12:16 p.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2023R4(1)

Review of Activities Occurring on Preserved Farm

Princeton Show Jumping, LLC/Hunter Farms North Equine Activities

April 27, 2023

Subject Property:

Block 26001, Lot 1.02

Montgomery Township, Somerset County

101.46 Acres

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

WHEREAS, a development easement on the Premises was conveyed by the State of New Jersey to the State Agriculture Development Committee on December 2, 2003, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded on May 28, 2004, in the Somerset County Clerk’s Office in Deed Book 5599, Page 859; and

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

WHEREAS, upon purchasing the Premises, the Owner began to develop the site with state-of-the-art sand rings and other infrastructure designed to create a premier hunter/jumper show, training and competition facility; and

WHEREAS, in May 2013, the Owner made a request to the Committee to utilize the Premises to host nine, 3- to 5-day, hunter/jumper shows consisting of 42 total show days, which are sanctioned and licensed by the U.S. Equine Federation (USEF); and

WHEREAS, on May 23, 2013, the Committee approved Resolution #FY2013R5(5), finding that the shows, as described by the Owner, were permissible activities attracting the public in an effort to increase the direct marketing and sales of the farm’s agricultural output; and

WHEREAS, since 2017 the SADC has been working with the Owner to address the Owner’s noncompliance with the Deed of Easement as well as various Committee approvals related to activities on the Premises including, but not limited to, impervious cover, stormwater requirements, soil restoration, conservation planning, and equine production; and

WHEREAS, at its September 26, 2019, meeting the SADC rescinded its May 23, 2013, resolution approving 9 shows and 42 show days, and decided that the approval of Owner's show calendars would be considered by the Committee on an annual basis; and

WHEREAS, for the 2021 show season, the SADC approved 14 shows and 67 show days; and

WHEREAS, at its October 28, 2021, meeting the SADC directed staff to engage a qualified professional to assist the SADC in evaluating standards to account for equine production on the Premises; and

WHEREAS, the SADC provided for a one-year grace period from October 28, 2021, to allow the Owner to continue its operations while these production standards were being reevaluated; and

WHEREAS, for the 2022 show season, the SADC approved 15 shows and 64 show days; and

WHEREAS, at its December 1, 2022, meeting, the SADC approved 14 shows totaling 64 show days for the 2023 season; and

WHEREAS, subsequent to the Committee's approval of the 2023 calendar, the Owner was advised by the USEF that the dates for certain show licenses would be amended and that 4-day show licenses would be converted to 5-day licenses; and

WHEREAS, on February 6, 2023, staff received a request from the Owner to amend its 2023 show calendar; and

WHEREAS, the request includes the same number of total shows (14), but an increase of six show days for a total of 70-show days for the season; and

WHEREAS, as a result of the amended schedule, most shows will occur on back-to-back weeks, there will be three two-week show gaps and one three-week gap between shows; and

WHEREAS, upon review of the new condensed schedule with the tent provider, the Owner has stated that it will not be possible to take the tents down between shows; and

WHEREAS, the SADC previously determined that the tents would count toward the Deed of Easement's 5% impervious cover limit after being up for more than 180 cumulative days in a calendar year; and

WHEREAS, due to the amount of existing impervious cover on the Premises, any tent up for more than 180 days would violate the Deed of Easement's impervious cover limit; and

WHEREAS, at its March 23, 2023, meeting the SADC reviewed and approved the request to amend the Owner's 2023 show calendar, including the request to add six additional show days that would result in tents being up for at least 166days; and

WHEREAS, at its March 23, 2023, meeting the SADC determined that, aside from compliance with the Deed of Easement's impervious cover limit affected by the amount of time the tents are up during the show season, complaints against and/or an application for a site

specific agricultural management practice determination arising from the tents are to be dealt with by the Somerset County Agriculture Development Board through the Right to Farm process.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC finds that development and use of the Premises for breeding, raising, and training of the Owner's horses for sale, and the Owner's training of horses owned by others for which he has a commission agreement when those horses are sold, are consistent with the definition of "agricultural use" in paragraph 2 of the Deed of Easement for the Premises.
3. The SADC approves the amended calendar of events at Hunter Farms North, including the schedule of show dates, totaling 14 shows and 70 show days, as shown in Schedule "B".
4. The SADC finds that because the Owner has, at this time, satisfied the Deed of Easement's impervious cover compliance issue related to the amount of time the tents can be up, and because the production issue is being held in abeyance until an academic study can be completed, complaints against and/or an application for a site specific agricultural management practice determination arising from the tents are to be dealt with by the Somerset County Agriculture Development Board through the Right to Farm process.
5. Because of the existing amount of impervious cover already installed, under no circumstances shall the tents be permitted to be up for more than 180 cumulative days in a calendar year.
6. For the 2023 season the Owner shall submit production records for each show within 30 days of the conclusion of each show. Production records shall identify the name of each horse in the following categories: horses owned by PSJ in whole; horses owned in part by PSJ; horses trained by PSJ at its facility located at 1315 Great Road, including whether PSJ is, and is not, entitled to a commission; horses trained by PSJ at off-site locations including whether PSJ is, and is not, entitled to a commission; horses trained only during show days for which PSJ is or is not entitled to a commission; and other horses for which PSJ has no training/commission relationship. The trainer's name shall be included for any horse for which PSJ is claiming ownership or a commission arrangement.
7. No new site disturbances or site work shall be conducted on the Premises without the advance, written approval of the SADC.
8. This action is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

4/27/2022
DATE



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	ABSENT
Richard Norz	RECUSED
Charles Rosen	ABSENT
James Waltman	ABSTAIN
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Renee Jones (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	RECUSED
Douglas Fisher, Chairperson	YES

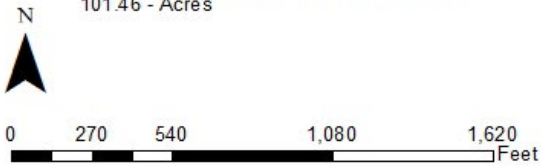
Schedule "A"

S:\Stewardship of Preserved Farms\State Owned Land - DK\NPDC\Treasury-NPDC\Selody-Hunter Farms\Post Closing-Stewardship-Hur



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Princeton Show Jumping
Block 26001, Lot 1.02
Montgomery Township, Somerset County
101.46 - Acres



Farmland Preservation Program		State Planning Area	
	PRESERVED EASEMENT		PA-1 UMETRO
	EXCEPTION AREA		PA-2 SUBURBAN
	PRESERVED EASEMENT / NR		PA-3 FRINGE
	EXCEPTION AREA / NR		PA-4 RURAL
	FINAL APPROVAL		PA-5 RURAL ENVI. SENS.
	PRELIMINARY APPROVAL		PA-5a ENV. SENS.
	ACTIVE APPLICATION		PA-5b ENV. SENSITIVE BARRIERS
	8 YEAR PRESERVED		PA-6 PINELANDS
	TARGETED FARM		PA-7 PINE BARREN
	EXCEPTION AREA TARGETED		PA-8 MILITARY
	INACTIVE APPLICATION		PA-9 NEW JERSEY MEADOWLANDS
	INACTIVE/FEDERALLY FUNDED		PA-10 WATER
	NO CORRESPONDING DATA		PA-11
	PRESERVED/FEDERALLY FUNDED		PA-12
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Schedule “B”
Hunter Farms
2023 Competition Dates and Tent Schedule (Amended)

Tents Up April 18

April 19-23 ~ Princeton Show Jumping Spring Classic (5 days)

April 26-30 ~ Princeton Show Jumping Classic II (5 days)

May 10-14 ~ Princeton Show Jumping May I (5 days)

May 17-21 ~ Princeton Show Jumping May II (5 days)

June 7-11 ~ Princeton Show Jumping June I (5 days)

June 28-July 2 ~ Princeton Summer June/July I (5 days)

July 5-9 ~ Princeton Summer June/July II (5 days)

July 12-16 ~ National Hunter Jumper (5 days)

July 19-23 ~ Princeton Classic Preview (5 days)

July 26-30 ~ Princeton Classic (5 days)

August 2-6 ~ Princeton Summer Finale (5 days)

August 23-27 ~ Princeton Summer Encore (5 days)

September 20-24 ~ Zone 2 HOTY Championship (5 days)

September 28-October 1 ~ Princeton Young Jumper Championship (5 days)

Tents Down October 2

Total days tents up = 166

Fourteen 5-day shows = **70 days**

Total 14 shows 70 days

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2023R4(2)

Review of Activities Occurring on Preserved Farm

Atlantic Gardens Vineyard, Inc.

