

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

**REMOTE MEETING DUE TO CORONAVIRUS
EMERGENCY**

September 23, 2021

Chairman Fisher called the meeting to order at 9:01 am.

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
Gina Fischetti
Denis Germano
Julie Kraus
Roger Kumpel, Alternate Farmer Member, substituting for Mr. Norz
Renee Jones
James Waltman

Members Absent

Brian Schilling
Richard Norz

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

Minutes

SADC Regular Meeting of July 22, 2021 (Open Session) and August 9, 2021 (Open and Closed Session Minutes)

It was moved by Mr. Kumpel and seconded by Mr. Germano to approve the Open Session minutes of the SADC regular meeting of July 22, 2021, and the Open and Closed Session minutes of the special meeting of August 9, 2021. Ms. Jones abstained from the July 22, 2021, meeting as she was not in attendance. Ms. Kraus abstained from the August 9, 2021,

meeting as she was not in attendance. The motion was unanimously approved by the remaining members.

Report of the Chairman

Chairman Fisher reported that the agriculture community is paying particular attention to the SADC's proposed Soil Protection regulations and on Special Occasion Events (SOE) legislation, noting that SADC staff is diligently working on both subjects. He stressed the importance of moving at a pace that will help farmers plan for the future, particularly with SOEs.

Chairman Fisher stated that Ms. Payne and staff are working on including forest protection as part of the farmland preservation program. The SADC is also researching ways to use available resources to help protect farms against the challenges associated with climate change.

Report of the Executive Director

Ms. Payne stated that staff met with the SADC deed of easement subcommittee in mid- to late August regarding Soil Protection, and based on comments received at the meeting, staff consulted with the Attorney General's office and anticipate another subcommittee meeting in the first week of October. If the subcommittee can reach a consensus on how to move forward with draft regulations, then staff will come back to the SADC for further discussion.

Ms. Payne noted that there was a State Board of Agriculture meeting yesterday and the board asked SADC staff to provide an in-person briefing at its November meeting.

There have been meetings between the Board of Public Utilities (BPU), Department of Environmental Protection (DEP), SADC and Department of Agriculture regarding implementation of the solar bills that were enacted by the Legislature at the end of June.

Ms. Payne announced that Ms. Monique Purcell has announced her retirement from state government. She commented that Ms. Purcell is an outstanding partner for the SADC and was a huge asset when standing in for Chairman Fisher. Ms. Payne wished Ms. Purcell success in her future endeavors. Chairman Fisher stated that Ms. Purcell is an extraordinary asset, and she will be missed, but she has capable staff to help continue the work of the NJDA's Division of Agriculture and Natural Resources.

Ms. Payne stated that Hurricane Ida was a huge shock to the agricultural community and many farms around the state suffered livestock losses and drainage system destruction. She informed the committee that she will have staff take a look into how SADC programs can assist the agriculture community in preparing for future natural disasters.

Chairman Fisher stated that there was a dairy and a vegetable farm that were totally leveled near his home and that the farmers are hoping to get Federal Emergency Management Agency (FEMA) funds to rebuild their farming operations. Chairman Fisher noted that there is a lot of work to be done and it's daunting, but at the same time there has been an outpouring of support within the farming community to help each other rebuild. Chairman Fisher stated that prayers and thoughts are going out to all farmers that were negatively affected by Hurricane Ida.

Communications

Ms. Payne stated that there is an important item in the communication packet that came from Bernadette Koenig addressing Mr. Waltman and Mr. Germano regarding noise emanating from a concert on a preserved farm in Morris County. Ms. Payne stated that staff advised Ms. Koenig to contact the Morris CADB, as the board is the first point of contact for this type of case.

Public Comment

There was no public comment

New Business

A. Stewardship

1. Resolution: House Replacement Request
Burlington Path LLC., Block 20, part of Lot 5.01, Upper Freehold
Township, Monmouth County.

Note: Mr. Bullock recused from this matter .

Mr. Willmott referred the committee to a draft resolution approving the construction of a 3,200 square foot, 2-story home on this 50-acre property to replace the original house which was demolished in 2021 . The SADC previously granted a division of a 75-acre parcel in 2019 which created the 50-acre subject farm, to be retained by Mr. Martin Bullock as the home farm, and a 25-acre parcel to be sold to his son, Brett Bullock, to be developed in conjunction with the Screamin Hill Brewery operation.

Brett is a full-time farmer working for the Bullock family farm operation, Bullock Farms, LLC, and the operator of Screamin Hill Brewery, a farm-based brewery currently operating on the Bullock Family home farm. Mr. Willmott stated that staff recommends approval of this house replacement request.

It was moved by Mr. Kumpel and seconded by Ms. Jones to approve Resolution FY2022R9(1) for a house replacement request for Burlington Path, LLC.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R9(1) is attached to and a part of these minutes.

Chairman Fisher stated that this is a model operation, and the brewery is well received by the community. He congratulated the Bullock family and wished them continued success.

2. RDSO Request

Holly Acres, LLC, Block 18, Lots 62 and 63, Upper Pittsgrove Township, Salem County and Block 43, Lots 4 & 6, Elk Township, Gloucester County

Note: Mr. Ellis recused from this matter, as per Mr. Smith's recommendation, as he is the Chair of the Mercer County Soil Conservation District and Lewis Goldshore, Esq., who is representing the applicant in this matter, is legal counsel for the district. Mr. Kumpel stated he would also recuse himself from this matter.

Mr. Roohr referred the committee to a residual dwelling site opportunity (RDSO) request by Holly Acres LLC for the construction of a 10,450 square foot residence and an approximate 3,000 square foot garage and porch spaces on a 145-acre farm Holly Acres owns. The principals of Holly Acres are John Ackerman, Jr. and his wife, Janice Ackerman, and the RDSO would be constructed for and used by one of Mr. and Mrs. Ackerman's children, John Ackerman, III and his family.

The property upon which the RDSO would be sited consists of 145 acres and is part of a collection of farms owned and/or operated by Holly Acres totaling 500+ acres and devoted primarily to hay and grain production. The 145-acre farm property was preserved as a direct easement by the SADC in 2009. It is roughly half-wooded and half-tillable. The property has no residential improvements and no exception areas, and was allocated one RDSO at the time of preservation. The proposed location of the RDSO and access was shown on a map presented by Mr. Roohr.

Holly Acres initially had requested a division of the premises that would have resulted in the creation of an approximate 105-acre and 40-acre parcel, with the latter parcel being where the RDSO was proposed to be exercised. Upon further review and discussions with the Ackermans, the principals of Holly Acres, staff determined that the proposed parcel configuration and significant wooded acreage of the premises would likely meet the required test for agricultural viability to justify a division. The Ackermans subsequently withdrew the request to divide the premises.

The RDSO application describes the Holly Acres operation as a family farm where Mr. and Mrs. Ackerman are the owners and their three adult children participate in the physical operation of the farm; however, none of the children are paid for this work. According to the application, John Ackerman III and his siblings have been regularly engaged in the agricultural production activities on the family farm for the past twenty years, but that they receives no salary from Holly Acres, LLC. According to the application, Mr. Ackerman, III, has been engaged in spring and fall tillage, planting, hay and grain harvesting, is

considered the contact person for hay sales, and is regularly involved in equipment and property upkeep.

Mr. and Mrs. Ackerman explained, and their accountant confirmed, that the family farm does not have any regularly-paid employees. Mr. Ackerman, III is primarily employed in a different Ackerman family business engaged in the sale and leasing of agricultural equipment and products.

Mr. Roohr stated that staff understands that volunteer-labor arrangements on a family farm are not unusual in the agricultural world, that he and Mr. Willmott have inspected the farm in the past and observed family members working the farm, and that staff has no reason to doubt the Ackerman's statements regarding unpaid labor.

However, the lack of documentation associated with the children conducting the agricultural activities raises the issue of what evidence should the committee rely on as satisfactory proof that the resident of an RDSO is regularly engaged in daily agricultural activities on the premises both at the time of application and each year thereafter during which the RDSO is occupied. The committee did clarify RDSO regulations in 2006 explaining the circumstances by which a farmer and/or his or her spouse or family would have to vacate an RDSO if certain criteria were not met, so the SADC would need some type of verification that the requirement for any RDSO is met that the resident be regularly engaged in the agricultural operation on the preserved farm.

A second issue is the size of the dwelling requested in the RDSO application. The third item is the proposed location of the RDSO and whether it has a negative adverse impact on the agricultural operation. Staff's opinion is that the location of the house is probably as good as it could get, so staff feels the location is not an issue. Mr. Roohr directed the committee to photos and maps in his visual presentation.

Mr. Roohr also noted that since the meeting is virtual, staff provided the applicant's attorney, Lewis Goldshore, Esq., the opportunity to submit photographs and other materials for the committee's consideration as part of staff's presentation. Mr. Roohr invited Mr. Ackerman, III and Mr. Goldshore to speak to the committee regarding the farming operations and house size.

Mr. Roohr reviewed graphics of a "Property and Vicinity Map", a homesite plot plan for the proposed RDSO and other photographs of the farm property, including a photograph of the wooded area where the proposed residence would be located.

Chairman Fisher stated that while there's a question regarding unpaid labor, he said that there had to be agricultural production on the farm. Mr. Roohr replied that receipts do exist for the agricultural production on the Holly Acres family farm. Mr. Roohr agreed that there are receipts for the production of hay and grain on the family farm as a whole, but the difficulty is that there are no pay stubs for who did the work generating that production.

Chairman Fisher invited Mr. Lewis Goldshore, Esq., the attorney for Holly Acres, to speak.

Mr. Goldshore advised that Janice Ackerman and John Ackerman, Jr. were present with him, and that they are the managing members of Holly Acres. Also with counsel were John Ackerman III and his wife. Mr. Goldshore stated that Holly Acres now owns 650 acres of preserved farmland, having purchased about 100 acres to the west of the property which is the subject of the application. He also advised that Mr. Ackerman, III and his brother lent a truck and a tractor to the Eachus, Willow Crest and Grasso farms after Hurricane Ida hit those properties.

Mr. Ackerman, III described the history of the family farm, dating back to his great-grandfather, and Mr. Ackerman, III's personal involvement in agricultural production on the farm properties since he was a teenager. Mr. Goldshore showed the committee a picture of Mr. Ackerman, III's child standing on the steps of a combine and a picture of him and his wife moving hay bales. Mr. Ackerman also noted that his wife is a dermatologist who works full time but also helps out a lot on the farm.

Mr. Goldshore asked Mr. Ackerman to explain how constructing a home on this property will advance the goals of agricultural preservation and serve an agricultural purpose for the farm operation. Mr. Ackerman stated that he and his wife want to raise their two daughters in a farm setting just as he was raised, and that they would find it much more convenient and beneficial to live on the farm as opposed to having to drive 10 miles from their current residence to get to the farm property each day.

Mr. Goldshore stated that building the house in the wooded area will not cause land to be taken out of agricultural production. Mr. Ackerman stated that the area that the home would be built on has no agricultural production, is high ground and has no wetlands, would be serviced by an extension of an existing driveway, and the septic and well will not affect the farm ground and will not touch a single acre of the existing farming operation.

Mr. Goldshore asked Mr. Ackerman to address the size of the proposed home. Mr. Ackerman stated that he and his wife always wanted a big house as they have two daughters now and intend to have more children. He stated that he considers this a long-term investment in the farm. He noted that the home will be in Salem County which is one of the lower median income counties in the state, and they have no intention of selling the home. Mr. Ackerman stated that the family farm operation consists of a total of about 650 acres of farmland now, and that he intends to continue to grow the farm. He also stated that the total farm acreage will not shrink as long as the family controls ownership of the land, and that the Ackerman family is thoroughly invested in farmland preservation.

Mr. Goldshore thanked Mr. Roohr and Mr. Willmott for their courtesy and assistance during the application process. Mr. Goldshore stated that the RDSO standards include the requirement that the proposed residence shall be for agricultural purposes. He stated that the Ackerman family is clearly and substantially invested in and committed to agricultural preservation, and asserted that this application will advance agricultural purposes, as a young family wants to build a substantial home on substantial preserved acreage to continue agriculture for the next generation.

As far as the second RDSO requirement, Mr. Goldshore observed that there is no question that the site location minimizes any adverse effect on the agricultural operations.

Counsel stated that there is no standard in the RDSO rules concerning the size of the house, and that the Holly Acres request is appropriate because a large house is uniquely suited for the 650-acre family farm. Mr. Goldshore stated he provided a research memo to the Attorney General's office and to SADC legal counsel regarding RDSO house sizes and the need for standards.

Secretary Fisher asked the committee whether members had any questions for the applicant. There were none, and the Secretary asked for a motion to approve. Mr. Roohr advised that staff did not have a resolution for the committee to act on, as staff was seeking guidance from the members, and would be making a further presentation about the history of RDSOs. Secretary Fisher again asked the committee whether members had any questions.

Mr. Roohr reviewed the history of RDSOs and stated that they were created in 1988 by regulation to accommodate farmers hesitant to enroll their properties in the preservation program by requiring them to commit, at the time of closing, to the location for an exception area for a future residence. Instead, an RDSO provided flexibility so that a residence could be sited when the need arose.

The Attorney General's office subsequently advised the SADC that future dwellings on preserved farms conflicted with ARDA unless the construction and use of those dwellings were specifically necessary for an agricultural purpose. Accordingly, in 1989, the SADC's regulation was amended to state that ***"The construction and use of the unit shall be for agricultural purposes."*** Additionally, the procedures for exercising an RDSO were amended to include language stating: ***"The construction and use of a residential unit shall not be permitted unless the Grantee and Committee certify that the construction and use of the residential unit shall be for agricultural purposes. No other residences shall be permitted."***

The RDSO regulation was amended again in 1993 by decreasing the allocation of RDSOs from 1 to 50 acres to 1 to 100-acres and added the definition of ***"use for agricultural purposes"***.

Mr. Roohr stated that the farmland preservation deed of easement (DOE), including the one governing the subject property, provides three important definitions: an RDSO is the potential to construct a residential unit on the preserved premises in accordance with N.J.A.C. 2:76-6.17; a residential unit means the residential building used for single-family residential housing, the construction and use of which shall be for an agricultural purpose; and the 1993 definition "use for agricultural purposes", and that means the continued use of the residential unit in which at least one person residing in the unit is regularly engaged in common farm site activities on the premises.

Mr. Roohr also cited N.J.A.C. 2:76-6.17, which states that the RDSO may only be exercised if a determination can be made that the construction and use of the unit is for agricultural purposes and that the location minimizes any adverse impact on the agricultural operation. Mr. Roohr said that, based on those definitions and the regulatory history of RDSOs the SADC in determining any RDSO request would have at least three tests to consider: (1) will at least one person living in the RDSO be regularly engaged in the agricultural operation on the particular farm; (2) does the construction and use of the unit serve a positive agricultural purpose; and (3) does the physical location of the unit have an adverse impact on the farm.

Mr. Roohr stated that staff's opinion is that the location of the unit is not an issue, but that addressing the other two topics requires guidance from the committee. The committee needs to determine the sufficiency of the evidence in supporting of the RDSO resident being "regularly engaged in common farm site activities" on the preserved premises, and whether the construction and use of the RDSO will serve an agricultural purpose.

As to the issue of the RDSO resident being regularly engaged in common farm site activities on the preserved premises, the application states that Mr. Ackerman III and his two siblings have been working on the farm for about 20 years, the family farm operation is over 550 acres, Mr. and Mrs. Ackerman, the principals of Holly Acres, stated that there are no paid employees, including family members working on the family farm, and Mr. Roohr noted that Mr. Ackerman, III has an off-farm job.

Mr. Roohr stated that all applicants need to be treated equally and with that being said, what evidence should the committee rely on that a person living in an RDSO unit is actively engaged in the farm operation at the time of initial construction, and then we would have to verify that for all continuing years, because once an RDSO is built, someone living in that unit, forever, needs to be actively engaged in the agricultural operation. Staff needs guidance as to what the committee would consider to be appropriate evidence of "regularly engaged in the farm site activities".

The second issue is the size of the house. At over 10,000 sq./ft., the proposed house associated with this application would be the largest RDSO ever requested and, if approved, would be the largest single-family housing unit of any type approved by the Committee that at least current staff can remember.

The Committee has for some time expressed an unfavorable opinion on the construction of very large homes on a preserved farm regardless of their designation, and that seems to be related to farmland affordability. This is evidenced by committee action in which it placed house-size limits of between 3,500 and 4,500 sq./ft. on its own fee-simple farms which were then sold at public auction. Over the last 10 years, RDSO approvals have averaged 2,600 sq./ft. In response to a question by Secretary Fisher, Mr. Roohr stated that the SADC has imposed house-size limits in the fee simple program on approximately 20 to 30 farms since about the year 2000.

Mr. Roohr noted that at the May 2021 SADC meeting, there was quite a bit of Committee debate and a split vote about replacing an existing house, not an RDSO, on a preserved farm in Hunterdon County with a new residence of 6,000 sq./ft. The Committee had discussed the size of the replacement house and some members expressed concern about how the size would affect the ability of future landowners to be able to farm and own the land with such a large house on it.

The language from the original 1988 regulation that created RDSOs speaks to the intent of the units to add flexibility in the layout of the farm and have a positive impact on the continued agricultural viability of the farm. The 1989 regulation further specifically clarified that the unit must be constructed and used for an agriculture purpose. Staff certainly appreciates that a house for a farmer to live in on a preserved farm could have a positive impact on the agricultural viability of the farming operation. However, staff's concern about this particular request is that at a certain size, the value of the house itself so far outweighs the ability of a person who is farming the land to be able to afford the parcel. So it likely removes the ability of the farm to be owned by anyone who spends a majority of their time farming, due to the cost of the house and the income necessary to afford it.

