

April 25, 2008 SADC Meeting Highlights

Secretary's Report

Secretary Kuperus noted the N.J. Department of Agriculture's announcement this week that the Jersey Seafood brand has been expanded. He noted that New Jersey has six ports, four that are considered within the top 50 in the country for the commercial fishing industry. Anywhere from 82 to 88 percent of the seafood consumed in this country is imported, emphasizing the importance of local, sustainable harvests.

Executive Director's Report

The proposed rules expanding right-to-farm protection for equine farms, and setting forth the standards landowners need to meet to be eligible for that protection, are expected to go before the Committee for consideration for adoption in May or June.

Commercial Nonagricultural Uses/Personal Wireless Service Facility Rules

The Committee approved adoption of proposed rules that provide for commercial nonagricultural activities to occur, and personal wireless service facilities to be erected, on preserved farmland under certain circumstances. The most significant change from the proposal was the removal of language that would have required an applicant seeking to construct a personal wireless facility to demonstrate that "no other apparent feasible alternative" existed for locating the tower. This language was deleted in response to public comment, and in light of a review of the statutory language that was not as stringent as the originally proposed rule.

State Acquisitions Shortfall: Camden and Atlantic County

The SADC approved retaining \$1.8 million remaining in funds earmarked for Atlantic County and \$3.5 million of the remaining \$7.1 million earmarked for Camden County for current pending applications in those counties. Any unused surpluses after July 31, 2008, will be rolled into general State Acquisition Program funding. The SADC had conducted extensive outreach efforts in those counties to make landowners aware of the availability of farmland preservation funding through the State Acquisition Program.

County Planning Incentive Grant Comprehensive Plan Reviews

The SADC reviewed overviews of county comprehensive plans and project area applications submitted by Camden, Gloucester, Mercer and Passaic counties. The remaining county plans and applications will be reviewed at the May SADC meeting, along with a summary of the 37 municipal planning incentive grant plans and applications.

Right to Farm Decision/Curry Farms

The SADC denied right-to-farm protection in a case involving a rodeo operation in Howell Township, Monmouth County, finding the applicant had not demonstrated sufficient proof that the operation meets the income requirements to be considered a commercial farm.

Review of Activities Occurring on Preserved Farm/Seven Springs Farm, Union Township, Hunterdon County

The SADC found that the soil disturbance required for construction of buildings used in support of a horse and cattle breeding operation on Seven Springs Farm is of a nature and scale to be considered a “common farm site activity” and does not impair the continued agricultural use of the premises. As such, the SADC found no violation of the deed of easement.