April 27, 2023

Subject Property:

Block 507.01, Lot 2.01

Lower Township, Cape May County

81.84 Acres

WHEREAS, by Deed dated October 20, 2000, and recorded on October 27, 2000, in the Cape May County Clerk's Office in Deed Book 2883, Page 479, the State Agriculture Development Committee acquired the subject property, consisting of Block 507.01, Lot 2.01 and totaling 81.84 acres (hereinafter referred to as the "Premises"), from Frank Mattera, as shown in Schedules "A" and "B"; and

WHEREAS, the Premises was resold through the SADC's fee simple public auction process to Atlantic Gardens Vineyard, Inc. by Deed dated February 17, 2004, and recorded on February 23, 2004, in the Cape May County Clerk's Office in Deed Book 3065, Page 933 hereinafter referred to as the "Deed of Easement"; and

WHEREAS, the Deed of Easement placed restrictions on the Premises pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq.; and

WHEREAS, the principal of Atlantic Gardens Vineyard, Inc. is Manuel Otero Candeira, hereinafter referred to as the "Owner"; and

WHEREAS, paragraph 2 of the Deed of Easement provides as follows:

2. The Premises shall be retained for agricultural use and production in compliance with N.J.S.A. 4:1C-11, et seq., P.L. 1983, c.32, and all other rules promulgated by the State Agriculture Development Committee, (hereinafter Committee). Agricultural use shall mean the use of the Premises for common farmsite activities including, but not limited to: production, harvesting, storage, grading, packaging, processing, and the wholesale and retail marketing of crops, plants, animals and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease and pest control, disposal of farm waste, irrigation, drainage and water management and grazing.

WHEREAS, paragraph 6 of the Deed of Easement provides as follows:

6. No activity shall be permitted on the Premises which would be detrimental to drainage, flood control, water conservation, erosion control, or soil conservation, nor shall any

other activity be permitted which would be detrimental to the continued agricultural use of the Premises.

WHEREAS, at the time of preservation the Premises had approximately 58 tillable acres of farm ground available for agricultural use and production as shown on Schedule “B”; and

WHEREAS, in 2007 the Owner converted approximately 35 acres of the Premises to a trellised vineyard for wine grape production; the remaining tillable area was mowed; and

WHEREAS, during the annual monitoring inspection in 2012, woody growth was observed in the tillable area; and

WHEREAS, by letter dated August 27, 2012, the SADC notified the Owner of the concern and advised that if not resolved the issue could result in non-compliance with paragraph #2 of the Deed of Easement; and

WHEREAS, from 2014 to 2018, SADC staff observed that the tillable area of the Premises had become more overgrown with shrub and sapling growth, and staff made efforts to communicate its concerns to the Owner and to try to resolve the compliance issue; and

WHEREAS, mowing occurred in 2018, but was limited to the vineyard rows; and

WHEREAS, in 2019, based on the annual monitoring site visit observations showing the Premises continued to become more overgrown, and the lack of progress made over several years by the Owner to resolve the compliance issue, SADC staff determined the Premises to be in violation of Paragraph #2 of the Deed of Easement due to overgrown fields and notified the Owner’s representatives by letter dated March 5, 2019; and

WHEREAS, due to the COVID pandemic, annual monitoring was not performed in 2020; and

WHEREAS, during the 2021 and 2022 annual monitoring site visits, no evidence of maintenance or agricultural production was observed; and

WHEREAS, during the January 27, 2023, annual monitoring site visit, the following observations were made, as shown in photographs in Schedule “C”:

1. Trees and invasive shrubs growing throughout the tillable area
2. Trees and shrubs intertwined within the grape trellis
3. Some of the posts of the trellis system were broken
4. Evidence of four-wheeler ATV traffic on farm lanes
5. Trash dumping
6. No evidence of maintenance or active agricultural production

WHEREAS, according to the Owner’s representatives, the Owner resides in Spain and is incapacitated due to illness; and

WHEREAS, at its March 23, 2023, meeting the Committee reviewed the condition of the Premises; and

WHEREAS, the SADC has provided sufficient notification to Atlantic Gardens Vineyard, Inc. of the DOE compliance issue resulting from overgrown fields, and has given ample time to the Owner to restore the Premises to a condition available for agricultural use and production in a manner consistent with the Deed of Easement; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC finds that, based on previous correspondence with the Owner, on the recent site visit observations showing that the tillable area on the Premises has been overgrown for several years, and on minimal evidence of maintenance of or production, the Premises has not been retained for agricultural use and production and that the current conditions are detrimental to the continued agricultural use of the Premises in violation of paragraphs #2 and #6 of the DOE.
3. The SADC authorizes legal proceedings to be initiated through the Office of the Attorney General, as necessary, to enforce the Deed of Easement.
4. This action is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
5. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

04/27/2023



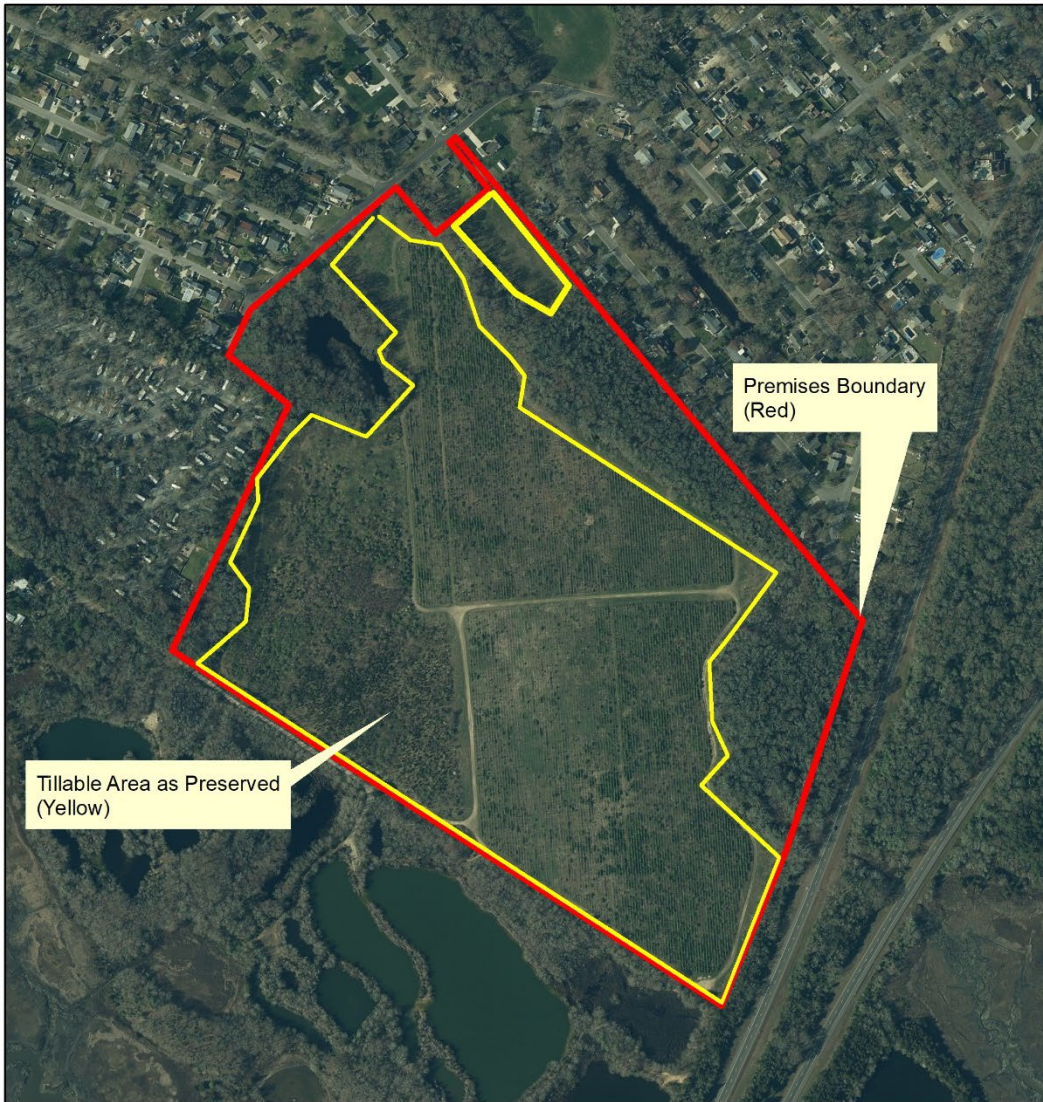
DATE

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	ABSENT
Richard Norz	ABSENT
Charles Rosen	ABSENT
James Waltman	ABSTAIN
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Renee Jones (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Douglas Fisher, Chairperson	YES

Schedule "A"



NJ FARMLAND PRESERVATION PROGRAM
State Agriculture Development Committee

Atlantic Gardens Vineyard, Inc.