Based on the language in the regulation, the DOE, the Committee's past precedent, staff cannot recommend approval to the Committee, and we so advised Mr. Goldshore during our previous discussions with him.

Mr. Roohr stated there is no house size limit in the DOE, so the issue becomes a matter of interpretation. Staff is seeking guidance from the committee as to whether the very large house proposed like this on a preserved farm will achieve the goal of farm viability and what would be considered appropriate evidence of being regularly engaged in farm operations both now and for RDSOs in the future.

Secretary Fisher asked whether the committee had any questions it wanted to ask staff.

Ms. Payne asked that a previous slide from staff's presentation be reviewed and noted the lack of tillable ground for this particular farm by itself, even though the Ackermans farm the ground in conjunction with other substantial acreage. She stated that one of staff's concerns is that the parcel is not an optimal farm resource, and when RDSO houses are proposed, staff looks at the layout of the particular premises. The subject property has a very irregular shape and has a substantial amount of woodlands and wetlands.

Ms. Payne noted that the house associated with this RDSO request will be very large and very expensive, and it would be located on an average or below-average farm, and these factors exacerbate the difficulty recommending approval of approve the request. Ms. Payne said she appreciates the overall farm operation but that ARDA is a forever program and next week the property could get sold to someone else. She understands the Ackermans have no intention of doing so now, but eventually the property will be sold. When the Committee looks at this application, it has to keep in mind that we are talking about this premises of 145 acres and its particular configuration.

Ms. Payne asked the Ackermans whether consideration had been given to locating the residence on a different parcel on the family farm, and a prior slide in the presentation was reviewed. Staff did discuss with the Ackermans a house location that could be more readily supported, such as a parcel noted on the slide as “Holly Acres” containing an exception area. Mr. Roohr confirmed that staff had explored with the Ackermans other family farm properties, including the parcel identified by Ms. Payne, that would have no house size limitations, that would not require approval from the SADC or the county, and the house would only need to be located within the 1- or 2-acre exception area.

Secretary Fisher asked whether the Ackerman properties are contiguous farms and noted, with regard to the subject farm of marginal value, that it may have been subdivided. He inquired whether farms can be merged. Ms. Payne said that in the past, the committee has conditioned division approval on a divided preserved lot being merged with another preserved farm property. Secretary Fisher asked if staff was implying that a house of this size could be approved if the property were bigger.

Ms. Payne clarified that there would be more of a logical correlation between the value of the improvement and the value of the land if the premises were larger. Here, when we look at a 10,000 sq./ft. house, even if we take the basic cost per square foot of new construction, roughly \$172 in the Northeast, the unit value alone would probably be between \$1.5 and \$2 million. This property, given its size and characteristics, we would estimate to have a value of between \$500 and \$600 thousand, so you’re talking about infrastructure that’s 2 to 3 times the value of the farm. We are questioning what farmer could ever buy this farm property and live in that unit.

Ms. Payne said she completely understands that the proposal by Mr. Ackerman, III works for his family, but RDSOs are supposed to be an asset for the present generation, and the next generation, and the following generation to allow someone who is regularly engaged in agriculture to live in the house. The annual property taxes alone on house such as the one proposed would probably be in excess of \$30,000 or \$35,000, so this RDSO request will result in an economic stratosphere that only the tiniest percentage of agricultural operators could afford. Staff’s concern is that this size, this value of the improvement will render this farm inaccessible for almost every future agricultural producer who would be interested in buying this particular farm.

Chairman Fisher stated that staff is looking for guidance from the committee to assist in the preparation of a resolution, and asked the members whether they had any questions and said he wanted to give the applicants an opportunity to ask questions as well. He observed that, so far, no one on the Committee has asked any questions or provided any comments refuting what staff has said about the application.

Mr. Germano stated that he would not comment on building size, but that one of the questions staff has asked is about the lack of wages being paid to the Ackermans and how to handle a similar situation in the future. What he heard is that all three siblings working on this operation are not paid, but someone has to be running the operation. If the applicant or any future applicant can show through an accountant or through bookkeeping that no

wages are being paid, and combined with the testimony of family members, that should satisfy the requirement that someone is working the farm.

Mr. Johnson asked if the RDSO language states that the primary source of income for the RDSO residents or their primary job needs to be from the farm. Mr. Roohr said no; that language, however, does appear in deeds preserving the five Chesterfield Commons farms in Burlington County.

In answer to a question by Secretary Fisher regarding whether there was no payroll, Mr. Roohr stated that the owners of Holly Acres said the operation is a family business; Mr. and Mrs. Ackerman own the business and own the farm; their three adult children are primarily the labor force, and they have provided a document from their accountant that attests that Holly Acres farm has no regular paid labor. Holly Acres does pay contractors to, for example, custom-spray, but as far as who does the planting, tilling and the regular work, the Ackermans have represented that's what the three adult children do without pay. The accounting records support that representation.

Mr. Roohr agreed with Mr. Germano that someone is working the farm. There is significant production occurring on Holly Acres overall; the issue is that staff can't tie any particular person to who did what work outside of what Mr. Ackerman has testified.

Mr. Roohr responded to a question from Secretary Fisher, confirming that the subject property was preserved through the SADC direct easement program and that the DOE for this property and for any preserved farm contain no house size limits on RDSOs. But what staff is inferring from the regulations is that an RDSO is meant to have a positive impact on the viability of the farm; the concern and hesitation of staff is that a property that is "house-heavy" does cause a negative impact on the long-term viability of the farm.

Mr. Waltman reiterated expression he has made in the past regarding house sizes. No one on the Committee begrudges this family for its capacity to build a home, and noted that there's a garage and porch of about 3,000 sq./ft. in addition to the 10,000 sq./ft. residence. He stated that he is concerned with the impact of farmland affordability for this farm as well as perceptions of the Farmland Preservation Program. Mr. Waltman noted that the program depends on the financial support of the residents of New Jersey, and that the public support needs to be sustained or the agency risks losing it and is concerned about how this type of request would appear.

Mr. Waltman stated that just because there is no house size limitation in the regulations, that we have to find a house of this size would advance agriculture purposes. In other words, you can say that having a residence advances agricultural purposes, but that doesn't mean a 10,000 sq./ft. residence with a 3,000 sq./ft. garage advances agricultural purposes, especially in light of the two concerns he just raised: the long-term viability of this particular farm and affordability for future generations, as described by Ms. Payne earlier, as well as the viability of the farmland preservation program if the public sours on a program that could be perceived by some as fostering or advancing the interests of the very

wealthy. Mr. Waltman said he hopes that there will be a way to find a meaningful limit on the size of proposed houses in the future.

Ms. Jones stated that she agrees with Mr. Waltman regarding the perception of the program and asked if the Ackermans considered another location on the preserved farm or on other property they owned that would be better suited for this house. She felt other options hadn't been exhausted in terms of seeking alternate locations. She thought the perception issue regarding residential home sizes was very valid.

Mr. Germano asked whether the RDSO was allocated for the subject property, and Ms. Payne and Mr. Roohr responded that the RDSO was approved for that particular piece of property. Mr. Germano replied that the owner should be able to build on the subject premises and no one should be suggesting to the Ackermans that they should build somewhere else. Mr. Germano clarified he was not commenting on the size of the house, but simply stating if this premises was approved for an RDSO, then the committee needs to consider the application as it relates to this property.

Secretary Fisher recalled a 6,500 sq./ft. house dealt with by the Committee some time ago. Mr. Roohr said that at the May meeting, the SADC had a replacement house size in Hunterdon County that was 6,000 sq./ft. In 2008, the Committee approved a Somerset County RDSO of 6,500 sq./ft. on 105 or 110 acres.

Ms. Payne stated that staff needs to hear what the committee wants to do in order to bring a resolution to the next meeting. If the Committee needs additional information, staff can respond at a future meeting; if the committee feels it has enough information now, it can make a motion and staff will prepare a resolution to present to the committee at an ensuing meeting.

Secretary Fisher asked if there is an active application given to staff requesting this RDSO approval. Ms. Payne stated that was correct. Secretary Fisher stated that the applicant requires a response, especially since staff has already presented the case.

Ms. Payne stated that if staff were to draft a resolution, it would be a denial, but staff is looking for guidance from the committee if it wants to take a different stance. Staff can present a resolution of denial at the next meeting and the committee can vote on it. But one way or another a resolution must be prepared to give the applicant due process, including an appeal if they want to pursue that direction.

Secretary Fisher asked Mr. Goldshore if he had further comment and how he would like to continue as far as withdrawing his application or proceeding with it as presented.

Mr. Goldshore stated that Mr. Ackerman wanted to address the committee before a motion was made. Chairman Fisher stated that there would not be a vote made today because a resolution was not prepared. Ms. Payne stated that the committee could make a motion and as long as the basis of the motion is clear the vote could be made. She stated that staff would then prepare a resolution to implement that decision for passage at the next meeting.

Mr. Ackerman stated that the proposed site on the other Holly Acres property being discussed as an alternative location is located on existing farm ground and it goes against all that was discussed today. He stated that he agrees 100% with Ms. Payne about the economics of the size of the home; he said that the value of the proposed house exceeds the value of the farm; however, his perspective is that it's his investment and risk that he is willing to take on this property and that he does not want to build elsewhere. He understands that if this Salem County property were sold with the proposed house on it, he and his wife would not get what's invested in that house. Mr. Ackerman said he is well aware of the risk and/or the commitment to the farm and how long he plans on living there. He said he was 37 years old and expects to be on the farm for many years, but life is unpredictable, and he would expect his family to take over the operation if he weren't around. If they couldn't take over, then the market would determine the value someone else would pay for the farm, and he was fully aware the price would not amount to the original investment. Mr. Ackerman note it was correct to say that the property would be unaffordable, but he viewed this as his investment and risk. This is not a real estate investment; this is a farm we want to live on.

Mr. Goldshore requested if he and his client can go offline for a moment to decide whether they want a decision today, to be memorialized at the next meeting, or explore an alternative course of action.

Mr. Goldshore's request was discussed by Secretary Fisher, Ms. Payne and Mr. Waltman. Chairman Fisher gave Mr. Goldshore permission to go offline and consult with Mr. Ackerman.

Mr. Ellis confirmed that he was present during the Burlington Path matter but could not connect verbally due to technical issues. He advised that he votes affirmatively for that application.

The Committee proceeded with review and approval of the update to the Mercer County Comprehensive Farmland Preservation Plan (set forth below in these minutes).

Mr. Goldshore came back after deliberating with his client and thanked the Committee for its consideration, reiterated that there are no RDSO house size limits, and asked that the committee decide on this pending application today. Ms. Payne stated that the applicant is requesting a motion by the Committee. She asked if the SADC needs more information to make a decision and, if there is a need, staff can provide it to the members next month. If the Committee feels it has had all its questions answered, it can vote on the request and a resolution of memorialization will be presented at the next meeting.

Chairman Fisher asked for a motion for approval from the committee.

Mr. Germano had a question for staff. There are three standards for these applications. Once concerns the effect on agriculture. He asked staff to go over that standard again, not the location of the house and not the economics. .

Ms. Payne reiterated that the standard states that the committee has to find that the construction and use of the RDSO must be for an agricultural purpose. Staff's understanding of the history of RDSOs is that they must improve the agricultural viability of the property. Agricultural use of the RDSO and viability are tied together. The language in the regulation states that the RDSO may only be exercised if the board determines that the construction and use of the residential unit is for ag purposes and that the location of the RDSO minimizes any adverse impact on the agricultural operation.

Secretary Fisher asked for a motion for approval from the committee. No motion was introduced. Secretary Fisher then confirmed his understanding that there would be no motion for approval. Mr. Germano replied that was correct as far as he was concerned.

Mr. Germano said he wanted to address staff because it's job would now be to draft a resolution memorializing and explaining the reasons for the Committee's action. He commented that he was speaking for himself; he felt the application met two of the three standards the location is ideal and that the people living there work the farm; however, he doesn't feel that this proposal meets the standard for agricultural viability. Mr. Germano observed that he can make an argument that the proposal to build this big a house doesn't create a negative impact on agriculture or on this particular operation. But that argument would confuse the issue. The rule doesn't say that the Committee should approve applications that don't do harm. Instead, the regulations say that what we have to find is that the proposal creates a positive effect and that he doesn't believe that is so either with respect to the operation or to future viability of the farm. So it's on that basis that he's decided not to say yes to the application.

Secretary Fisher said that there would be a resolution prepared for the next meeting which will be voted on by the Committee.

Chairman Fisher commented that farming families in NJ come in all shapes, forms, sizes, finances and farming skills. The farmers are either well financed, farms are marginal and might fail, or there are beginning farmers who have no financing, and there is no guarantee how a farm will be treated in the future or what a farm will cost at any given time. Chairman Fisher stated that the important thing is that the land be farmed.

Mr. Goldshore thanked the committee for their time and requested that any future resolution will be without prejudice to a subsequent application because the Ackerman family is in this for the long haul.

B. Resolution of Final Approval – County PIG Program

Note: Mr. Ellis recused from this discussion.

Mr. Bruder referred the committee to a request for final approval for the update to the Mercer County Comprehensive Farmland Preservation Plan. Mr. Bruder, along with Ms. Emily Blackman of the Mercer CADB, reviewed the specifics of the request with the committee. Mr. Bruder stated that staff recommendation is to grant final approval of the plan update. He thanked Mercer County for its work and setting forth a good strategy for moving forward for

the next 10 years . Mr. Waltman commended Ms. Blackman on her great work with Mercer County.

1. County Plan Update – Mercer County

It was moved by Mr. Waltman and seconded by Ms. Fischetti to approve Resolution FY2022R9(2), granting final approval to the Mercer County Comprehensive Farmland Preservation Plan, as presented, subject to any conditions of said resolution. The motion was unanimously approved.

C. Preliminary Approval FY2022 Nonprofit Program

Ms. Miller stated that the Nonprofit round was announced in the spring with a June deadline and staff received two applications. The Monmouth Conservation Foundation requested additional funding for an application that was approved under the FY2021 round and the Land Conservancy of New Jersey submitted an application for a farm in Blairstown, Warren County. She reviewed the specifics of the requests with the committee and stated that staff recommendation is to grant approval of the FY2022 Nonprofit round. Ms. Payne stated that resolution indicates the approval of these funds are subject to an appropriation request which is on today's agenda.

It was moved by Mr. Kumpel and seconded by Mr. Waltman to approve Resolution FY2022R9(3), granting approval to the FY2022 Nonprofit Program, as presented, subject to any conditions of said resolution. A roll call vote was taken, the motion passed unanimously.

D. Resolutions: Final Approval – County PIG Program

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

It was moved by Ms. Jones and seconded by Mr. Ellis to approve Resolution FY2022R9(4), granting approval to the following application under the County PIG Program, as presented, subject to any conditions of said resolution.

1. Vege Farm Inc., SADC ID#06-0201-PG, FY2022R9(4), Block 78, Lot 2, Hopewell Township, Cumberland County, 54 Acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R9(4), is attached to and a part of these minutes.

E. Resolutions: Final Approval – Municipal PIG Program

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

It was moved by Mr. Kumpel and seconded by Mr. Bullock to approve Resolutions FY2022R9(5), FY2022R9(6) and FY2022R9(7) granting approval to the following applications under the Municipal PIG Program, as presented, subject to any conditions of said resolution.

1. Joseph and Robin Bell, SADC ID#17-0228-PG, FY2022R9(5), Block 3, Lot 34, Alloway Township, Salem County, 21.2 acres.
2. Robert and Joyce Wright, SADC ID#17-0231-PG, FY2022R9(6), Block 21, Lot 6.01, Upper Pittsgrove Township, Salem County, 20.5 acres.
3. Teresa Mihalecz, SADC ID#17-0216-PG, FY2022R9(7), Block 1801, Lots 5 & 5.01, Pittsgrove Township, Salem County, 38.5 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolutions FY2022R9(5), FY2022R9(6) and FY2022R9(7) is attached to and a part of these minutes.

F. Resolutions: Final Approval – Direct Easement Purchase Program

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

It was moved by Mr. Ellis and seconded by Mr. Kumpel to approve Resolutions FY2022R9(8) and FY2022R9(9) granting approval to the following applications under the Direct Easement Purchase Program, as presented, subject to any conditions of said resolution.

1. Rolling Hills Properties, I, SADC ID#19-0029-DE, FY2022R9(8), Block 26, Lot 4, Wantage Township, Sussex County, 113.8 acres.
2. Patricia Moyer, SADC ID#21-0080-DE, FY2022R9(9), Block 107, Lot 2, Pohatcong Township, Warren County, 131.3 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolutions FY2022R9(8) and FY2022R9(9) is attached to and a part of these minutes.

G. FY2022 Budget Approval

Mr. DiStaulo reviewed a detailed budget memo outlining the recommended FY22 Farmland Preservation Program (FPP) administrative budget, as well as the Right to Farm (RTF) budget. At \$5.45M, this year's proposed FPP budget represents a \$1.465M increase over FY21.

The main categories of increase include staff salaries associated with filling six full time positions, corresponding 100% fringe benefit costs now required by Treasury, and computer technology needs of which a majority is earmarked to fully fund Phase I of the eFARMS project. The SADC's FPP budget no longer appears in the Governor's overall state budget; therefore, the SADC has sole authority for budget approval.

