

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**Department of Agriculture
Market and Warren Streets
1st Floor Auditorium
Trenton, NJ 08625**

REGULAR MEETING

November 3, 2016

Vice Chairman Alan Danser called the meeting to order at 9:05 a.m. Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

The flag salute was conducted at the start of the meeting.

Roll call indicated the following:

Members Present

Chairperson Douglas H. Fisher (arrived at 9:15 a.m.)
Thomas Stanuikynas (rep. DCA Commissioner Richman)
Cecile Murphy (rep. NJDEP Commissioner Martin)
Ralph Siegel (rep. State Treasurer Scudder) (Arrived at 9:10 a.m.)
Denis C. Germano, Esq.
Alan Danser, Vice Chairman
Brian Schilling (rep. Executive Dean Goodman)
Jane Brodhecker
Peter Johnson

Members Absent

James Waltman
Scott Ellis

Susan Payne
Jason Stypinski, Esq., Deputy Attorney General

Others present as recorded on the attendance sheet: Richard Martin, Dan Knox, Heidi Winzinger, Jeffrey Everett, David Kimmel, Charles Roohr, David Clapp, Pat O'Connell, Steven Bruder, Brian D. Smith, Esq., Alison Reynolds, Esq., Cindy Roberts, Sandy Giambrone, Paul Burns and Erin Bice, SADC staff; Michael Collins, Esq., Governor's Authorities Unit; Daniel Pace, Mercer County Agriculture Development Board (CADB); Tim Wilmott, Burlington CADB; Brigitte Sherman, Cape May CADB; D. Brad Lanute, New Jersey Pinelands Commission; Donna Rue, landowner, Monmouth County; Jenny Mance and Tom Thorsen, Ocean CADB; J. Timothy Mauk, Duvall Wheeler; Katherine Fullerton, East Amwell Township; Jeanmarie Mitchell, Tulach Mhoir LLC; Ashley Kerr, New Jersey Farm Bureau; Cindy Wu, Dragonland Development; and Gail Harrie, retired SADC staff.

Minutes

- A. SADC Regular Meeting of September 22, 2016 (Open and Closed Sessions)

It was moved by Mr. Germano and seconded by Ms. Brodhecker to approve the Open Session and Closed Session minutes of the SADC regular meeting of September 22, 2016. The motion was approved. (Mr. Schilling abstained from the vote. Chairman Fisher and Mr. Siegel were absent for the vote.)

- B. SADC Special Meeting of October 13, 2016 (Open and Closed Sessions)

It was moved by Mr. Germano and seconded by Mr. Johnson to approve the Open Session and Closed Session minutes of the SADC special meeting of October 13, 2016. The motion was approved. (Mr. Schilling recused from the vote. Mr. Dancer and Mr. Stanuikynas abstained. Mr. Siegel was absent for the vote.)

REPORT OF THE CHAIRMAN

Secretary Fisher had no report.

REPORT OF THE EXECUTIVE DIRECTOR

- **Retirement of SADC Staff**
Ms. Payne recognized Gail Harrje in the audience. Ms. Harrje recently retired from the SADC staff. Ms. Payne read into the record a resolution of the SADC recognizing Ms. Harrje's nearly 28 years of service to the SADC, thanking her for her dedicated efforts to preserve farmland and wishing her a long and happy retirement. Ms. Harrje stated that it has been an honor to serve the Committee. She noted the many changes over the years and challenges that await in the future, and stated that she looks forward to following the Committee's work.
- **Quaker Valley Farms Litigation**
Ms. Payne stated that the most significant development since the last meeting was the issuance of the Appellate decision in the Quaker Valley Farms case. The Committee will be discussing that today in Closed Session with its attorney to determine the impact on the litigation and policy direction.
- **SADC Appropriation Request**
Ms. Payne stated that staff is still awaiting a date that the Garden State Preservation Trust can convene to review the SADC's appropriation request. She will keep the Committee posted.

COMMUNICATIONS

Ms. Payne referred the Committee to the various articles provided in the meeting binders. She stated that Hope Gruzlovic has been out quite a bit this month so the Communication packet is not as thorough as it should be and staff will get back to members with everything that's missing. With Patty Riccitello recently retiring, she asked the Committee to please bear with staff until normal staffing levels resume.

Secretary Fisher asked if a letter from New Jersey Farm Bureau was provided to members. Ms. Payne responded that the letter was mailed to all Committee members last night.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

A. Stewardship

1. Winery Special Occasion Events Audit Procedures (Discussion Only)

Mr. Everett stated that P.L. 2014, c. 16 was signed into law in 2014 and authorized a 44-month pilot program to allow wineries on preserved farms to conduct special occasion events as defined by county agriculture development boards (CADBs). There are certain parameters. For example, no more than 50 percent of the winery's annual income may be comprised of income from special occasion events, and they need to operate in compliance with certain municipal laws, as well as State and Federal laws that are pertinent, such as the drinking age. The law directs the SADC to adopt regulations as it sees fit. The statute allowed for winery audits to help ascertain compliance because staff might have trouble determining compliance without an audit, especially when you have financial statements and accounting records in play. Staff thought it prudent to not just have audit procedures because audits can be \$5,000 to \$10,000 each. Staff wanted to create a process where wineries could submit certain paperwork to show compliance and if that was not clear, in phase two maybe provide tax returns and financial statements. He stated that the audits were reserved only for those operations not providing us what we asked for. Staff had hired a consultant from New Jersey to help us flesh out regulations but we found it a little cumbersome for the average winery to comply with. So we retained the services of DuvallWheeler in Virginia. Tim Mauck is here, he was CPA of the year for Prince William County. There are more wineries in one county in Virginia – Fauquier County – than in the entire state of New Jersey. There's about 53 wineries in Fauquier and about 250 in the Commonwealth. So DuvallWheeler has a brisk practice of providing accounting services and audits for wineries. Staff retained their services and went through a three-phased approach. They were asked to ascertain if it would be acceptable according to best practices. This is just a draft for the Committee's consideration. There's no action today. When he presented this to the Committee in July it was to lay out the three-phased approach but now there's a little more meat on the bones.

He stated that Phase I is something we've been doing for a couple years now, simply requesting winery registration information – e.g., name, address, how wine is marketed, a listing of special occasion events for the year. Also there's a certification of compliance form we've been sending out that we wanted to memorialize in regulation. Lastly, there's a certification of income form we've been sending out. DuvallWheeler recommended being a little more descriptive of sales data – e.g., catering fees, rental fees, controlled

entities. Regarding controlled entities, sometimes wineries have a caterer connected to them – they own certain stock in common. These are all things wineries can provide as part of Phase I. All they have to do is certify to the CADB and SADC that they're complying.

He stated that there may be some wineries where the math's a little fuzzy, there's not a lot of descriptive information. Phase 2 is another opportunity to obtain information without requiring an audit. Mr. Mauck was instrumental in helping staff peruse the Alcoholic Beverage Commission (ABC) forms and Sales and Use Tax forms already submitted by the winery so now we'd just be asking for copies of those and for detailed schedules of gross income, internal point-of sale sales reports, accounting books and records, and Federal income tax returns. So again the winery hasn't paid anything to provide this information to us.

Mr. Everett stated that if staff is unable to ascertain compliance here, only at that point would Phase 3 come in with the actual audit procedures. We're calling this a comprehensive compliance audit but the industry nomenclature is a forensic audit so they're going to scrub those books to see that indeed what has been provided on these aforementioned forms is exactly how it is. We would not just order these indiscriminately; we would have to have good cause for it. The statute provides for one audit per year unless we have good cause to order another one. Mr. Everett stated that he hears all the time in farm community that small operators can't afford expenses like an audit for no reason. So far, a lot of wineries have provided registration information but not all of them. We don't have regulations now to determine what to do with that ultimately. We're obviously now more halfway through the pilot and that's a question for the Committee what it wants to do with that. But the statute directed us to develop regulations and we've put those together. Staff is looking for Committee input on the draft.

Chairman Fisher stated that we're talking about audit procedure and some wineries haven't supplied information. Audits are not something we want to do. We're not striving to get them audited, we're striving to comply with the statute. I think what you are saying is this step method is designed to get wineries to give you enough information at every juncture so that you don't have to do an audit. Mr. Everett stated that's correct, you might not even get past Phase 1, that may be all you need. You may give us the same thing every year and then you're done. Some people, you may need to go to Phase 2. He would say that very few people would even be at Phase 3. Ms. Payne asked Mr. Mauck if he had anything to add. He said that one of the things they tried to do was pare down the regulation. They work with a lot of wineries and some of the bigger wineries have more

sophisticated systems, more people working with them. They also work with some small mom and pop operations that don't have the ability to do a lot of complex accounting measures. He stated that they were keeping that in mind because the original proposal was a full-blown audit that didn't accomplish what the SADC wanted to achieve and would put a burden on the wineries themselves. Chairman Fisher stated let's talk about process. You have a draft. Has the New Jersey Wine Growers Association seen this? Ms. Payne stated that if the Committee's reasonably comfortable with this draft staff will get input from the agricultural industry in order to prepare a final rule for the Committee to adopt. Staff wanted to make sure the Committee saw this first and then we can reach out to the agricultural community. Mr. Danser asked if the rule would be part of the pilot program and therefore subject to revision after the 44 months or when these get adopted are they more cast in stone? Ms. Payne stated that they would be subject to revision if a statute happens that either extends, changes or stops the pilot program. So they would certainly be subject to future legislative action. If for example the Legislature said they wanted to extend the pilot program four more years then at least these would be in place. Chairman Fisher stated that we encourage those wineries that haven't submitted their plans to do so and at the same time we'll proceed with distributing this more broadly.

NEW BUSINESS

A. Eight Year Farmland Preservation Program – Renewals, Terminations, Withdrawals

1. Renewal

Mr. Clapp referred the Committee to the Eight-Year Program Summary listing one renewal of an eight-year farmland preservation program for Rigi Holdings LLC as follows:

- a. Rigi Holdings LLC, SADC #01-0126-8F
Buena Borough, Atlantic County, 34.8 Acres

2. Termination

Mr. Clapp referred the Committee to the Eight-Year Program Summary showing one termination of an eight-year program for Cherry Grove Farm LLC as follows:

- a. Cherry Grove Farm LLC, SADC #11-006-8M
Lawrence Township, Mercer County, 280.53 Acres
Soil and Water Conservation Cost-Share Grant Eligibility: \$58,053 --

\$0.00 paid

Mr. Clapp reviewed the specifics with the Committee and stated that the summary was for the Committee's information and no action was needed.

B. Resolution for Approval: FY2016 Planning Incentive Grant Program

1. Final Approval of Municipal PIG Plan

a. Mannington Township, Salem County

Mr. Bruder referred the Committee to the Resolution for Final Approval of Mannington Township's Comprehensive Farmland Preservation Plan and Planning Incentive Grant Application. The application was submitted to the SADC in the FY2016 PIG round. The Committee granted conditional preliminary approval in May 2015. The update before the Committee today was adopted by Mannington Township in August 2016. He stated that Mannington is the fourth largest municipality in New Jersey in terms of farmland-assessed land, with more than 17,000 acres. It's a very important agricultural municipality and Salem is an important county from a farmland perspective. Mr. Bruder discussed agricultural uses, land use, sewer service and zoning characteristics of the Township, as well as its efforts to plan for agriculture, including a 3-acre minimum lot size with a mandatory cluster and a required agricultural impact statement and Right to Farm language. He showed the Committee maps indicating soil quality and farms preserved to date. The municipality is targeting 47 farms, a little over 1,100 acres, for preservation. It is looking to preserve about 25 acres per year, with an estimated cost of \$6,000 per acre. He stated that the dedicated 2-cent tax amounts to about \$43,000 and the overall estimated cost of the targeted farms is about \$6.8 million. The SADC has been working with the Township since about 2005 when it was looking at Transfer of Development Rights (TDR) and other mechanisms to make sure it retains the important agricultural industry there. Ms. Murphy questioned the gap between what the municipality is raising each year and the total preservation cost. Mr. Bruder said they're doing what they can to leverage those funds.

It was moved by Mr. Danser and seconded by Mr. Germano to approve Mannington Township's Planning Incentive Grant application as summarized in Schedule B of said Resolution, as presented and discussed, subject to any conditions of said resolution. The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This approval

is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4F. (A copy of Resolution FY2017R11(1) is attached to and is a part of these minutes.)

C. Resolutions of Final Approval – Municipal PIG Program

Ms. Roberts referred the Committee to two requests for final approval under the Municipal Planning Incentive Grant Program. She reviewed the specifics with the Committee and stated that the recommendation is to grant final approval as outlined in said Resolutions.

It was moved by Mr. Germano and seconded by Mr. Siegel to approve Resolution FY2017R11(2) and Resolution FY2017R11(3) granting final approval to the following applications under the Municipal Planning Incentive Grant program, as presented and discussed, subject to any conditions of said Resolutions:

1. Maria Foster, SADC #10-0374-PG (Resolution FY2017R11(2))
Block 28, Lot 24, Franklin Township, Hunterdon County, 55.8 Gross Acres
2. Alexandria Township (Block 11, Lot 16), SADC #10-0369-PG (Resolution FY2017R11(3))
Block 11, Lot 16, Alexandria Township, Hunterdon County, 82.491 Gross Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4F. (Copies of Resolution FY2017R11(2) and Resolution 2017R11(3) are attached to and a part of these minutes.)

D. Resolutions of Final Approval – County Planning Incentive Grant Program and State Acquisition Program

Staff referred the Committee to four requests for final approval under the County Planning Incentive Grant Program and one request for final approval under the State Acquisition Program. Staff reviewed the specifics with the Committee and stated that the recommendation is to grant final approval as outlined in said Resolutions.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2017R11(4) through Resolution FY2017R11(8) granting final approval to the following applications under the County Planning Incentive Grant and State Acquisition programs, as presented and discussed, subject to any conditions of said Resolutions.

COUNTY PLANNING INCENTIVE GRANT PROGRAM

1. Edward W. and Robert K. Sloat, SADC #17-0164-PG (Resolution FY2017R11(4))
Block 21, Lot 12, Mannington Township, Salem County, 50.60 Gross Acres
2. Sam and Jean Race, SADC 21-0570-PG (Resolution FY2017R11(5))
AMENDED FINAL APPROVAL
Block 16, Lot 42, White Township, Warren County, 85.1 Gross Acres
3. Gaskill, Rockhold, Laughlin and Smith, SADC #11-0177-PG (Resolution 2017R11(6))
Block 2730, Lots 5 and 6, Hamilton Township, Mercer County, 18 Gross Acres
4. Mercer County/McNulty Estate, SADC #11-0178-PG (Resolution 2017R11(7))
Block 50, Lot 12, Hopewell Township, Mercer County, 30 Gross Acres

STATE ACQUISITION PROGRAM

1. Socrates & Ruth M. Visvardis, SADC #17-0247-DE (Resolution FY2017R11(8))
Block 32, Lots 22 and 3, Elsinboro Twp.; Lots 2 and 3, Lower Alloways Creek Twp.; Block 2, Lots 1 and 2, Quinton Twp., Salem County, 121.3 Gross Acres

Discussion: Ms. Roberts stated that in an effort to leverage limited available State Acquisition funds, approximately 32 acres of the Visvardis farm consisting of wooded wetlands will be preserved through the U.S. Department of Agriculture/Natural Resources Conservation Service Woodland Reserve Easement (WRE) program. The WRE program's goal is to restore wetlands to their natural functioning order. Ms. Roberts stated that staff's thought is that the more functioning the wetlands, the more productive the tillable ground associated with the wetlands – at least the adjacent farmland. Mr. Clapp stated that historically the wooded area had been cleared and ditched so that's an area where NRCS was interested in doing work to restore the hydrology in the wooded wetland.

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A.

4:1C-4f. (Copies of Resolution FY2017R11(4) through Resolution FY2017R11(8) are attached to and are a part of these minutes.)

E. Stewardship

1. Requests for Division of the Premises

- a. Tulach Mhoir (Tullamore) Farm, Delaware Township, Hunterdon County

Mr. Roohr referred the Committee to a request for a division of the premises on the 207-acre Tullamore farm, also known as the Tulach Mhoir farm. He stated that Jeanmarie Mitchell is the sole proprietor of the farm. She purchased the farm 16 years ago and diversified the farm from primarily an equine/boarding operation to an organic grass-fed cattle and sheep operation. Her goal was to make the land as sustainable as possible while developing a very high-end meat product on the farm. She would like to split the farm into two parcels in order to sell Parcel A to the current farming tenants, Christian and Marci Bench. The Benches, who currently reside on Parcel A in the agricultural labor unit on the second floor of the barn, purchased the sheep part of the operation in 2015. They recently completed renovation of the first floor of the barn into a farm market. The idea of the division is that the Benches could buy about half the property and have their own operation. They would like to continue the pasture-raised livestock operation, which currently consists of about 60 head of beef cattle and about 100 sheep. Ms. Mitchell will continue to own and reside on Parcel B where she intends to continue the current hay and pasture operation as well as diversify that operation with vegetables. Parcel A totals approximately 101 acres and includes a single-family residence, the agricultural labor apartment within a barn, and numerous barns and outbuildings. Parcel A also includes three single-story ranch homes that are currently rented to individuals not associated with the agricultural operation. Schedule B of the farm's Deed of Easement states that the three ranch homes may be used as agricultural or nonagricultural housing at their existing sizes but may not be expanded. Parcel B is improved with a single-family residence, an agricultural labor unit, two equine stables, indoor and outdoor training arenas and numerous barns and outbuildings. The division line is almost right down the existing driveway. Although each parcel will have its own access point, the Owner proposes an access agreement allowing each farm access through the other in case of emergency or if either of the entrances to the farms should become inaccessible for any reason. Staff thought it was a good idea and supports that. He stated that staff finds that the viability and agricultural purposes tests are met and recommends approval.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to approve Resolution FY2017R11(9) granting a request by the following landowner to divide the premises as

outlined in said Resolution, subject to any conditions of said Resolution.

Tulach Mhoir Farm
Block 51, Lot 9, Delaware Township, Hunterdon County, 207.84
Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (A copy of Resolution FY2017R11(9)) is attached to and is a part of these minutes.

- b. Allen Farm, Lumberton and Southampton Twps., Burlington County

Mr. Johnson recused himself from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest. Mr. Johnson is a member of the Burlington County Agriculture Development Board.

Mr. Roohr referred the Committee to a request for a division of the premises on the 220-acre Richard Allen Farm. Mr. Roohr reviewed the specifics of the request with the Committee. He stated that the request involves two preserved farms – the home farm and a separate parcel that Mr. Allen owns known as the Elms Near farm (Block 903, Lot 5.02, Southampton Township, Burlington County, 28.49 acres). He would like to sell the north half of his home farm to his neighbor to the north, the Campbells, and as part of that same process do a bit of a lot line adjustment, which would add approximately 12 acres to his 28-acre Elms Near parcel and resolve a partial barn encroachment that has existed prior to preservation. The Campbells operate a large alpaca farm, providing yarn, wool, clothing, breeding services and also the sale of alpacas. They needed some room to expand and diversify their operation. This farm came before the Committee in 2014 for a division – a different configuration – and at the time Mr. Allen was looking to sell a roughly 50-acre piece to the Campbells. The Committee made no decision but in discussions the concern was it could be a landlocked piece. Mr. Roohr stated that the new configuration alleviates the prior questions and staff believes this is a better configuration overall. Staff finds that it creates viable farms and the agricultural purpose is sound. Mr. Roohr noted that there was an error in the original survey at the time of preservation. As a condition of approval, staff asks that a revised survey, along with any corrective deeds required as a result of the revised survey, be provided to the SADC for review and approval prior to the transfer of the parcels.

It was moved by Mr. Danser and seconded by Mr. Stanuikynas to approve Resolution FY2017R11(10) granting a request by the following landowner to divide the premises as outlined in said Resolution, subject to any conditions of said Resolution.

Richard Allen Farm
Block 902, Lot 2, and Block 903, Lot 5, Southampton Twp.;
Block 51, Lot 9, Lumberton Twp., Burlington Co., 220.44 Acres

The motion was approved. (Mr. Johnson recused from the vote.) This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (A copy of Resolution FY2017R11(10) is attached to and is a part of these minutes.

2. Review of Activities

- a. Dragonland Farm, Southampton Twp., Burlington County

Ms. Payne and Mr. Johnson recused themselves from any discussion/action pertaining to this agenda item. Ms. Payne left the room for the discussion and vote. Her husband, Matt Johnson, is Coordinator of Open Space Acquisition and Park Development for Burlington County. Mr. Johnson is a member of the Burlington County Agriculture Development Board.