Block 507.01, Lot 2.01

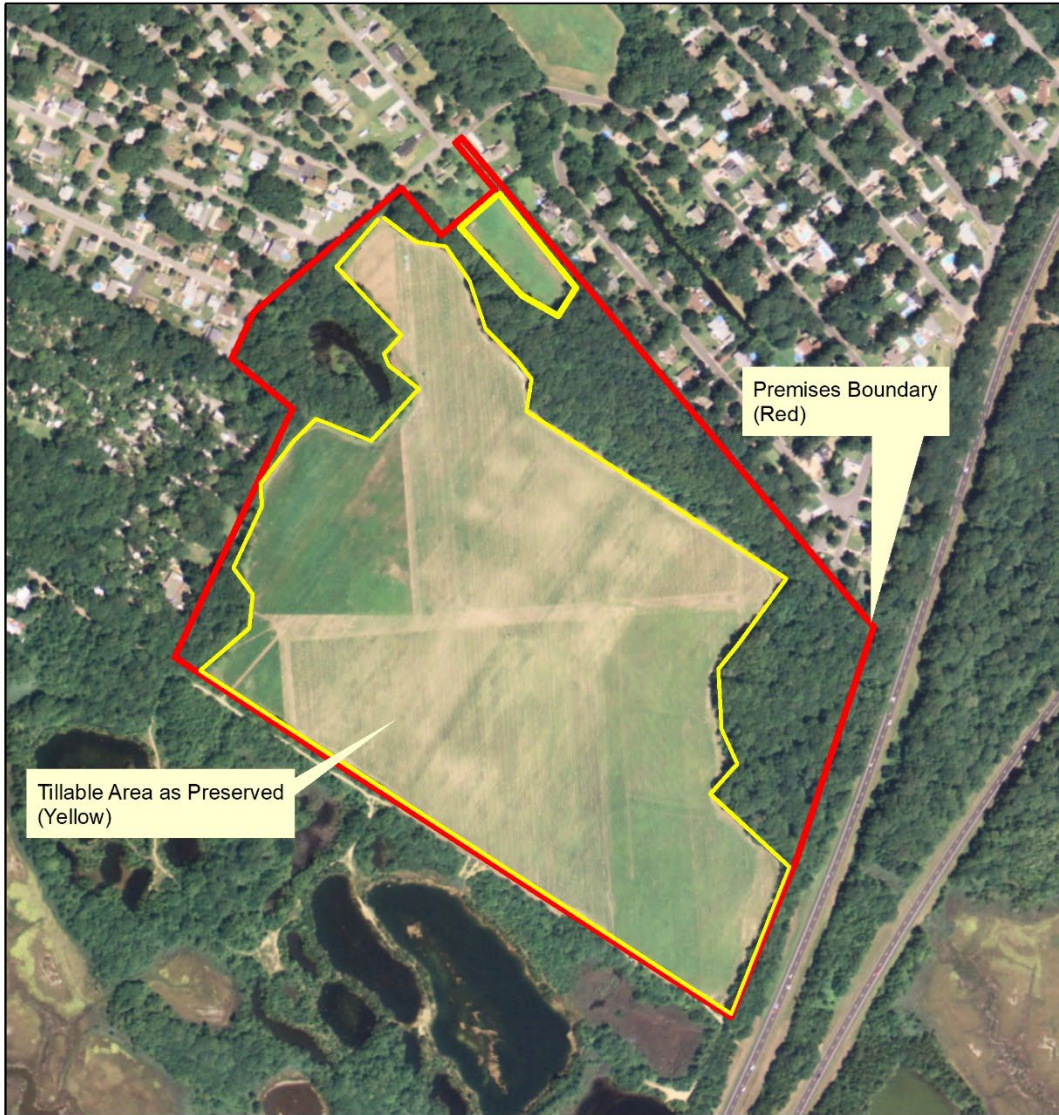
Lower Township, Cape May County

81.84 acres



4/11/2023

Schedule "B"



NJ FARMLAND PRESERVATION PROGRAM
State Agriculture Development Committee

Atlantic Gardens Vineyard, Inc.
Block 507.01, Lot 2.01
Lower Township, Cape May County
81.84 acres



4/11/2023

Schedule "C"

Photos 1-27-23





STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2023R4(3)

Delegation of 2024 Show Calendar

Princeton Show Jumping, LLC/Hunter Farms North Equine Activities

April 27, 2023

Subject Property:

Block 26001, Lot 1.02

Montgomery Township, Somerset County

101.46 Acres

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

WHEREAS, a development easement on the Premises was conveyed by the State of New Jersey to the State Agriculture Development Committee on December 2, 2003, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded on May 28, 2004, in the Somerset County Clerk’s Office in Deed Book 5599, Page 859; and

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

WHEREAS, upon purchasing the Premises, the Owner began to develop the site with state-of-the-art sand rings and other infrastructure designed to create a premier hunter/jumper show, training and competition facility; and

WHEREAS, in May 2013, the Owner made a request to the Committee to utilize the Premises to host nine, 3- to 5-day, hunter/jumper shows consisting of 42 total show days, which are sanctioned and licensed by the U.S. Equine Federation (USEF); and

WHEREAS, on May 23, 2013, the Committee approved Resolution #FY2013R5(5), finding that the shows, as described by the Owner, were permissible activities attracting the public in an effort to increase the direct marketing and sales of the farm’s agricultural output; and

WHEREAS, since 2017 the SADC has been working with the Owner to address the Owner’s noncompliance with the Deed of Easement as well as various Committee approvals related to activities on the Premises including, but not limited to, impervious cover, stormwater requirements, soil restoration, conservation planning, and equine production; and

WHEREAS, at its September 26, 2019, meeting the SADC rescinded its May 23, 2013, resolution approving 9 shows and 42 show days, and decided that the approval of Owner's show calendars would be considered by the Committee on an annual basis; and

WHEREAS, for the 2021 show season, the SADC approved 14 shows and 67 show days; and

WHEREAS, in December 2021 staff determined that all compliance issues, with the exception of equine production, had been resolved; and

WHEREAS, at its October 27, 2022, meeting the SADC directed staff to engage a qualified academic institution to assist the SADC in evaluating standards that constitute equine production and to allow the Owner a grace period to continue its operation while this study is being completed; and

WHEREAS, the evaluation of production standards will not be completed by the fall of 2023 when PSJ will make its request for the 2024 season; and

WHEREAS, for the 2022 show season, the SADC approved 15 shows and 64 show days; and

WHEREAS, for the 2023 show season, the SADC approved 14 shows and 70 show days; and

WHEREAS, the SADC previously determined that the tents would count toward the Deed of Easement's 5% impervious cover limit after being up for more than 180 cumulative days in a calendar year; and

WHEREAS, at its March 23, 2023, meeting the SADC determined that, under certain criteria, it would be willing to delegate authority for approval of the 2024 show calendar to staff; and

WHEREAS, the Right to Farm Act (Act), which also created the SADC, contains language at N.J.S.A. 4:1C-5e enabling the Committee to "perform any act or thing necessary, convenient, or desirable for the purposes of the committee to carry out any power expressly given" in the Act, which could include the authority to delegate certain actions to the Executive Director; and

WHEREAS, Part IV, Section 3 of the SADC By-Laws states that "The Executive Director shall have all the power and authority delegated to him/her in accordance with these By-Laws, actions of the Committee or otherwise pursuant to the 'Right to Farm Act' and the 'Agriculture Retention and Development Act'",

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC hereby delegates to the Executive Director authority to review, and to take action as set forth in paragraph 3, below, PSJ's 2024 show schedule to avoid repetitive and time consuming Committee consideration and decision making, and while equine production standards applicable to the operation on the Premises remains outstanding.