It was moved by Mr. Germano and seconded by Mr. Kumpel to approve the FY2022 Budget Recommendation. The motion was unanimously approved.

It was moved by Mr. Ellis and seconded by Mr. Waltman to approve the FY2022 Right to Farm Budget. The motion was unanimously approved.

H. FY2022 Appropriation Recommendation

Mr. DiStaulo reviewed a detailed memo and accompanying exhibits containing staff recommendations for FY22 appropriations. This appropriation represents substantially more funding from Corporate Business Tax (CBT) revenues than were anticipated. An estimated \$83.69M in CBT funds together with \$186,000 available from other sources support a total appropriation request of \$83.88M. Staff is recommending an appropriation of 2 years-worth of administrative costs to maintain a buffer to protect against any impacts of future delayed appropriation cycles.

It was moved by Mr. Germano and seconded by Mr. Johnson to approve the FY2022 Appropriation Recommendation. Mr. Ellis stated that he is an applicant for Conservation Cost Share, so he abstained from the vote. The motion was unanimously approved.

Public Comment

Ms. Mala Estilin commented on the RDSO request from Holly Acres Farm and stated that a house of that size is an issue and the property taxes for that house would make it impossible for a future farmer to take care of the property. She stated that the long driveway leading up to this house will most likely need to be paved which will cause an impervious cover issue and that the proposed house will not be considered a farmhouse and instead should be considered a huge building that has no agricultural benefit. Ms. Estilin asked that the SADC protect the farmland so that future farmers will be able to purchase it and actively farm the land.

TIME AND PLACE OF NEXT MEETING

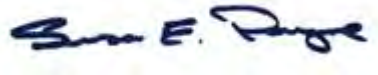
SADC Regular Meeting: 9 A.M., October 28, 2021

Location: TBA

ADJOURNMENT

The meeting was adjourned at 11:46 a.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Susan E. Payne", is centered below the text "Respectfully Submitted,".

Susan E. Payne, Executive Director
State Agriculture Development Committee

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R9(1)**

**Request to Replace a Single-Family Residence
Burlington Path, LLC**

September 23, 2021

Subject Property:

Block 20, p/o Lot 5.01

Upper Freehold Township, Monmouth County

50-Acres

WHEREAS, Burlington Path, LLC, hereinafter "Owner," is the current record owner of Block 20, p/o lot 5.01, in Upper Freehold Township, Monmouth County, by deed dated February 14, 2019, and recorded in the Monmouth County Clerk's office in Deed Book 9336, Page 256 totaling approximately 50-acres, hereinafter referred to as the "Premises", as shown on Schedule "A"; and

WHEREAS, Martin and Janet Bullock are the principals of Burlington Path, LLC; and

WHEREAS, the development easement on the original premises, consisting of approximately 374-acres, was conveyed to the Monmouth County Agriculture Development Board (MCADB) on November 1, 1996, by the previous owner, William Perretti, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq., as a Deed of Easement recorded in the Monmouth County Clerk's Office on November 1, 1996, in Deed Book 5545, Page 172; and

WHEREAS, on January 26, 2006, the SADC approved the division of the original premises in resolution #FY06R1(30), thereby dividing the original William Perretti farm into three parcels, 157-acres, 146-acres, and 75-acres respectively; and

WHEREAS, on February 28, 2019, the SADC approved the division of the 75-acre parcel through resolution #FY2019R2(8), thereby granting approval to Burlington Path, LLC to divide that property creating the Premises, at 50-acres (Parcel-A), and a 25-acre parcel to be sold to Screamin Hill Brewery, LLC (Parcel-B) as shown on Schedule "A"; and

WHEREAS, the transfer of Parcel-B to Screamin Hill Brewery, LLC has not been finalized; and

WHEREAS, the Premises contains one (1) existing single-family residence, no existing agricultural labor units, no Residual Dwelling Site Opportunities, and no exception areas; and

WHEREAS, on July 31, 2021, the SADC received a request from the MCADB, on behalf of the Owner, to construct a single-family residence on the Premises for the Owner's son Brett Bullock and his family, as shown on Schedule "B"; and

WHEREAS, the Premises is part of the of the Bullock Farms, LLC farm management unit; and

WHEREAS, Brett Bullock is a full-time farmer working for the Bullock family farm operation Bullock Farms, LLC, and also the operator of Screamin Hill Brewery, a farm-based brewery currently operating on the home farm; and

WHEREAS, Brett Bullock is a Managing Member of Bullock Farms, LLC and Screamin Hill Brewery, LLC; and

WHEREAS, Bullock Farms, LLC is a diversified operation consisting of grain, straw, pumpkins and Christmas trees operating from the home farm and on additional properties with approximately 500-acres in production; and

WHEREAS, Screamin Hill Brewery is a farm-based brewery that raises the ingredients for its products on the Bullock Farms, LLC farm management unit; and

WHEREAS, the original single-family residence on the Premises had been uninhabited for approximately 15 years and was demolished earlier in 2021 because it was in a state of disrepair; and

WHEREAS, paragraph 14ii. of the Deed of Easement allows for the replacement of any existing single-family residential building anywhere on the Premises with the approval of the Grantee and the Committee; and

WHEREAS, the Owner proposes to construct a two-story residence consisting of 4-bedrooms, 3.5 bathrooms, an in-law suite, and an unfinished basement totaling approximately 3,200 sq./ft exclusive of the basement, hereinafter referred to as the "Proposed Residence", to be used as a residence for the Owner's son, Brett Bullock, and his family in the location shown on Schedule "B"; and

WHEREAS, the Proposed Residence will be located approximately 50ft north of the prior residence as shown on Schedule "B"; and

WHEREAS, the Proposed Residence will require the installation of a new septic system, and will use the existing driveway, as shown on Schedule "B"; and

WHEREAS, at its September 8, 2021, meeting, the MCADB reviewed and approved the Owner's request to replace the residence on the Premises;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the construction of a single-family residence on the Premises which shall serve as the primary residence for the Owner's son, who is a full-time farmer operating in both the Bullock family farming operation and his own farm-

based brewery on the adjacent parcel, and his family will have a positive impact on the continued agricultural operations of this farm by providing a habitable residence on the Premises for the farmer and his family to reside in and more efficiently operate the farm.

3. The Committee approves the construction of a four-bedroom residence, consisting of approximately 3,200 sq./ft. of heated living space to be constructed on the Premises as shown in Schedules "A & B".
4. This approval is valid for a period of three years from the date of this resolution.
5. This approval is non-transferable.
6. The construction of the new residence is subject to all applicable local, State and Federal regulations.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

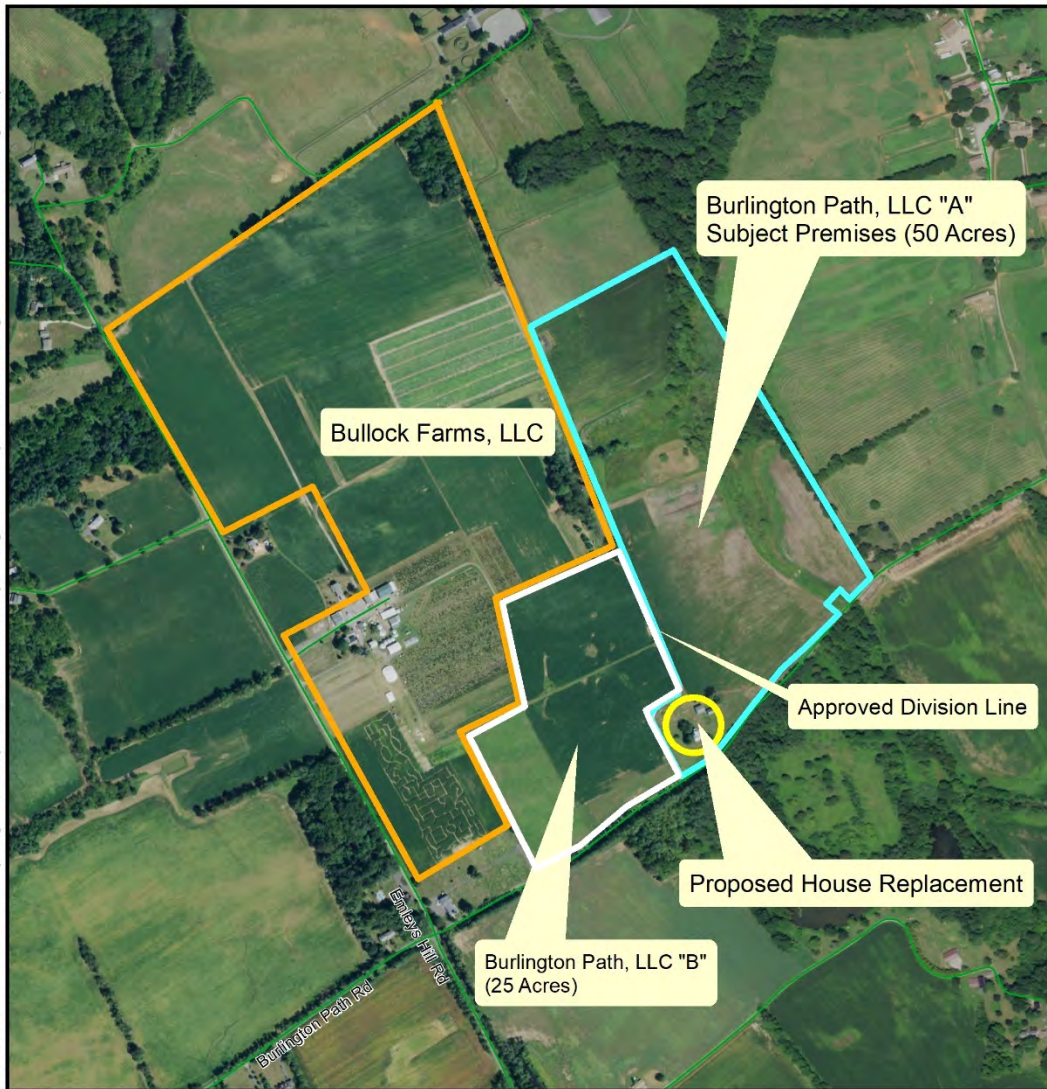
9/23/2021
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	RECUSE
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	YES
Roger Kumpel	YES
Douglas Fisher, Chairperson	YES

Schedule "A"



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Burlington Path, LLC
Block 20, p/o Lot 5.01
Upper Freehold Township
Monmouth County
50 acres

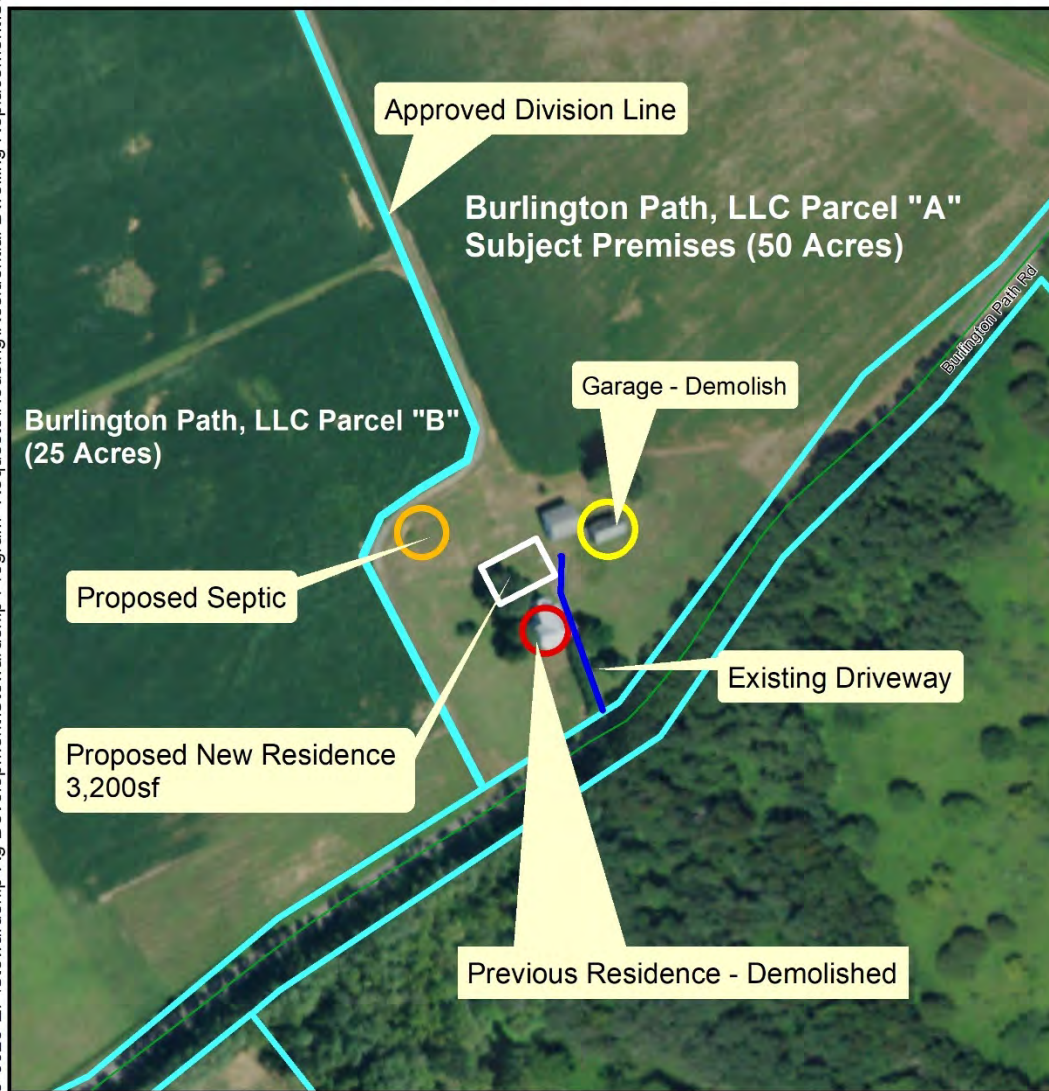


0 400 800 1,600 2,400 Feet

9/7/2021

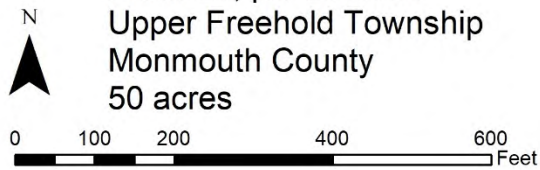


Schedule "B"

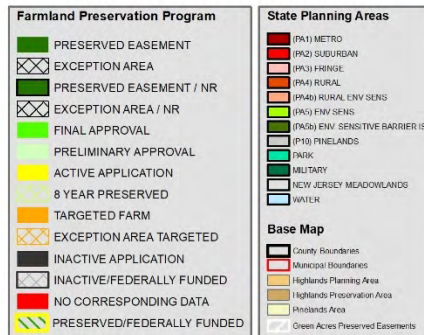


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Burlington Path, LLC
Block 20, p/o Lot 5.01
Upper Freehold Township
Monmouth County
50 acres



9/7/2021



STATE AGRICULTURE DEVELOPMENT COMMITTEE

**RESOLUTION #FY2022R9(2)
APPROVAL**

Of

**MERCER COUNTY
COMPREHENSIVE FARMLAND PRESERVATION PLAN UPDATE**

September 23, 2021

WHEREAS, the State Agriculture Development Committee ("SADC") is authorized under the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1), to provide grants to eligible counties and municipalities for farmland preservation purposes based on whether the identified project area provides an opportunity to preserve a significant area of reasonably contiguous farmland that will promote the long term viability of agriculture as an industry in the municipality or county; and

WHEREAS, to be eligible for a grant, a county shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agriculture development area authorized pursuant to the "Agriculture Retention and Development Act," P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish a county agriculture development board (CADB), pursuant to N.J.S.A. 4:1C-14, to serve as the agricultural advisory committee;
3. Prepare a comprehensive farmland preservation plan; and
4. Establish and maintain a dedicated source of funding for farmland preservation pursuant to P.L. 1997, c.24 (C.40:12-15.1 et seq.), or an alternative means of funding for farmland preservation, including, but not limited to, a dedicated tax, repeated annual appropriations or repeated issuance of bonded indebtedness; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17 (N.J.A.C. 2:76-17) to implement the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1) by establishing a county farmland preservation planning incentive grant program; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.4, the SADC specified that a county comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. A complete description of the county's agricultural resource base and industry trends;
2. A complete description of the county's past and future farmland preservation program activities, including program goals and objectives, and any proposed farmland preservation program project areas;

3. A description of the land use planning context for farmland preservation initiatives including identification of the county's adopted Agricultural Development Area (ADA) and consistency of the county's farmland preservation program with local, county, regional, and State planning and conservation efforts;
4. A complete discussion of the actions the county has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
5. A detailed map of, and board resolution approving, the adopted ADA of the county;
6. A map of the proposed farmland preservation project areas, and the location and extent of important farmland soils;
7. A summary identifying county funding dedicated to or available for, preservation of farmland through the State Farmland Preservation Program;
8. A funding plan for the preservation of land consistent with the county's one-, five-, and 10-year preservation projections;
9. The minimum eligibility criteria or standards as adopted by the county for solicitation and approval of farmland preservation program applications;
10. The adopted ranking criteria that the county will use to prioritize farms for county farmland preservation funding; and
11. Any other policies, guidelines or standards used by the county that affect farmland preservation application evaluation or selection; and