Mr. Roohr referred the Committee to his and Mr. Clapp's memo of October 20, 2016 regarding the Dragonland Farm. Mr. Roohr stated that the 124-acre subject farm – Block 780, Lots 1, 2, 3 and 5 – was purchased in fee for farmland preservation purposes by Burlington County in 2005 along with an additional 56 acres that the County retained for open space. The SADC provided a cost-share on the property and so is a co-holder of the easement. Mr. Roohr stated that Dragonland purchased the farm in 2006 and changed it from a grain operation to an intensive vegetable operation, primarily leafy greens. In 2007, the County found that Dragonland was trespassing on its open space parcel, having installed a dock on its pond and an irrigation intake, and was using the irrigation water to irrigate the farm. In 2008, Dragonland agreed to a consent order where it would remove its property from the open space parcel. In 2010, the County again found some significant erosion occurring on the preserved portion of the farm, which appeared for all intents and purposes to be from the cropping style and irrigation practices. In 2010, the County notified Dragonland of these activities and gave them a cease and desist order. In 2012, attorneys for the County issued another violation for similar activities. Dragonland agreed

to develop a plan to restore the eroded area and to prevent future erosion. Mr. Roohr stated that they prepared that plan in 2013, gave it to the County but never did anything according to the plan. What they did do is instead of doing the engineered plan that they had prepared, they bulldozed in soil from the surrounding fields to fill in the gully. At some spots the gully is 20 feet wide and 11 feet deep. Mr. Roohr stated that not surprisingly, that did not work.

Mr. Roohr stated that in 2015, the County found that that these homemade attempts to fill in the gully and build a block wall at the gully end didn't work. The wall blew out and the soil washed down the hill a second time. In 2015, the County filed another notice of violation. The County is currently planning to file a verified complaint with Superior Court in the next week or two. Mr. Roohr stated that they are seeking concurrence from the SADC that we too find that this soil erosion is a violation of the Deed of Easement. In October, he and Mr. Clapp went to the site. Mr. Clapp showed the Committee photos of their site visit, including the gully and location of the block wall and the backfill placed over it. He stated that the water eroded around the side of the block wall and has taken out the soil with it. He stated that the area of the gully is still actively eroding from what he saw. Mr. Roohr stated that Burlington County is taking the lead on this. They're just asking the SADC if we agree with them that this is a violation so they can go to the court and say everyone involved with this agrees there's a problem. They're not asking us to go to court with them. They just want to know if we agree with their position. Mr. Danser stated that this is County-preserved property so they're the party responsible for enforcement, correct? Mr. Roohr replied yes.

It was moved by Mr. Siegel and seconded by Mr. Danser to find that the activities in question on the Dragonland Farm constitute a violation of the Deed of Easement. The motion was approved. Mr. Johnson recused from the vote. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

Ms. Payne returned to the meeting.

F. Agriculture Development

1. Farmland Stewardship Deer Fencing Policy

Mr. Everett referred the Committee to the draft Policy P-53 for a Farmland Stewardship Deer Fencing Program. Farmland Stewardship Program regulations were adopted in 2002. The SADC had one funding round in 2003 offering \$173,000 for about 13 projects

funded with a USDA grant and that was it. Its intent was to help preserved farms become more profitable, efficient and viable. The grant amounts were based on common deed ownership not to exceed \$200 per acre/\$20,000 per application. Deer fencing was a project that was eligible for farmland stewardship. Mr. Everett stated that with Corporate Business Tax (CBT) stewardship funding now available, we saw an opportunity to perhaps fund parts of this again. It seems pretty clear that fencing fits the statute's definition of stewardship. The SADC in its appropriation request sought the maximum 3 percent of farmland preservation funding available for stewardship activities, or about \$1.5 million. He stated that staff hasn't yet discussed with the Committee how to allocate that but we're thinking soil and water funding to reconstitute that program along with the Farmland Stewardship Program.

He stated that staff thought deer fencing would be prudent to address. According to a 2002 Rutgers Cooperative Extension study, in one year alone there was \$1.7M worth of crop damage on 1,410 acres, the vast majority of that from white-tailed deer. Losses of about \$1,253 per acre were reported. He showed 2008 University of Minnesota mapping indicating a high population of deer in New Jersey, and data showing that high deer damage is synonymous with cultivated cropland, the exception being blueberries where typically you don't see fencing in those parts. He stated that the policy question is whether this a good use of stewardship funds and if so, we can dust off some old criteria from the N.J. Department of Agriculture. Back in 2005 he believes is the last time they funded deer fencing. It was a pretty successful program but there hasn't been funding. He reviewed the criteria to consider. Essentially, it's targeting fencing to areas with high deer density and cropland. Whether the area is in a No Firearm Discharge Zone or the farmer has applied for NJDEP depredation permits – these are all points to consider. He stated that in the end, we're trying to give limited money to the places that need it the most.

Mr. Everett introduced Erin Bice who formerly worked at the Natural Resources Conservation Service (NRCS). The SADC has been able to use her services as a TES (Temporary Employment Services) for about 20 hours per week. She was instrumental in putting this together. She used to work for the Department in the conservation assistance program some years ago. He stated that the fencing design specifications came directly from Rutgers Cooperative Extension and he reviewed them with the Committee. Ms. Payne stated that if the Committee thinks this all makes sense staff will come back for formal adoption of a policy and do the rest of it such as how much money we should allocate, deadlines, etc. Staff is also trying to work with Rutgers to see if they can set up some training sessions on installation. Mr. Schilling said the short answer is yes. He remembers this program when it was around. It was very well run and farmers really

benefited. He talked to Extension Director Larry Katz and he was enthusiastic about it so we're obviously willing to pick up where we left off for training. He noticed Mr. Everett cited some Extension work and he thinks Mr. Katz and others in this field are going to just review the materials and make sure they're current and up to date.

Ms. Payne stated that staff will finalize those details and come back to the Committee with a completed policy for adoption. She wanted to add that like with the Eight-Year Program, if we set a deadline and get so many applications that we can't fund everything, then this score will rank them but in the case of a tie score it becomes a case of which application was received first. That's the only fair way to make that decision. Ms. Payne stated that the criteria are set forth. For example, if you have cropland or woodland with a woodland management plan that requires deer management, those would be considered high value so they would get 35 points. Low value, which is basically pasture, would not get points. If you're in a high deer density area you would get 35 points. Three other categories – is the premises located in a No Firearm Discharge Zone, have you opened the farm to hunting or applied for deer depredation permits – these are sort of the people who have tried to do everything they could to manage deer and are still in a desperate situation. There are additional points proposed to be allocated to them. Again, this is modeled after the same criteria the Department used when it had its deer fencing program. Mr. Siegel stated that he thinks from deer density on down you're going to have a lot of tie scores because everybody's going to have that. He recommends that staff look at other criteria. Mr. Schilling stated that he thinks depredation, how big the problem is, is probably most important. He stated that deer density zone is probably a good indicator but not perfect. Mr. Everett stated that Ms. Bice, Mr. Clapp and Mr. Kimmel will be working to monitor farms and inform farmers of the opportunity to take advantage of this program.

PUBLIC COMMENT

Jeanmarie Mitchell of Tulach Mhoir farm stated that she wanted to make a comment on the proposed deer fencing ranking criteria where it said pastureland is a zero value. Farmers who are farming on a grass-based system, their pastures are planted for optimum use for the cattle. She had an experience where they planted alfalfa for the cattle. The first year was great, the second year the deer were there. There may be a situation for a grass-based farmer where that pastureland is just as important as a crop that he would cut and feed to his cattle.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, December 1, 2016, beginning at 9 a.m. Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 11:05 a.m., Ms. Brodhecker moved the following resolution to go into Closed Session. The motion was seconded by Ms. Murphy and unanimously approved.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, and attorney-client matters, pursuant to N.J.S.A. 10:4-12, the N.J. State Agriculture Development Committee declares the next one-half hour to be private to discuss these matters. The minutes will be available one year from the date of this meeting.”

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certification of Values

It was moved by Mr. Germano and seconded by Mr. Danser to approve the following Certification of Values for the following applicant as discussed in Closed Session:

1. County Planning Incentive Grant Program

- a. Ishvar, Neeta, Chetan, Dalpat and Manjula Patel, SADC #03-0420-PG Block 2304.01, Lot 6, Springfield Twp., Burlington County, 33 Net Acres Appraisal Order Checklist (AOC)); 34 Gross Acres (AOC)

The motion was approved. Mr. Johnson recused from the vote. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (A copy of the Certification of Values Report is attached to and is a part of the Closed Session minutes.)

It was moved by Mr. Danser and seconded by Mr. Germano to approve the following Certifications of Value for the following County and Municipal Planning Incentive Grant and Direct Easement Purchase applicants as discussed in Closed Session:

- b. Tomlin, Carol A., SADC #05-0023-PG Block 90, Lot 6, Woodbine Borough, Cape May County, 14.3 Acres

- c. Timothy and Michele Doyle, SADC #08-0180-PG
Block 1902, Lots 8, 9 and 10, Clayton Borough, Gloucester County, 42 Acres

2. Municipal Planning Incentive Grant Program

- a. Wilson, Kathleen, Don and John, SADC #10-0373-PG
Block 13, Lot 9, Alexandria Township, Hunterdon County, 32 Acres
- b. McAlonan, Raymond A. & Regina M., SADC #17-0171-PG
Block 6, Lots 3.01 and 3.02, Alloway Township, Salem County, 14 Acres
- c. McAlonan, Raymond A. & Regina M. (Block 18), SADC #17-0172-PG
Block 18, Lot 10.01, Alloway Township, Salem County, 29 Acres
- d. Richard and Gloria Murphy, SADC #21-0592-PG
Block 801, Lots 16, 17, 17.01, 17.02 & 18.03, Frelinghuysen Twp.,
Warren County, 202 Net Acres (AOC); 206 Gross Acres (AOC)
- e. Patricia Maertens, SADC #21-0593-PG
Block 1200, Lot 2403, Hope Twp., Warren County, 22.5 Net Acres
(AOC); 23.5 Gross Acres (AOC)
- f. Ronald and Sharon Pittenger, SADC #21-0490-PG
Block 1201, Lot 34; Block 1301, Lot 3, Frelinghuysen Twp., Warren
County, 96.84 Net Acres (AOC); 100.44 Gross Acres (AOC)
- g. Zukoski, Susan & Michael, SADC #21-0591-PG
Block 5300, Lot 100, Hope Twp., Warren County, 52.63 Net, 53.63 Gross
Acres

3. Direct Easement Purchase Program

- a. Ming Ta Chang & Ray Chin Chang, SADC #10-0239-DE
Block 9, Lots 2, 6, 6.01, 6.02 & 6.03, Tewksbury Twp., and Block 27, Lot
3, Califon Borough, Hunterdon County, 67.93 Net Acres (AOC); 71.93
Gross Acres (AOC)

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (Copies of the Certification of Value Reports are attached to and are a part of the Closed Session minutes.)

B. Attorney/Client Matters

1. Litigation

a. Appellate Division Decision – SADC v. Quaker Valley Farms

It was moved by Mr. Siegel and seconded by Mr. Germano to seek certification from the New Jersey Supreme Court in the matter of SADC v. Quaker Valley Farms.

Discussion: Mr. Johnson stated that he wanted more information from the Attorney General's office regarding the SADC's legal options. Chairman Fisher stated that the Committee would need to go into Closed Session.

At 1:35 p.m. it was moved by Mr. Johnson and seconded by Mr. Stanuikynas to go into Closed Session. The motion was unanimously approved.

Returning to Open Session, Chairman Fisher stated that the Committee is acting on the motion on the floor, moved by Mr. Siegel and seconded by Mr. Germano, to petition for certification from the New Jersey Supreme Court in the matter of SADC v. Quaker Valley Farms.

A roll-call vote was taken as follows:

Douglas H. Fisher, Chairperson	No
Brian Schilling	No
Thomas Stanuikynas	Yes
Cecile Murphy	Yes
Ralph Siegel	Yes
Jane R. Brodhecker	No
Alan Danser	Yes
Scott Ellis	Absent
Denis C. Germano, Esq.	Yes
Peter Johnson	No
James Waltman	Absent

The motion was approved.

At 1:50 p.m. it was moved by Mr. Danser and seconded by Mr. Johnson to go into Closed Session.

Returning to Open Session, Ms. Payne noted that Mike Collins of the Governor's Authorities Unit has accepted a position with Archer Greiner and his last day is tomorrow. She stated that he has been a great representative of the Governors Authorities Unit and a pleasure to work with. She thanked him for his service.

b. Right to Farm – Proposed OAL Final Decision – Poling v. Ocean CADB

It was moved by Mr. Germano and seconded by Mr. Danser to approve the Right to Farm final decision in the matter of Poling v. the Ocean CADB as discussed in Closed Session. The motion was unanimously approved.

c. Right to Farm – Proposed Resolution on Motion for Interlocutory Review – Feinberg v. Hunterdon CADB, et al, etc.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve the Resolution on the Motion for Interlocutory Review in the matter of Feinberg v. Hunterdon CADB. The motion was approved. Mr. Schilling recused from the vote. (A copy of Resolution FY2017R11(11) is attached to and is a part of these minutes.)

ADJOURNMENT

There being no further business, it was moved by Mr. Danser and seconded by Mr. Stanuikynas and unanimously approved to adjourn the meeting at 2.01 p.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

S:\MINUTES\2016\REG Nov 3 2016.doc

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**RESOLUTION FY2017R11(1)
FINAL APPROVAL**

of the

**MANNINGTON TOWNSHIP, SALEM COUNTY
PLANNING INCENTIVE GRANT APPLICATION INCLUDING THE COMPREHENSIVE
FARMLAND PRESERVATION PLAN AND PROJECT AREA SUMMARY**

2016 PLANNING ROUND

November 3, 2016

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 a grant 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 municipality shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agricultural development area ("ADA") authorized pursuant to the Agriculture Retention and Development Act, P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish an agricultural advisory committee composed of at least three, but not more than five, residents with a majority of the members actively engaged in farming and owning a portion of the land they farm;
3. 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, such as, but not limited to, repeated annual appropriations or repeated issuance of bonded indebtedness, which the SADC deems to be, in effect, a dedicated source of funding; and
4. Prepare a farmland preservation plan element pursuant to paragraph (13) of section 19 of P.L. 1975, c.291 (C.40:55D-28) in consultation with the agricultural advisory committee; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17A (N.J.A.C. 2:76-17A) 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 municipal farmland preservation planning incentive grant program; and

WHEREAS, a municipality applying for a grant to the SADC shall submit a copy of the municipal comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17A.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.4, the SADC specified that a municipal comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. The adopted farmland preservation plan element of the municipal master plan;
2. A map and description of the municipality's agricultural resource base including, at a minimum, the proposed farmland preservation project areas;
3. A description of the land use planning context for the municipality's farmland preservation initiatives including identification and detailed map of the county's adopted Agricultural Development Area (ADA) within the municipality, consistency of the municipality's farmland preservation program with county and other farmland preservation program initiatives and consistency with municipal, regional and State land use planning and conservation efforts;
4. A description of the municipality's past and future farmland preservation program activities, including program goals and objectives, including a summary of available municipal funding and approved funding policies in relation to the municipality's one-, five- and ten-year preservation projections;
5. A discussion of the actions the municipality has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
6. Other farmland preservation techniques being utilized or considered by the municipality;
7. A description of the policies, guidelines or standards used by the municipality in conducting its farmland preservation efforts, including any minimum eligibility criteria or standards used by the municipality for solicitation and approval of farmland preservation program applications in relation to SADC minimum eligibility criteria as described at N.J.A.C. 2:76-6.20, adopted ranking criteria in relation to SADC ranking factors at N.J.A.C. 2:76-6.16, and any other policies, guidelines or standards that affect application evaluation or selection;
8. A description of municipal staff and/or consultants used to facilitate the preservation of farms; and
9. Any other information as deemed appropriate by the municipality; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.5, the SADC required the municipality to prepare a project area summary containing the following information for each project area:

1. An inventory showing the number of farms or properties, and their individual and aggregate acreage, for targeted farms, farmland preservation applications with final approvals, preserved farms, lands enrolled in an eight-year farmland preservation program and preserved open space compatible with agriculture;
2. Aggregate size of the entire project area;
3. Density of the project area;

4. Soil productivity of the targeted farms;
5. An estimate of the cost of purchasing development easements on the targeted farms in the designated project area;
6. A multi-year plan for the purchase of development easements on the targeted farms in the project area, indicating the municipality's and, if appropriate, any other funding partner's share of the estimated purchase price, including an account of the estimated percentage of leveraged State funds and the time period of installment purchase agreements, where appropriate; and

WHEREAS, on May 24, 2007, the SADC adopted *Guidelines for Developing Municipal Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17A and provide uniform, detailed plan standards, update previous planning 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, the *Guidelines* emphasize that these Municipal Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the municipal Agricultural Advisory Committee, municipal Planning Board, CADB, county Planning Board and the county Board of Agriculture, and where appropriate, in conjunction with surrounding municipalities and the County Comprehensive Farmland Preservation Plan, with at least two public meetings including a required public hearing prior to Planning Board adoption as an element of the municipal master plan; and

WHEREAS, SADC staff have worked in partnership with municipal 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, to date, the SADC has received 47 municipal planning incentive grant applications, pursuant to N.J.A.C. 2:76-17A.6(a); and

WHEREAS, in total, these 47 municipal planning incentive grant applications identified 112 project areas in 9 counties and targeted 2,549 farms and 109,550 acres at an estimated total cost of \$1,290,000,000, with a ten-year preservation goal of 65,045 acres as summarized in the attached Schedule A; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.6(b)1 and N.J.A.C. 2:76-17A.6(b)2, in order to improve municipal and county farmland preservation coordination, the municipality forwarded its application to the county for review and provided evidence of county review and comment and, if appropriate, the level of funding the county is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, SADC staff reviewed and evaluated the municipalities' applications to determine whether all the components of the comprehensive farmland preservation plans are fully addressed and complete and whether the project area summaries are complete and technically accurate, and that the application is designed to preserve a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry; and

WHEREAS, on May 28, 2015, the SADC granted conditional preliminary approval to Mannington Township's planning incentive grant application received for the 2016 Municipal Planning Incentive Grant planning round; and

WHEREAS, the conditions of preliminary approval for Mannington Township were as follows:

1. Submission of all required information identified in the FY 2016 Municipal Planning Incentive Grant Application Review Checklist within 60 days of the receipt of the correspondence accompanying the notice.
2. SADC determination that all of the components of the Comprehensive Farmland Preservation Plan are fully addressed and complete.
3. SADC determination that each designated project area is complete and technically accurate.
4. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the municipal Planning Board after a properly noticed public hearing.
5. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan.

WHEREAS, SADC staff have since determined that Mannington Township has satisfied all requirements of the conditional preliminary approval; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Mannington Township Planning Incentive Grant application submitted under the FY16 program planning round as summarized in the attached Schedule B:

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a), and SADC Resolution #FY2011R4(4); and

BE IT FURTHER RESOLVED, that the SADC will monitor the municipality's funding plan pursuant to N.J.A.C. 2:76-17A.17 and adjust the eligibility of funds based on the municipality's progress in implementing the proposed funding plan. Each Planning Incentive Grant municipality should expend its grant funds within three years of the date the funds are appropriated. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within three years are subject to reappropriation and may no longer be available to the municipality; and

BE IT FURTHER RESOLVED, that the SADC will continue to assist municipalities with planning for agricultural retention, the promotion of natural resource conservation efforts, county and municipal coordination, and agricultural economic development and in strengthening of Right to Farm protections; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

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.