3. The Executive Director is authorized to approve, approve with conditions, or deny PSJ's 2024 show schedule under the following conditions;

- a. Owner, PSJ and/or Hunter Farms remain in compliance with the SADC's approval of the 2023 show season, and are otherwise in compliance with the Deed of Easement, at the time a request is made for future show calendar approvals;
- b. Total show days are no more than what was approved for 2023;
- c. Show dates shall be limited to the months of April through October;
- d. Under no circumstances shall tents be up for more than 180 cumulative days per year;
- e. All other terms and conditions associated with the 2023 approval shall be applicable to the 2024 approval;
- f. Owner, PSJ and/or Hunter Farms are in compliance with all other relevant terms and condition of all prior SADC resolutions at the time a request is made for future show calendar approvals;
- g. Staff shall provide notification of any approval to the Committee;
- h. A denial or conditional approval by the Executive Director may be appealed to the SADC within 30 days of receipt of the decision.

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

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



4/27/2022
DATE

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Richard Norz	RECUSED
Charles Rosen	ABSENT
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Renee Jones (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	RECUSED

Schedule "A"

S:\Stewardship of Preserved Farms\State Owned Land - DKINPDC\Treasury-NPDC\Selody-Hunter Farms\Post Closing-Stewardship-Hur



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Princeton Show Jumping
Block 26001, Lot 1.02
Montgomery Township, Somerset County
101.46 - Acres



7/28/2021

Farmland Preservation Program	State Planning Areas
PRESERVED EASEMENT	PA-1 URBAN
EXCEPTION AREA	PA-2 SUBURBAN
PRESERVED EASEMENT / NR	PA-3 FRINGE
EXCEPTION AREA / NR	PA-4 RURAL
FINAL APPROVAL	PA-5 RURAL NEW SONS
PRELIMINARY APPROVAL	PA-6 ENV SENSITIVE BARRIERS
ACTIVE APPLICATION	P-10 PINELANDS
8 YEAR PRESERVED	PARK
TARGETED FARM	MILITARY
EXCEPTION AREA TARGETED	NEW JERSEY MEADOWLANDS
INACTIVE APPLICATION	WATER
INACTIVE/FEDERALLY FUNDED	
NO CORRESPONDING DATA	
PRESERVED/FEDERALLY FUNDED	

Base Map
County Boundaries
Municipal Boundaries
Highlands Planning Area
Highlands Preservation Area
Pinelock Area
Green Acres Preserved Easements

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2023R4(5)**

Preliminary Approval of SADC Easement Purchase on an "ALTERNATE" FARM

On the Property of McAllister, Michael G.

APRIL 27, 2023

Subject Property: **McAllister, Michael G.**
Block 105, Lot 3 - Alloway Township, Salem County
SADC ID#:17-0382-DE

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

WHEREAS, on February 23, 2023, the SADC received a development easement sale application from Michael G. McAllister, hereinafter "Owner," for the property identified as Block 105, Lot 3, Alloway Township, Salem County, hereinafter "the Property," totaling approximately 63.8 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes one (1) approximately 1 acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 62.8 net acres to be preserved; and

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

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

WHEREAS, the Owners' application has been evaluated in accordance with N.J.A.C. 2:76-6.16, SADC Policy P-14-E, Prioritization criteria, and the State Acquisition Selection Criteria approved by the SADC on September 14, 2022, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property, has a quality score of 69.44 and contains approximately 62.8 net acres (Schedule B); and

WHEREAS, the Property meets the SADC's Salem County minimum score criteria for the "Priority" category which requires a quality score of at least 61, but the property does not meet the minimum size criteria for "Priority" farm designation, which requires a minimum size of 94; therefore, this farm is categorized as an "Alternate" farm, pursuant to N.J.A.C. 2:76-11.5(c)3, requiring SADC preliminary approval in accordance with N.J.A.C. 2:76-11.6(c)1i. through iii; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and, pursuant to N.J.A.C. 2:76-11.5(b), (c)1 and (c)2, there are no "priority" or "alternate" ranked applications that have not already been selected for processing at this time; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC approves selecting the Property for processing as an "Alternate" farm, pursuant to N.J.A.C. 2:76-11.5 (b) and (c)2 because the farm:
 - a. has a quality score of 69.44, which is above minimum ranking criteria for a "Priority" farm in Salem County;
 - b. has approximately 87% Prime soils; and
 - c. is within the County Agriculture Development Area, adjacent to other preserved farms, and in a community with a significant investment in farmland preservation.
3. The SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:
 - a. Enter into a 120 day option agreement with the Landowner;
 - b. Secure two independent appraisals to estimate the fair market value of the Property; and
 - c. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.
4. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey .
5. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/27/2023
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Richard Norz	YES
Charles Rosen	ABSENT
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Renee Jones (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



X:\counties\cal\projects\McAllister, Michael G. (Lot 3) 2 mile.mxd

Application within both the (PA4) Rural Area

Nearemap, NJ Department of Environmental Protection, NJ Office of GIS

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McAllister, Michael G. (Lot 3)
Block 105 Lots P/O 3 (62.8 ac)
& P/O 3-EN (non-severable exception - 1.0 ac)
Gross Total - 63.8 ac
Alloway Twp., Salem County