WHEREAS, on December 14, 2006, the SADC adopted *Guidelines for Developing County Comprehensive Farmland Preservation Plans* to supplement the rules at N.J.A.C. 2:76-17 and provide uniform, detailed plan standards, and incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey, the Planning Incentive Grant Statute (N.J.S.A. 4:1C-43.1) and the New Jersey Department of Agriculture Guidelines for Plan Endorsement under the State Development and Redevelopment Plan; and

WHEREAS, on July 25, 2019 the SADC updated its adopted *Guidelines for Developing County Comprehensive Farmland Preservation Plans* which emphasize that County Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the CADB, county Planning Board, the county Board of Agriculture, and municipal Agricultural Advisory Committees with at least two public meetings including a required public hearing prior to CADB adoption; and

WHEREAS, recent amendments to Subchapter 17 (N.J.A.C. 2:76-17), effective August 3, 2020, were made to enhance the planning incentive grant program; and

WHEREAS, N.J.A.C. 2:17-17.4(c) now requires counties to reexamine and update the Comprehensive Farmland Preservation Plan at least every ten (10) years; and

WHEREAS, Mercer County's comprehensive farmland preservation plan was adopted by the Mercer CADB and county planning board in June of 2010; and

WHEREAS, on July 25, 2019, the SADC approved Policy 55 which established the requirements for a SADC cost share grant for the preparation or update of a comprehensive farmland preservation plan; and

WHEREAS, in March of 2021 the SADC and Mercer County entered into a grant agreement consistent with Policy 55 to cost share on an update to the county's 2010 comprehensive farmland preservation plan; and

WHEREAS, SADC staff have worked in partnership with county representatives to provide and identify sources for the latest data with respect to agricultural statistics, water resources, agricultural economic development, land use and resource conservation; and

WHEREAS, as required by the grant agreement, two public meetings soliciting input on the comprehensive farmland preservation plan were held by the CADB on August 3, 2020 and October 5, 2020; and

WHEREAS, notice of these meetings and solicitation for comment was provided to the Mercer County Board of Agriculture and the six townships with designated project areas identified in the plan; and

WHEREAS, SADC staff reviewed the draft comprehensive farmland preservation plan and determined that the plan satisfies the requirements of N.J.A.C. 2:76-17.4 as well as the SADC's *Guidelines for Developing County Comprehensive Farmland Preservation Plans*; and

WHEREAS, the Mercer County Comprehensive Farmland Preservation Plan identifies 2,396 acres of project area targeted farms, at an estimated total cost of \$18,232,414, with a ten-year preservation goal of 1,000 acres; and

WHEREAS, 699 farmland acres were preserved by Mercer County and the SADC since adoption of the 2009 comprehensive farmland preservation plan; and

WHEREAS, the Mercer CADB adopted the comprehensive farmland preservation plan update on December 7, 2020; and

WHEREAS, at an August 11, 2021 public hearing the Mercer County Planning Board adopted the comprehensive farmland preservation plan as an element of the Mercer County Master Plan.

NOW THEREFORE BE IT RESOLVED, that the SADC grants approval of the 2020 update of the Mercer County Comprehensive Farmland Preservation Plan.

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

9/23/2021
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	RECUSE
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	YES
Roger Kumpel	YES
Douglas Fisher, Chairperson	YES

[https://sonj.sharepoint.com/sites/AG/SADC/Planning/PIG Planning/Comprehensive Farmland Preservation Plans/County/Mercer/Mercer Plan Update Final Approval Resolution .docx](https://sonj.sharepoint.com/sites/AG/SADC/Planning/PIG%20Planning/Comprehensive%20Farmland%20Preservation%20Plans/County/Mercer/Mercer%20Plan%20Update%20Final%20Approval%20Resolution.docx)

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R9(3)
PRELIMINARY REVIEW AND APPROVAL
NONPROFIT ACQUISITION OF DEVELOPMENT EASEMENT PROJECTS
FY2022 FUNDING ROUND
SEPTEMBER 23, 2022

WHEREAS, the State Agriculture Development Committee, "SADC" is authorized under the Garden State Preservation Trust Act, P.L. 1999, c.152, to provide a grant to qualified nonprofit organizations for up to 50 percent of the cost of acquisition, including eligible ancillary costs, of development easements or fee simple titles to farmland from willing sellers; and

WHEREAS, the SADC provided notice of available grants as published in the New Jersey Register on April 5, 2021, in a total amount to be determined by the SADC and an application deadline of June 14, 2021, for the FY2022 Nonprofit Grant Round; and

WHEREAS, 2 nonprofit organizations each submitted 1 eligible application, together located in 2 counties and totaling approximately 165 acres (Schedule A); and

WHEREAS, both applications are located in the respective County ADAs; are greater or equal to 70% of the County average quality score as determined on September 9, 2020; and appear to qualify as eligible farms pursuant to N.J.A.C. 2:76-12.3 and N.J.A.C. 2:76-6.20; and

WHEREAS, as per N.J.A.C. 2:76-13.3 the total nonprofit costs submitted is \$1.4M based on estimated easement or fee purchase values and ancillary costs; and

WHEREAS, SADC staff has reviewed the estimated costs submitted by the nonprofits and find them to be reasonable for purposes of calculating a 50% cost share match; and

WHEREAS, based on the cost estimates submitted by the nonprofits, the following grant awards represent a 50% cost share grant, including eligible ancillary costs to the nonprofits submitting applications as set forth more specifically in Schedule A, totaling \$417,940:

- \$43,380 to Monmouth Conservation Foundation for supplemental funding for a FY2021 application pursuant to N.J.A.C. 2:76-15.3.
- \$374,560 to the Land Conservancy of New Jersey for 1 easement purchase grant

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants preliminary approval of the nonprofit projects and grant amounts identified in Schedule A and conditions contained in Schedule B; and
3. This approval is subject to N.J.A.C. 2:76-12, 13, 14, 15, and 16 and all other rules and

regulations as established by the SADC; and

4. This preliminary approval is conditioned upon an SADC resolution appropriating \$417,940 to the FY2022 Nonprofit Round, Legislative appropriation of funds and funding availability as determined by the State Treasurer; and
5. Any funds that are not expended within two years of the date of the grant appropriation are subject to reappropriation and may no longer be available to the nonprofit; and
6. That this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
7. The SADC's approval is conditioned upon the Governor's review period pursuant to N.J.S.A. 4:1C-4f.

9/23/2021
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	YES
Roger Kumpel	YES
Douglas Fisher, Chairperson	YES

**Non-Profit Program
FY2022 Preliminary Approval**

[illegible]



FARMLAND PRESERVATION PROGRAM **State Agriculture Development Committee**

Atitvala, Michael, Jr., & Eileen Sionas
 Block 7.30 Lots P/O 3.18 (14.3 ac);
 P/O 3.18-ES (severable exception - 3.0 ac);
 P/O 3.18-EN (non-severable exception - 1.0 ac)
 Gross Total = 18.3 ac
 Colts Neck Twp., Monmouth County

0 125 0 250 500 Feet

SOURCES:
 Farmland Preservation Program
 Seven Acres Conservation Easement Data
 Selected Areas Database of the United States (PAD-US)
 DEP Wetlands Data
 2017 DGIS 2015 Digital Aerial Image

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



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

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

May 5, 2017

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
GreenLight Approval and Quality Score Report
Information subject to change/update as Application Proceeds to Final Approval and Closing

Preliminary Review Completed

THIS APPLICATION HAS PASSED GREENLIGHT ELIGIBILITY REQUIREMENTS

GENERAL INFORMATION

COUNTY OF	Monmouth	Colts Neck Twp. 1309
APPLICANT	Stivala, Michael, Jr., & Eileen Sionas	SADC ID # 13- 0019-NP
Address	Colts Neck Twp., Monmouth Co.	

Blocks and Lots					Gross Acres on Application	18.3
Colts Neck Twp.	1309	Block	7.30	Lot	3.18	18.3 ACRES
Colts Neck Twp.	1309	Block	0	Lot	0	0 ACRES

Exceptions Exception Acres on Application 4

Acres	Reason	CADR Justification	Restrictions	Negative Impact	SADC Impact	Total Score
1	Around existing residence, pool & other buildings				0	0
Location: Mon - Colts Neck Twp. Block:7.30 Lot:3.18 - around residence and out buildings on Northeast side of lot						
The Exception will be limited to 1 single family residential unit(s).						
The Exception is Nonseverable.						
Acres	Reason	CADR Justification	Restrictions	Negative Impact	SADC Impact	Total Score
3	Expansion of municipal greenway along C-1 stream				0	-3
Location: Mon - Colts Neck Twp. Block:7.30 Lot:3.18 - Entire Western edge of lot						
The Exception will be limited to 0 single family residential unit(s).						
The Exception is Severable.						

NET ACRES Net Acres on Application 14

HOUSING AND OTHER STRUCTURES ON PREMISES

Structure	Ag Use	Leased	Notes
Barn	N	N	
Run in Shed	N	N	(3) three
Greenhouse	N	N	(2) two
Other (Non Residence)	N	N	Solar panels on roof of barn +/- 0.05 ac electricity for farm and residence
Other (Non Residence)	N	N	Geothermal heating & cooling system under animal paddock +/- 0.28 ac

SUMMARY OF HOUSING OPPORTUNITIES

Existing Single Family Residential Unit(s) on Easement	0
Existing Single Family Residential Unit(s) on Exception	1
Future Single Family Residential Unit(s) on Exception	
Eligible RDSOs	0
Approved RDSOs	

Additional Conditions or Restrictions: NONE

TYPE OF AGRICULTURAL OPERATION

Vegetable & Melons	
General Prime Livestock & Animal	Alpacas

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
GreenLight Approval and Quality Score Report
Information subject to change/update as Application Proceeds to Final Approval and Closing

SOILS:	Other	11.00%	*	0	= 0
	Prime	72.00%	*	.15	= 10.8
	Statewide	17.00%	*	.1	= 1.7
SOILS SCORE:					12.5
TILLABLE SOILS:	Cropland Harvested	60.00%	*	.15	= 9
	Wetlands/Water	20.00%	*	0	= 0
	Woodlands	20.00%	*	0	= 0
TILLABLE SOILS SCORE:					9
SEPTIC:	Not Limited	99.00%			
	Very Limited	1.00%			
WETLANDS:	Freshwater Wetlands	20.00%			
	Uplands/Non-Wetlands	80.00%			
C1-Stream:					Yes

SUBDIVISION OF THE PREMISES

<u>Status</u>	<u>Preliminary</u>	<u>Final Approval</u>	<u>Scale</u>
No Value Selected			

PRE-EXISTING NON-AG USES OR LEASES ON PREMISE - Determined During Application Review

<u>Ag Use</u> None No Pre-Existing Non-AG Uses Or Leases Considered.
<u>Ag Use</u> None No Pre-Existing Non-AG Uses Or Leases Considered.

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
GreenLight Approval and Quality Score Report
Information subject to change/update as Application Proceeds to Final Approval and Closing

EASEMENTS AND RIGHT OF WAYS - Determined During Application Review

<u>Type</u>	Conservation
<u>Description</u>	C-1 stream corridor
<u>Affect</u>	
<u>Viability</u>	
<u>Notes</u>	
<u>Type</u>	Other
<u>Description</u>	Utility
<u>Affect</u>	
<u>Viability</u>	
<u>Notes</u>	

ADDITIONAL CONCERNS/NOTES:

STATE DEVELOPMENT AND REDEVELOPMENT PLANNING AREA

(PA4b) Rural and Environmentally Sensitive
(PA5) Environmentally Sensitive

HIGHLANDS REGION ☐ YES ☒ NO ELIGIBLE FOR 04 ZONING ☐ YES ☒ NO

PINELANDS REGION ☐ YES ☒ NO

MINIMUM ELIGIBILITY CRITERIA

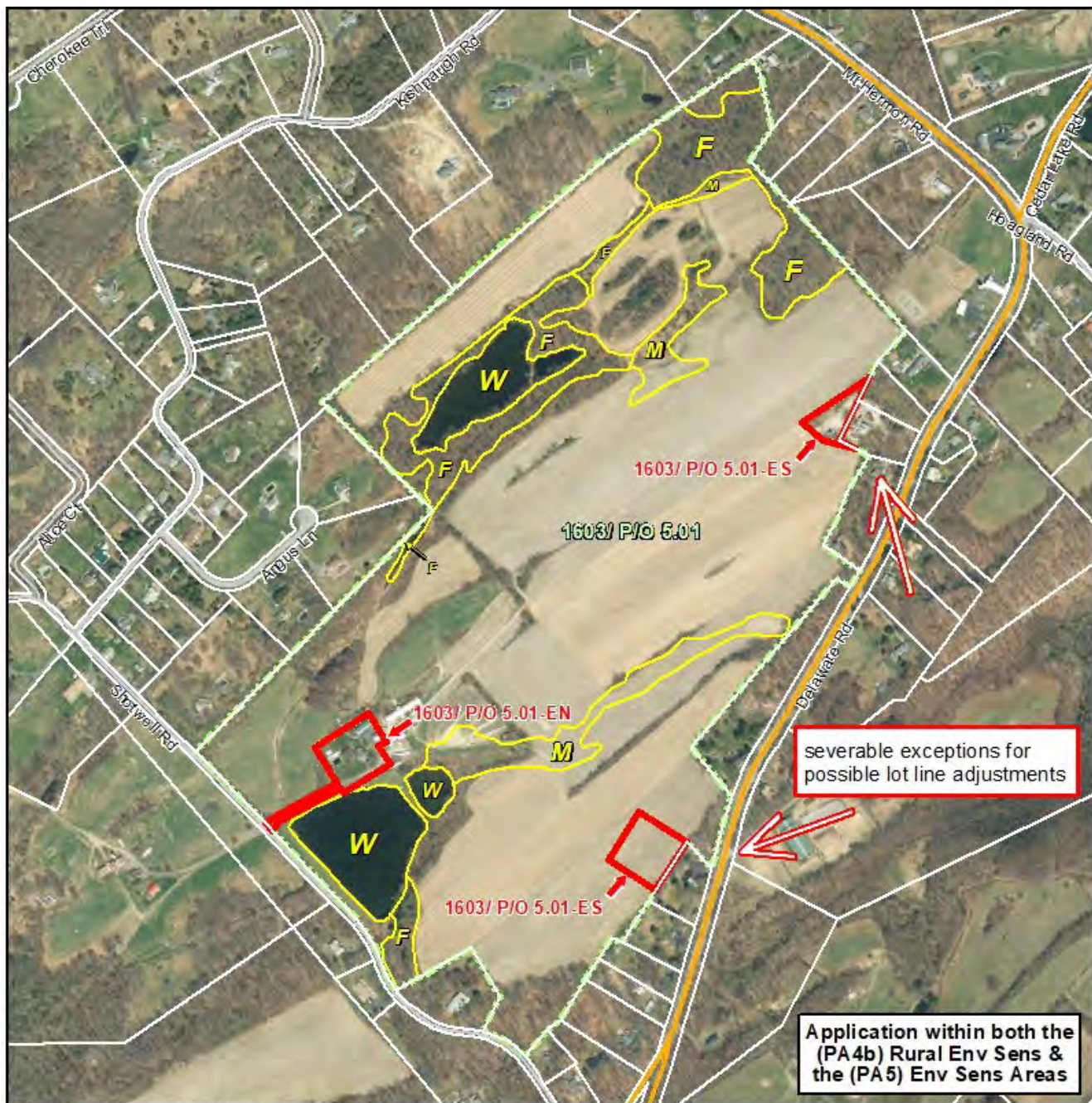
☒ YES ☐ NO

☐ 63 % Tillable	9 acres Tillable	☒ YES	☐ NO
☐ 63 % Soils Supporting Ag	9 acres Supporting Ag	☒ YES	☐ NO
☐ Development Potential?			
■ Additional Development Possible		☒ YES	☐ NO
■ Sufficient Legal Access to Property		☒ YES	☐ NO
■ Less Than 80% wetlands		☒ YES	☐ NO
■ Less Than 80% slopes of 15% or more		☒ YES	☐ NO
■ Additional Development via Development Credits		☐ YES	☒ NO

MINIMUM RANK SCORE

☒ YES ☐ NO

County's Average Score on Record	70.83
70% County's Average Rank Score	49
Quality Score of Application as determined by SADC	62.54



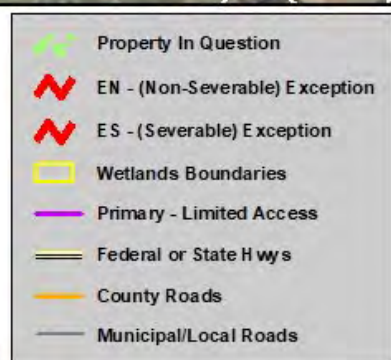
FARMLAND PRESERVATION PROGRAM **NJ State Agriculture Development Committee**

Shotwell Family Partnership, LP (TLCNJ FY22)
 Block 1603 Lots P/O 5.01 (152.4 ac);
 P/O 5.01-ES (severable exceptions - 1.4 & 0.75 ac)
 P/O 5.01-EN (non-severable exception - 1.7 ac)
 Gross Total = 156.25 ac
 Blairstown Twp., Warren County



Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 NJDEP Tidelands Claim Line, NJ, Edition 20161214
 NJCIT/OGIS 2019 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 geographic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



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

June 22, 2021

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
GreenLight Approval and Quality Score Report
Information subject to change/update as Application Proceeds to Final Approval and Closing

Preliminary Review Completed

THIS APPLICATION HAS PASSED GREENLIGHT ELIGIBILITY REQUIREMENTS

GENERAL INFORMATION

COUNTY OF	Warren	Blairstown Twp. 2104
APPLICANT	Shotwell Family Partnership, LP (TLCNJ FY22)	SADC ID # 21- 0056-NP
Address	10 Shotwell Rd., Blairstown, NJ 07825	

Blocks and Lots

Gross Acres on Application 156.25

Blairstown Twp.	2104	Block	1603	Lot	5.01	156.25 ACRES
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Exceptions

Exception Acres on Application 3.85

Acres	Reason	CADB Justification	Restrictions	Negative Impact	SADC Impact	Total Score
1.7	Existing single family residence, apartments & other bldgs		the exception area shall be limited to one (1) single family residence and 2 existing apartments above a garage		0	0
Location: War - Blairstown Twp. Block:1603 Lot:5.01 - Around residence, 2 apts, 1 garage and other bldgs						
The Exception is Nonseverable.						
Acres	Reason	CADB Justification	Restrictions	Negative Impact	SADC Impact	Total Score
.75	Lot line adjustment to remove encroachment from Lot 5.07				0	-1
Location: War - Blairstown Twp. Block:1603 Lot:5.01 - along NE edge of lot						
Right to Farm Language will appear on the Deed.						
The Exception is Severable.						
Acres	Reason	CADB Justification	Restrictions	Negative Impact	SADC Impact	Total Score
1.4	Lot line adjustment to enlarge lot 7.02				0	-1
Location: War - Blairstown Twp. Block:1603 Lot:5.01 - Lot line adjustment to enlarge lot 7.02						
Right to Farm Language will appear on the Deed.						
The Exception is Severable.						