11/3/16

Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis Germano, Esq.	YES
Peter Johnson	YES
James Waltman	ABSENT

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Atlantic	15	288	9,690	\$43.676	27,724	200	750	1,500	5.0	\$2.100	No Set Amount
Bergen	8	40	525	\$70.454	10,887	30	150	300	0.25	\$4.111	No Set Amount
Burlington	4	171	18,222	\$111.000	113,027	1,000	5,000	10,000	1.5	\$19.000	No Set Amount
Camden	5	57	3,469	\$30.843	15,071	258	1,394	3,147	2.0	\$6.800	No Set Amount
Cape May	6	162	8,466	\$81.517	12,064	180	939	1,174	1.0	\$4.701	No Set Amount
Cumberland	16	501	19,857	\$98.964	65,302	1,986	9,929	19,857	1.0	\$0.898	No Set Amount
Hopewell	1	45	1,576	\$9.420	5,689	158	788	1,576	0.0	\$0.000	No Set Amount
Upper Deerfield	1	51	3,418	\$20.536	9,233	396	1,979	3,958	0.0	\$0.050	\$0.050
Gloucester	11	1031	19,223	\$230.678	89,920	1,000	4,000	8,000	4.0	\$11.000	\$5.000
Elk	2	25	971	\$10.679	4,219	75	377	754	1.00	\$0.038	\$0.038
Franklin	5	125	4,870	\$29.061	10,106	598	1,799	3,290	1.00	\$0.080	No Set Amount
Woolwich	3	72	3,403	\$51.048	5,183	265	1,920	3,984	5.00	\$0.542	No Set Amount
Hunterdon	7	107	9,794	\$125.297	178,126	1,000	5,000	10,000	3.0	\$7.000	\$1.500
Alexandria	4	74	3,821	\$38.195	16,912	524	1,160	2,137	4.00	\$0.328	No Set Amount
Delaware	2	20	1,522	\$19.025	23,707	300	1,500	1,500	6.0	\$0.476	No Set Amount
East Amwell	1	21	1,576	\$24.024	13,515	185	925	1,848	4.0	\$0.267	\$0.267
Franklin	1	16	1,602	\$14.419	10,644	534	1,068	1,602	3.00	\$0.162	No Set Amount
Holland	4	34	2,106	\$21.095	11,335	703	1,700	2,222	2.0	\$0.079	\$0.079
Kingwood	1	21	1,592	\$15.925	12,645	169	679	849	3.00	\$0.184	No Set Amount
Raritan	4	23	1,554	\$31.079	6,111	100	300	600	1.5	\$0.602	No Set Amount
Readington	1	42	2,338	\$42.089	16,774	100	600	1,100	2.0	\$0.569	No Set Amount
Tewksbury	3	3	409	\$9.700	4,557	100	300	1,000	5.0	\$0.425	No Set Amount
Union	3	20	618	\$6.100	4,189	70	325	600	2.0	\$0.137	No Set Amount
West Amwell	1	7	563	\$5.630	10,440	35	329	563	6.00	\$0.305	\$0.250
Mercer	7	33	2,463	\$21.382	13,594	50	250	500	2.5	\$10.795	No Set Amount
Hopewell	1	10	854	\$17.080	10,761	150	500	854	3.00	\$1.109	No Set Amount
Middlesex	5	121	4,431	\$178.190	21,284	225	1,125	2,250	3.0	\$29.145	No Set Amount
Monmouth	6	105	9,109	\$190.287	60,623	1,200	3,000	6,000	1.5	\$16.921	\$1.100
Colts Neck	1	6	321	\$12.562	9,321	41	81	199	1.2	\$0.367	No Set Amount
Holmdel	1	14	587	\$27.182	2,572	10	70	338	2.50	\$0.958	No Set Amount
Howell	3	13	560	\$8.554	12,666	127	370	453	2.00	\$1.396	\$0.700
Manalapan	1	38	1,318	\$26.343	9,223	131	659	1,318	2.00	\$1.234	No Set Amount
Marlboro	3	16	593	\$17.330	19,690	47	216	298	1.00	\$0.709	No Set Amount
Millstone	4	47	2,758	\$55.160	14,359	60	180	300	6.00	\$1.038	No Set Amount
Upper Freehold	1	167	5,042	\$75.630	27,368	550	1,000	1,500	6.0	\$0.715	\$0.477
Morris	3	74	4,391	\$110.561	169,342	437	2,185	4,391	1.0	\$9.07	\$0.45
Ocean	7	152	2,540	\$84.287	21,975	200	901	1,623	1.2	\$10.000	No Set Amount

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Passaic	1	10	191	\$5.977	6,415	100	500	1,000	1.0	\$5,000	\$0.750
Salem	3	429	35,378	\$281.848	80,424	2,600	13,000	26,000	2.0	\$1,053	\$1,053
Alloway	1	11	517	\$3,976	5,465	200	400	600	0.05	\$0.014	No Set Amount
Mannington	1	47	1,140	\$6,843	22,627	25	125	250	2.00	\$0.043	\$0.043
Pilesgrove	4	58	4,281	\$39,569	9,305	203	1,304	2,608	3.00	\$0.143	\$0.143
Pittsgrove	2	248	5,091	\$38,181	13,881	255	1,018	3,054	1.0	\$0.067	No Set Amount
Upper Pittsgrove	1	256	11,240	\$84,299	24,167	700	3,500	7,000	2.00	\$0.080	\$0.080
Somerset	12	267	14,123	\$228,218	87,623	1,000	4,000	5,000	3.0	\$17,470	No Set Amount
Bedminster	1	120	5,863	\$175,899	10,111	500	2,706	2,706	2.0	\$0.342	No Set Amount
Bernards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1,500	No Set Amount
Franklin	2	19	855	\$16,584	18,931	508	644	830	5.0	\$4,480	No Set Amount
Hillsborough	3	28	996	\$14,814	3,860	100	500	1,000	2.8	\$1,529	No Set Amount
Montgomery	1	16	776	\$26,722	14,735	50	300	454	4.00	\$1,483	No Set Amount
Peapack & Gladstone	2	11	315	\$9,455	1,932	20	85	160	3.00	\$0.212	\$0.212
Sussex	10	998	34,942	\$191,129	176,195	2,648	13,240	26,480	0.23	\$0.395	\$0.209
Frankford	4	101	4,318	\$25,065	10,142	63	350	700	0.50	\$0.080	\$0.080
Green	3	53	1,831	\$11,908	7,632	150	675	1,300	1.5	\$0.063	\$0.063
Warren	7	515	30,636	\$161,024	155,068	2,000	10,000	20,000	6.0	\$7,400	\$3,707
Blairstown	4	72	2,065	\$14,450	12,307	100	500	1,000	2.0	\$0.144	No Set Amount
Franklin	4	150	5,700	\$37,052	11,542	225	1,000	1,900	39.00	\$0.165	No Set Amount
Freylinghuysen	7	76	2,744	\$17,838	11,029	45	220	430	2.00	\$0.055	\$0.055
Greenwich	1	21	1,283	\$14,337	3,453	174	1,092	1,573	4.0	\$0.239	\$0.239
Harmony	3	87	4,097	\$24,580	12,409	220	1,000	1,800	5.00	\$0.196	\$0.196
Hope	4	63	3,189	\$17,541	6,321	65	300	600	2.0	\$0.632	\$0.632
Knowlton	2	32	2,775	\$13,875	13,355	100	500	1,000	2.00	\$0.052	\$0.052
Pohatcong	4	16	1,116	\$8,118	8,156	100	500	1,000	0.5	\$0.174	\$0.174
White	4	106	4,111	\$20,653	13,599	150	700	1,300	2.00	\$0.116	\$0.116
County Totals (18)	133	5,061	227,450	\$2,245	1,304,684	16,114	75,363	147,222		\$162,859	
Municipal Totals (47)	112	2,549	109,550	\$1,290	511,848	9,699	36,676	65,045		\$26,609	

Note: In some cases County and Municipal project areas overlap. Identified farms may appear on both County and Municipal target farm lists.

Date: 5/11/16

Schedule B

MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Application
(2016 Round)
November 2016

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue	Annual Tax for Farm Preservation
Mannington	Salem	Mannington	47	1,140	\$6,842,700	\$6,000						
Total		4	47	1,140	\$6,842,700	\$6,000	25	125	250	2.0	\$0.043	\$0.043
November 2016 MUN. PIG (2016 Round) FINAL APPROVAL TOTALS												
		4	47	1,140	\$6,842,700		25	125	250			

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R11(2)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

FRANKLIN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Maria Foster ("Owner")

Franklin Township, Hunterdon County

N.J.A.C. 2:76-17A. et seq.

SADC ID# 10-0374-PG

NOVEMBER 3, 2016

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Franklin Township, Hunterdon County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Franklin Township received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on August 27, 2015 the SADC received an application for the sale of a development easement from Franklin Township for the subject farm identified as Block 28, Lot 24, Franklin Township, Hunterdon County, totaling approximately 55.8 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the Property is located and targeted in Franklin Township's Project Area as of May 26, 2016; and

WHEREAS, the Property includes one (1), approximately 6-acre non-severable exception area for and limited to one (1) existing single family residential unit and to afford future flexibility of uses resulting in approximately 49.8 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and (0) non-agricultural uses; and

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

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on January 19, 2016 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 23, 2016 the SADC certified a development easement value of \$7,400 per acre based on zoning and environmental regulations in place as of the current valuation date February 2016; and

WHEREAS, the Owner accepted the Township's offer of \$7,400 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on October 13, 2016 the Franklin Township Committee approved the application and a funding commitment of \$1,400 per acre; and

WHEREAS, the Hunterdon County Agriculture Development Board approved the application on October 13, 2016 and secured a commitment of funding from the Hunterdon County Board of Chosen Freeholders for the \$1,400 required local match on October 18, 2016; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 49.8 net easement acres):

	<u>Total</u>
SADC	\$229,080 (\$4,600 per acre)
Hunterdon County	\$ 69,720 (\$1,400 per acre)
<u>Franklin Twp.</u>	<u>\$ 69,720 (\$1,400 per acre)</u>
Total Easement Purchase	\$ 368,520 (\$7,400 per acre)

WHEREAS, Franklin Township is requesting \$229,080 and sufficient funds are available (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, that the SADC grants final approval to provide a cost share grant to Franklin Township for the purchase of a development easement on the Property, comprising approximately 49.8 net easement acres, at a State cost share of \$4,600 per acre, (62.16% of certified easement value and purchase price), for a total grant need of \$229,080 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C);

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 6-acre non-severable exception area for and limited to one (1) single family residential unit and to afford future flexibility of uses; and

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

BE IT FURTHER RESOLVED, the SADC will be providing its grant directly to Hunterdon 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); and

BE IT FURTHER RESOLVED, that 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 Property 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, streams or water bodies on the boundaries as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11/3/16

Date

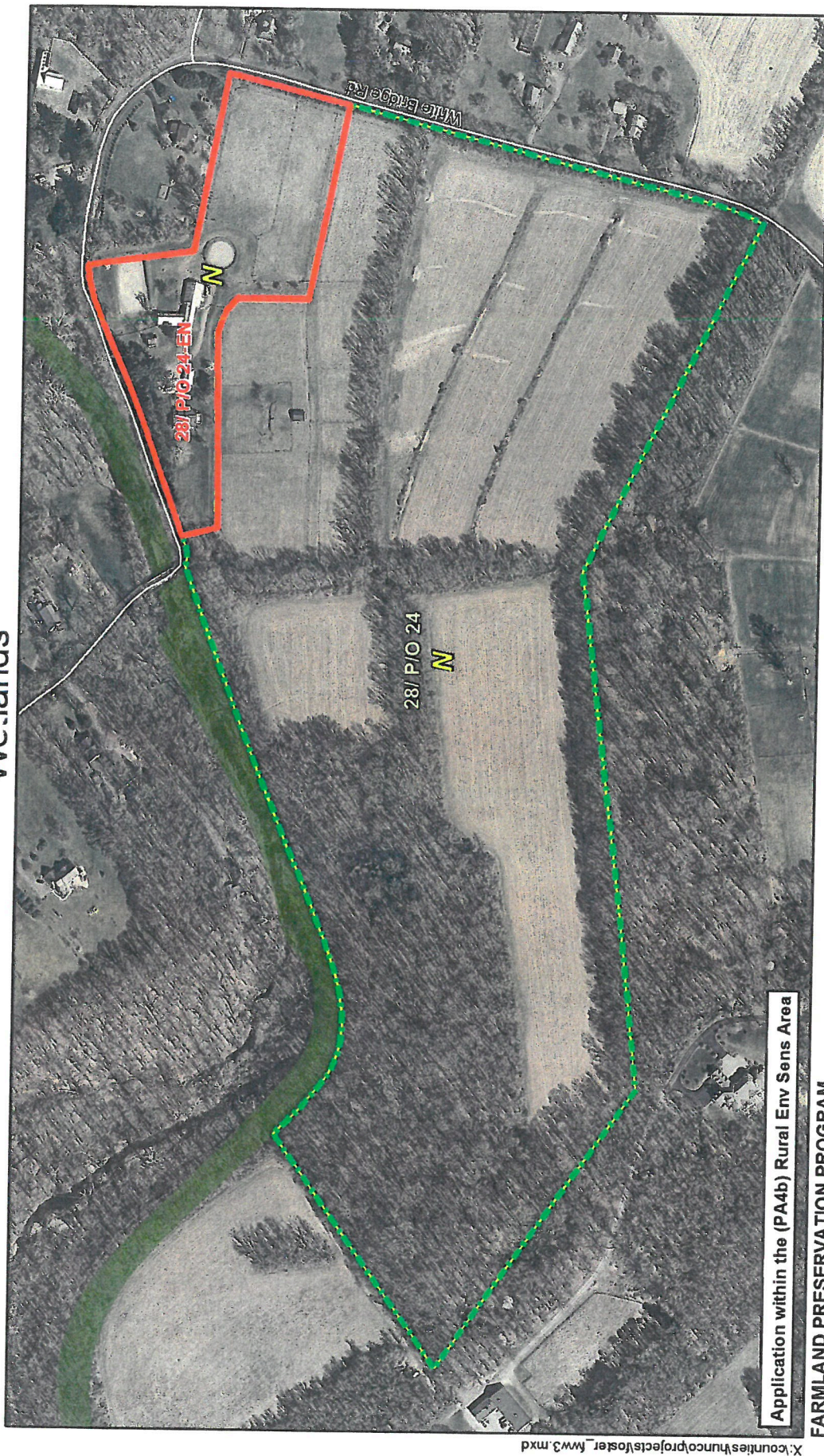


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis Germano, Esq.	YES
Peter Johnson	YES
James Waltman	ABSENT

Wetlands



Application within the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Maria Foster/White Bridge Farms
Block 28 Lots P/O 24 (49.8 ac) &
P/O 24-EN (non-severable exception - 6.0 ac)
Gross Total = 55.8 ac
Franklin Twp., Hunterdon County



DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The accuracy and geo-referenced nature of parcel polygons in this data layer are approximate and were developed primarily for planning and general reference purposes. The accuracy and precision of the GIS data contained in this file and map shall not be nor are intended to be used for any legal or financial purposes. Horizontal and vertical controls are not provided. Horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

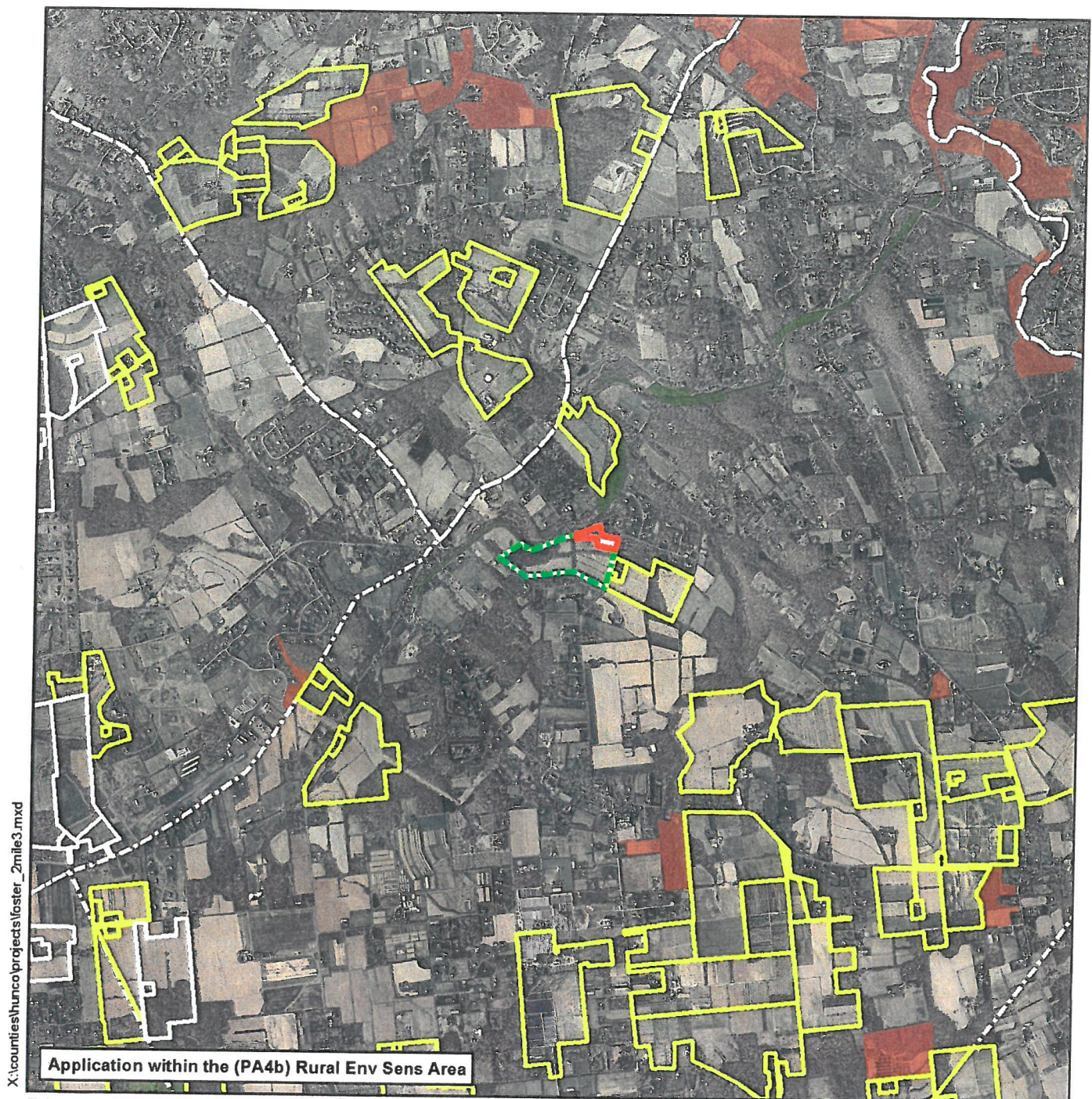
- | | |
|---|--|
|  | Property in Question |
|  | EN - (Non-Severable) Exception |
|  | ES - (Severable) Exception |
|  | Wetlands Boundaries |
|  | Primary - Limited Access |
|  | Federal or State Highways |
|  | County Roads |
|  | Municipal County Roads |
|  | Municipal, County and Non-Profit
Private and Open Space |
|  | State or Owned Conservation Easement |
|  | State or Owned O.S. Reservations |

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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJDOT Road Data
NJOT/OGIS 2012 Digital Aerial Image

January 5, 2016

Preserved Farms and Active Applications Within Two Miles



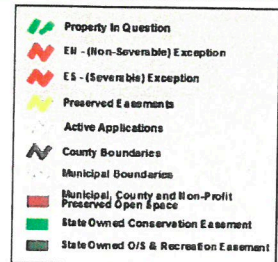
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Maria Foster/White Bridge Farms
Block 28 Lots P/O 24 (49.8 ac) &
P/O 24-EN (non-severable exception - 6.0 ac)
Gross Total = 55.8 ac
Franklin Twp., Hunterdon County

2,500 1,250 0 2,500 5,000 7,500 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
NJ011/OGIS 2012 Digital Aerial Image

January 5, 2016

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Foster. Maria (White Bridge Farms)
10- 0374-PG
PIG EP - Municipal 2007 Rule
50 Acres

Block 28	Lot 24	Franklin Twp.	Hunterdon County
SOILS:			
		Other	23% * 0 = .00
		Prime	6% * .15 = .90
		Statewide	71% * .1 = 7.10
			SOIL SCORE: 8.00
TILLABLE SOILS:			
		Cropland Harvested	60% * .15 = 9.00
		Woodlands	40% * 0 = .00
			TILLABLE SOILS SCORE: 9.00
FARM USE:			
	Cash Grains	32 acres	oats

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 six (6) acres for Existing dwelling
 - Exception is not to be severed from Premises
 - Exception is to be limited to one existing 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
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. 4:10-11 et seq., P.L.1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

Franklin Township, Hunterdon County

S:\Planning Incentive Grant - 2007 rules Municipal\TwpPig status 13

S:\Planning Incentive Grant - 2007 rules Municipal\TwpPig status 13

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R11(3)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

ALEXANDRIA TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Alexandria Township (Block 11, Lot 16), ("Owner")
Alexandria Township, Hunterdon County

N.J.A.C. 2:76-17A. et seq.
SADC ID# 10-0369-PG

November 3, 2016

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Alexandria Township, Hunterdon County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Alexandria Township received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on April 16, 2015 the SADC received an application for the sale of a development easement from Alexandria Township, as the contract purchaser, for the subject farm identified as Block 11, Lot 16, Alexandria Township, Hunterdon County, totaling approximately 82.491 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Alexandria Township's Pittstown Project Area and the Highlands Planning Area; and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area for and limited to one (1) future single family residential unit and for future flexibility of uses resulting in approximately 80.491 net acres to be preserved; and

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

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

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, on November 25, 2015 Alexandria Township purchased the 82.491 acre farm in fee simple title for \$960,000 (\$11,637.63 per acre) with the transaction recorded in the Hunterdon County Clerk's Office, Deed Book 2367, page 256; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on February 22, 2016 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on July 28, 2016 the SADC certified a development easement value of \$7,000 per acre. (\$13,500 "before" value minus an "after" value of \$6,500) based on current zoning and environmental regulations in place as of May 5, 2015; and

WHEREAS, N.J.A.C. 2:76-6.23(b) provides that when a government entity has acquired fee simple title to a property, and has not yet resold the property with deed restrictions at the time the Committee provides its cost share grant, the Committee shall base the amount of its grant on either the development easement value determined pursuant to N.J.A.C. 2:76-10 and certified by the Committee (\$7,000) or the purchase price of the property paid by the Township minus the SADC certified "after" value of the restricted property, (\$11,637.63 - \$6,500 = \$5,137.63), whichever is less; and

WHEREAS, in accordance with N.J.A.C. 2:76-6.23(b) the SADC shall calculate its cost share grant by utilizing the Township purchase price of \$11,637.63 minus the SADC certified "after" value of \$6,500 for an adjusted easement value of \$5,137.63 per acre; and

WHEREAS, in accordance with N.J.A.C. 2:76-6.23(b)(1) the grant agreement between the Township and the Committee shall provide if the Township sells the restricted Premises for more than the SADC certified after value of \$6,500 per acre, the Township shall reimburse the Committee any funds previously paid by the Committee for the development easement on a pro rata basis up to the amount of the SADC cost share grant; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13, on May 15, 2015 Alexandria Township Committee passed Ordinance 2015-03 granting authority for the acquisition of Block 11, Lot 16 in fee and execution of any other documents necessary to enroll the Property in an appropriate farmland preservation program; and