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

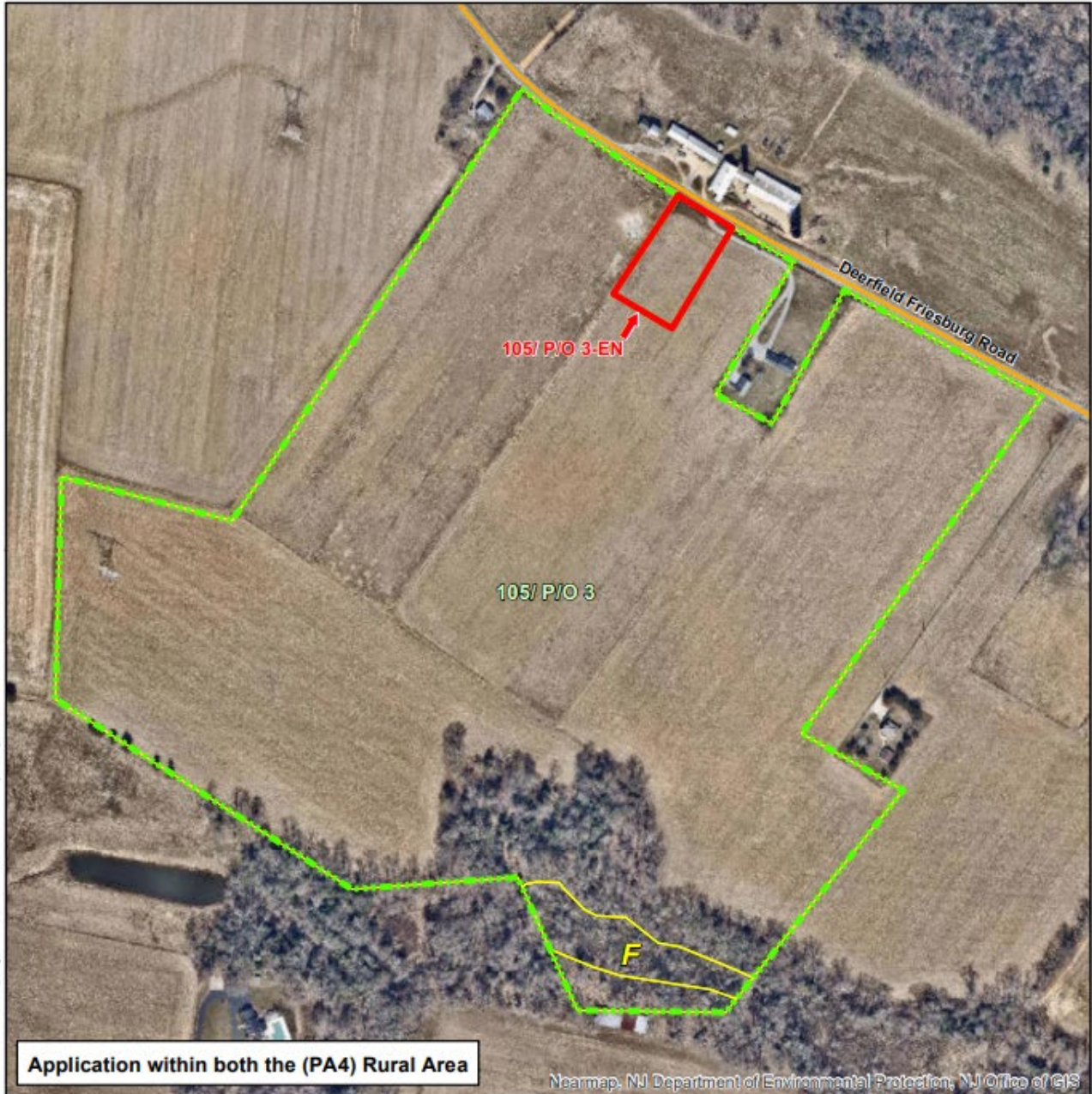


Sources:
NJ Farmland Preservation Program
NJGIT Parcel edited to adjacent survey
NJDEP Conservation/Open Space Easement Data
NJGIT/Neare Map 2021 Digital Aerial Image

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

March 27, 2023

Wetlands



X:\counties\saico\pr\objects\McAllister, Michael G. (Lot 3) fww 2.mxd

Application within both the (PA4) Rural Area

Nearmap, NJ Department of Environmental Protection, NJ Office of GIS

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McAllister, Michael G. (Lot 3)
Block 105 Lots P/O 3 (62.8 ac)
& P/O 3-EN (non-severable exception - 1.0 ac)
Gross Total - 63.8 ac
Alloway Twp., Salem County

250 125 0 250 500 Feet

Sources:
NJ Farmland Preservation Program
NJOT Parcel edited to adjacent survey
Green Acres Conservation Easement Data
NJDEP 2015 Landuse/Landcover Data
NJDEP Open Space
NJDOT Road Data
NJOT/Near Map 2021 Digital Aerial Image

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



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

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

March 27, 2023

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

GENERAL INFORMATION

COUNTY OF Salem Alloway Twp. 1701
 APPLICANT McAllister, Michael G. (Lot 3)

PRIORITIZATION SCORE

SOILS:		Other	7% *	0	=	.00		
		Prime	88% *	.15	=	13.20		
		Statewide	5% *	.1	=	.50		
						SOIL SCORE:	13.70	
TILLABLE SOILS:		Cropland Harvested	91% *	.15	=	13.65		
		Wetlands/Water	2% *	0	=	.00		
		Woodlands	7% *	0	=	.00		
						TILLABLE SOILS SCORE:	13.65	
BOUNDARIES	Deed Restricted Farmland (Permanent)		13% *	.2	=	2.60		
AND BUFFERS:	EP Applications		16% *	.13	=	2.08		
	Farmland (Unrestricted)		57% *	.06	=	3.42		
	Residential Development		12% *	0	=	.00		
	Streams and Wetlands		2% *	.18	=	.36		
						BOUNDARIES AND BUFFERS SCORE:	8.46	
CONTIGUOUS	McAllister	Restricted Farm or Current Application				2		
PROPERTIES	Coleman	Restricted Farm or Current Application				2		
/ DENSITY:	Hitchner Land Holdings	Restricted Farm or Current Application				2		
	Mehaffey	Restricted Farm or Current Application				2		
	Joyce	Restricted Farm or Current Application				2		
						DENSITY SCORE:	10.00	
LOCAL COMMITMENT:			100% *	19	=	19.00		
						LOCAL COMMITMENT SCORE:	19.00	
SIZE:							SIZE SCORE: 2.50	
IMMIMENCE OF CHANGE:		SADC Impact factor = 2.13						
						IMMINENCE OF CHANGE SCORE:	2.13	
COUNTY RANKING:								
EXCEPTIONS:							EXCEPTION SCORE: .00	
						TOTAL SCORE:	69.44	

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2023R4(4)**

**Preliminary Approval of SADC Fee Simple Purchase
On the Property of
Choi, Kwang Woo and Young Ja (102 Juliustown Road)**

APRIL 27, 2023

Subject Property: **Choi, Kwang Woo and Young Ja**
Block 1201, Lots 10.01, 10.02 and 12
Springfield Township, Burlington County
SADC ID#: 03-0043-FS

WHEREAS, pursuant to N.J.A.C. 2:76-8.1, an owner of farmland may offer to sell their farmland in fee simple to the State Agriculture Development Committee ("SADC"); and

WHEREAS, on March 14, 2023, the SADC received a fee simple application from Kwang Woo Choi and Young Ja, hereinafter "Owners," identified as Block 1201, Lots 10.01, 10.02, and 12, Springfield Township, Burlington County, hereinafter "the Property," totaling approximately 97.2 gross acres, identified in (Schedule A); and

WHEREAS, Burlington County has interest in acquiring Lot 12 along with a 50' wide access lane to Juliustown Road in order to add it to the Arney's Mount Trail System; and

WHEREAS, Burlington County has constructed trails along farmland on several other County owned parcels and proposes a 50' wide area in order to accommodate a 10' wide trail with a 5' mowed edge on each side, along with including space for any drainage improvements, buffer plantings, and or fencing to ensure the trail does not impact adjoining land uses; and

WHEREAS, the Property includes one (1) existing residence, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was cropland pastured; and

WHEREAS, the application has been evaluated for the sale of development easement pursuant to N.J.A.C. 2:76-8.5 and the State Acquisition Selection Criteria approved by the SADC on September 14, 2022, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property, is within the County Agriculture Development Area (ADA) and has a quality score of 64 and contains approximately 97.2 gross acres (Schedule B); and

WHEREAS, the Property meets the SADC's Burlington County minimum criteria for the "Priority" category which requires a quality score of at least 60 combined with at least 78 acres, however, because the landowners are requesting a fee simple acquisition, SADC preliminary approval is required; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and pursuant to N.J.A.C. 2:76-8.5, the Committee can determine to proceed with the application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC approves selecting the Property for processing as a "Priority" farm, pursuant to N.J.A.C. 2:76-8.5 based on the following:
 - a. is above average size and quality for Burlington County and meets the criteria to be considered a "Priority" farm pursuant to N.J.A.C. 2:76-8.5(c);
 - b. contains approximately 25% Prime soils, 43% Statewide and 24% Locally Important soils, of which 45.8 acres (47%) is tillable land;
 - c. is directly contiguous with a block of preserved farms and open space; and
 - d. the SADC believes that the conversion of the farm to non-agricultural use would likely cause a substantial negative impact on the public investment made in farmland preservation within the project area.
3. The SADC grants preliminary approval to the Property for a fee simple acquisition and authorizes staff to proceed with the following:
 - a. Enter into a 120-day option agreement with the Landowner.
 - b. Secure two independent appraisals to estimate the fair market value of the Property.
 - c. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.
 - d. Secure professional services that are necessary to proceed with the acquisition of the Property, including but not limited to a survey, title search, environmental audits and liability insurance.
4. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
5. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/27/2023