NET ACRES

Net Acres on Application 152

HOUSING AND OTHER STRUCTURES ON PREMISES

Structure	Ag Use	Leased	Notes
Barn	N	N	2
Shed	N	N	lean-to
Shed	N	N	

SUMMARY OF HOUSING OPPORTUNITIES

Existing Single Family Residential Unit(s) on Easement	0
Existing Single Family Residential Unit(s) on Exception	1
Future Single Family Residential Unit(s) on Exception	
Eligible RDSOs	
Approved RDSOs	

Additional Conditions or Restrictions: NONE

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
GreenLight Approval and Quality Score Report
Information subject to change/update as Application Proceeds to Final Approval and Closing

TYPE OF AGRICULTURAL OPERATION

Soybeans-Cash Grain

SOILS:	Other	100.00%	*	0	=	0	
						SOILS SCORE:	0
TILLABLE SOILS:	Cropland Harvested	72.00%	*	.15	=	10.8	
	Wetlands/Water	15.00%	*	0	=	0	
	Woodlands	13.00%	*	0	=	0	
						TILLABLE SOILS SCORE:	10.8
SEPTIC:	Very Limited	100.00%					
WETLANDS:	Freshwater Wetlands	9.00%				C1-Stream:	No
	Modified Ag	4.00%					
	Uplands/Non-Wetlands	81.00%					
	Water Bodies	6.00%					

SUBDIVISION OF THE PREMISES

<u>Status</u>	<u>Preliminary</u>	<u>Final Approval</u>	<u>Scale</u>
No Value Selected			

PRE-EXISTING NON-AG USES OR LEASES ON PREMISE - Determined During Application Review
** NONE LOGGED **

EASEMENTS AND RIGHT OF WAYS - Determined During Application Review
** NONE LOGGED **

ADDITIONAL CONCERNS/NOTES:

STATE DEVELOPMENT AND REDEVELOPMENT PLANNING AREA

(PA4b) Rural and Environmentally Sensitive
(PA5) Environmentally Sensitive

HIGHLANDS REGION	☐ YES	☒ NO	ELIGIBLE FOR 04 ZONING	☐ YES	☒ NO
PINELANDS REGION	☐ YES	☒ NO			

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
GreenLight Approval and Quality Score Report
Information subject to change/update as Application Proceeds to Final Approval and Closing

MINIMUM ELIGIBILITY CRITERIA

☒ YES

☐ NO

- | | | | |
|---|--------------------------|---|--|
| ☐ 72 % Tillable | 110. acres Tillable | ☒ YES | ☐ NO |
| ☐ 72 % Soils Supporting Ag | 110. acres Supporting Ag | ☒ YES | ☐ NO |
| ☐ Development Potential? | | | |
| ■ Additional Development Possible | | ☒ YES | ☐ NO |
| ■ Sufficient Legal Access to Property | | ☒ YES | ☐ NO |
| ■ Additional Development via Development Credits | | ☐ YES | ☒ NO |

MINIMUM RANK SCORE

☒ YES

☐ NO

County's Average Score on Record	63.42
70% County's Average Rank Score	44
Quality Score of Application as determined by SADC	54.71

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R9(4)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
CUMBERLAND COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Vege Farm Inc. ("Owner")
SADC ID#06-0201-PG
Hopewell Township, Cumberland County
N.J.A.C. 2:76-17 et seq.**

SEPTEMBER 23, 2021

WHEREAS, on April 16, 2018, it was determined that the application for the sale of a development easement for the subject farm identified as Block 78, Lot 2, Hopewell Township, Cumberland County, totaling approximately 54 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

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

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

WHEREAS, the Property includes zero (0) exception areas resulting in approximately 54 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the Premises includes:

- 1) Zero (0) exceptions,
- 2) Zero (0) housing opportunities
- 3) One (1) agricultural labor building with 7 bedrooms for 8 - 10 seasonal employees
- 4) No pre-existing non-agricultural uses; and

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

WHEREAS, the Property has a quality score of 66.92 which exceeds 44, which is 70% of the County's average quality score, as determined by the SADC, at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 25, 2018, the SADC certified a development easement value of \$6,500 per acre based on zoning and environmental regulations in place as of the current valuation date December 1, 2017; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$6,500 per acre for the purchase of the development easement on the Premises; and

WHEREAS, on January 15, 2021, the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on April 18, 2019, the Hopewell Township Committee approved the application for the sale of development easement and a funding commitment of \$325 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 12, 2019, the Cumberland County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on April 23, 2019, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$2,025 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 55.62 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 55.62 acres):

	Total	Per/acre
SADC	\$230,823	(\$4,150/acre)
Township	\$18,076.50	(\$325/acre)
<u>County</u>	<u>\$112,630.50</u>	<u>(\$2,025/acre)</u>
Total Easement Purchase	\$361,530	(\$6,500/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$230,823 in base grant funding, which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Premises, comprising approximately 55.62 net easement acres, at a State cost share of \$4,150 per acre, (63.85% of certified easement value and purchase price), for a total grant of approximately \$230,823 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).

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

____9/23/2021_____
Date

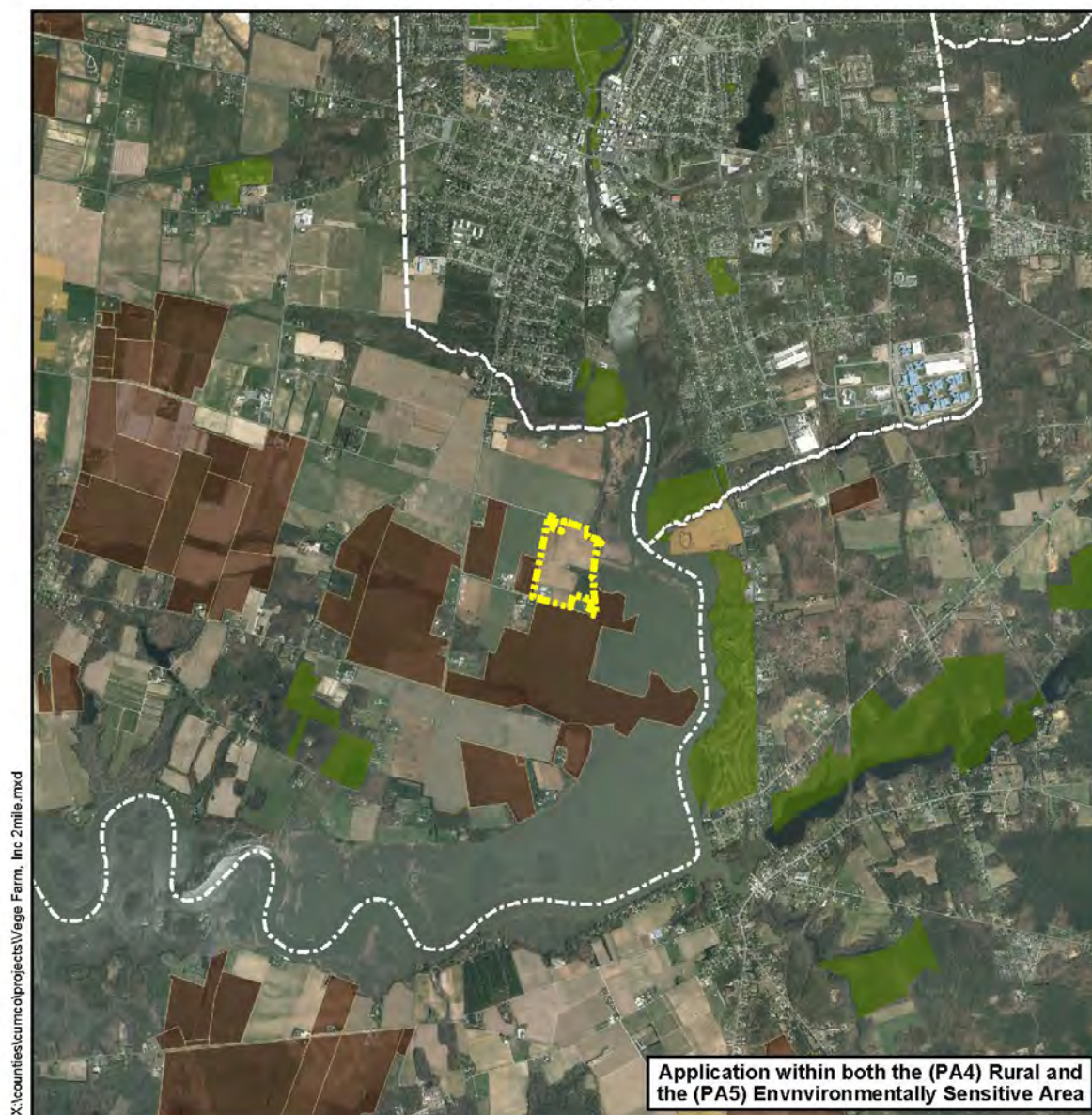


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	YES
Roger Kumpel	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



X:\counties\cumco\projects\Vege Farm, Inc 2mile.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Vege Farm, Inc.
Block 78 Lot 2 (54 ac)
Gross Total = 54 ac
Hopewell Twp., Cumberland County

2,000 1,000 0 2,000 4,000 6,000 Feet



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

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

March 23, 2018

Wetlands



X:\counties\cumcol\projects\Vege Farm, Inc fww.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Vege Farm, Inc.
Block 78 Lot 2 (54 ac)
Gross Total = 54 ac
Hopewell Twp., Cumberland County



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

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



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

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

March 23, 2018

SADC County Pig
Financial StatusSchedule
B

Cumberland County

SADC ID#	Farm	Municipality	Acres	Pay Acres	Negotiated Per Acre	Per Acre	SADC		Federal Grant		Base Grant				Competitive Funds									
											Maximum Grant		Fund Balance											
							Fiscal Year 11	1,500,000.00	Fiscal Year 11	3,000,000.00	Fiscal Year 11	0.00												
Fiscal Year 13	1,000,000.00	Fiscal Year 13	5,000,000.00	Fiscal Year 13	0.00																			
Fiscal Year 17	1,000,000.00	Fiscal Year 17	5,000,000.00	Fiscal Year 17	16,012.15																			
-	-	Fiscal Year 18	2,000,000.00	Fiscal Year 18	6,915,844.54																			
Fiscal Year 20	2,000,000.00	Fiscal Year 20	2,000,000.00	Fiscal Year 20	10,000,000.00																			
Fiscal Year 21	2,000,000.00	-	-	-	-																			
Encumbered	PV	Expended	Balance	Encumbered	PV	Expended	FY11 Balance	FY13 Balance	FY17 Balance	FY18 Balance	FY20 Balance													
06-0172-PG	Shoemaker, Joseph C. & Betty P. #1	Hopewell	27.9980	27.9980	6,300.00	4,017.53	176,387.40	112,482.86				7,500,000.00	112,482.86	112,482.86	112,482.86			10,740.07						
06-0171-PG	Shoemaker, Joseph C. & Betty P. #2	Hopewell	57.2610	57.2610	5,600.00	3,700.00	320,661.60	211,865.70				203,253.25	203,253.25	203,253.25	4,796,746.75	8,612.45	8,612.45	8,612.45			2,127.62			
06-0164-PG	App, Bonnie L. #1	Hopewell	36.9010	36.9010	7,400.00	4,600.00	273,067.40	169,744.60				170,568.00	169,744.60	169,744.60	4,627,002.15									
06-0167-PG	App, Bonnie L. et al. #2	Hopewell	115.3180	113.3250	6,300.00	4,050.00	713,947.50	458,966.25				496,408.50	458,966.25	458,966.25	4,168,035.90									
06-0173-PG	Coleman & Charlton (Fleetwood)	Stow Creek	36.8220	36.8220	6,100.00	3,950.00	224,614.20	145,446.90				129,770.25	129,770.25	129,770.25	4,038,265.65	18,749.75	15,676.65	15,676.65			4,984,323.35			
06-0176-PG	Ale, Kenneth & Carol (Lot 2)	Hopewell	12.8330	12.8330	5,500.00	3,650.00	70,581.50	46,840.45								71,430.50	46,840.45	46,840.45			4,937,482.90			
06-0181-PG	Baitinger, Frank P., III	Hopewell	69.2970	69.2920	6,300.00	4,050.00	436,539.60	280,632.60								287,833.50	280,632.60	280,632.60			4,656,850.30			
06-0182-PG	Baitinger, Shirley	Hopewell	39.0850	37.4490	5,275.00	3,537.50	197,543.48	132,475.84								142,101.38	132,475.84	132,475.84			4,524,374.46			
06-0177-PG	Ale, Kenneth O. & Carol H. (Lot 7.02)	Hopewell	21.3860	21.3860	6,000.00	3,900.00	128,316.00	83,405.40								88,374.00	83,405.40	83,405.40			4,440,969.06			
06-0149-PG	Casper, Todd & Margret (Lot 9.05)	Upper Deerfield	32.3370	32.3150	4,800.00	3,280.00	155,112.00	105,993.20								111,487.20	105,993.20	105,993.20			4,334,975.86			
06-0187-PG	Eachus, T. Glenn, Ella M., Travis & Rebekah	Upper Deerfield	51.7310	51.7310	5,300.00	3,550.00	274,174.30	183,645.05								183,890.00	183,645.05	183,645.05			4,151,330.81			
06-0188-PG	Homan, Garry & Diane	Stow Creek	46.3020	44.4820	4,900.00	3,340.00	217,961.80	148,569.88								148,569.88	148,569.88	148,569.88			4,002,760.93			
06-0189-PG	A&A Likanchuk Enterprises (Likanchuk, John)	Hopewell	45.7200	45.4690	4,700.00	3,220.00	213,704.30	146,410.18				823.40	823.40	823.40	4,037,442.25	145,586.78	145,586.78	145,586.78			3,857,174.15			
06-0193-PG	Mehaffey, Robert	Upper Deerfield	114.9810	114.2810	4,000.00	2,800.00	457,124.00	319,986.80								337,428.00	319,986.80	319,986.80			3,537,187.35			
06-0194-PG	Cedar Rose Winery	Deerfield	31.2450	31.2390	7,100.00	4,450.00	221,796.90	139,013.55								142,088.50	139,013.55	139,013.55			3,398,173.80			
06-0190-PG	Sparacio, Jr. Anthony & Sparacio, III Anthony	Deerfield	20.3680	20.3680	7,600.00	4,700.00	154,796.80	95,729.60								94,423.00	95,729.60	95,729.60			3,302,444.20			
06-0185-PG	Sparacio, Anthony III & Anthony, Jr (Lot 40)	Deerfield	12.1060	12.1060	5,000.00	3,400.00	60,530.00	41,160.40								41,160.40	41,160.40	41,160.40			3,261,283.80			
06-0184-PG	M. R. Dickinson & Son, Inc.	Stow Creek	61.7400	61.0220	5,100.00	3,450.00	311,212.20	210,525.90								213,003.00	210,525.90	210,525.90			3,050,757.90			
06-0199-PG	Eberdale Farms (Lot 8)	Stow Creek	101.5340	101.4800	5,800.00	3,800.00	588,897.20	385,829.20								385,829.20	385,824.00				2,665,133.90			
06-0196-PG	Cruzan, Dale F. Sr. et al	Stow Creek	21.1360	21.1360	5,350.00	3,575.00	113,077.60	75,561.20								84,727.50	75,561.20	75,561.20			2,589,572.70			
06-0198-PG	Eberdale Farms (Lot 3)	Hopewell	25.7500	25.7500	6,000.00	3,900.00	154,500.00	100,425.00								100,425.00					2,489,147.70			
06-0200-PG	La Sala, Benny M.	Deerfield	91.7900	91.1300	5,750.00	3,775.00	523,997.50	344,015.75				362,400.00	346,507.25	344,015.75	3,693,426.50									
06-0209-PG	Chando, James & Fritz-Chando, Linda	Commercial	78.0000	80.3400	2,000.00	1,500.00	160,680.00	120,510.00				120,510.00												
06-0195-PG	Hitchner, George W. & Terri	Hopewell	134.0000	138.0200	5,400.00	3,600.00	745,308.00	496,872.00				496,872.00									3,076,044.50			
06-0205-PG	Aleszczyk, Christopher	Downe	24.0000	24.7200	2,700.00	1,990.00	66,744.00	49,192.80													3,026,851.70			
06-0201-PG	Vege Farm, Inc.	Hopewell	54.0000	55.6200	6,500.00	4,150.00	351,000.00	230,823.00				230,823.00				2,796,028.70								
Closed	81		4,158,4810	4,067,3150			21,501,477.77	14,280,887.84	2,596,650.52	686,967.39														
Encumbered	6		417,2840	425,9300			2,067,129.20	1,383,652.00																
												Encumber/Expended FY09	-	-	-	-	-	-	-	-	-	-	-	-
												Encumber/Expended FY11	-	-	1,500,000.00	-	-	-	3,000,000.00	-				
												Encumber/Expended FY13	-	-	1,000,000.00	-	-	-	4,997,872.38			2,127.62		
												Encumber/Expended FY17	-	-	1,000,000.00	-			2,024,803.30				2,489,147.70	
												Encumber/Expended FY18											2,000,000.00	
												Encumber/Expended FY20	897,397.80	-	306,573.50	796,028.70	-	-	-					2,000,000.00
												Encumber/Expended FY21	-	-	-	2,000,000.00								
												Total				2,796,028.70				-	2,127.62	2,489,147.70	2,000,000.00	2,000,000.00