WHEREAS, on August 10, 2016, the Alexandria Township Committee approved the easement purchase price of \$5,137.63, recognizing the municipal cost share of \$834.41 per acre, which will be deducted from the easement consideration; and

WHEREAS, the Hunterdon County Agriculture Development Board approved the application on September 8, 2016 and secured a commitment of funding from the Hunterdon County Board of Chosen Freeholders for the \$834.41 on October 18, 2016; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 80.491 net easement acres):

	<u>Total</u>	<u>Per Acre</u>
SADC	\$279,207.99	(\$3,468.81 per acre)
Alexandria Twp.	\$ 67,162.50	(\$ 834.41 per acre)
<u>Hunterdon County</u>	<u>\$ 67,162.49</u>	<u>(\$ 834.41 per acre)</u>
Total Easement Purchase	\$413,532.98	(\$5,137.63 per acre)

WHEREAS, Alexandria Township is requesting \$279,207.99 and sufficient funds are available (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 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, that the SADC grants final approval to provide a cost share grant to Alexandria Township for the purchase of a development easement on the Property, comprising approximately 80.491 net easement acres, at a State cost share of \$3,468.81 per acre, (49.55% of certified easement value and 67.52% of the adjusted purchase price), for a total grant need of \$279,207.99 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C);

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 2-acre non-severable exception area for and limited to one (1) future single family residential unit and for future flexibility of uses resulting in approximately 80.491 net acres to be preserved; and

BE IT FURTHER RESOLVED the portion of the Property outside the exception area to be preserved includes zero (0) housing opportunities, zero (0) agricultural labor units and (0) no pre-existing non-agricultural uses; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Hunterdon County, 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); and

BE IT FURTHER RESOLVED, that 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 Property 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, streams or water bodies on the boundaries as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11/3/16

Date

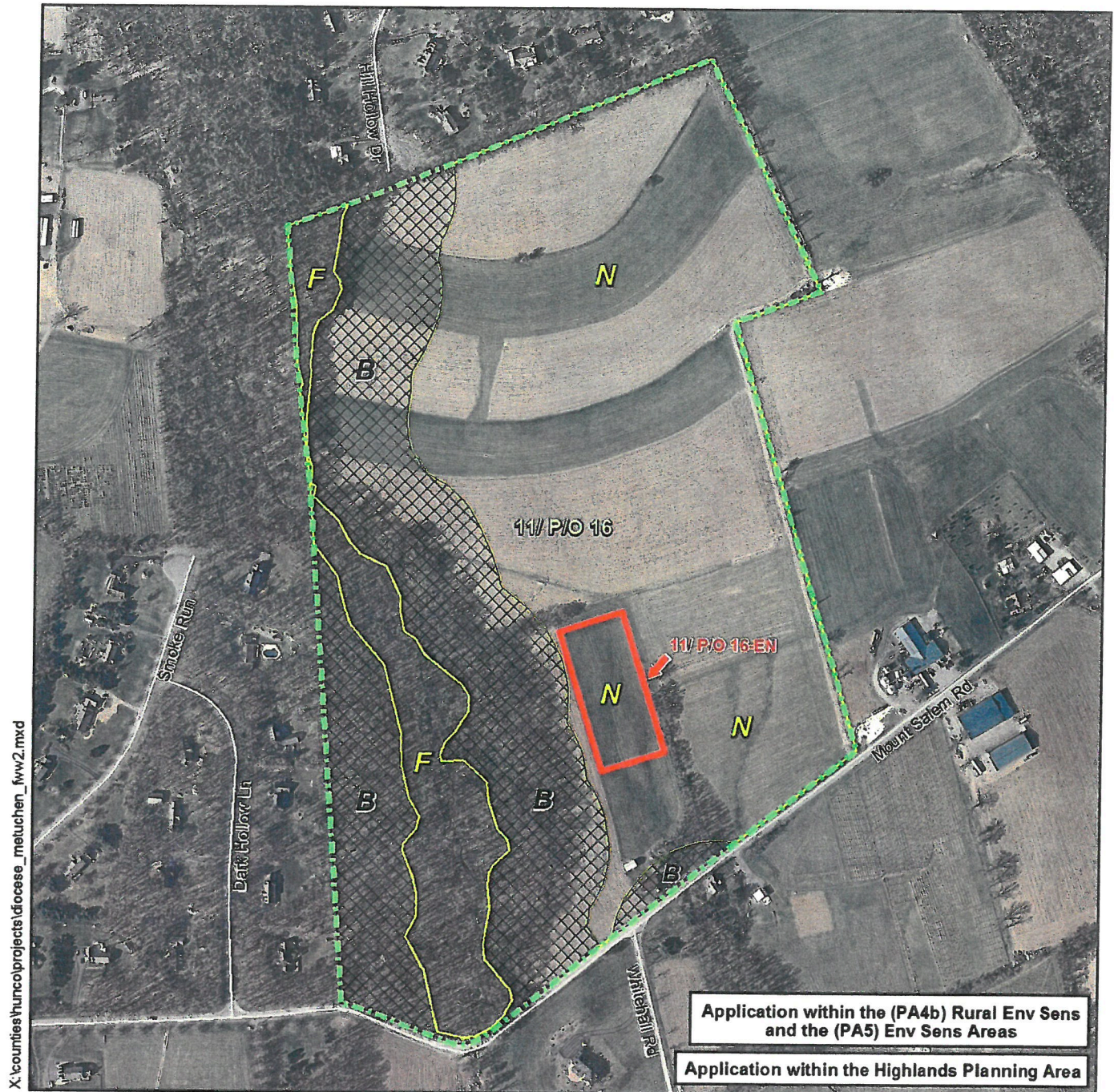


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis Germano, Esq.	YES
Peter Johnson	YES
James Waltman	ABSENT

Wetlands



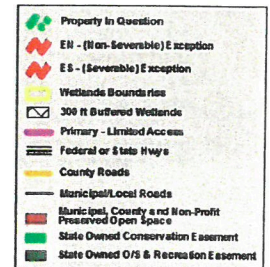
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FARMLAND PRESERVATION PROGRAM

NJ State Agriculture Development Committee

Alexandria Township (Block 11, Lot 16)
 Block 11 Lots P/O 16 (79.3 ac) &
 P/O 16-EN (non-severable exception - 2.0 ac)
 Gross Total = 81.3 ac
 Alexandria Twp., Hunterdon County

500 250 0 500 1,000 Feet



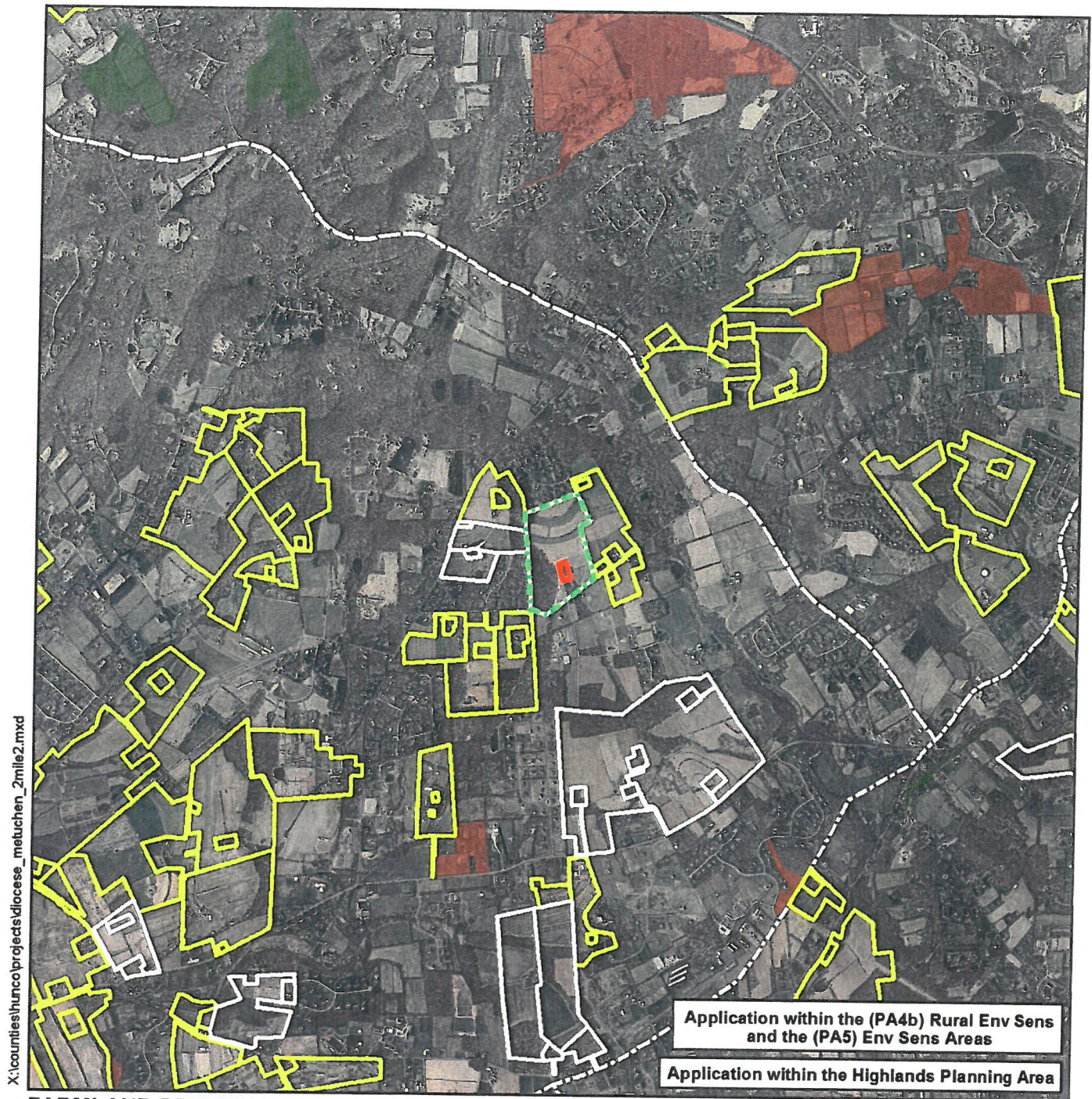
Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 300 Buffer
 W - Water

Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 NJDEP Wetlands Data
 NJ Highlands Council Data
 NJGIS/OGIS 2012 Digital Aerial Image

February 16, 2016

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.

Preserved Farms and Active Applications Within Two Miles



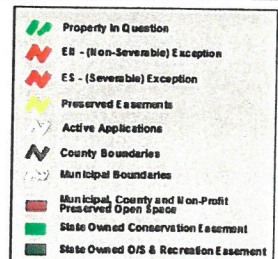
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Alexandria Township (Block 11, Lot 16)
Block 11 Lots P/O 16 (79.3 ac) &
P/O 16-EN (non-severable exception - 2.0 ac)
Gross Total = 81.3 ac
Alexandria Twp., Hunterdon 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
NJ Highlands Council Data
NJIT/OGIS 2012 Digital Aerial Image

SADC Municipal Financial Status
Schedule B

Alexandria Township, Hunterdon County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC		SADC Grant Per Acre	Federal Grant		Grant		
					Cost Basis	Cost Share		Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended
10-0275-PG	Rosenfield	26.239	25.157	9,400.00	236,475.80	141,885.48	5,640.00			141,885.48	141,885.48	141,885.48
10-0332-PG	Kappus	17.985	17.985	7,650.00	137,585.25	84,979.13	4,725.00			84,979.13	84,979.13	84,979.13
10-0343-PG	Hahola North	42.315	42.315	8,300.00	351,214.50	213,690.75	5,050.00			213,690.75	213,690.75	213,690.75
10-0347-PG	Hahola South	14.288	13.965	9,300.00	129,874.50	77,924.70	5,580.00			77,924.70	77,924.70	77,924.70
10-0352-PG	Jacobson	29.448	28.678	11,500.00	329,797.00	197,878.20	6,500.00			203,191.20	197,878.20	197,878.20
10-0371-PG	Klueter, Peter & Ellen	52.600	52.600	9,700.00	510,220.00	306,132.00	5,820.00			306,132.00		727,509.74
10-0389-PG	Alexandria Twp. (B11, L16)	80.491	80.491	5,137.63	413,532.98	279,207.99	3,468.81			279,207.99		448,301.75
Totals Closed	5	130.275	128.100		1,184,947.05	716,358.26						
Totals Encumbered	2	133.091	133.091		923,752.98	585,339.99						
										Encumber/Expended Fy09	-	750,000.00
										Encumber/Expended Fy11	-	272,490.26
										Encumber/Expended Fy13	-	448,301.75
										Total		448,301.75

SADC Final Review: Development Easement Purchase

Alexandria Twp. (B11, L16)
10- 0369-PG
PIG EP - Municipal 2007 Rule
80 Acres

Block 11	Lot 16	Alexandria Twp.	Hunterdon County
SOILS:		Other	6% * 0 = .00
		Prime	16% * .15 = 2.40
		Statewide	78% * .1 = 7.80
		SOIL SCORE: 10.20	
TILLABLE SOILS:		Cropland Harvested	72% * .15 = 10.80
		Wetlands	11% * 0 = .00
		Woodlands	17% * 0 = .00
		TILLABLE SOILS SCORE: 10.80	
FARM USE:		Corn-Cash Grain	33 acres
		Soybeans-Cash Grain	18 acres
		Hay	5 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 two (2) acres for farmstead -future single family residential unit and for flexibility of uses
 - Exception is not to be severed from Premises
 - Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions:
 1. On November 23, 2015 Alexandria Township bought Block 11, Lot 16 in fee from the Diocese of Metuchen for \$960,000 for 82.491 acres. Recorded Hunterdon County Clerk's Office Deed Book 2367, pg. 256
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R11(4)

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
SALEM COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Edward W. and Robert K. Sloat ("Owners")
Mannington Township, Salem County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 17-0164-PG**

November 3, 2016

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Salem County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Salem County received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on February 8, 2016 the SADC received an application for the sale of a development easement from Salem County for the subject farm identified as Block 21, Lot 12, Mannington Township, Salem County, totaling approximately 50.60 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Salem County's Mannington Meadows-Seven Stars-Algonkin Lake (2) Project Area; and

WHEREAS, the Property has zero (0) exceptions, one pre-existing single family home, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

WHEREAS, at the time of application the Property was in corn production, included approximately nine acres of permanent pasture for cattle production and approximately ten horses the landowner keeps for personal use; and

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

WHEREAS, the Property has a quality score of 73.01 which exceeds 48, which is 70% of the County's average quality score as determined by the SADC on July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on March 17, 2016 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 23, 2016 the SADC certified a development easement value of \$5,100 per acre based on zoning and environmental regulations in place as of the current valuation date May 7, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,100 per acre for the development easement for the Property; and

WHEREAS, on August 3, 2016 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 August 1, 2016 the Mannington Township Committee passed a resolution approving the Owner's application for the sale of development easement and a commitment of funding for 1% of the easement purchase price; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on July 27, 201 the Salem CADB 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 August 3, 2016, the Board of Chosen Freeholders of the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,599 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, 52.12 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 52.12 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$179,814.00	(\$3,450 / acre)
County	\$ 83,339.88	(\$1,599/ acre)
<u>Township</u>	<u>\$ 2,658.12</u>	<u>(\$ 51/ acre)</u>
Total Easement Purchase	\$265,812.00	(\$ 5,100 / 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 Salem County Agriculture Development Board is requesting \$179,814 in FY13 competitive 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, that the SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising approximately 52.12 gross easement acres, at a State cost share of \$3,450 per acre, (67.65% of certified easement value and purchase price), for a total grant not to exceed of \$179,814.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property has zero (0) exceptions, one single family home, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

BE IT FURTHER RESOLVED, 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 fund); and

BE IT FURTHER RESOLVED, that if unencumbered base grant funds become available subsequent to this final approval and prior to executing the grant agreement, the SADC shall utilize those funds before utilizing competitive funding; and

BE IT FURTHER RESOLVED, 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; and

BE IT FURTHER RESOLVED, that 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 Property 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, streams or water bodies on the boundaries as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11/3/14

Date



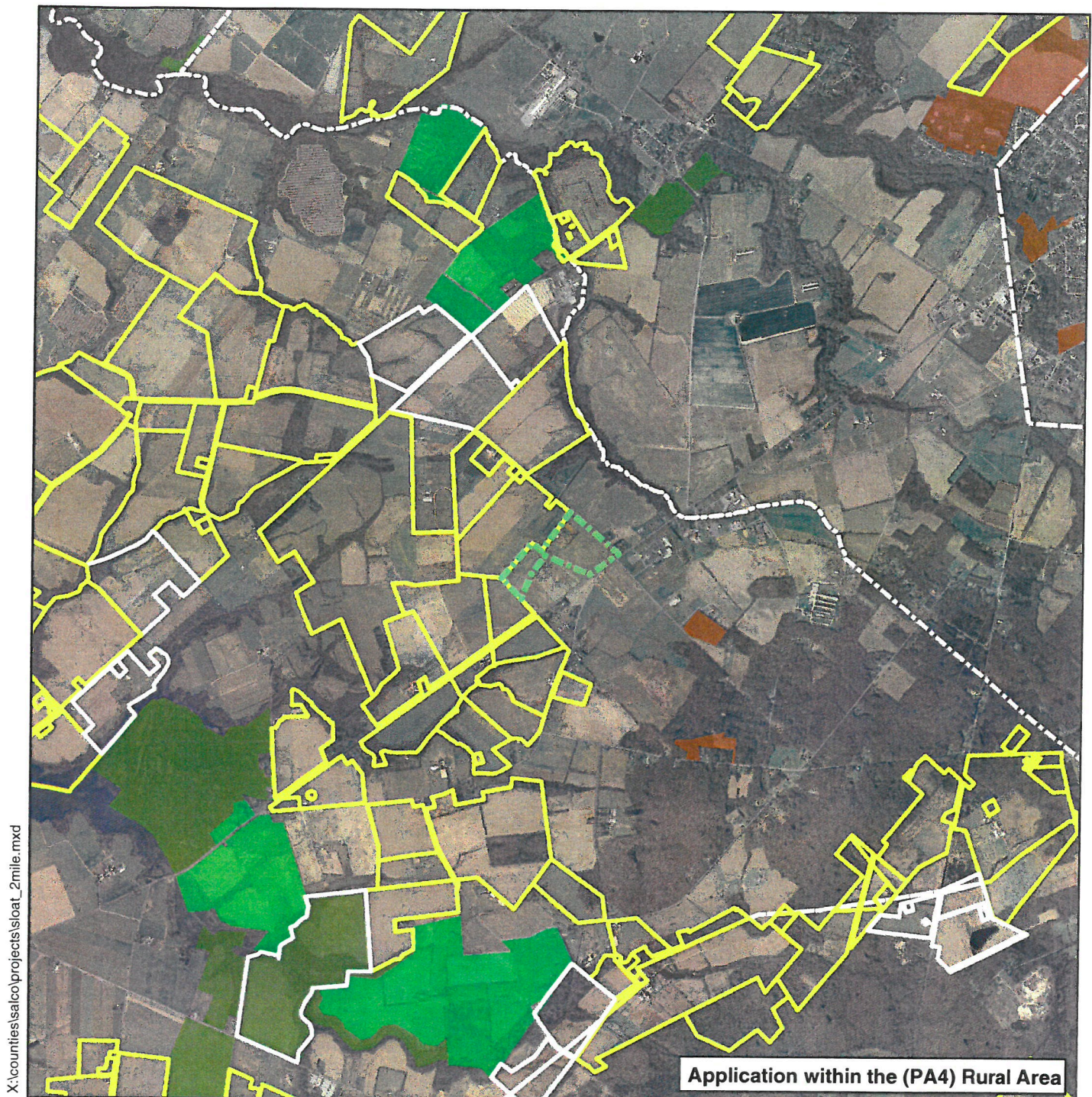
Page 4 of 4

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis Germano, Esq.	YES
Peter Johnson	YES
James Waltman	ABSENT

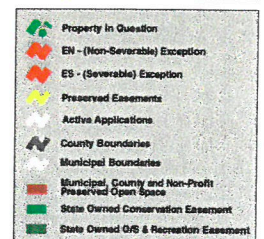
Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Edward W. and Robert K. Sloat
Block 21 Lot 12 (50.6 ac)
Gross Total = 50.6 ac
Mannington Twp., Salem County