Date

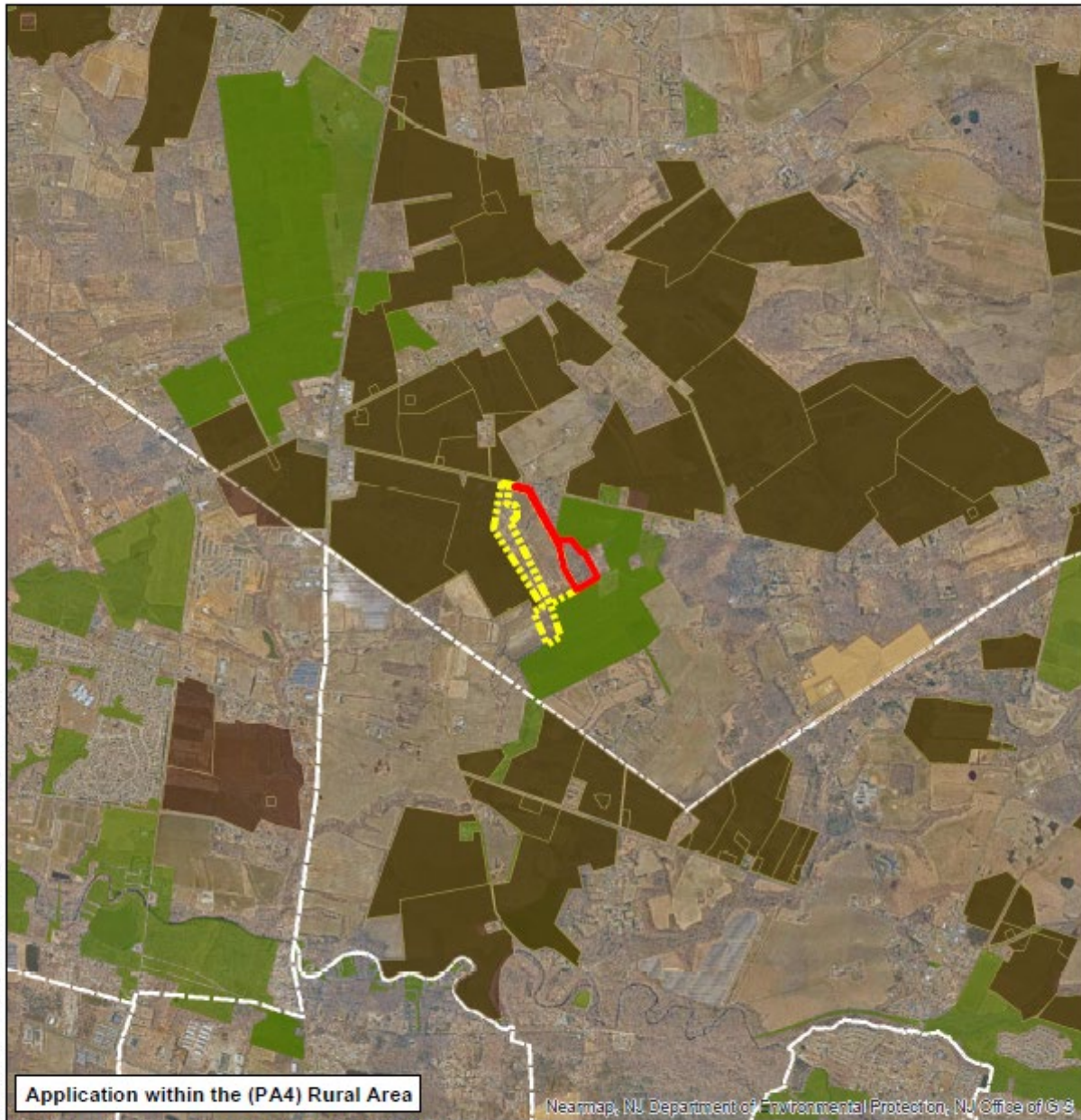


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Richard Norz	YES
Charles Rosen	ABSENT
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Renee Jones (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Douglas Fisher, Chairperson	YES

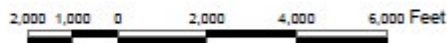
Preserved Farms and Active Applications Within Two Miles



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Choi, Kwang Woo & Young Ja
 Block 1201 Lots 10.01 (32.8 ac); P/O 10.02 (47.6 ac)
 P/O 10.02-ES (2.0 ac) & 12-ES (severable exception - 14.8 ac)
 Gross Total = 97.2 ac
 Springfield Twp., Burlington County



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



Source:
 NJ Farmland Preservation Program
 NJDOT Parcel data
 NJDEP Conservation/Open Space Easement Data
 NJDOT/Near Map 2021 Digital Aerial Image

March 1, 2023

Wetlands



X:\counties\burro\projects\Choi, Kwang Woo & Young Ja.fww.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Choi, Kwang Woo & Young Ja
Block 1201 Lots 10.01 (32.8 ac); P/O 10.02 (47.6 ac)
P/O 10.02-ES (2.0 ac) & 12-ES (severable exception - 14.8 ac)
Gross Total = 97.2 ac
Springfield Twp., Burlington County



Sources:
NJ Farmland Preservation Program
NJGIT Parcel data
Green Acres Conservation Easement Data
NJDEP 2015 Landcover/Landcover Data
NJDEP Open Space
NJDOT Road Data
NJGIT/Neer Map 2021 Digital Aerial Image

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

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



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

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

GENERAL INFORMATION

COUNTY OF Burlington Springfield Twp. 0334

APPLICANT Choi, Kwang Woo & Young Ja

PRIORITIZATION SCORE

SOILS:	Local	29% * .05 = 1.45	
	Other	12% * 0 = .00	
	Prime	29% * .15 = 4.35	
	Statewide	30% * .1 = 3.00	
			SOIL SCORE: 8.80
TILLABLE SOILS:	Cropland Harvested	56% * .15 = 8.40	
	Wetlands/Water	14% * 0 = .00	
	Woodlands	30% * 0 = .00	
			TILLABLE SOILS SCORE: 8.40
BOUNDARIES AND BUFFERS:	Deed Restricted Farmland (Permanent)	40% * .2 = 8.00	
	Preserved state, local open space/wildlife	33% * .18 = 5.94	
	Streams and Wetlands	27% * .18 = 4.86	
			BOUNDARIES AND BUFFERS SCORE: 18.80
CONTIGUOUS PROPERTIES / DENSITY:	Choi	Restricted Farm or Current Application	2
	Ewing	Restricted Farm or Current Application	2
	Walder #1	Restricted Farm or Current Application	2
	Yang	Restricted Farm or Current Application	2
	Hlubik	Restricted Farm or Current Application	2
			DENSITY SCORE: 10.00
LOCAL COMMITMENT:		100% * 20 = 20.00	
			LOCAL COMMITMENT SCORE: 20.00
SIZE:			SIZE SCORE: .00
IMMIMENCE OF CHANGE:			IMMINENCE OF CHANGE SCORE: .00
COUNTY RANKING:			
EXCEPTIONS:	Exceptions amount to more than 10% of Property		EXCEPTION SCORE: -2.00
			TOTAL SCORE: 64.00

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2023R4(6)

Preliminary Approval of SADC Easement Purchase on an "OTHER" FARM
On the Property of McAllister, Michael G.

APRIL 27, 2023

Subject Property: **McAllister, Michael G.**
Block 103, Lot 15 - Alloway Township, Salem County
SADC ID#:17-0383-DE

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

WHEREAS, on February 23, 2023, the SADC received a development easement sale application from Michael G. McAllister, hereinafter "Owner," for the property identified as Block 103, Lot 15, Alloway Township, Salem County, hereinafter "the Property," totaling approximately 28.2 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Owners' application has been evaluated in accordance with N.J.A.C. 2:76-6.16, SADC Policy P-14-E, Prioritization criteria, and the State Acquisition Selection Criteria approved by the SADC on September 14, 2022, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property, has a quality score of 63.13 and contains approximately 28.2 net acres (Schedule B); and

WHEREAS, the Property meets the SADC's Salem County minimum score criteria for the "Priority" category which requires a quality score of at least 61, but the property does not meet the minimum size criteria for "Priority" or "Alternate" farm designation, which requires a minimum size of 94 and 69 respectively; therefore, this farm is categorized as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5(c)3, requiring SADC preliminary approval in accordance with N.J.A.C. 2:76-11.6(c)1i. through iii; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and, pursuant to N.J.A.C. 2:76-11.5(b), (c)1 and (c)2, there are no "priority" or "alternate" ranked applications that have not already been selected for processing at this time; and

NOW THEREFORE BE IT RESOLVED:

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

2. The SADC approves selecting the Property for processing as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5 (b) and (c)2 because the farm:
 - a. has a quality score of 63.13, which is above minimum ranking criteria for a "Priority" farm in Salem County and is adjacent to another Direct Easement application selection from the same Owner;
 - b. has approximately 58% Prime soils; and
 - c. is within the County Agriculture Development Area, adjacent to other preserved farms, and in a community with a significant investment in farmland preservation.

3. The SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:
 - a. Enter into a 120 day option agreement with the Landowner;
 - b. Secure two independent appraisals to estimate the fair market value of the Property; and
 - c. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.