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Vege Farm, Inc.
06- 0201-PG
County PIG Program
54 Acres

Block 78	Lot 2	Hopewell Twp.	Cumberland County
SOILS:		Other	24% * 0 = .00
		Prime	46% * .15 = 6.90
		Statewide	46% * .1 = 4.60
			SOIL SCORE: 11.50
TILLABLE SOILS:		Cropland Harvested	83% * .15 = 12.30
		Woodlands	18% * 0 = .00
			TILLABLE SOILS SCORE: 12.30
FARM USE:		Vegetable & Melons	40 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises:
Dormitory - Agricultural labor housing within main building. +/- 2500sq' housing 8-10 seasonal employees
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R9(5)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
ALLOWAY TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Bell, Joseph R. Sr & Robin B. ("Owners")
SADC ID#17-0228-PG
Alloway Township, Salem County
N.J.A.C. 2:76-17A. et seq.**

SEPTEMBER 23, 2021

WHEREAS, on April 23, 2020 it was determined that the application for the sale of a development easement for the subject farm identified as Block 3, Lot 34 Alloway Township, Salem County, totaling approximately 21.2 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a) and the Township has met the Municipal Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes no exception areas, resulting in approximately 21.1 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the Property includes:

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on January 12, 2021, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$4,600 per acre based on zoning and environmental regulations in place as of the current valuation date November 17, 2020; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.12, the Owners accepted the Township's offer of \$4,600 per acre for the purchase of the development easement on the Premises; and

WHEREAS, a parcel application was submitted by the New Jersey Conservation Foundation (NJCF) to the FY2020 States Department of Agriculture, Natural Resources Conservation Service ("NRCS"), Agriculture Conservation Easement Program ("ACEP") for an Agricultural Land Easement ("ALE") grant; and

WHEREAS, the NRCS has determined that the Property and Landowner qualified for ALE grant funds; and

WHEREAS, the owner has read and signed the SADC ALE guidance document and agreed to the additional restrictions associated with the ALE Grant, including no future division of the premises and a 6% maximum impervious coverage restriction (approximately 1.26 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, the ALE grant will be based on the approved current easement value of \$5,062 per acre equating to an ALE grant of \$2,531 per acre (50% of \$5,062) or approximately \$53,404.10 in total ALE funds; and

WHEREAS, should alternate ALE funding or other federal funding become available from other funding years or through other qualified entities such as the SADC, a Non-Profit organization, or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of ALE funding; and

WHEREAS, this final approval is conditioned upon ALE funding in an amount sufficient enough to cover the County and Township's cost share and any remaining funds will be used to offset the SADC grant needs; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on July 15, 2021, the Alloway Township Committee approved the application for the sale of development easement but is not participating financially in the easement purchase due to the anticipated receipt of the ALE funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on April 28, 2021, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on July 14, 2021, the Board of County Commissioners passed a resolution granting final approval but is not participating financially in the easement purchase due to the anticipated receipt of the ALE funds; and

WHEREAS, the Municipality has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 21.73 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 21.73 acres):

	Total	Per/acre
SADC	\$68,666.80	(\$3,160/acre)
Alloway Township	\$15,645.60	(\$720/acre)
<u>Salem County</u>	<u>\$15,645.60</u>	<u>(\$720/acre)</u>
Total Easement Purchase	\$98,958.00	(\$4,600/acre)

WHEREAS, the estimated cost share breakdown if the ALE Grant is finalized and applied:

	<u>Total</u>	<u>ALE \$</u>	<u>New Cost Share</u>	<u>Per/acre</u>
SADC	\$68,666.80	\$23,708.80	\$44,959.37	(\$2,069/acre)
Salem County	\$15,645.60	\$15,645.60	\$0	
Alloway Township	\$15,645.60	\$15,645.60	\$0	
ALE Grant			\$54,998.63	(\$2,531/acre)
TOTAL	\$99,958.00	\$54,998.63	\$99,958.00	(\$4,600/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Municipality is requesting \$44,959.37 in base grant funding which is available at this time (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 21.73 net easement acres, at a State cost share of \$2,069 per acre, (44.98% of certified easement value and purchase price), for a total grant of approximately \$44,959.37 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. This approval is conditioned upon receipt of ALE funds sufficient enough to cover the Township and County's cost share or in absence of ALE funding a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the Township's and County's cost share.
4. If ALE funding is secured and approved for use by the SADC, said funding will first be used to reduce the county and municipal cost share and then, with the remaining funds (estimated \$23,708.80), reduce the SADC's cost share.

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

____9/23/2021_____
Date

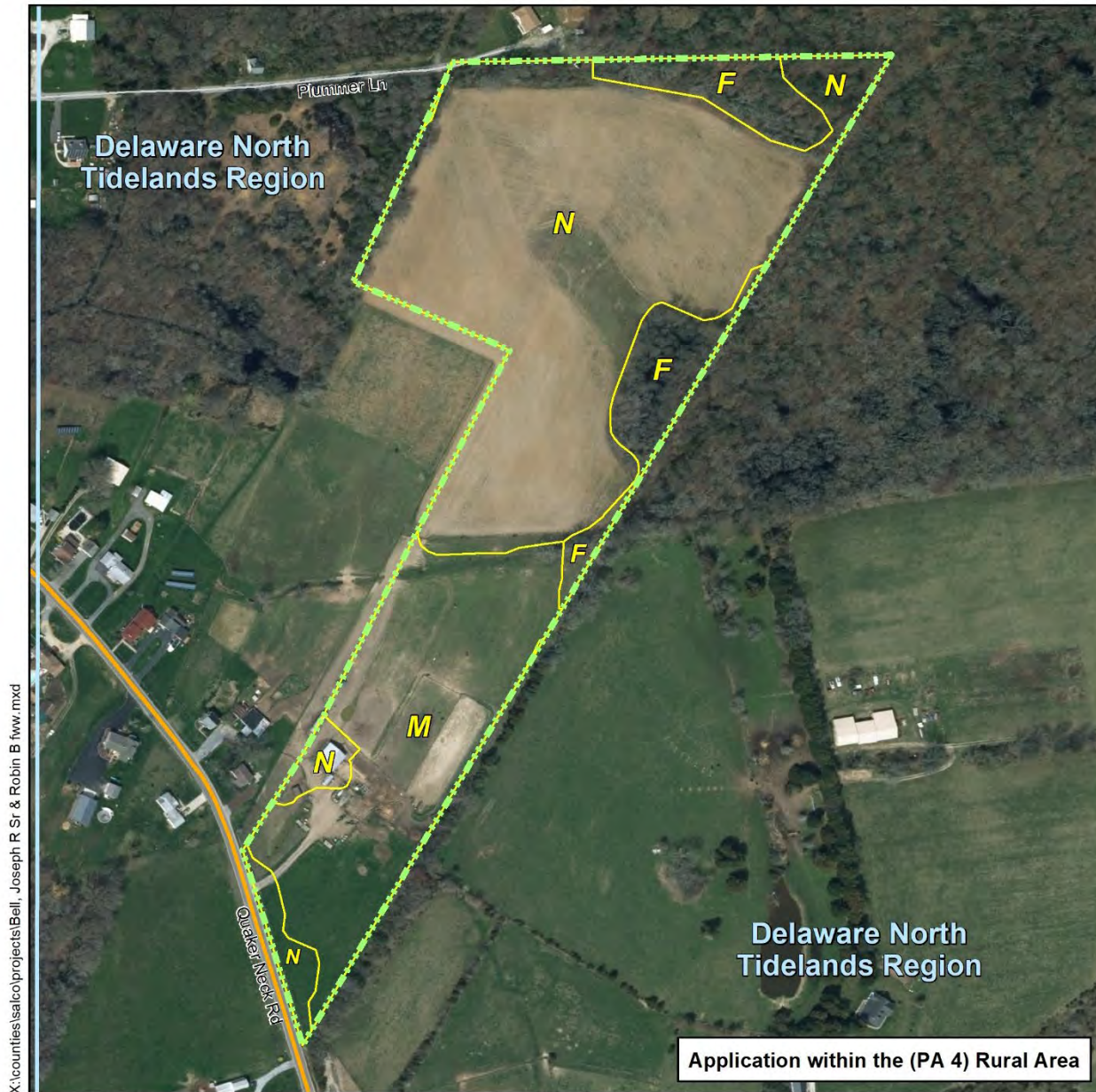


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	YES
Roger Kumpel	YES
Douglas Fisher, Chairperson	YES

Wetlands



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Bell, Joseph R., Sr. & Robin B.
Block 3 Lot 34 (21.1 ac)
Gross Total = 21.1 ac
Alloway Twp., Salem County

250 125 0 250 500 Feet

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

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

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

Application within the (PA 4) Rural Area



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

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

March 26, 2020

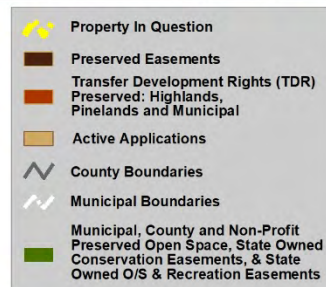
Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Bell, Joseph R., Sr. & Robin B.
Block 3 Lot 34 (21.1 ac)
Gross Total = 21.1 ac
Alloway Twp., Salem County

2,000 1,000 0 2,000 4,000 6,000 Feet



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

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

March 26, 2020

SADC Municipal Pig Financial Status
Schedule B

Alloway Township, Salem County

SADC ID#	Farm	Acres	Pay Acres	Application Process Dates				SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	Grant% Per Acre	SADC		Federal Grant		Grant			
															Fiscal Year 09		Fiscal Year 11	
				SADC GLA	SADC CMV	SADC FA	Closed				Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
																		1,750,000.00
17-0116-PG	Yanus	81.0470	80.9690	06/18/12	11/08/12	01/24/13	06/07/13	5,700.00	3,750.00	65.79%	461,523.30	303,633.75			303,633.75	303,633.75	303,633.75	1,446,366.25
17-0115-PG	Sickler	11.4920	11.4920	07/05/12	12/13/12	03/28/13	09/24/13	6,600.00	4,200.00	63.64%	75,847.20	48,266.40			48,266.40	48,266.40	48,266.40	1,398,099.85
	Yanus ancillary																6,710.00	1,391,389.85
	Sickler ancillary																3,245.50	1,388,144.35
17-0132-PG	Chard	24.0670	24.0670	07/24/14	11/13/14	06/25/15	04/26/16	7,000.00	4,400.00	62.86%	168,469.00	105,894.80	84,234.50	21,660.30	105,894.80	84,234.50	84,234.50	1,303,909.85
17-0140-PG	Ray	63.4350	63.3070	03/17/15	11/12/15	03/24/16	12/29/16	6,100.00	3,093.62	50.72%	386,172.70	195,848.04	190,324.66	54,214.61	250,062.65	196,232.07	195,848.04	1,108,061.81
	Ray ancillary																5,100.00	1,102,961.81
	Reprogram FY17																107,677.78	995,284.03
	Chard ancillary																7,585.00	987,699.03
17-0171-PG	McAlonan, Raymond A. & Regina M. (Lot 3.01)	13.2410	13.1360	08/01/16	11/03/16	10/26/17	05/30/18	7,000.00	3,137.25	44.82%	91,952.00	41,210.97	57,798.40	16,587.43	41,945.96	41,210.97	41,210.97	946,488.06
17-0172-PG	McAlonan, Raymond A. & Regina M. (Lot 10.01)	28.5460	28.5460	08/01/16	11/03/16	10/26/17	05/30/18	6,500.00	2,940.97	45.25%	185,549.00	83,952.93	101,596.07	34,512.97	83,952.93	83,952.93	83,952.93	862,535.13
17-0142-PG	Robbins, Joseph & Williams, Chloe L.	48.9550	48.9550	08/21/17	12/07/17	02/22/18	06/07/18	5,000.00	2,350.52	47.01%	244,775.00	115,069.47	129,705.53	51,377.53	113,975.00	115,069.47	115,069.47	747,465.66
17-0188-PG	Sickler, Kurt & Donna	30.8270	30.8140	11/27/17	04/27/18	09/27/18	06/26/19	6,700.00	3,105.74	46.35%	206,540.90	95,700.27	110,962.00	35,259.23	97,209.98	95,700.27	95,700.27	651,765.39
17-0189-PG	Gentile, Benjamin L. Sr. & Charlotte	44.1630	44.1630	12/28/17	09/27/18	12/06/18	06/26/19	5,600.00	2,581.57	46.10%	247,312.80	114,009.80	133,303.00	49,393.30	111,755.00	114,009.80	114,009.80	537,755.59
	Sickler, Kurt & Donna Ancillary						08/13/19										4,397.50	533,358.09
	Gentile, B&C Ancillary						08/13/19										5,104.00	528,254.09
17-0228-PG	Bell, Joseph & Robin	21.1000	21.7300	04/23/20	01/12/21	09/23/21		4,600.00	3,160.00	68.70%	99,958.00	44,959.37	54,998.63	23,708.80	44,959.37			483,294.72
Closed	9	345.7730	345.4490								2,068,141.90	1,103,586.43	807,924.16	263,005.37				
Encumbered	1	21.1000	21.7300								99,958.00	44,959.37	54,998.63	23,708.80				
														Encumber/Expended FY09	-	-	642,322.22	-
														Encumber/Expended FY11	28,254.09	-	471,745.91	-
														Encumber/Expended FY13	-	-	-	-
														Encumber/Expended FY17	-	-	-	-
														Encumber/Expended FY19	16,705.28	-	-	483,294.72
														Encumber/Expended FY20				
														Encumber/Expended FY21	-	-	-	-
														Total				483,294.72

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Bell, Joseph R. Sr & Robin B.