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



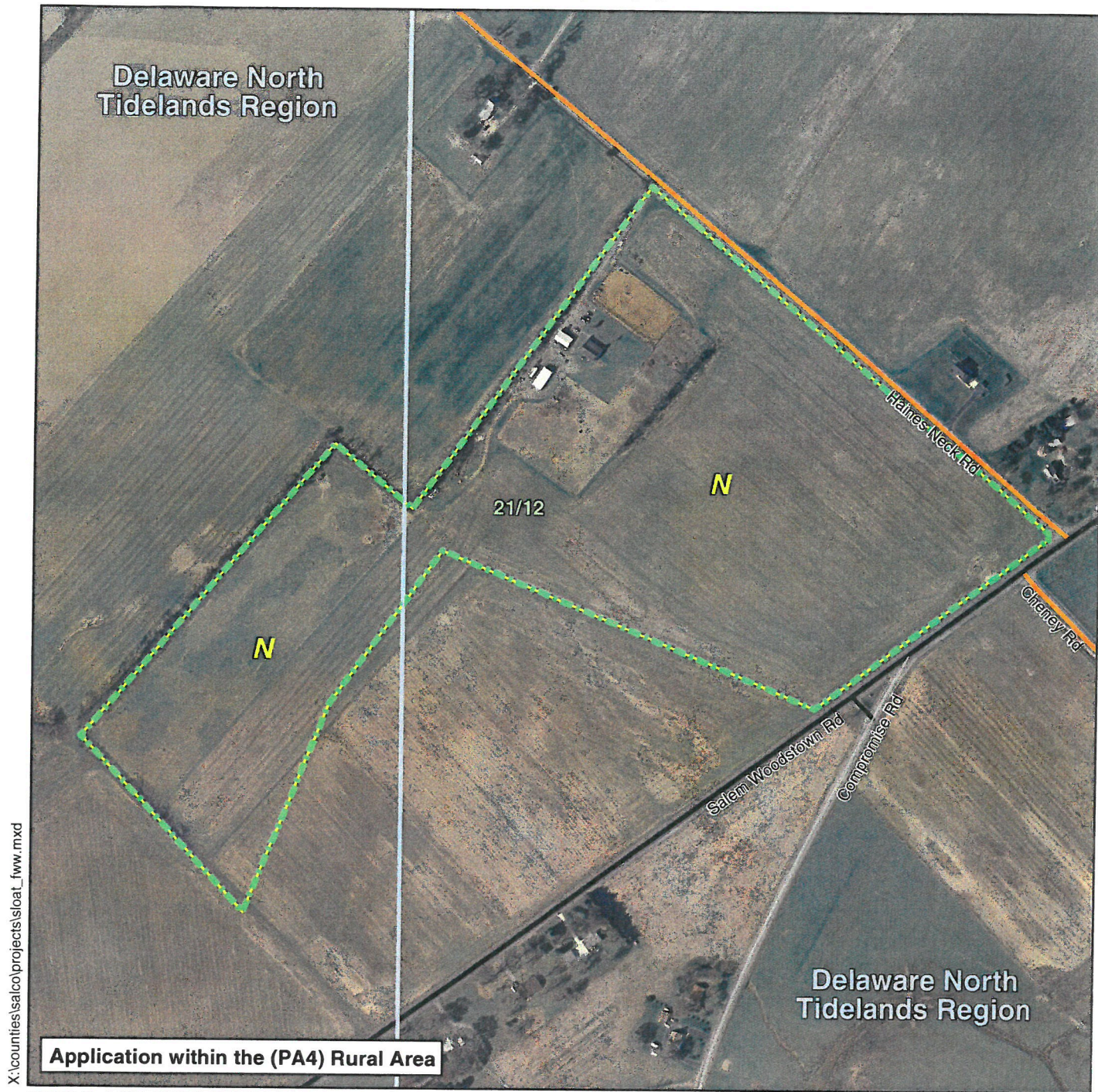
Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2012 Digital Aerial Image

NOTE:

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

Wetlands

Schedule A (cont)



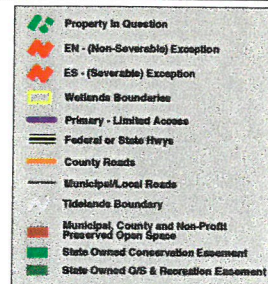
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Edward W. and Robert K. Sloat
Block 21 Lot 12 (50.6 ac)
Gross Total = 50.6 ac
Mannington Twp., Salem County

500 250 0 500 1,000 Feet

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.



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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJOT/OGIS 2012 Digital Aerial Image

Salem County

Totals Closed	12
Totals Encumbered	4

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Edward W. Sloat & Robert K. Sloat
17- 0164-PG
County PIG Program
51 Acres

Block 21	Lot 12	Mannington Twp.	Salem County
SOILS:			
		Prime	100% * .15 = 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:			
		Cropland Pastured	18% * .15 = 2.70
		Cropland Harvested	76% * .15 = 11.40
		Other	6% * 0 = .00
			TILLABLE SOILS SCORE: 14.10
FARM USE:			
		Corn-Cash Grain	acres
		Beef Cattle Except Feedlots	acres
		Horse & Other Equine	acres 12
			10 horses personal use

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:
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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R11(5)

AMENDED FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE
GRANT TO

WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Sam and Jean Race ("Owner")
White Township, Warren County

N.J.A.C. 2:76-17. et seq.
SADC ID# 21-0570-PG

NOVEMBER 3, 2016

Amendment Synopsis:

- Reduce the acreage of both exception areas
- Recognize an increased gross acreage estimate from 85.1 to 90.666 acres
- Approve a new cost share based on the increased acreage.

WHEREAS, on June 20, 2014 the SADC received an individual application for the sale of a development easement from Warren County for the Property identified as Block 16, Lot 42, White Township, Warren County, totaling approximately 85.1 gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the SADC granted Final Approval for the Property on November 12, 2015, which included a one (1) approximately 4-acre severable exception for an existing duplex residential unit and for future flexibility of use and one (1) approximately 1.5-acre non-severable exception area for and limited to one, future single family residential unit resulting in approximately 80 net acres to be preserved, with no residential units or nonagricultural uses on the Property outside the exception area and an easement value of \$5,700/acre (Schedule B); and

WHEREAS, subsequent to SADC Final Approval the preliminary survey revealed a gross acreage of 90.666; and

WHEREAS, the Owner requested to reduce the size of both exception areas to one (1) approximately 3.26-acre severable exception for an existing duplex residential unit and for future flexibility of use and one (1) approximately 1-acre non-severable exception area for and limited to one, future single family residential unit resulting in approximately 86.406 net acres to be preserved; and

WHEREAS, both appraisers and the SADC review appraiser reviewed this new information and agreed the \$5,700 per acre easement value remains unchanged; and

WHEREAS, the quality score of the Property changed slightly from 58.02 to 58.40, which exceeds 41, which is 70% of the County's average quality score as determined by the SADC on July 25, 2013; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 88.998 acres will be utilized to calculate the SADC grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, by resolution on August 13, 2015 the White Township Committee approved the application but is not participating financially on the easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on August 18, 2016 the Warren CADB passed an amended resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on September 14, 2016, the Board of Chosen Freeholders of the County of Warren passed a resolution granting amended final approval and a commitment of funding for \$1,950 per acre to cover the local cost share; and

WHEREAS, the new estimated cost share breakdown is as follows (based on 88.998 acres):

SADC	\$333,742.50	(\$3,750/acre)
County	\$173,546.10	(\$1,950/acre)
Total Easement Purchase	\$507,288.60	(\$5,700/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$333,742.50 in competitive grant funding (increased from \$309,000 originally encumbered on November 12, 2015) and sufficient funds are available (Schedule C); and

NOW THEREFORE BE IT RESOLVED, that the SADC amends the exception areas and the cost share of the November 12, 2015 final approval Resolution **FY2016R11(5)**; and

BE IT FURTHER RESOLVED, the SADC approves a revised cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 88.998 net easement acres at a State cost share of \$3,750 per acre for a total grant need of \$333,742.50 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule D); and

BE IT FURTHER RESOLVED, the Property includes a one (1) approximately 3.26-acre severable exception for an existing duplex residential unit and for future flexibility of use and one (1) approximately 1-acre non-severable exception area for and limited to one, future single family residential unit; and

BE IT FURTHER RESOLVED the Property has zero (0) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and

BE IT FURTHER RESOLVED, all other provisions of the November 12, 2015 final approval shall remain in effect; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11/3/16

Date

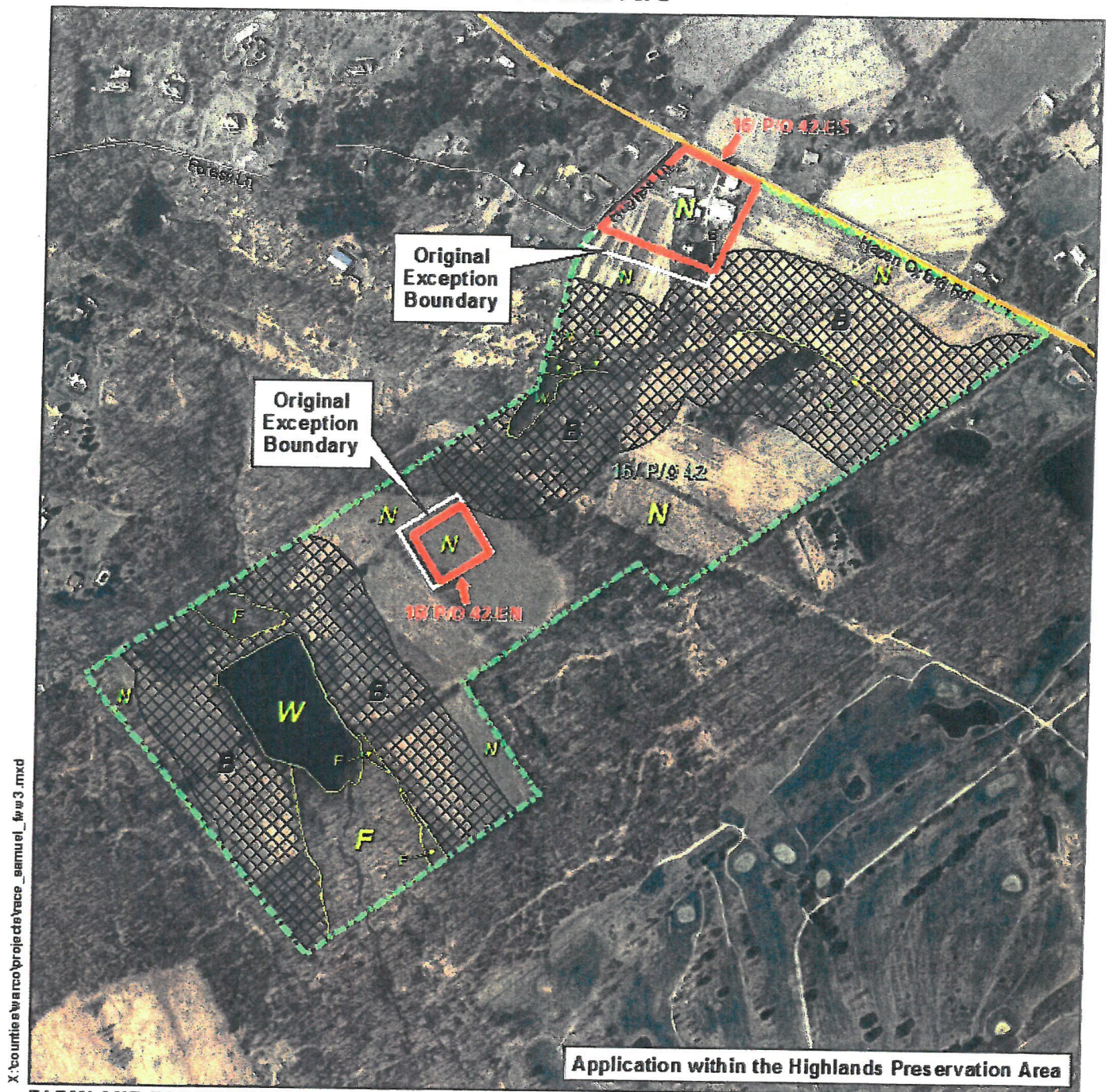


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis Germano, Esq.	YES
Peter Johnson	YES
James Waltman	ABSENT

Wetlands



FARMLAND PRESERVATION PROGRAM

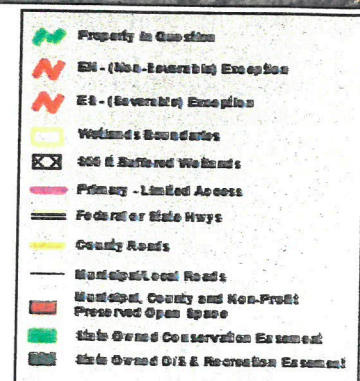
NJ State Agriculture Development Committee

Samuel and Jean Race/Strawberry Hill Farm
 Block 16 Lots P/O 42 (86.406 ac); P/O 42-ES (severable exception - 3.26 ac)
 & P/O 42-EN (non-severable exception - 1.0 ac)
 Gross Total = 90.666 ac
 White Twp., Warren County

500 250 0 500 1,000 Feet

Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 NJDEP Wetlands Data
 NJ Highlands Council Data
 NJDOT GIS 2015 Digital Aerial Image

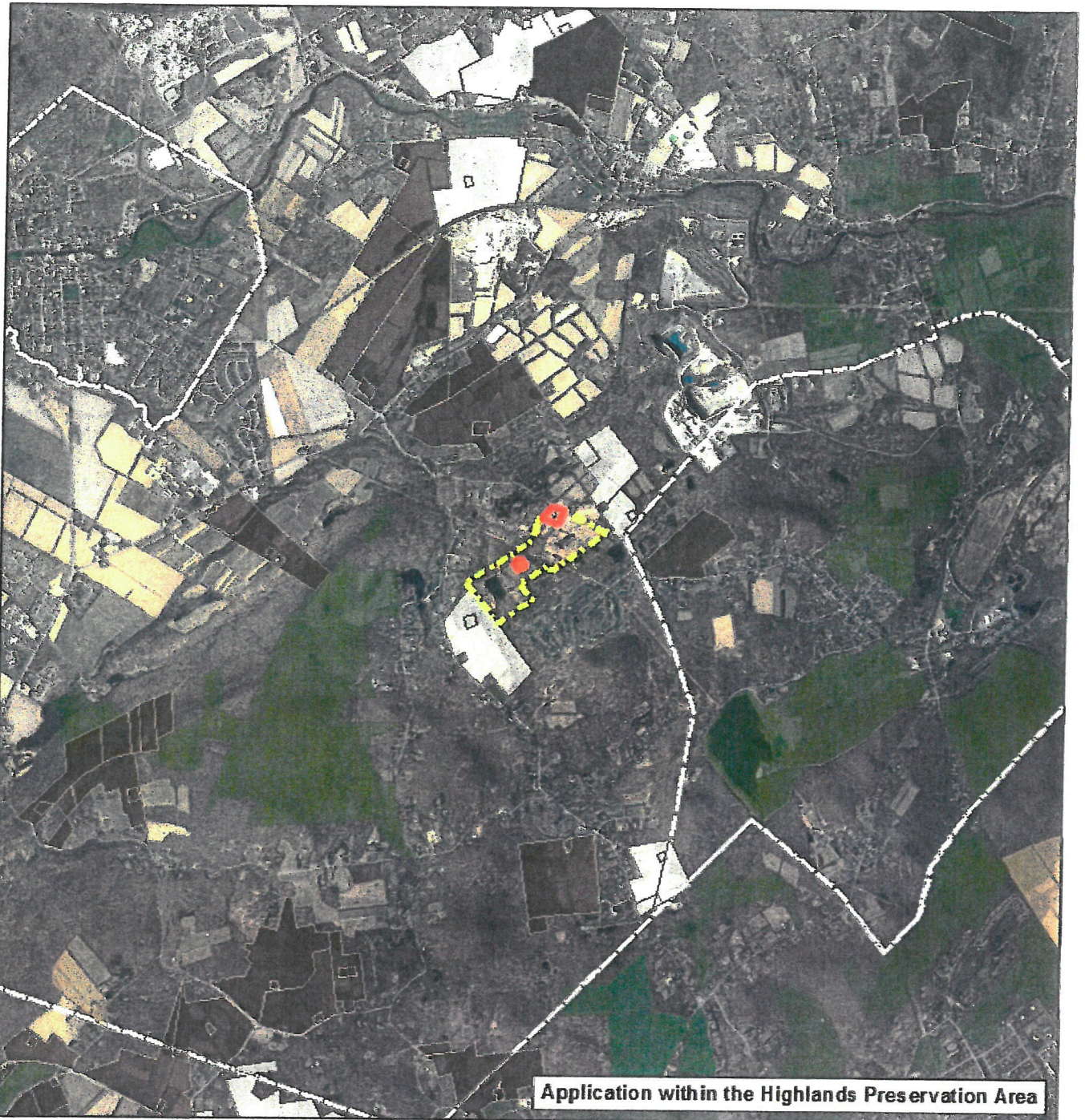
DISCLAIMER: Any use of the product with respect to accuracy and precision shall be the responsibility of the user. The configurations are geo-referenced to the best of our knowledge and were developed primarily for general purposes. The geographic source and precision of the GIS data contained in this file and map shall not be relied upon to be relied upon for matters requiring delineation of estate or true ground horizontal and vertical control as would be obtained by an independent survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend:
 F - Freshwater Wetlands
 U - Upland Wetlands
 W - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 E - 200' Buffer
 W - Water

September 27, 2015

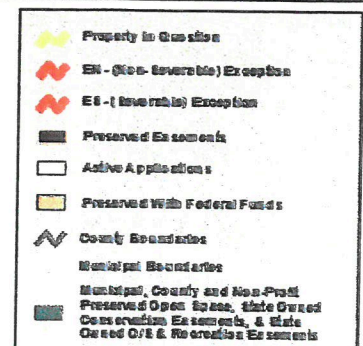
Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Samuel and Jean Race/Strawberry Hill Farm
Block 16 Lots P/O 42 (86.406 ac); P/O 42-ES (severable exception - 3.26 ac)
& P/O 42-EN (non-severable exception - 1.0 ac)
Gross Total = 90.666 ac
White Twp., Warren County

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



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

Source:
NJ Farmland Preservation Program
Green Acres Conservation Search and
NJDOT GIS 2013 Digital Aerial Maps

September 27, 2016

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R11(5)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WARREN COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Sam and Jean Race ("Owners")
White Township, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# SADC ID# 21-0570-PG

NOVEMBER 12, 2015

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Warren County received SADC approval of its FY2016 PIG Plan application annual update on May 28, 2015; and

WHEREAS, on June 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as Block 16, Lot 42, White Township, Warren County, totaling approximately 85.1 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the Property is located in Warren County's Southeast Project Area and the Highlands Preservation Area; and

WHEREAS, at the time of application and certification of an easement value the Property included one (1) approximately 4-acre severable exception for an existing duplex residential unit and for future flexibility of use and one (1) approximately 0.5-acre non-severable exception area for and limited to one (1), future single family residential unit resulting in approximately 80.6 net acres to be preserved; and

WHEREAS, subsequently the landowners requested to enlarge the 0.5-acre nonseverable exception area to 1.5-acres; and

WHEREAS, it is the opinion of the SADC review appraiser that this change does not impact the SADC certified development easement value; and

WHEREAS, the Property now includes one (1) approximately 4-acre severable exception for an existing duplex residential unit and for future flexibility of use and one (1) approximately 1.5-acre non-severable exception area for and limited to one, future single family residential unit resulting in approximately 80 net acres to be preserved; and

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

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

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

WHEREAS, the Property has a quality score of 58.02 which exceeds 41, which is 70% of the County's average quality score as determined by the SADC on July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on September 30, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 3, 2014 the SADC certified a development easement value of \$5,700 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,000 per acre based on zoning and environmental regulations in place as of the current valuation date March 2014; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owners accepted the County's offer of \$5,700 per acre for the development easement for the Property; and

WHEREAS, on September 28, 2015 the County submitted this application 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 August 13, 2015 the White Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on August 20, 2015 the Warren CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on September 9, 2015, the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and a commitment of funding for \$1,950 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, 82.4 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 82.4 acres); and

SADC	\$309,000	(\$3,750/acre)
County	\$160,680	(\$1,950/acre)
Total Easement Purchase	\$467,343	(\$5,700/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 Warren County Agriculture Development Board is requesting \$309,000 in competitive 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 82.4 net easement acres, at a State cost share of \$3,750 per acre, (65.79% of certified easement value and purchase price), for a total grant need of \$309,000 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property included one (1) approximately 4-acre severable exception for an existing duplex residential unit and for future flexibility of use and one (1) approximately 1.5-acre non-severable exception area for and limited to one (1), future single family residential unit; and

BE IT FURTHER RESOLVED, the portion of the Property outside the exception area includes zero (0) residential opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

BE IT FURTHER RESOLVED, that if base grant funds become available and are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that 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 Property 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, streams or water bodies on the boundaries as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