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

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

___4/27/2023___
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Richard Norz	YES
Charles Rosen	ABSENT
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Renee Jones (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



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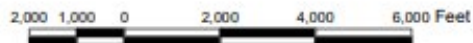
Application within both the (PA4) Rural Area

Nearmap, NJ Department of Environmental Protection, NJ Office of GIS

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McAllister, Michael G. (Lot 15)
Block 103 Lot 15 (28.2 ac)
Gross Total - 28.2 ac
Alloway Twp., Salem County

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



Source:
NJ Farmland Preservation Program
NJOTF Parcel Data
NJDEP Conservator/Open Space Easement Data
NJOTF Near Map 2021 Digital Aerial Image

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

March 8, 2023

Wetlands



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McAllister, Michael G. (Lot 15)
Block 103 Lot 15 (28.2 ac)
Gross Total - 28.2 ac
Alloway Twp., Salem County



Sources:
NJ Farmland Preservation Program
NJOT Parcel data
Green Acres Conservation Easement Data
NJDEP 2015 Landuse/Landcover Data
NJDEP Open Space
NJOT Road Data
NJOT/Neat Map 2021 Digital Aerial Image

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



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

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

GENERAL INFORMATION

COUNTY OF Salem Alloway Twp. 1701
 APPLICANT McAllister, Michael G. (Lot 15)

PRIORITIZATION SCORE

SOILS:		Other	38% *	0	=	.00	
		Prime	59% *	.15	=	8.85	
		Unique zero	3% *	0	=	.00	
						SOIL SCORE:	9.85
TILLABLE SOILS:		Cropland Harvested	59% *	.15	=	8.85	
		Other	5% *	0	=	.00	
		Wetlands/Water	15% *	0	=	.00	
		Woodlands	21% *	0	=	.00	
						TILLABLE SOILS SCORE:	9.85
BOUNDARIES	EP Applications		23% *	.13	=	2.99	
AND BUFFERS:	Farmland (Unrestricted)		25% *	.06	=	1.50	
	Residential Development		3% *	0	=	.00	
	Streams and Wetlands		48% *	.18	=	8.64	
	Woodlands		1% *	.06	=	.06	
						BOUNDARIES AND BUFFERS SCORE:	13.19
CONTIGUOUS	McAllister (Lot 15)	Restricted Farm or Current Application				2	
PROPERTIES	Coleman	Restricted Farm or Current Application				2	
/ DENSITY:	Hitchner Land Holdings	Restricted Farm or Current Application				2	
	Joyce	Restricted Farm or Current Application				2	
	Mehaffey	Restricted Farm or Current Application				2	
						DENSITY SCORE:	10.00
LOCAL COMMITMENT:			100% *	19	=	19.00	
						LOCAL COMMITMENT SCORE:	19.00
SIZE:							SIZE SCORE: 1.11
IMMIMENCE OF CHANGE:	SADC Impact factor =	2.13					
						IMMINENCE OF CHANGE SCORE:	2.13
COUNTY RANKING:							
EXCEPTIONS:							EXCEPTION SCORE: .00
						TOTAL SCORE:	63.13

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2023R4(7)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

On the Property of S.F. Systems (Holding)

APRIL 27, 2023

Subject Property: S.F. Systems (Holding)
Block 248, Lots 3 and 5 - Lawrence Township, Cumberland County
SADC ID#:06-0090 -DE

WHEREAS, on October 25, 2021, the State Agriculture Development Committee (“SADC”) received a development easement sale application from S.F. Systems Company, hereinafter “Owner,” identified as Block 248, Lots 3 and 5, Lawrence Township, Cumberland County, hereinafter “the Property,” totaling approximately 123.8 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes no exception areas, resulting in approximately 123.8 net acres to be preserved, hereinafter referred to as “the Premises”; and

WHEREAS, the certification of easement value and this final approval are is conditioned on extinguishing the existing lot lines and consolidating all acreage into a single tax lot simultaneously with closing for ease of future taxation and monitoring; and

WHEREAS, the Premises includes:

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

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on September 9, 2020 which categorized applications into “Priority”, “Alternate” and “Other” groups; and

WHEREAS, SADC staff determined that the Property meets the SADC’s “Priority” category for Cumberland County (minimum acreage of 88 and minimum quality score of 54) because it is approximately 123.8 acres and has a quality score of 75.63; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on March 24, 2023, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$2,000 per acre based on zoning and environmental regulations in place as of the current valuation date December 29, 2022; and

WHEREAS, the Owners accepted the SADC's offer of \$2,000 per acre for the purchase of the development easement on the Premises; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$2,000 per acre for a total of approximately \$247,600 subject to the conditions contained in (Schedule B).
3. This Final Approval is conditioned on extinguishing the existing lot lines and consolidating all acreage into a single tax lot simultaneously with closing for ease of future taxation and monitoring.
4. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
5. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.

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

____4/27/2023_____
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Richard Norz	YES
Charles Rosen	ABSENT
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Renee Jones (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Douglas Fisher, Chairperson	YES

<https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm Documents/06-0090-DE/Acquisition/Final Approval & Agreement to Sell/SF Systems SADC Direct Final Approval.docx>

Preserved Farms and Active Applications Within Two Miles

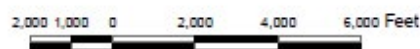


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Application within both the (PA4) Rural and the (PA5) Env Sens Areas

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

S. F. Systems (Holding)
Block 248 Lots 3 (88.5 ac) & 5 (35.3 ac)
Gross Total = 123.8 ac
Lawrence Twp., Cumberland County



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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJOTISGIS 2020 Digital Aerial Image

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

November 15, 2021

Wetlands



X:\counties\cumco\projects\S F Systems (Holding) fww.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

S. F. Systems (Holding)
Block 248 Lots 3 (88.5 ac) & 5 (35.3 ac)
Gross Total = 123.8 ac
Lawrence Twp., Cumberland County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJDOT Road Data
NJDOT/OGIS 2020 Digital Aerial Image

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Application within both the (PA4) Rural and the (PA5) Env Sens Areas

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



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

November 15, 2021

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

SF Systems (Holding)
Easement Purchase - SADC
124 Acres

Block 248	Lot 5	Lawrence Twp.	Cumberland County			
Block 248	Lot 3	Lawrence Twp.	Cumberland County			
SOILS:		Prime	73% *	.15	=	10.95
		Statewide	18% *	.1	=	1.80
		Unique zero	9% *	0	=	.00
						SOIL SCORE: 12.75
TILLABLE SOILS:		Cropland Harvested	81% *	.15	=	12.15
		Other	13% *	0	=	.00
		Wetlands/Water	6% *	0	=	.00
						TILLABLE SOILS SCORE: 12.15
FARM USE:	Vegetable & Melons		111 acres			asparagus

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. the multiple lots in Block 248, Lots 3 and 5 will need to be consolidated to facilitate potential ease of taxation, and to assist in monitoring. The lot consolidation will occur simultaneously with closing on the easement.
 - e. Dwelling Units on Premises:
 - Standard Single Family
 - Standard Single Family
 - Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2023R4(8)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

On the Property of Huckster, LLC

APRIL 27, 2023

Subject Property: **Huckster, LLC**
Block 9, Lots 2, 6, 6.01 and 6.03 – Tewksbury Township, Hunterdon County
Block 27, Lot 3 – Califon Borough, Hunterdon County
SADC ID#: 10-0288-DE

WHEREAS, on October 7, 2022, the State Agriculture Development Committee (“SADC”) received a development easement sale application from Huckster LLC, hereinafter “Owner” identified as Block 9, Lots 2, 6, 6.01 and 6.03, Tewksbury Township, Hunterdon County and Block 27, Lot 3, Califon Borough, Hunterdon County, hereinafter “the Property,” totaling approximately 61.9 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes one (1), approximately 4-acre non-severable exception area for one (1) existing single family residential unit, one (1) existing duplex and to afford future flexibility for nonagricultural uses resulting in approximately 57.9 net acres to be preserved, hereinafter referred to as “the Premises”; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Executive Director may approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 4-acre non-severable exception area:

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

WHEREAS, the Premises includes:

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

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

WHEREAS, staff evaluated this application for the sale of development easement in accordance with SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on September 2, 2021 which categorized applications into "Priority", "Alternate" and "Other"; and

WHEREAS, at approximately 62 acres the Property meets the minimum acreage criteria for the "Priority" category in Hunterdon County, which requires farm sizes of at least 47 acres; however, the Property has a quality score of 50.31, which is lower than the quality score need for a Priority farm designation, but higher than the minimum quality score of 44 needed to be designated an "Alternate," farm, requiring SADC preliminary approval; and

WHEREAS, in accordance with Resolution #FY2022R12(10), which delegated certain routine Acquisition Program approval actions to the Executive Director, the Property was granted SADC preliminary approval on November 1, 2021 because the farm's quality score is over 70% of the County's average quality score; and

WHEREAS, the Owner purchased the property on July 7, 2022; therefore, the property is not eligible for bring appraised under, zoning and environmental conditions in place as of 01/01/2004 for farms in the Highlands region pursuant to N.J.S.A. 13:8B, as amended by the "Preserve New Jersey Act," P.L.2015, c.5; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on March 23, 2023, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$10,500 per acre based on zoning and environmental regulations in place as of the current valuation date December 28, 2022; and

WHEREAS, the Owners accepted the SADC's offer of \$10,500 per acre for the purchase of the development easement on the Premises; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$10,500 per acre for a total of approximately \$608,000 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
4. The final acreage of the exception area shall be subject to onsite confirmation, and the Executive Director may approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
5. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/27/2023

Date



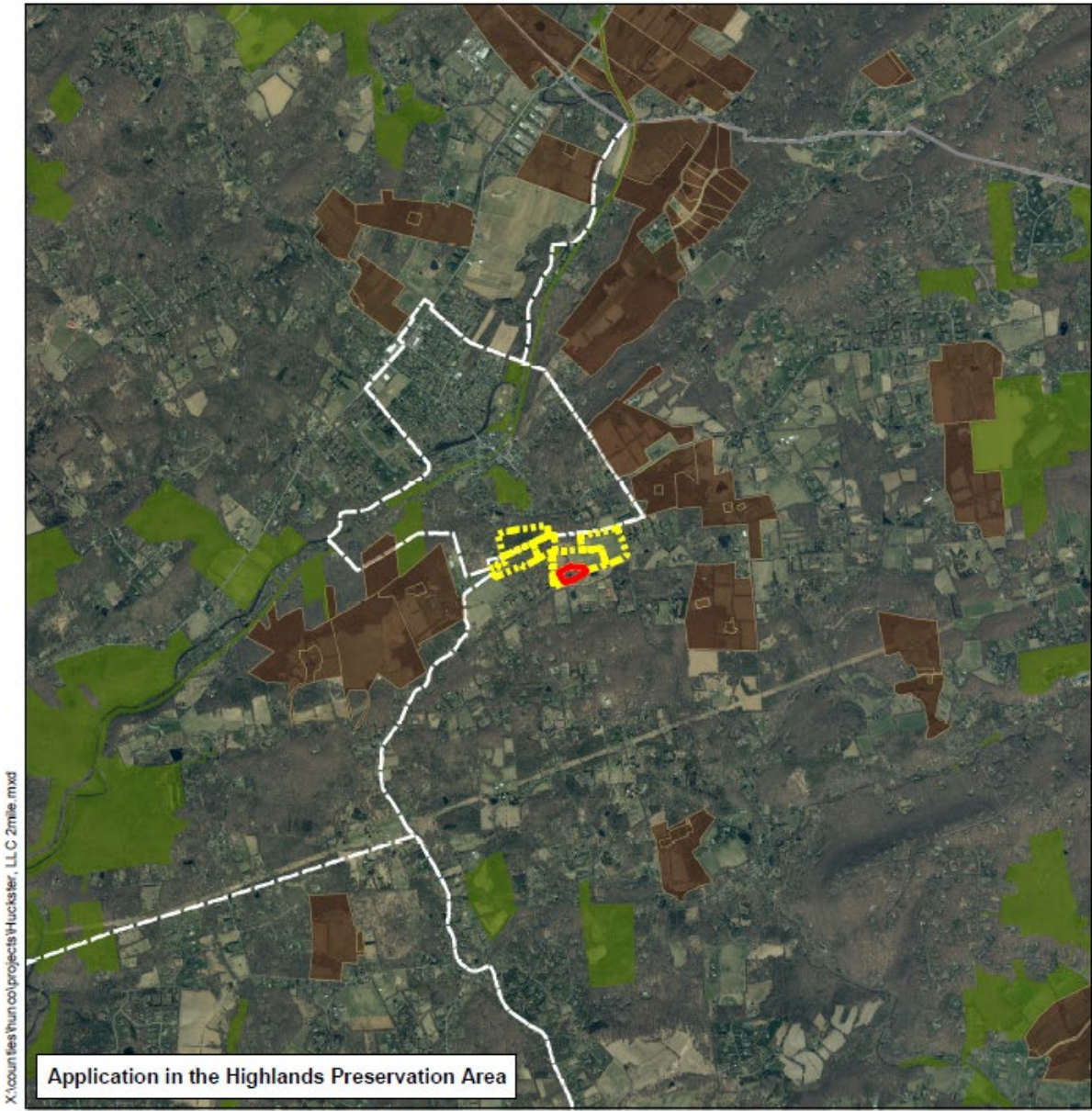
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Richard Norz	YES
Charles Rosen	ABSENT
James Waltman	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Renee Jones (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Douglas Fisher, Chairperson	YES

https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm Documents/10-0288-DE/Acquisition/Delegated Approval, Final Approval & Agreement to Sell/SADC Direct Final Approval_Huckster, LLC.docx

Preserved Farms and Active Applications Within Two Miles

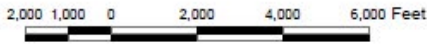


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Application in the Highlands Preservation Area

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

Huckster, LLC
 Califon Boro. - Block 27 Lot 3 (12.5 ac) &
 Tewksbury Twp., - Block 9 Lots 2 (10.3 ac); P/O 6 (15.1 ac);
 P/O 6-EN (non-severable exception - 4.0 ac); 6.01 (14.1 ac) & 6.03 (5.9 ac)
 Gross Total = 61.9 ac
 Hunterdon County



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



Sources:
 NJ Farmland Preservation Program
 NJDOT Parcel data
 NJDEP Conservation/Open Space Easement Data
 NJDOT Road Data
 NJ Highlands Council Data
 NJOT/OGIS 2020 Digital Aerial Image

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

Wetlands



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Huckster, LLC
 Califon Boro. - Block 27 Lot 3 (12.5 ac) &
 Tewksbury Twp., - Block 9 Lots 2 (10.3 ac); P/O 6 (15.1 ac);
 P/O 6-EN (non-severable exception - 4.0 ac); 6.01 (14.1 ac) & 6.03 (5.9 ac)
 Gross Total = 61.9 ac
 Hunterdon County



Sources:
 NJ Farmland Preservation Program
 NJDOT Parcel Data
 NJDEP 2015 Landuse/Landcover Data
 NJDOT Road Data
 NJOT/OGIS 2020 Digital Aerial Image

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



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

October 14, 2022

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Huckster, LLC
Easement Purchase - SADC
58 Acres

Block 27	Lot 3	Califon Boro	Hunterdon County				
Block 9	Lot 2	Tewksbury Twp.	Hunterdon County				
Block 9	Lot 6.03	Tewksbury Twp.	Hunterdon County				
Block 9	Lot 6.01	Tewksbury Twp.	Hunterdon County				
Block 9	Lot 6	Tewksbury Twp.	Hunterdon County				
SOILS:				Other	72% *	0	= .00
				Prime	23% *	.15	= 3.45
				Statewide	5% *	.1	= .50
							SOIL SCORE: 3.95
TILLABLE SOILS:				Cropland Harvested	50% *	.15	= 7.50
				Woodlands	50% *	0	= .00
							TILLABLE SOILS SCORE: 7.50
FARM USE:				Hay			acres
				Agriculture Production Livestock			acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st four (4) acres for For existing residences and other buildings
Exception is not to be severable from Premises
the exception area will be restricted to a single family residence and duplex or 2 single family residences
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - Standard Single Family - To possibly be relocated at some point in the future
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.