17- 0228-PG

PIG EP - Municipal 2007 Rule

21 Acres

Block 3	Lot 34	Alloway Twp.	Salem County		
SOILS:		Other	14% *	0	= .00
		Prime	36% *	.15	= 5.40
		Statewide	50% *	.1	= 5.00
				SOIL SCORE:	10.40
TILLABLE SOILS:		Cropland Harvested	64% *	.15	= 9.60
		Permanent Pasture	22% *	.02	= .44
		Wetlands/Water	11% *	0	= .00
		Woodlands	3% *	0	= .00
				TILLABLE SOILS SCORE:	10.04
FARM USE:	Agriculture Production Livestock	22 acres	Horses, beef cattle and		
	Hay	16 acres	ducks		

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

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

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R9(6)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
UPPER PITTSBORO TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Wright, Robert & Joyce ("Owners")
SADC ID# 17-0231-PG
Upper Pittsboro Township, Salem County
N.J.A.C. 2:76-17A. et seq.**

September 23, 2021

WHEREAS, on July 14, 2020, it was determined that the application for the sale of a development easement for the subject farm identified as Block 21, Lot 6.01, Upper Pittsboro Township, Salem County, totaling approximately 20.5 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a) and the Township has met the Municipal Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes one (1) approximately one-acre non-severable exception area for non-agricultural uses and limited to zero (0) single family residential uses, resulting in approximately 19.5 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 Chief of Acquisition may recommend that the Executive Director 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 one-acre non-severable exception area:

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

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

- 1) One (1) 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 soybeans and Christmas tree production; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on March 25, 2021, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$6,300 per acre based on zoning and environmental regulations in place as of the current valuation date January 5, 2021; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.12, the Owner accepted the Township's offer of \$6,300 per acre for the purchase of the development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on June 8, 2021, the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$6,300 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on May 26, 2021, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on June 2, 2021, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$6,300 per acre to cover the local cost share; and

WHEREAS, the Municipality has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 20.085 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 20.085 acres):

	Total	Per/acre
SADC	\$81,344.25	\$4,050/acre)
Upper Pittsgrove Township	\$22,595.62	(\$1,125/acre)
<u>Salem County</u>	<u>\$22,595.63</u>	<u>(\$1,125/acre)</u>
Total Easement Purchase	\$126,535.50	(\$6,300/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Municipality is requesting \$81,344.25 in base grant funding, which is available at this time (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 20.085 net easement acres, at a State cost share of \$ 4,050 per acre, (64% of certified easement value and purchase price), for a total grant of approximately \$81,344.25 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
4. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
5. The SADC will be providing its grant directly to the County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the 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.
7. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director 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.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

____9/23/2021_____
Date

_________
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	YES
Roger Kumpel	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



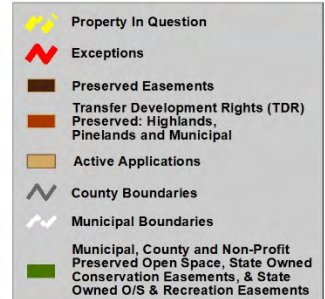
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Wright, Robert & Joyce
Block 21 Lots P/O 6.01 (17.6 & 1.9 ac)
& P/O 6.01-EN (non-severable exception - 1.0 ac)
Gross Total = 20.5 ac
Upper Pittsgrove Twp., Salem County

2,000 1,000 0 2,000 4,000 6,000 Feet

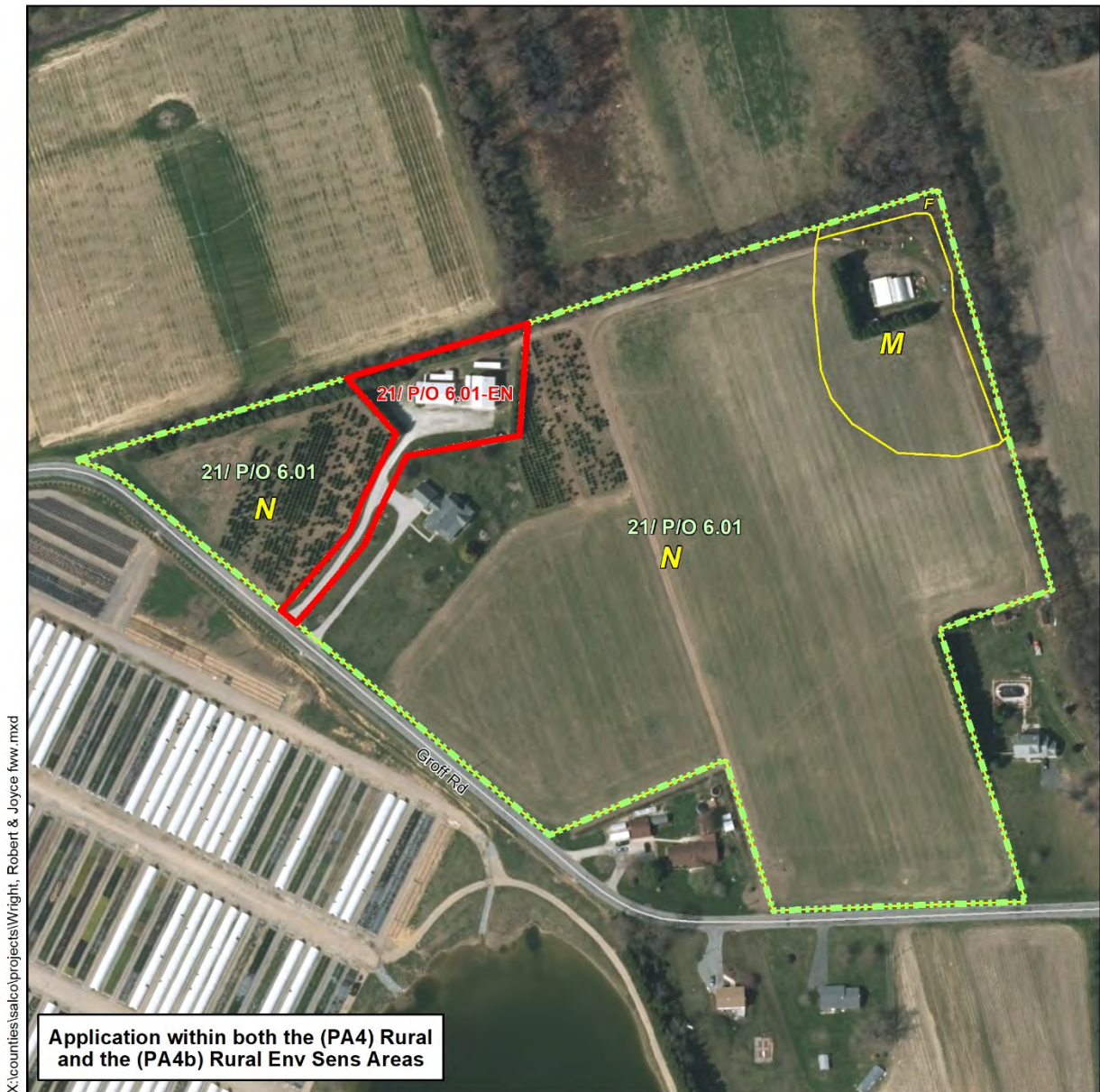
NOTE:
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors



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

June 26, 2020

Wetlands



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Wright, Robert & Joyce
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Upper Pittsgrove Twp., Salem County

250 125 0 250 500 Feet

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Tidelands Claim Line, N.J. Edition 20161214
NJOT/OGIS 2015 Digital Aerial Image

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



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

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

June 26, 2020

SADC Municipal Pig Financial Status
Schedule B
Upper Pittsgrove Township, Salem County

SADC ID#	Farm	Acres	Pay Acres	Application Process Dates				SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Grant			
														Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19 Fiscal Year 21			
				SADC GLA	SADC CMV	SADC FA	Closed			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
4,250,000.00																	
08-0192-PG	Michael & Carolynn Foote	8.6020	8.6020	03/14/16	09/22/16	05/25/17		7,100.00	2,295.82	61,074.20	19,748.68	41,325.52	2,626.93	22,375.61	19,748.68	19,748.68	2,579,656.77
17-0136-PG	Jasper ancillary						08/15/17									10,337.50	2,569,319.27
17-0156-PG	Thumlert ancillary						08/15/17									5,996.50	2,563,322.77
17-0162-PG	Williams ancillary						08/15/17									3,522.00	2,559,800.77
17-0158-PG	Hackett, James & Pauline	22.4240	22.3310	01/20/16	06/23/16	08/24/17	04/03/18	6,000.00	3,900.00	133,986.00	87,090.90			89,700.00	87,090.90	87,090.90	2,472,709.87
17-0159-PG	Seery, David J.	54.6840	54.6840	03/18/16	05/26/16	08/24/17	02/22/18	4,650.00	3,190.00	254,280.60	174,441.96			175,450.00	174,441.96	174,441.96	2,298,267.91
17-0167-PG	Monroeville Farm LLC (Ambruster)	25.1050	25.1050	06/12/16	09/22/16	08/24/17	05/29/18	7,900.00	4,850.00	198,329.50	121,759.25			121,250.00	121,759.25	121,759.25	2,176,508.66
17-0138-PG	Foote, Michael & Carolynn	30.4750	30.4750	08/01/14	06/24/16	12/07/17	07/24/18	7,100.00	3,164.52	216,372.50	96,438.60	119,933.90	37,651.40	95,266.68	96,438.60	96,438.60	2,080,070.06
17-0159-PG	Seery ancillary						04/09/18									5,388.75	2,074,681.31
17-0158-PG	Hackett ancillary						04/09/18									3,936.00	2,070,745.31
17-0111-PG	Lewis ancillary						06/20/18									3,784.00	2,066,961.31
17-0108-PG	Schmid ancillary						06/20/18									4,085.00	2,062,876.31
17-0120-PG	Sottile ancillary						06/20/18									9,987.50	2,052,888.81
17-0113-PG	Kramme ancillary						06/20/18									5,127.50	2,047,761.31
17-0167-PG	Monroeville Farm LLC (Ambruster) ancillary						06/27/18									4,292.50	2,043,468.81
	Bishop Brothers and Foote Ancillary						04/05/19									15,062.00	2,028,406.81
17-0187-PG	Seery, Michael and David	19.5460	18.8730	05/29/18	12/06/18	04/26/19	10/28/19	6,100.00	3,950.00	115,125.30	74,548.35			73,075.00	74,548.35	74,548.35	1,953,858.46
17-0180-PG	Ambruster, L. Scott	25.7500	25.7500	03/09/17	10/26/17	04/26/19		5,950.00	3,875.00	153,212.50	99,781.25			99,781.25			1,854,077.21
17-0181-PG	McCracken, Hilda	42.8200	42.8200	05/22/17	07/26/18	04/26/19	08/26/19	6,000.00	3,900.00	256,920.00	166,998.00			166,998.00	166,998.00	166,998.00	1,687,079.21
17-0193-PG	Kessel, Robert A. Jr.	44.9360	44.9360	04/04/18	10/25/18	04/26/19	09/23/19	5,900.00	3,850.00	265,122.40	173,003.60			172,865.00	173,003.60	173,003.60	1,514,075.61
	Seery, McCracken, and Kessel Ancillary						12/13/19									14,298.00	1,499,777.61
17-0198-PG	Hurst, William I. & Virginia O.	20.4630	20.4630	05/04/19	01/24/19	01/23/20	06/28/21	6,200.00	3,055.69	126,870.60	62,528.60	45,018.60	19,323.40	59,280.00	62,528.60	62,528.60	1,437,249.01
17-0231-PG	Wright, Robert & Joyce	19.5000	20.0850	07/14/20	03/25/21	09/23/21		6,300.00	4,050.00	122,850.00	81,344.25			81,344.25			1,355,904.76
Closed	19	792.5630	784.3430							4,418,463.35	2,748,955.11	804,487.67	269,065.25				
Encumbered	2	45.2500	45.8350							276,062.50	181,125.50	-	-				
												Encumber/Expended FY09	-	-	750,000.00	-	
												Encumber/Expended FY11	-	-	500,000.00	-	
												Encumber/Expended FY13	-	-	500,000.00	-	
												Encumber/Expended FY17	-	-	500,000.00	-	
												Encumber/Expended FY19	181,125.50	-	462,969.74	355,904.76	
												Encumber/Expended FY20					
												Encumber/Expended FY21	-	-	-	1,000,000.00	
												Total					1,355,904.76

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Wright, Robert & Joyce
17- 0231-PG
PIG EP - Municipal 2007 Rule
20 Acres

Block 21 Lot 6.01 Upper Pittsgrove Twp. Salem County

SOILS:	Other	1% *	0	=	.00
	Prime	90% *	.15	=	13.50
	Statewide	9% *	.1	=	.90
					SOIL SCORE: 14.40
TILLABLE SOILS:	Cropland Harvested	88% *	.15	=	13.20
	Other	11% *	0	=	.00
	Wetlands/Water	1% *	0	=	.00
					TILLABLE SOILS SCORE: 13.20
FARM USE:	Soybeans-Cash Grain		16 acres		
	Christmas Trees		4 acres		

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

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

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2022R9(7)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
PITTSBURGH TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Mihalecz, Estate of Teresa ("Owner")
SADC ID#17-0216-PG
Pittsburgh Township, Salem County
N.J.A.C. 2:76-17A. et seq.**

September 23, 2021

WHEREAS, on September 29, 2020, it was determined that the application for the sale of a development easement for the subject farm identified as Block 1801, Lots 5 & 5.01 and Block 701, Lot 60, Pittsburgh Township, Salem County, totaling approximately 38.5 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a) and the Township has met the Municipal Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes one (1), approximately 3-acre severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 35.5 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 Chief of Acquisition may recommend that the Executive Director 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 3-acre severable exception area:

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

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

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

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

WHEREAS, the Green Light Approval, certification of easement value was, and this final approval is conditioned on Lots 5 and 5.01 in Block 1801 being consolidated into one lot prior to closing; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on July 12, 2021, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$5,650 per acre based on zoning and environmental regulations in place as of the current valuation date December 1, 2020; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.12, the Owner accepted the Township's offer of \$5,650 per acre for the purchase of the development easement on the Premises; and

WHEREAS, on June 29, 2021, the Municipality prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17A.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on June 23, 2021, the Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$962.50 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on May 26, 2021, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on May 21, 2021, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$962.50 per acre to cover the local cost share; and

WHEREAS, the Municipality has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 36.56 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 36.56 acres):

	Total	Per/acre
SADC	\$136,186	(\$3,725/acre)
Pittsgrove Township	\$35,189	(\$962.50/acre)
Salem County	\$35,189	(\$962.50/acre)
Total Easement Purchase	\$206,564	(\$5,650/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17A.14 (d) (f), if there are insufficient funds available in a

Municipality's base grant, it may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Municipality is requesting \$136,186 in base grant funding which is available at this time (Schedule B); and

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

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

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

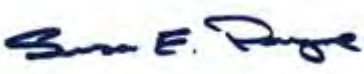
NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 36.56 net easement acres, at a State cost share of \$3,725 per acre, (65.93% of certified easement value and purchase price), for a total grant of approximately \$136,186 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. The Green Light Approval, certification of easement value was, and this final approval is conditioned on Lots 5 and 5.01 in Block 1801 being consolidated into one lot prior to closing.
4. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC will be providing its grant directly to the County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
7. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the 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.

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

____9/23/2021_____
Date

_________
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	YES
Roger Kumpel	YES
Douglas Fisher, Chairperson	YES

Wetlands



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Estate of Mihalecz, Teresa
Block 701 Lot 60 (11.9 ac);
Block 1801 Lots 5.01 (4.4 ac) P/O 5 (19.2 ac);
& P/O 5-ES (severable exception - 3.0 ac)
Gross Total = 38.5 ac
Pittsgrove Twp., Salem County

250 125 0 250 500 Feet

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

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- 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 O/S & Recreation Easements

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

July 21, 2020

Preserved Farms and Active Applications Within Two Miles

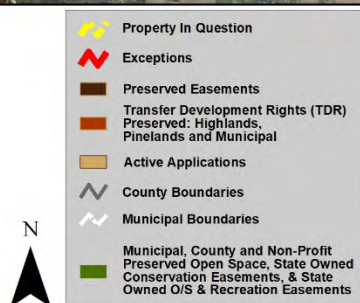


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Estate of Mihalecz, Teresa
Block 701 Lot 60 (11.9 ac);
Block 1801 Lots 5.01 (4.4 ac) P/O 5 (19.2 ac);
& P/O 5-ES (severable exception - 3.0 ac)
Gross Total = 38.5 ac
Pittsgrove Twp., Salem County