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

11-12-15

Date

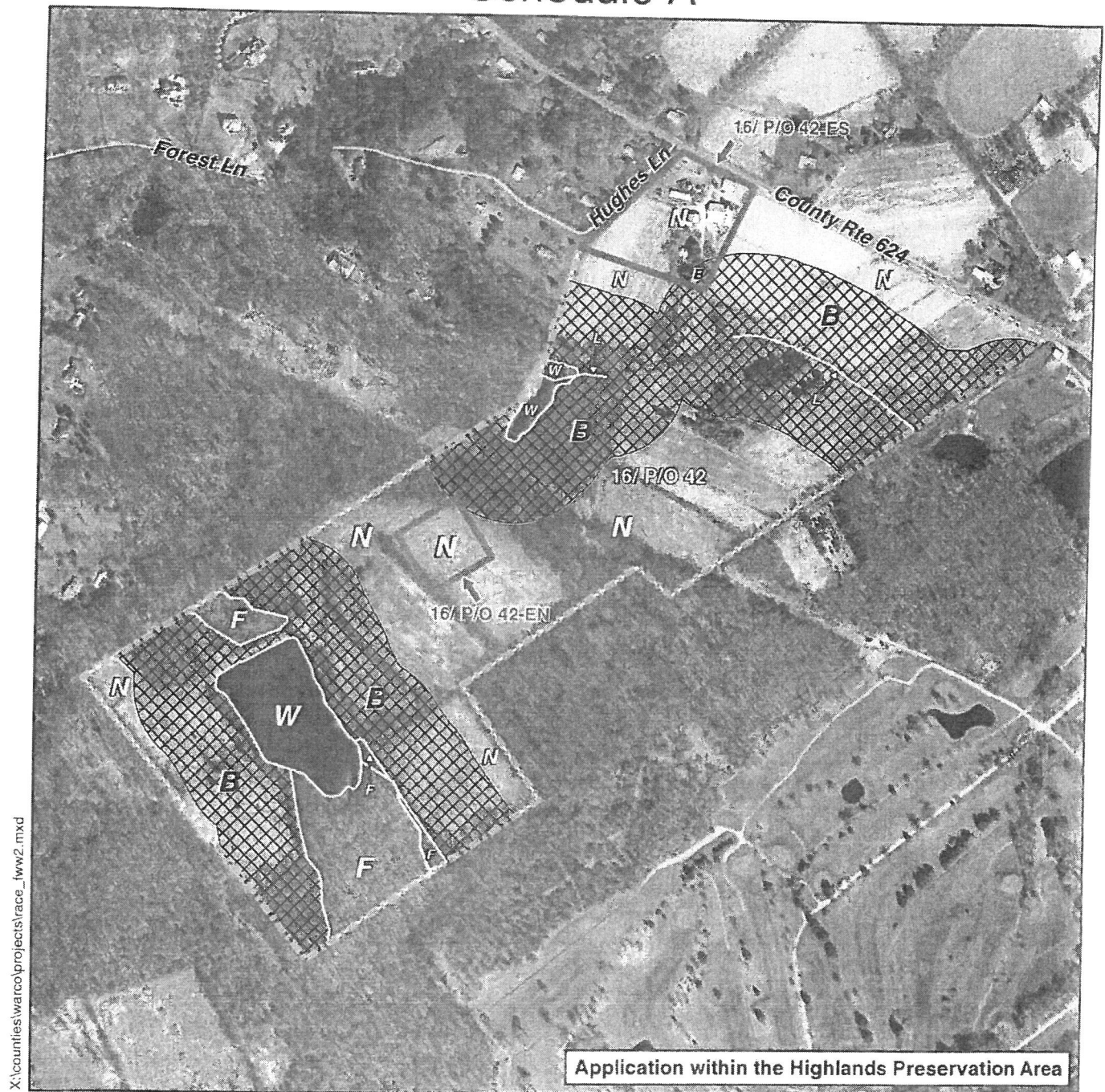


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
Pamela Weintraub (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. Acting State Treasurer Scudder)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano, Esq.	YES

Schedule A



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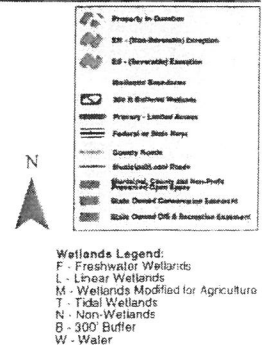
Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Samuel and Jean Race/Strawberry Hill Farm
Block 16 Lots P/O 42 (79.6 ac); P/O 42-ES (severable exception - 4.0 ac)
& P/O 42-EN (non-severable exception - 1.5 ac)
Gross Total = 85.1 ac
White Twp., Warren County

500 250 0 500 1,000 Feet

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.



Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2012 Digital Aerial Image

October 2, 2015

Appendix A - Continued

Preserved Farms and Active Applications Within Two Miles

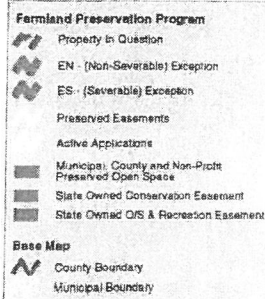
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Samuel and Jean Race/Strawberry Hill Farm
Block 16 Lots P/O 42 (79.6 ac); P/O 42-ES (severable exception - 4.0 ac)
& P/O 42-EN (non-severable exception - 1.5 ac)
Gross Total = 85.1 ac
White Twp., Warren 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 2012 Digital Aerial Image

October 2, 2015

SADC County Pig Financial Status
Schedule B

Warren County

SADC ID#	Farm	Municipality	Acres	P/v Acres	SADC or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Base Grant		Competitive Funds		Fund Balance		
							Cost Basis	Share	Total Federal Grant	SADC	Federal Grant	Fiscal Year 11		Fiscal Year 13		Fund Balance	
												Encumbered	Expend	Encumbered			Expend
21-0509-PG	Drake #1	Alamogordo	198.0370	198.0370	4,000.00	2,600.00	792,348.00	654,643.60	582,568.00	544,843.60	1,945,356.40	2,500,000.00	1,945,356.40	2,500,000.00	4,875,146.00		
21-0509-PG	Bowers, Russell	Palm Springs	47.9100	47.9100	4,000.00	2,600.00	194,426.50	158,736.40	213,725.00	198,828.50	1,746,529.50	1,746,529.50	1,746,529.50	1,746,529.50	4,875,146.00		
21-0509-PG	Ortiz, Irma	Manitowish	71.8000	71.8000	4,000.00	2,600.00	284,400.00	227,520.00	284,400.00	284,400.00	1,950,000.00	1,950,000.00	1,950,000.00	1,950,000.00	4,875,146.00		
21-0510-PG	Pruden, Timothy	Hope	128.5816	128.5816	4,000.00	2,600.00	511,517.00	358,472.40	365,288.00	350,000.00	1,451,875.96	1,451,875.96	1,451,875.96	1,451,875.96	4,875,146.00		
21-0511-PG	Cooper, Daniel	Oshtemo	48.3860	47.1940	3,700.00	2,300.00	225,916.40	209,688.00	209,688.00	209,688.00	1,099,407.50	1,099,407.50	1,099,407.50	1,099,407.50	4,875,146.00		
21-0512-PG	Czyz	Poplarville	93.9220	94.5790	5,400.00	3,600.00	519,678.00	346,164.28	176,834.20	84,931.03	797,786.47	797,786.47	797,786.47	797,786.47	4,875,146.00		
21-0513-PG	Beaver Brook/TLCNJ	Hope	138.2260	134.0990	3,975.00	2,787.40	533,579.97	371,787.55	348,552.00	340,452.00	1,467,336.47	1,467,336.47	1,467,336.47	1,467,336.47	4,875,146.00		
21-0514-PG	Bullock	Hope	69.1410	69.1410	3,900.00	2,740.00	234,549.88	164,786.34	164,786.34	164,786.34	84,833.58	84,833.58	84,833.58	84,833.58	4,875,146.00		
21-0515-PG	Harmon	Harmon	49.4370	49.4370	4,000.00	2,600.00	284,424.00	192,882.30	192,882.30	192,882.30	41,902.17	41,902.17	41,902.17	41,902.17	4,875,146.00		
21-0516-PG	J&K Smith #1 (Lot 17)	Franklin	179.1860	174.1860	6,700.00	3,715.00	1,077,913.25	886,744.00	886,744.00	886,744.00	2,998,713.33	2,998,713.33	2,998,713.33	2,998,713.33	4,875,146.00		
21-0517-PG	Cerco #1	Franklin	29.3540	29.3540	5,750.00	3,700.00	181,290.00	120,945.00	120,945.00	120,945.00	184,782.00	184,782.00	184,782.00	184,782.00	4,875,146.00		
21-0518-PG	Cerco #2	Blair/Knowl	32.4650	32.4650	5,000.00	3,100.00	379,040.00	260,364.00	260,364.00	260,364.00	103,901.00	103,901.00	103,901.00	103,901.00	4,875,146.00		
21-0519-PG	Kinney Estate	Harmon	80.0000	80.0000	4,000.00	2,600.00	261,900.00	170,235.00	170,235.00	170,235.00	69,744.00	69,744.00	69,744.00	69,744.00	4,875,146.00		
21-0520-PG	J. Smith & Son	Harmon	43.6500	42.3900	4,000.00	2,600.00	242,090.00	170,235.00	170,235.00	170,235.00	110,411.35	110,411.35	110,411.35	110,411.35	4,875,146.00		
21-0521-PG	Kennan	White	36.2000	35.7200	3,800.00	2,500.00	327,690.00	230,441.00	230,441.00	230,441.00	78,161.83	78,161.83	78,161.83	78,161.83	4,875,146.00		
21-0522-PG	Thompson	Franklin	47.6000	47.6000	4,000.00	2,600.00	238,400.00	206,900.00	206,900.00	206,900.00	209,304.00	209,304.00	209,304.00	209,304.00	4,875,146.00		
21-0523-PG	RLL Enterprises	Franklin	82.4000	82.4000	4,000.00	2,600.00	469,680.00	309,000.00	309,000.00	309,000.00	512,734.00	512,734.00	512,734.00	512,734.00	4,875,146.00		
21-0524-PG	Stue & Co. (S1, S11) #1	Harmon	17.5100	17.5100	4,000.00	2,600.00	469,680.00	309,000.00	309,000.00	309,000.00	275,616.12	275,616.12	275,616.12	275,616.12	4,875,146.00		
21-0525-PG	Stue & Co. (S1, S11) #2	Harmon	17.5100	17.5100	4,000.00	2,600.00	469,680.00	309,000.00	309,000.00	309,000.00	275,616.12	275,616.12	275,616.12	275,616.12	4,875,146.00		
21-0526-PG	Race	White	43.6500	43.6500	4,000.00	2,600.00	322,588.75	229,165.25	229,165.25	229,165.25	276,111.98	276,111.98	276,111.98	276,111.98	4,875,146.00		
21-0527-PG	Unaudited	White	35.4000	35.4000	4,000.00	2,600.00	322,588.75	229,165.25	229,165.25	229,165.25	276,111.98	276,111.98	276,111.98	276,111.98	4,875,146.00		
Totals Closed			1,174.620	1,108.8370	4,000.00	2,600.00	5,861,540.71	3,924,358.02	3,924,358.02	3,924,358.02	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Encumbered			606.100	606.100	4,000.00	2,600.00	3,659,357.75	2,082,870.15	2,082,870.15	2,082,870.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Expended			578.520	578.520	4,000.00	2,600.00	2,202,182.96	1,841,487.87	1,841,487.87	1,841,487.87	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,945,356.40	4,875,146.00		
Totals Available			598.100	598.100	4,000.00	2,600.00	3,662,182.75	2,082,470.15	2,082,470.15	2,082,470.15	1,945,356.40	1,945,356.40	1,945,356.40	1,			

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Race, Sam & Jean
21- 0570-PG
County PIG Program
80 Acres

Block 16	Lot 42	White Twp.	Warren County
SOILS:		Other	50% * 0 = .00
		Prime	15% * .15 = 2.25
		Statewide	35% * .1 = 3.50
		SOIL SCORE: 5.75	
TILLABLE SOILS:		Cropland Harvested	66% * .15 = 9.90
		Other	6% * 0 = .00
		Wetlands	7% * 0 = .00
		Woodlands	21% * 0 = .00
		TILLABLE SOILS SCORE: 9.90	
FARM USE:		Berry	4 acres
		Hay	49 acres
			strawberries
			hay and grasses

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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (1.5) acres for Possible Future housing
Exception is not to be severed from Premises
Exception is to be limited to one future single family residential unit(s)
 - 2nd four (4) acres for flexibility of use, improvements & 1 duplex residential unit.
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

Warren County

S:\Planning Incentive Grant -2007 rules County\Fund tracking\2013ctypigfinancialstatus

Schedule D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase
November 12, 2015

Race, Sam & Jean
21- 0570-PG
County PIG Program
86 Acres

Block 16	Lot 42	White Twp.	Warren County
SOILS:		Other	50% * 0 = .00
		Prime	15% * .15 = 2.25
		Statewide	35% * .1 = 3.50
			SOIL SCORE: 5.75
TILLABLE SOILS:		Cropland Harvested	66% * .15 = 9.90
		Other	6% * 0 = .00
		Wetlands	7% * 0 = .00
		Woodlands	21% * 0 = .00
			TILLABLE SOILS SCORE: 9.90
FARM USE:	Berry	4 acres	strawberries
	Hay	49 acres	hay and grasses

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 Possible Future housing
Exception is not to be severed from Premises
Exception is to be limited to one future single family residential unit(s)
 - 2nd (3.26) acres for flexibility of use, improvements & 1 duplex residential unit.
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

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

GENERAL INFORMATION

COUNTY OF Warren White Twp. 2123
APPLICANT Race, Sam & Jean

PRIORITIZATION SCORE

SOILS:

Other	50% *	0	=	.00
Prime	15% *	.15	=	2.25
Statewide	35% *	.1	=	3.50

SOIL SCORE: 5.75

TILLABLE SOILS:

Cropland Harvested	66% *	.15	=	9.90
Other	6% *	0	=	.00
Wetlands	7% *	0	=	.00
Woodlands	21% *	0	=	.00

TILLABLE SOILS SCORE: 9.90

BOUNDARIES AND BUFFERS: Commercial
Farmland (Unrestricted)
Residential Development
Streams and Wetlands
Woodlands

9% *	0	=	.00
24% *	.06	=	1.44
6% *	0	=	.00
7% *	.18	=	1.26
54% *	.06	=	3.24

BOUNDARIES AND BUFFERS SCORE: 5.94

CONTIGUOUS PROPERTIES / DENSITY: Race
Caruso
Crossroads
McConnell
Supplee

Restricted Farm or Current Application	2
Restricted Farm or Current Application	2
Restricted Farm or Current Application	2
Restricted Farm or Current Application	2
Restricted Farm or Current Application	2

DENSITY SCORE: 10.00

LOCAL COMMITMENT:

100% * 20 = 20.00

LOCAL COMMITMENT SCORE: 20.00

SIZE:

SIZE SCORE: 5.38

IMMIMENCE OF CHANGE: SADC Impact factor = 2.43

IMMINENCE OF CHANGE SCORE: 2.43

COUNTY RANKING:

EXCEPTIONS:

EXCEPTION SCORE: -1.00

TOTAL SCORE: 58.40

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R11(6)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

MERCER COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Gaskill, Rockhold, Laughlin and Smith("Owners")

Hamilton Township, Mercer County

N.J.A.C. 2:76-17 et seq.

SADC ID# 11-0177-PG

November 3, 2016

WHEREAS, on December 15, 2007 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Mercer County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Mercer County received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on April 16, 2015 the SADC received an application for the sale of a development easement from Mercer County for the subject farm identified as a Block 2730, Lots 5 and 6, Hamilton Township, Mercer County, totaling approximately 18 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the Property is located in Mercer County's Hamilton Project Area; and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area limited to one (1) future single family residential unit with a house size limit of 4,000 square feet of livable space and cumulative 1,500 square feet for attached or detached garages and other enclosed structures servicing the residence as required by the County, resulting in approximately 16 net acres to be preserved; and

WHEREAS, the portion of the Property to be preserved outside of the exception area includes zero (0) residential opportunities, zero; (0) residual dwelling site opportunities; zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

WHEREAS, Lots 5 and 6 are in separate ownership at this time and will be transferred into common ownership in coordination with the easement purchase; and

WHEREAS, final approval is conditioned upon common ownership of both Lots 5 and 6 prior to closing and a provision in the deed of easement that the Property cannot be further subdivided, and

WHEREAS, at the time of application the Property was in soy bean production; 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 has a quality score of 61.90 which exceeds 50, which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 30, 2015 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on February 25, 2016 the SADC certified a development easement value of \$10,200 per acre based on zoning and environmental regulations in place as of 11/1/15; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner accepted the certified value of \$10,200 per acre for the development easement for the property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on August 16, 2016 the Hamilton Township Council approved the Owner's application for the sale of a development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on September 8, 2016 the Board of Chosen Freeholders of the County of Mercer passed a resolution granting approval for the acquisition of the Smith (Gaskill) Farm and execution of any other documents which are found to be necessary including those associated with cost-share funding by the State Agriculture Development Committee; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on October 3, 2016 the Mercer CADB passed a resolution requesting SADC final approval for a development easement cost share grant application for the Property; and

WHEREAS, on October 3, 2016 the County submitted an application request 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, the County has requested to encumber an additional 3% buffer above the estimated net acreage to be preserved for possible final surveyed acreage, therefore, 16.48 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 16.48 net easement acres); and

SADC (60%)	\$ 100,857.60 (\$ 6,120/acre)
Mercer County (40%)	\$ 67,238.40 (\$ 4,080/acre)
Total Cost	\$ 168,096.00 (\$10,200/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Mercer County Agriculture Development Board is requesting \$100,857.60 from 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Mercer County for the purchase of a development easement on the Property, comprising approximately 16.48 net easement acres, at a State cost share of \$6,120 per acre, (60% of calculated development easement value of \$10,200 per acre), for a total grant need of \$100,857.60 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1) approximately 2-acre non-severable exception area limited to one (1) future single family residential unit with a house size limit of 4,000 square feet of livable space and cumulative 1,500 square feet for attached or detached garages and other enclosed structures servicing the residence as required by the County; and

BE IT FURTHER RESOLVED, final approval is conditioned upon common ownership of both Lots 5 and 6 prior to closing and a provision in the deed of easement that the Property cannot be further subdivided, and

BE IT FURTHER RESOLVED, the portion of the Property to be preserved outside of the exception area includes zero (0) residential opportunities; zero (0) residual dwelling site opportunities; zero (0) agricultural labor units, and no pre-existing non-agricultural uses on the portion of the Property to be preserved outside of the exception area; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage and available the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that 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 Property to be preserved outside of any exception area adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-B; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

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

11/3/16

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

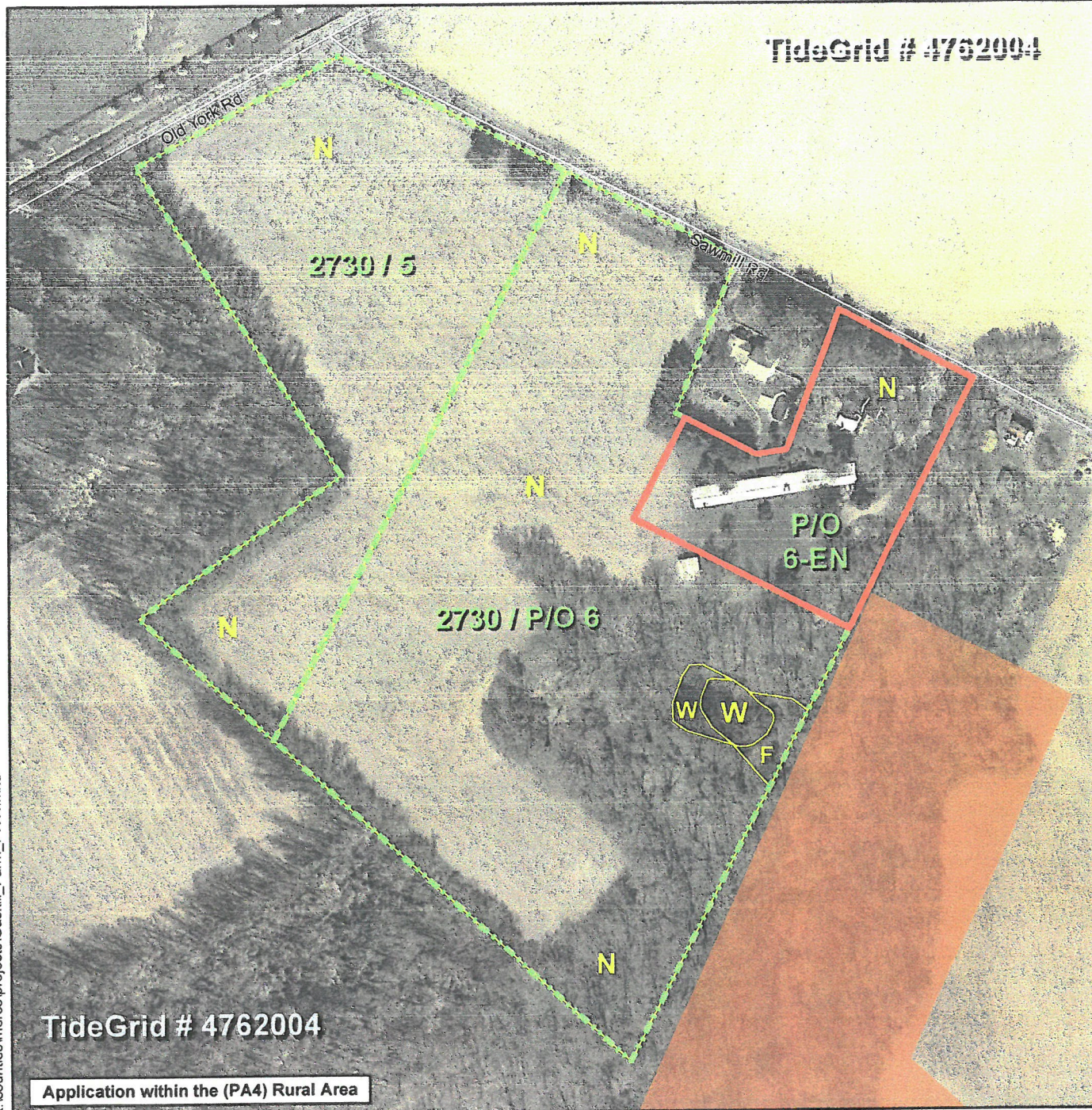
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis Germano, Esq.	YES
Peter Johnson	YES
James Waltman	ABSENT

Wetlands

Schedule A

TideGrid # 4762004



TideGrid # 4762004

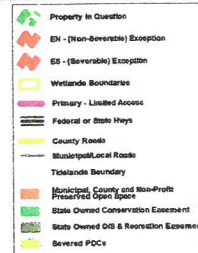
Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Gaskill Farm
Block 2730 Lot 5 (5.21 ac), P/O Lot 6 (10.07 ac)
& P/O 6-EN (non-severable exception 2.05 ac)
Gross Total – 17.33 ac
Hamilton Twp., Mercer County

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.



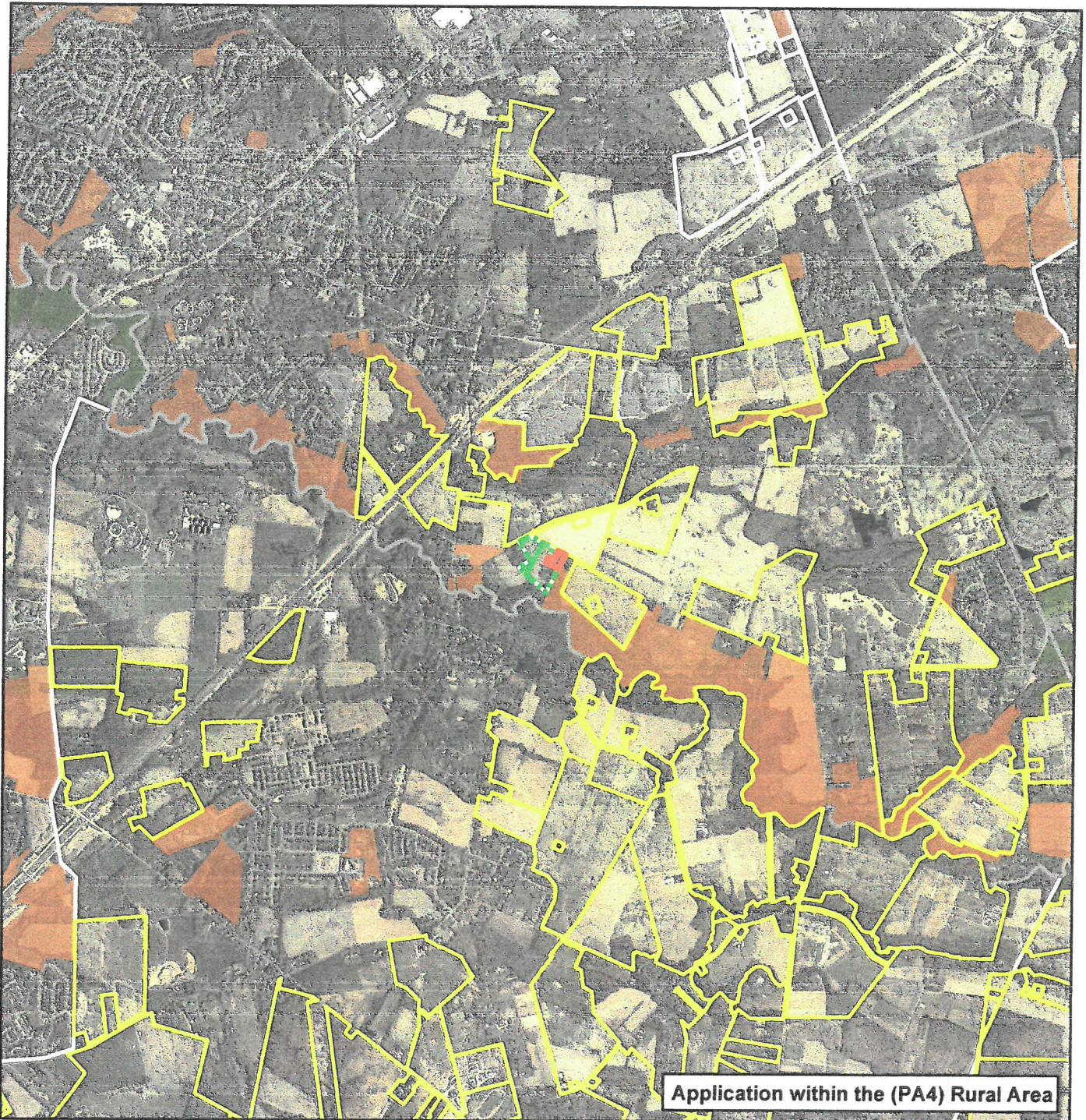
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJDOT Road Data
NJOT/OGIS 2012 Digital Aerial Image

Date: 4/29/2015

Preserved Farms and Active Applications Within Two Miles

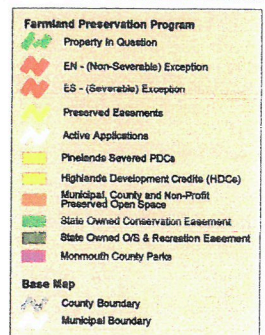
X:\counties\merco\projects\Gaskill_Farm_2Mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Gaskill Farm
Block 2730 Lot 5 (5.21 ac), P/O Lot 6 (10.07 ac)
& P/O 6-EN (non-severable exception 2.05 ac)
Gross Total – 17.33 ac
Hamilton Twp., Mercer 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
NJ Pinelands Commission PDC Data
NJGIT/OGIS 2012 Digital Aerial Image
Date: 4/29/2015

SADC County Planning Financial Status
Schedule B

Mercer County

SADC ID#	Farm	Municipality	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant Total	SADC Federal Grant	Base Grant		
							Cost Basis	Cost Share			Encumbered	PV	Expended
11-0171-PG	Moore, Allan	Hamilton	48.023	48.023	11,400.00	6,840.00	547,462.20	328,477.32			345,214.80	328,477.32	328,477.32
11-0174-PG	Skeba, Stanley	E. Windsor	18.570	18.570	8,200.00	5,000.00	152,274.00	92,850.00			92,850.00	92,850.00	92,850.00
11-0173-PG	Hamill, Samuel M. Jr.	Lawrence	33.534	33.534	9,000.00	5,400.00	301,806.00	181,083.60			181,083.60	181,083.60	181,083.60
11-0175-PG	Mercer Co. IPR	Hamilton	147.616	147.616	12,444.55	7,466.73	1,837,014.69	1,102,208.82			1,138,228.32	1,102,208.82	1,102,208.82
11-0177-PG	Gaskill, Rockhold, Laughlin, and Smith	Hamilton	16.000	16.480	10,200.00	6,120.00	168,096.00	100,857.60			100,857.60		795,379.66
11-0178-PG	Mercer Co. McNulty Estate	Hopewell	28.000	28.840	15,000.00	9,600.00	461,440.00	276,864.00			276,864.00		694,522.06
													417,558.06
Totals Closed	4		247.743	247.743			2,838,556.89	1,704,619.74					
Totals Encumbered	2		44.000	45.320			829,536.00	377,721.60					
										Encumber/Expended Fy09			
										Encumber/Expended Fy11			1,500,000.00
										Encumber/Expended Fy13	377,721.60		204,620.34
										Total			417,558.06

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Gaskill Farm
11- 0177-PG
County PIG Program
15 Acres

Block 2703	Lot 5	Hamilton Twp.	Mercer County
Block 2703	Lot 6	Hamilton Twp.	Mercer County

SOILS:	Other	14% *	0	=	.00
	Statewide	54% *	.1	=	5.40
	Unique .125	19% *	.125	=	2.38
	Unique zero	13% *	0	=	.00

SOIL SCORE: 7.78

TILLABLE SOILS:	Cropland Harvested	69% *	.15	=	10.35
	Wetlands	2% *	0	=	.00
	Woodlands	29% *	0	=	.00

TILLABLE SOILS SCORE: 10.35

FARM USE:	Soybeans-Cash Grain	11 acres
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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 two (2) acres for Residence & uses permitted by zoning
 - Exception is not to be severed from Premises
 - Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - SFR may not exceed 4,000 square feet of heated living space.
 - c. Additional Restrictions:
 1. The landowners have agreed to no future division of their farm after preservation.
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R11(7)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

MERCER COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Mercer County ("Owner")
Mercer County/McNulty Estate
Hopewell Township, Mercer County

N.J.A.C. 2:76-17 et seq.
SADC ID# 11-0178-PG

November 3, 2016

WHEREAS, on December 15, 2007 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Mercer County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Mercer County received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on August 17, 2015 the SADC received an application for the sale of a development easement from Mercer County for the subject farm identified as a Block 50, Lot 12, Hopewell Township, Mercer County, totaling approximately 30 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the Property is located in Mercer County's Hopewell West Project Area; and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area limited to one (1) future single family residential unit with a house size limit of 4,000 square feet of livable space and cumulative 1,500 square feet for attached or detached garages and other enclosed structures servicing the residence as required by the County, resulting in approximately 28 net acres to be preserved; and

WHEREAS, the portion of the Property to be preserved outside of the exception area includes zero (0) residential opportunities, zero; (0) residual dwelling site opportunities; zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

WHEREAS, at the time of application the Property was in wheat production; 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 has a quality score of 69.29 which exceeds 50, which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on March 23, 2016 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 23, 2016 the SADC certified a development easement value of \$16,000 per acre (\$24,000 before value - \$8,000 after value = \$16,000 easement) based on zoning and environmental regulations in place as of 1/1/16; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the County accepted the certified value of \$16,000 per acre for the development easement for the property; and

WHEREAS, on November 30, 2015 the County of Mercer acquired the Mercer County/McNulty Estate property, which in addition to Block 50, Lot 12 included Block 50, Lot 40 and Block 5, Lots 24 and 39 for a total of 39.821 acres, in fee simple title, for \$1,128,400 (\$28,337 per acre); and

WHEREAS, N.J.A.C. 2:76-6.23(b) provides that when a government entity has acquired fee simple title to a property, and has not yet resold the property with deed restrictions at the time the Committee provides its cost share grant, the Committee shall base the amount of its grant on either the development easement value determined pursuant to N.J.A.C. 2:76-10 and certified by the Committee (\$16,000) or the purchase price of the property paid by the County minus the SADC certified "after value" of the restricted property, (\$28,337 - \$8,000 = \$20,337), whichever is less; and

WHEREAS, in accordance with N.J.A.C. 2:76-6.23(b)(1) the grant agreement between the County and the Committee shall provide if the County sells the restricted Premises for more than the SADC certified after value of \$8,000 per acre the County shall reimburse the Committee any funds previously paid by the Committee for the development easement on a pro rata basis up to the amount of the SADC cost share grant; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on August 13, 2015 the Board of Chosen Freeholders of the County of Mercer passed a resolution granting approval for the acquisition of the McNulty Estate Farm and execution of any other documents which are found to be necessary including those associated with cost-share funding by the State Agriculture Development Committee; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on August 15, 2016 the Mercer CADB passed a resolution requesting SADC final approval for a development easement cost share grant application for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on July 11, 2016 the Hopewell Township Committee approved the Owner's application for the sale of a development easement, but is not participating financially in the easement purchase; and

WHEREAS, on August 16, 2016 the County submitted this application 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, the County has requested to encumber an additional 3% buffer above the estimated net acreage to be preserved for possible final surveyed acreage, therefore, 28.84 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 28.84 net easement acres); and

SADC (60%)	\$ 276,864	(\$ 9,600/acre)
Mercer County (40%)	\$ 184,576	(\$ 6,400/acre)
Total reimbursement	\$ 461,440	(\$16,000/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Mercer County Agriculture Development Board is requesting \$276,864 from 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 funding and consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Mercer County for the purchase of a development easement on the Property, comprising approximately 28.84 net easement acres, at a State cost share of \$9,600 per acre, (60% of calculated development easement value of \$16,000 per acre), for a total grant need of \$276,864 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1) approximately 2-acre non-severable exception area limited to one (1) future single family residential unit with a house size limit of 4,000 square feet of livable space and cumulative 1,500 square feet for attached or detached garages and other enclosed structures servicing the residence as required by the County; and

BE IT FURTHER RESOLVED, the portion of the Property to be preserved outside of the exception area includes zero (0) residential opportunities; zero (0) residual dwelling site opportunities; zero (0) agricultural labor units, and no pre-existing non-agricultural uses on the portion of the Property to be preserved outside of the exception area; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage and available the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, in accordance with N.J.A.C. 2:76-6.23(b)(1) the grant agreement between the County and the Committee shall provide if the County sells the restricted Premises for more than \$8,000 per acre, the County shall reimburse the Committee any funds previously paid by the Committee for the development easement on a pro rata basis up to the amount of the SADC cost share grant; and

BE IT FURTHER RESOLVED, that 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 Property to be preserved outside of any exception area adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-B; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

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

11/3/16

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis Germano, Esq.	YES
Peter Johnson	YES
James Waltman	ABSENT

Wands

Schedule A



Application within the (PA4) Rural Area



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

Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 NJDEP Wetlands Data
 NJDOT Road Data
 NJOITOGIS 2012 Digital Aerial Image

January 26, 2016

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Estate of James McNulty
Block 50 P/O Lot 12 (27.8 ac)
Gross Total = 29.9 ac Hopewell Twp., Mercer County



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

SADC County Financial Status Schedule B

Mercer County

SADC ID#	Farm	Municipality	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant Total	Base Grant		
							Cost Basis	Cost Share		Encumbered	PV	Expended
11-0171-PG	Moore, Allan	Hamilton	48.023	48.023	11,400.00	6,840.00	547,462.20	328,477.32		345,214.80	328,477.32	328,477.32
11-0174-PG	Sheba, Stanley	E. Windsor	18.570	18.570	8,200.00	5,000.00	152,274.00	92,850.00		92,850.00	92,850.60	92,850.60
11-0173-PG	Hamill, Samuel M. Jr.	Lawrence	33.534	33.534	9,000.00	5,400.00	301,806.00	181,083.60		181,083.60	181,083.60	181,083.60
11-0175-PG	Mercer Co. IPR	Hamilton	147.616	147.616	12,444.55	7,466.73	1,837,014.69	1,102,208.82		1,138,228.32	1,102,208.82	1,102,208.82
11-0177-PG	Gaskill, Rockhold, Laughlin, and Smith	Hamilton	16.000	16.480	10,200.00	6,120.00	168,096.00	100,857.60		100,857.60		
11-0178-PG	Mercer Co. McNulty Estate	Hopewell	28.000	28.840	16,000.00	9,600.00	481,440.00	276,864.00		276,864.00		
Totals Closed	4		247.743	247.743			2,838,556.89	1,704,619.74				
Totals Encumbered	2		44.000	45.320			629,536.00	377,721.60				
										Encumber/Expended Fy09	Encumber/Expended Fy11	Encumber/Expended Fy13
										377,721.60	-	204,620.34
										Total		417,658.06
												417,658.06

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Mer\McNulty
11- 0178-PG
County PIG Program
28 Acres

Block 50	Lot 12	Hopewell Twp.	Mercer County
SOILS:		Local	20% * .05 = 1.00
		Prime	1% * .15 = .15
		Statewide	79% * .1 = 7.90
			SOIL SCORE: 9.05
TILLABLE SOILS:		Cropland Harvested	42% * .15 = 6.30
		Permanent Pasture	40% * .02 = .80
		Woodlands	18% * 0 = .00
			TILLABLE SOILS SCORE: 7.10
FARM USE:	Wheat-Cash Grain		15 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 (2.1) acres for future single family residential unit
Exception is not to be severed from Premises
Exception is to be limited to one future single family residential unit(s)
Size restriction not to exceed 4,000 sq. ft. of livable space and cumulative of 1,500 square ft for attached or detached garages and other enclosed structure serving the residence.
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - 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. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2017R11(8)

Final Approval and Authorization to Execute Closing Documents
Authorization to Contract for Professional Services
SADC Easement Purchase

On the Property of
Socrates and Ruth M. Visvardis ("Owners")

November 3, 2016

Subject Property: Socrates and Ruth M. Visvardis ("Owners")
Block 32, Lots 22, 23 Elsinboro Township
Block 2, Lots 2, 3 Lower Alloways Creek, Township
Block 2, Lots 1, 2 Quinton Township, Salem County
SADC ID#: 17-0247-DE
Approximately 121.3 Gross Easement Acres

WHEREAS, on September 17, 2012, the State Agriculture Development Committee ("SADC") received a development easement sale application from Socrates and Ruth M. Visvardis, hereinafter "Owners," identified as, Block 32, Lots 22, 23 Elsinboro Township, Block 2, Lots 2, 3 Lower Alloways Creek, Township, Block 2, Lots 1, 2 Quinton Township, Salem County hereinafter "the Property," totaling approximately 121.3 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 Property included one (1), approximately 2-acre non-severable exception area limited to one (1) future single family residential unit resulting in approximately 119.3 net acres to be preserved; and

WHEREAS, the Property includes a 32.1 +/- acre area identified as being qualified for perseveration through the Natural Resource Conservation Service (NRCS) Woodland Reserve Easement (WRE) program (former Wetland Reserve Program (WRP)); and

WHEREAS, the majority of the 32.1 +/- acre area was identified by NRCS as forest production lands where the hydrology has been significantly degraded and could be restored; and

WHEREAS, the WRE area of the Property will be preserved permanently and restored through a permanent easement to be fully funded and held by NRCS (Schedule A); and

WHEREAS, the portion of the Property to be preserved outside of the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; 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 27, 2012, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Salem County (minimum acreage of 95 and minimum quality score of 59) because it is approximately 119.3 net easement acres and has a quality score of 61.41; and

WHEREAS, at the time of application, the Property was devoted to soybean and corn production; and

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

WHEREAS, on June 23, 2016, the SADC certified the development easement value at \$2,100 per acre based on current zoning and environmental conditions as of May 12, 2016; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$2,100 per acre; and

WHEREAS, on September 1, 2016 the NRCS made an offer to purchase and easement on the 32.1 +/- acre WRE area \$1,410 per acre and restore the area at no cost to the landowner; and

WHEREAS, the Owners accepted the NRCS offer to purchase the easement for \$1,410 per acre; and

WHEREAS, the estimated cost share breakdown is as follows (based on 119.3 acres):

SADC	\$183,120.00	(\$2,100/acre on 87.2 acres)
NRCS	\$ 45,261.00	(\$1,410/acre on 32.1 acres)
Total	\$228,381.00	(\$1,914.34/acre (blended) on 119.3 acres)

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, the SADC grants final approval for its acquisition of the development easement at a value of \$2,100 per acre for a total of approximately \$183,120 subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, the Property includes one (1), approximate 2-acre non-severable exception area limited to one (1) single family residential unit, 32.1 +/- acre area to be preserved through the NRCS WRE program, resulting in approximately 87.2 net acres to be preserved with a farmland preservation easement; and

BE IT FURTHER RESOLVED, that the SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property 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, streams or water bodies on the boundaries as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, 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; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11/3/16

Date

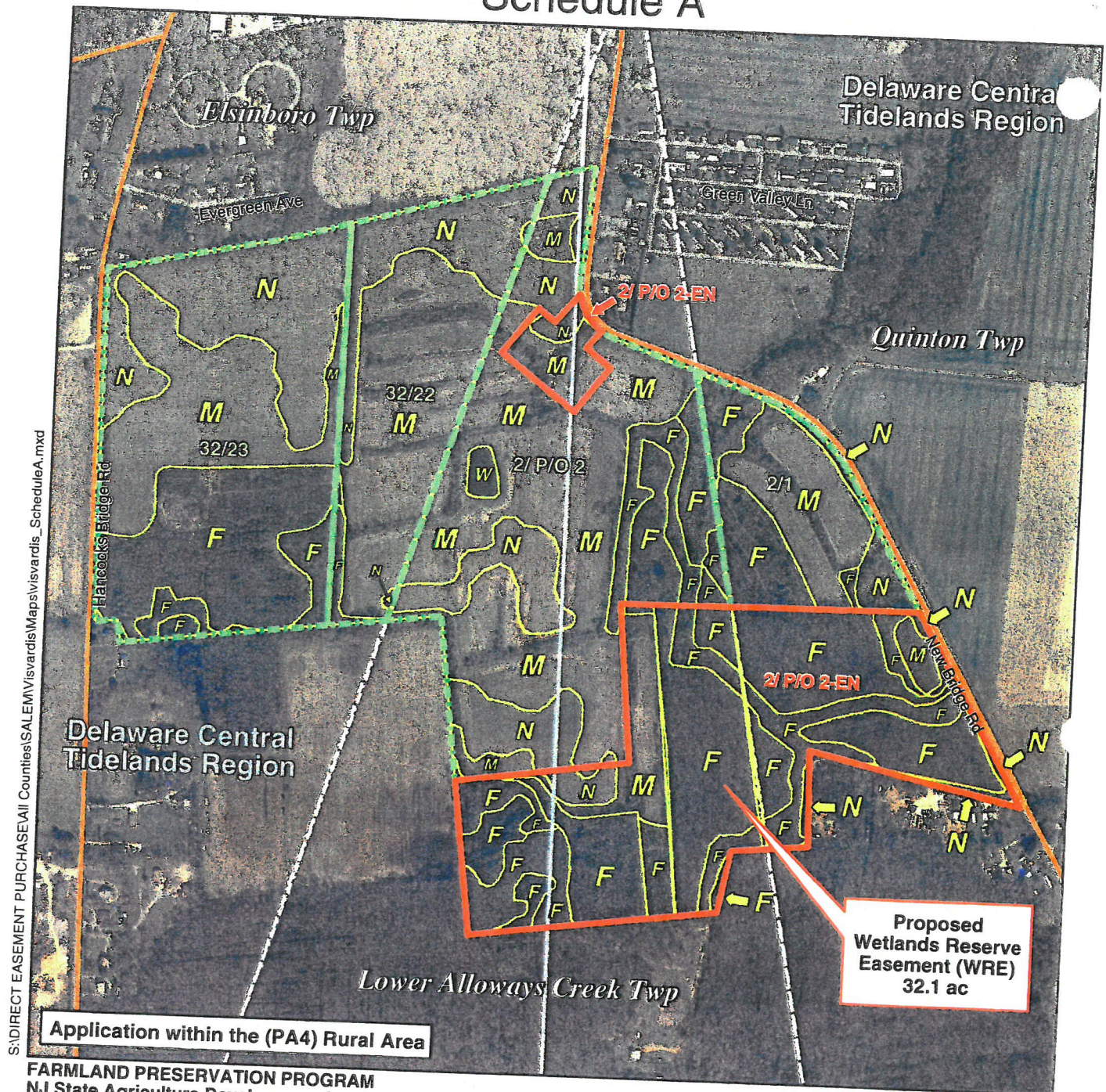


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	YES
	ABSENT

Schedule A



S:\DIRECT EASEMENT PURCHASE\All Counties\SALEM\Visvardis\Maps\visvardis_ScheduleA.mxd

Application within the (PA4) Rural Area

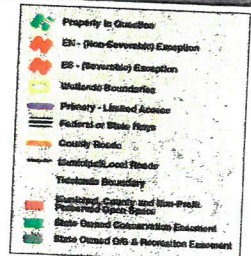
FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Socrates and Ruth Visvardis
Elsinboro Twp. - Block 32 Lots 22 (16.1 ac) & 23 (28.4 ac)
Lower Alloways Creek Twp. - Block 2 Lots P/O 2 (33.0 ac);
P/O 2-EN (non-severable exceptions - (WRE) 32.1; & 2.0 ac)
Quinton Twp. - Block 2 Lot 1 (9.8 ac)
Salem County
Gross Total = 121.3 ac



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.