2,000 1,000 0 2,000 4,000 6,000 Feet

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



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

July 21, 2020

SADC Municipal Pig
Financial StatusSchedule B

Pittsgrove Township, Salem County

SADC ID#	Farm	Acres	Pay Acres	Application Process Dates				SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	Grant% Per Acre	SADC		Federal Grant		Grant				Competitive Funds				
															Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19 Fiscal Year 21				Maximum Grant Fiscal Year 20 Fiscal Year 21		Competitive Fund Balance Fiscal Year 20 Fiscal Year 21		
				SADC GLA	SADC CMV	SADC FA	Closed				Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance	Encumbered	PV	Expended	FY 20 Balance	FY 21 Balance
																3,750,000.00	500,000.00					500,000.00	
17-0098-PG	Lin	18.5120	18.5120	01/04/10	09/22/11	12/08/11	07/11/12	5,900.00	3,850.00	65.25%	109,220.80	71,271.20			71,271.20	71,271.20	71,271.20	2,992,876.64					
17-0100-PG	Wegner	18.6360	18.6270	01/04/10	09/22/11	12/08/11	06/14/12	6,850.00	4,325.00	63.14%	127,594.95	80,561.78			80,561.78	80,561.78	80,561.78	2,912,314.86					
	Wegner ancillary																3,838.50	2,908,476.36					
	Lin ancillary																3,881.50	2,904,594.86					
17-0107-PG	Walters	19.3300	19.3300	11/02/11	05/24/12	01/24/13	09/25/13	4,900.00	3,340.00	68.16%	94,717.00	64,562.20			64,562.20	64,562.20	64,562.20	2,840,032.66					
17-0095-PG	Schmidt	89.9000	89.9000	12/03/10	09/22/11	02/23/12	03/05/14	7,100.00	4,450.00	62.68%	638,290.00	400,055.00	360,083.22	241,848.22	400,055.00	158,206.78	158,206.78	2,681,825.88					
17-0139-PG	Kupelian	36.4660	36.4660	10/31/14	01/22/15	11/12/15	04/22/16	8,100.00	4,950.00	61.11%	295,374.60	180,506.70			180,506.70	180,506.70	180,506.70	2,501,319.18					
17-0145-PG	Dubois Farm Properties LLC	64.1180	64.1180	06/17/15	11/12/15	02/25/16	04/22/16	7,950.00	4,875.00	61.32%	509,738.10	312,575.25			312,575.25	312,575.25	312,575.25	2,188,743.93					
17-0176-PG	CTI Solutions	86.0620	86.0620	12/21/16	03/23/17	03/23/17		3,700.00	2,620.00	70.81%	318,429.40	225,482.44			221,390.00	225,482.44	225,482.44	1,963,261.49					
17-0139-PG	Kupelian ancillary																4,437.50	1,958,823.99					
17-0145-PG	Dubois ancillary																4,913.00	1,953,910.99					
17-0176-PG	CTI Solutions ancillary																5,958.50	1,947,952.49					
17-0095-PG	Schmidt ancillary																6,274.25	1,941,678.24					
17-0107-PG	Walters ancillary																3,750.00	1,937,928.24					
17-0200-PG	Rodriguez, Joanne L.	38.9510	38.9510	07/03/18	01/24/19	04/26/19	09/26/19	5,600.00	3,700.00	66.07%	218,125.60	144,118.70			149,184.00	144,118.70	144,118.70	1,793,809.54					
17-0211-PG	Helig, Nolan R. & Deborah W.	36.7180	36.7180	12/06/18	04/26/19	01/23/20	06/04/20	7,100.00	4,450.00	62.68%	258,440.00	163,395.10			161,980.00	163,395.10	163,395.10	1,630,414.44					
17-0208-PG	Rizzo, Jr., Anthony D. & Kathleen	30.8640	30.8320	05/08/19	09/26/19	01/23/20	06/19/20	4,700.00	3,220.00	68.51%	144,910.40	99,279.04			90,707.40	99,279.04	99,279.04	1,531,135.40					
17-0213-PG	Mihalecz, Eric J. & Shelly R.	21.5090	21.5090	04/26/19	09/26/20	06/25/20	05/20/21	5,400.00	3,600.00	66.67%	116,148.60	77,432.40			81,000.00	77,432.40	77,432.40	1,453,703.00					
17-0215-PG	Bauman, Anna L.	54.0750	54.0750	05/16/19	09/26/19	06/25/20	05/20/21	7,300.00	4,550.00	62.33%	394,747.50	246,041.25			246,610.00	246,041.25	246,041.25	1,207,661.75					
	Helig Ancillary						06/19/20										4,692.50	1,202,969.25					
	Rizzo Ancillary						07/09/20										4,709.00	1,198,260.25					
17-0219-PG	JWP Properties LLC	28.2000	29.0500	06/03/19	12/05/19	03/25/21		4,400.00	2,620.00	59.55%	127,820.00	76,111.00			76,111.00			1,122,149.25					
	Bauman and Mihalecz Ancillary						06/04/21										10,519.00	1,111,630.25					
17-0216-PG	Mihalecz, Teresa	35.5000	36.5600	09/29/20	07/12/21	09/23/21		5,650.00	3,725.00	65.93%	206,564.00	136,186.00			136,186.00			975,444.25					
Closed	16	648.4970	648.6100									4,312,284.55	2,728,713.86	360,083.22	241,848.22								
Encumbered	2	63.7000	65.6100									334,384.00	212,297.00	-	-								
												Encumber/Expended FY09	-	-	750,000.00	-							
												Encumber/Expended FY11	-	-	500,000.00	-							
												Encumber/Expended FY13	-	-	500,000.00	-							
												Encumber/Expended FY17	-	-	500,000.00	-							
												Encumber/Expended FY19	212,297.00	-	312,258.75	475,444.25							
												Encumber/Expended FY20	-	-	-	-	-	-	500,000.00	-			
												Encumber/Expended FY21	-	-	-	500,000.00	-	-	-	-	500,000.00		
												Total											

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Estate of Mihalecz, Teresa
17- 0216-PG
PIG EP - Municipal 2007 Rule
36 Acres

Block 701	Lot 60	Pittsgrove Twp.	Salem County
Block 1801	Lot 5.01	Pittsgrove Twp.	Salem County
Block 1801	Lot 5	Pittsgrove Twp.	Salem County

SOILS:	Other	28% *	0	=	.00
	Prime	64% *	.15	=	9.60
	Statewide	8% *	.1	=	.80
				SOIL SCORE:	10.40

TILLABLE SOILS:	Cropland Harvested	54% *	.15	=	8.10
	Wetlands/Water	21% *	0	=	.00
	Woodlands	25% *	0	=	.00
				TILLABLE SOILS SCORE:	8.10

FARM USE:	Hay	17 acres
	Corn-Cash Grain	3 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st three (3) acres for Existing single family residence
 - Exception is severable
 - Right to Farm language is to be included in Deed of Future Lot
 - Exception is to be limited to one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. Please note that the SADC will require lots 5 & 5.01 to be consolidated simulatneously with closing.
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R9(8)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

On the Property of Rolling Hills Properties I, LLC

September 23, 2021

Subject Property: **Rolling Hills Properties I, LLC**
 Block 26, Lot 4 - Wantage Township, Sussex County
 SADC ID#: 19-0029-DE

WHEREAS, on August 14, 2020, the State Agriculture Development Committee ("SADC") received a development easement sale application from Rolling Hills Properties I, LLC, hereinafter "Owner," identified as Block 26, Lot 4, Wantage Township, Sussex County, hereinafter "the Property," totaling approximately 116.8 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, one (1), approximately 3-acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 113.8 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 Chief of Acquisition may recommend that the Executive Director 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 3-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 single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the landowner has identified the location of a future driveway to the exception area and is relieved from the approval process requires in SADC Policy P-41, so long as the driveway is constructed in the location set forth on Schedule A, subject to applicable laws, regulations and approvals; and

WHEREAS, the Premises outside the exception area includes:

- 1) Zero (0) 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 corn and hay production; and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on September 26, 2019, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Sussex County (minimum acreage of 44 and minimum quality score of 42) because it is approximately 113.8 acres and has a quality score of 48.87; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on July 23, 2021, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$3,500 per acre based on zoning and environmental regulations in place as of the current valuation date June 2, 2021; and

WHEREAS, the Owner accepted the SADC's offer of \$3,500 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 \$3,500 per acre for a total of approximately \$398,300 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 Chief of Acquisition may recommend that the Executive Director 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.

____ 9/23/2021 _____
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	YES
Roger Kumpel	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



X:\counties\usaco\projects\Rolling Hills Properties I, LLC 2mile.mxd

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

Rolling Hills Properties I, LLC
 Block 26 Lots P/O 4 (113.8 ac) &
 P/O 4-EN (non-severable exception - 3.0 ac)
 Gross Total = 116.8 ac
 Wantage Twp., Sussex County

2,000 1,000 0 2,000 4,000 6,000 Feet

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

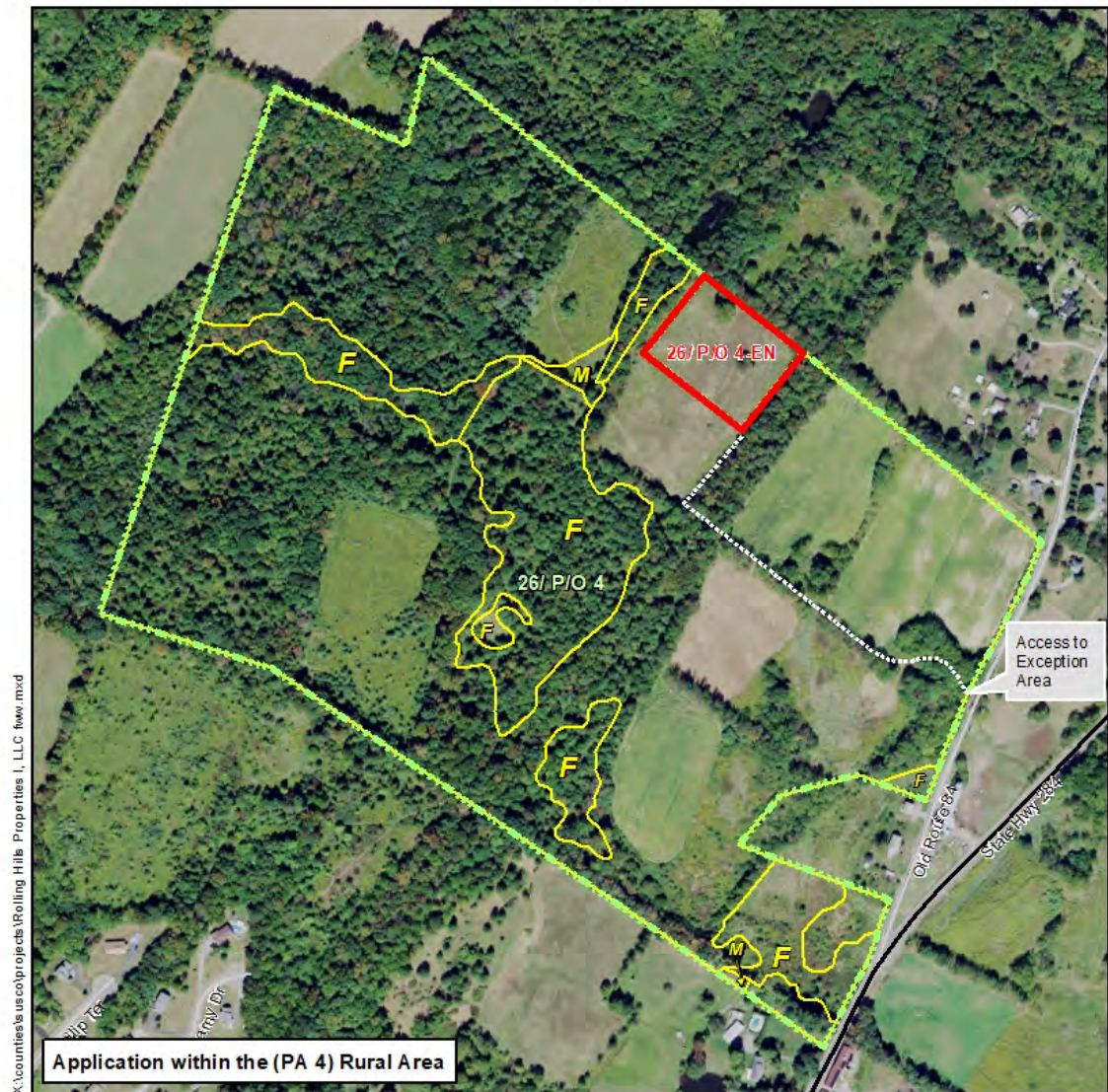


Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 Protected Areas Database of the United States (PAD-US)
 NHDOT 2015 Digital Aerial Image

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

January 22, 2021

Wetlands



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Rolling Hills Properties I, LLC
 Block 26 Lots P/O 4 (113.8 ac) &
 P/O 4-EN (non-severable exception - 3.0 ac)
 Gross Total = 116.8 ac
 Wantage Twp., Sussex County

500 250 0 500 1,000 Feet

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

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



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

January 22, 2021

Rolling Hills Properties I, LLC
Easement Purchase - SADC
114 Acres

Block 26	Lot 4	Wantage Twp.	Sussex County		
SOILS:		Other	96% *	0	= .00
		Prime	4% *	.15	= .60
				SOIL SCORE:	.60
TILLABLE SOILS:		Cropland Harvested	37% *	.15	= 5.55
		Wetlands/Water	16% *	0	= .00
		Woodlands	47% *	0	= .00
				TILLABLE SOILS SCORE:	5.55
FARM USE:	Corn-Cash Grain		17 acres		
	Hay		38 acres		

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st three (3) acres for future single family residence
 - Exception is not to be severable from Premises
 - Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R9(9)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

On the Property of Moyer, Patricia

SEPTEMBER 23, 2021

Subject Property: **Moyer, Patricia**
Block 107, Lot 2 - Pohatcong Township, Warren County
SADC ID#: 21-0080-DE

WHEREAS, on January 21, 2021, the State Agriculture Development Committee ("SADC") received a development easement sale application from Moyer, Patricia, hereinafter "Owner," identified as Block 107, Lot 2, Pohatcong Township, Warren County, hereinafter "the Property," totaling approximately 131.3 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 one-acre non-severable exception area for future flexibility but with zero (0) single family residential opportunities, resulting in approximately 130.3 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 Chief of Acquisition may recommend that the Executive Director 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 one-acre non-severable exception area:

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

WHEREAS, the Premises outside the exception area includes:

- 1) One (1) 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 cash grain (corn) production; and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on February 9, 2021, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Warren County (minimum acreage of 60 and minimum quality score of 57) because it is approximately 131.3 acres and has a quality score of 72.86 ; and

WHEREAS, the Property is in the Highlands Preservation Area and the Owner provided a recorded deed showing that the property has been in the immediate family since 1948; therefore, the property is eligible for, and must be 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.57 and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on August 14, 2021, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$4,300 per acre based on zoning and environmental regulations in place as of January 1, 2004 and \$1,200 per acre based on zoning and environmental regulations in place as of the current valuation date June 18, 2021; and

WHEREAS, the Owners accepted the SADC's offer of \$4,300 acre for the purchase of the development easement on the Premises; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$4,300 per acre for a total of approximately \$560,290 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 Chief of Acquisition may recommend that the Executive Director 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.

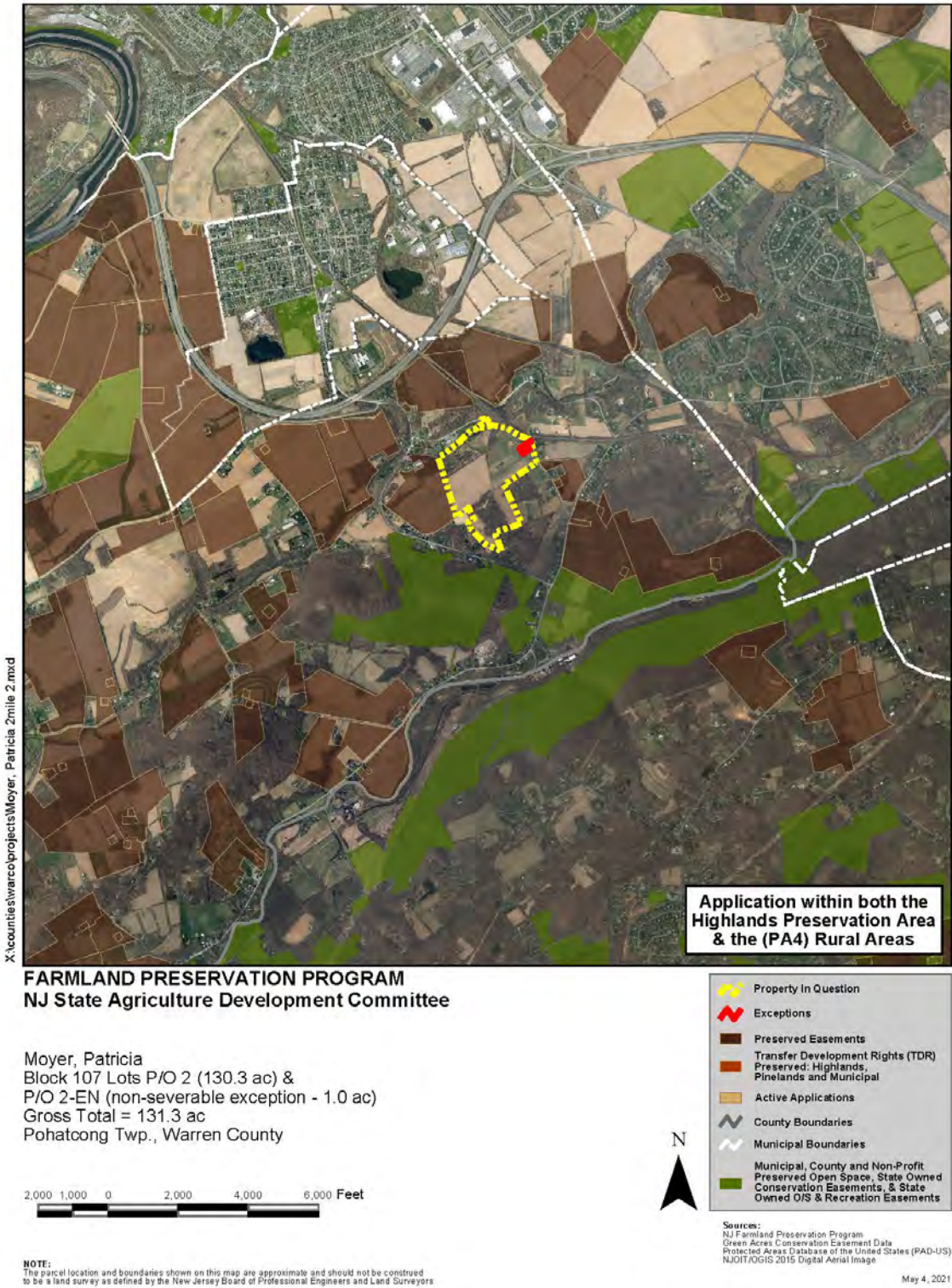
____9/23/2021_____
Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	YES
Roger Kumpel	YES
Douglas Fisher, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



Wetlands



X:\counties\warco\projects\Moyer, Patricia fwr 2.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Moyer, Patricia
Block 107 Lots P/O 2 (130.3 ac) &
P/O 2-EN (non-severable exception - 1.0 ac)
Gross Total = 131.3 ac
Pohatcong Twp., Warren County

500 250 0 500 1,000 Feet

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

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

Application within both the
Highlands Preservation Area
& the (PA4) Rural Areas

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



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

May 4, 2021

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Moyer, Patricia
Easement Purchase - SADC
129 Acres

Block 107	Lot 2	Pohatcong Twp.	Warren County
SOILS:		Other	6% * 0 = .00
		Prime	71% * .15 = 10.65
		Statewide	23% * .1 = 2.30
			SOIL SCORE: 12.95
TILLABLE SOILS:		Cropland Harvested	68% * .15 = 10.20
		Wetlands/Water	1% * 0 = .00
		Woodlands	31% * 0 = .00
			TILLABLE SOILS SCORE: 10.20
FARM USE:	Corn-Cash Grain		88 acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for Around barn, garage & workshop
 - Exception is not to be severable from Premises
 - Exception is to be limited to zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.