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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJOT/OGIS 2012 Digital Aerial Image

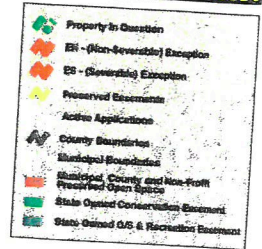
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Application within the (PA4) Rural Area

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

Socrates and Ruth Visvardis
Elsinboro Twp. - Block 32 Lots 22 (16.1 ac) & 23 (28.4 ac)
Lower Alloways Creek Twp. - Block 2 Lots P/O 2 (33.0 ac);
P/O 2-EN (non-severable exceptions - (WRE) 32.1; & 2.0 ac)
Quinton Twp. - Block 2 Lot 1 (9.8 ac)
Salem County
Gross Total = 121.3 ac

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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data

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

SADC Final Review: Development Easement Purchase

Visvardis, Socrates & Ruth
Easement Purchase - SADC
119 Acres

Block 2	Lot 1	Quinton Twp.	Salem County
Block 32	Lot 23	Elsinboro Twp.	Salem County
Block 2	Lot 2	Lower Alloways Creek	Salem County
Block 32	Lot 22	Elsinboro Twp.	Salem County
Block 2	Lot 2	Quinton Twp.	Salem County
Block 2	Lot 3	Lower Alloways Creek	Salem County

SOILS:

Other	41% *	0	=	.00
Prime	16% *	.15	=	2.40
Statewide	43% *	.1	=	4.30

TILLABLE SOILS:

Cropland Harvested	47% *	.15	=	7.05
Other	13% *	0	=	.00
Wetlands	40% *	0	=	.00

SOIL SCORE: 6.70

FARM USE:

Corn-Cash Grain

TILLABLE SOILS SCORE: 7.05

56 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 two (2) acres for rebuild existing single family home
 - Exception is not to be severable from Premises
 - Exception is to be limited to 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 Structures On Premise
 - 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 FY2017R11(9)

Request for Division of Premises

Tulach Mhoir LLC

September 22, 2016

Subject Property: Tulach Mhoir Farm
Block 51, Lot 9
Delaware Township, Hunterdon County
207.84-Acres

WHEREAS, Tulach Mhoir LLC, hereinafter "Owner" is the record owner of Block 51, Lot 9, in Delaware Township, Hunterdon County, hereinafter referred to as the "Premises", by deed dated August 28, 2000, and recorded in the Hunterdon County Clerk's Office in Deed Book 1247, Page 336; and

WHEREAS, Jean Marie Mitchell is the operator of the farm and managing member of Tulach Mhoir LLC; and

WHEREAS, a development easement on the Premises was conveyed to the County of Hunterdon, by the former Owners, Christer and Barbro Rading, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated February 15, 1994, and recorded in the Hunterdon County Clerk's Office in Deed Book 1104, Page 126; and

WHEREAS, the Deed of Easement for the Premises references two existing single family residences, one two-story residence used for agricultural labor housing, one barn apartment used for agricultural labor housing, three ranch style homes which may be used as standard residences or agricultural labor residences, no residual dwelling site opportunities (RDSO's), and no exception areas; and

WHEREAS, on August 18, 2016, the SADC received an application from the Owner to divide the Premises into two parcels as shown in Schedule "A"; and

WHEREAS, the purpose of the division is to split the farm into two parcels in order to transfer Parcel-A to the current farming tenants, Christian and Marci Bench, hereinafter, "Purchasers"; and

WHEREAS, the Purchasers intend to continue and expand their pasture raised livestock operation including the conversion of an existing barn into an on-farm market; and

WHEREAS, the Owner will continue to own and reside on Parcel-B, where she intends to continue the current hay and pasture operation as well as diversifying that operation with vegetables; and

WHEREAS, the existing equine boarding/training operation that leases a portion of Parcel-B will continue on that parcel; and

WHEREAS, paragraph 15 of the Deed of Easement states that no division of the Premises shall be permitted without the joint approval in writing of the Grantee and the SADC; and

WHEREAS, in order to grant approval, the SADC must find that the division is for an agricultural purpose and will result in agriculturally viable parcels such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output; and

WHEREAS, the resulting Parcel-A would result in an approximately 101.47-acre property that is approximately 89% (89.7 acres) tillable, with 51% (51.7 acres) Prime soils, 49% (49.7 acres) of soils of Statewide Importance; and

WHEREAS, Parcel-A is improved with a single family residence, an agricultural labor apartment within a barn, and three single story residences, and numerous barns and outbuildings; and

WHEREAS, Schedule "B" of the Deed of Easement states that the three single story residences may be used as agricultural or non-agricultural housing at their existing sizes but may not be expanded; and

WHEREAS, the three single story residences are currently rented to individuals not associated with the agricultural operation; and

WHEREAS, the resulting Parcel-B would result in a 106.37-acre property that is approximately 72% (76.5 acres) tillable with 3% (2.9 acres) prime soils and 97% (102.1 acres) soils of Statewide Importance; and

WHEREAS, Parcel-B is improved with a single family residence, an agricultural labor unit, two equine stables, indoor and outdoor training arenas and numerous barns and outbuildings;

WHEREAS, the Owner proposes an access agreement allowing each farm access through the other in case of emergency or if either of the entrances to the farms should become inaccessible for any reason; and

WHEREAS, the primary outputs of the Premises have historically been hay, pasture and livestock; and

WHEREAS, the SADC makes the following findings related to its determination of whether the division will result in agriculturally viable parcels, such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output:

- 1) Each parcel contains a significant acreage of high quality, tillable soils, as follows:

-Parcel-A, at approximately 101 acres, has 89.7 tillable acres with approximately 101 acres (100%) of soils classified as prime or of statewide importance; and

-Parcel-B, at approximately 106 acres, has 78 tillable acres with approximately 106 acres (100%) of soils classified as prime or of statewide importance; and

WHEREAS, the SADC makes the following findings related to its determination of whether this application meets the agricultural purpose test:

- 1) The division is being undertaken for purpose of transferring acreage to the Purchasers who would like to acquire a portion of the Premises in order to expand and diversify their existing pasture raised livestock and hay operation currently on the Premises; and

WHEREAS, the Purchasers, in their capacity as tenant farmers on the Premises, currently reside on Parcel A in the second floor barn apartment classified as an agricultural labor unit at the time of preservation; and

WHEREAS, the Deed of Easement permits the Owner(s) of the Premises to reside in an agricultural labor unit that existed on the farm at the time it was preserved; and

WHEREAS, on October 13, 2016, the Hunterdon CADB approved the Owner's request for a division of the Premises.

NOW THEREFORE BE IT RESOLVED, that the SADC finds that the division is for an agricultural purpose and results in agriculturally viable parcels such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's

agricultural output due to the size of the two proposed parcels and the quality of the soils present on both parcels; and

BE IT FURTHER RESOLVED, that the SADC hereby approves the division of premises request subject to the following conditions:

-The Owner shall provide a survey and metes and bounds description of the new parcels A and B to the SADC and CADB;

-The Owner shall provide a copy of the proposed access agreement creating access by either farm through the other in certain circumstances to the CADB and Committee for review and approval prior to the transfer; and

-The Owner shall provide copies of the draft transfer deed(s) to the CADB and Committee for review and approval prior to the transfer;

BE IT FURTHER RESOLVED, that upon receipt of the updated survey and metes and bounds description and review and approval of the transfer documents the SADC shall record a copy of its approval with the Hunterdon County Clerk's office; and

BE IT FURTHER RESOLVED, this approval is not effective until the SADC records its approval resolution with the Hunterdon County Clerk; and

BE IT FURTHER RESOLVED, that this approval is subject to the conditions set forth in this resolution and is not transferrable to another purchaser; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior court of New Jersey; and

BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution, during which the Owner may initiate the requested action; for the purpose of this provision "initiate" means applying for all applicable local, state or federal approvals necessary to effectuate the approved SADC action; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11/3/16

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

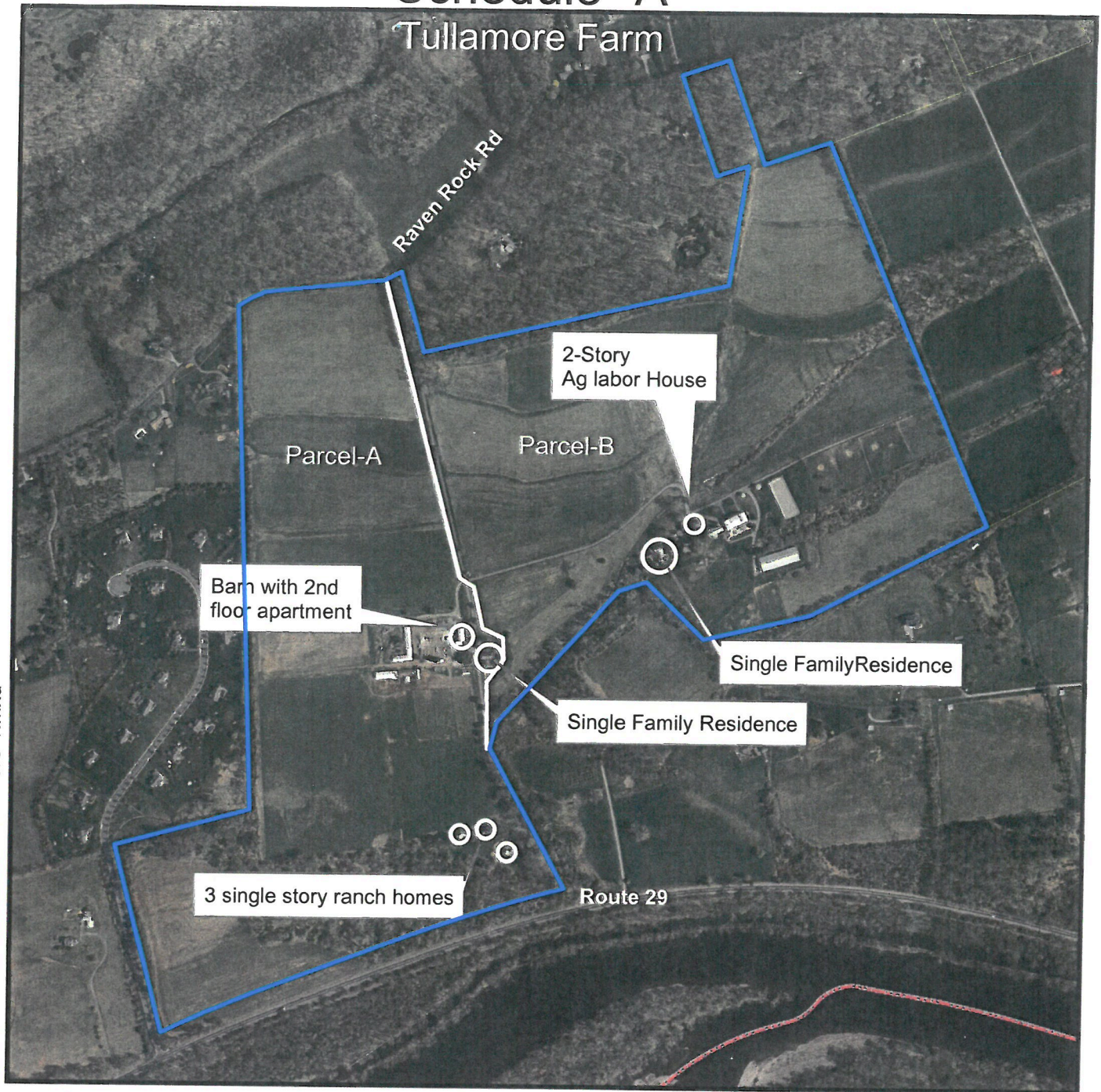
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis Germano, Esq.	YES
Peter Johnson	YES
James Waltman	ABSENT

Schedule "A"

Tullamore Farm

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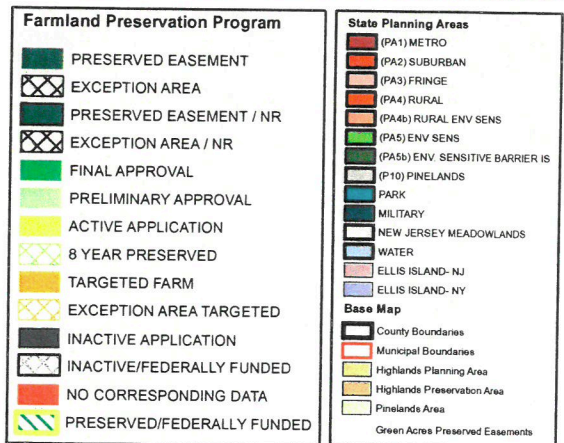
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Tullamore Farm
Block 51, Lot 9
Delaware Township, Hunterdon County
208- acres



0 415 830 1,660 2,490 Feet

9/27/2016



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R11(10)

**Request for Division of Premises
Richard Allen Farm**

November 3, 2016

Subject Properties:

**Richard Allen Farm
Block 902, Lot 2; Block 903, Lot 5
Southampton Township, Burlington County
Block 51, Lot 9
Lumberton Township, Burlington County
220.44 - acres**

**Elms Near, LLC Farm
Block 903, Lot 5.02
Southampton Township, Burlington County
28.49 - acres**

WHEREAS, Richard P. Allen, hereinafter "Owner" is the record owner of Block 902, Lot 2 and Block 903, Lot 5 in Southampton Township, Burlington County and Block 51, Lot 9, in Lumberton Township, Burlington County, hereinafter referred to as the "Premises", by deed dated March 9, 2012, and recorded in the Burlington County Clerk's Office in Deed Book 13002, Page 2478; and

WHEREAS, a development easement on the Premises was conveyed to the County of Burlington, by the former owners, John & Jean Allen, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated April 27, 1992, and recorded in the Burlington County Clerk's Office in Deed Book 4352, Page 204; and

WHEREAS, the Premises totals approximately 220.44 acres, as shown in Schedule "A"; and

WHEREAS, the Deed of Easement references no existing residences, no agricultural labor residences, two (2) residual dwelling site opportunities (RDSOs) and no exception areas; and

WHEREAS, there is an error with the original preservation survey of the Premises involving two or more acres, requiring amendment; and

WHEREAS, the Owner proposes to divide the Premises as shown in Schedule "A"; and

WHEREAS, the Owner intends to transfer ownership of Parcel-B to 331 Newbolds Corner Road LLC (hereinafter "Purchaser"), which operates an alpaca farm on an adjacent, 53-acre farm preserved through a Transfer of Development Rights (TDR) program; and

WHEREAS, the Purchaser operates a full service alpaca farm utilizing a herd of approximately 100 alpaca to provide fleece, yarn, clothing, breeding services, and the sale of live animals; and

WHEREAS, the Purchaser would like to acquire Parcel-B to increase its land holdings adjacent to its existing operation in order to expand that operation and to diversify into other types of livestock; and

WHEREAS, the Owner is also the owner and operator of Elms Near LLC, which owns the adjacent parcel, Block 903, Lot 5.02, in Southampton Township, Burlington County, hereinafter referred to as the "Elms Near parcel", by deed dated April 11, 2006, and recorded in the Burlington County Clerk's office in Deed Book 6384, Page 592; and

WHEREAS, as part of this request for a division the Premises the Owner would also like to adjust the lot line of the Premises, thereby creating Parcel-C, which will add approximately 12-acres to his 28-acre Elms Near parcel and resolve a partial barn encroachment that has existed prior to preservation; and

WHEREAS, paragraph 13 of the Deed of Easement states that no division of the Premises shall be permitted without the approval in writing of the Grantee (Burlington CADB) and the SADC; and

WHEREAS, in order to grant approval, the SADC must find that the division is for an agricultural purpose and will result in agriculturally viable parcels such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output; and

WHEREAS, proposed Parcel-A, which will be retained by the Owner, would result in an approximately 102+/- acre property that is approximately 55% (56 acres) tillable with 72% (73 acres) prime and important soils; and

WHEREAS, the proposed Parcel-A would be allocated one (1) residual dwelling site opportunity (RDSO); and

WHEREAS, the resulting Parcel-B would result in an approximately 105 +/- acre property that is approximately 99% (104 acres) tillable with 97% (102 acres) prime soils; and

WHEREAS, the proposed Parcel-B would be allocated one (1) residual dwelling site opportunity (RDSO); and

WHEREAS, the resulting Parcel-C is in an approximately 12 +/- acre property that is 100% tillable with 100% (12 acres) prime soils; and

WHEREAS, the resulting Parcel-D, a combination of Parcel-C and the adjacent Elms Near parcel, would result in an approximately 40-acre parcel that is 90% (36 acres) tillable with 100% (40 acres) prime and important soils; and

WHEREAS, Parcel-D is improved with a single family residence and several barns and outbuildings; and

WHEREAS, the SADC makes the following findings related to its determination of whether the division will result in agriculturally viable parcels, such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output:

- 1) Parcels A and B contain a significant acreage of high quality, tillable soils, as follows:

-Parcel-A, at 102 acres, has 56 tillable acres with approximately 56 acres of prime soils and 17 acres of statewide important soils;

-Parcel-B, at 105 acres, has 104 tillable acres with approximately 102 acres of prime soils;

- 2) Parcel-C, by itself, at approximately 12 acres, does not contain a significant amount of acres of land. However when combined with the 28 acre Elms Near parcel, the combined property, Parcel-D, does contain significant acreage of high quality, tillable soils, as follows:

Parcel-D, at 40 acres, has 36 tillable acres, with approximately 33.8 acres of Prime soils and 6.2 acre of Statewide Important soils; and

WHEREAS, the SADC makes the following findings related to its determination of whether this application meets the agricultural purpose test:

- 1) The division is being undertaken for the purpose of transferring Parcel-B to 331 Newbolds Corner Road LLC, the adjacent TDR-preserved farm, for the purpose of expansion and diversification of its existing livestock operation;
- 2) The lot line adjustment on Parcel-B with the Elms Near parcel is being undertaken to create a better configuration of this parcel and to increase the acreage and viability of a relatively small farm and to resolve a barn encroachment; and

WHEREAS, on July 14, 2016, the Burlington CADB approved the request for the division of Premises;

NOW THEREFORE BE IT RESOLVED, that the SADC finds that the division is for an agricultural purpose and results in agriculturally viable parcels such that Parcels A and B are capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output due to the size of the two proposed parcels and the quality of the soils present on both parcels; and

BE IT FURTHER RESOLVED, that the SADC approves the allocation of one existing RDSO to Parcel-A and the second RDSO to Parcel-B; and

BE IT FURTHER RESOLVED, that Parcel-C, at 12 acres, when combined with the adjacent preserved 28 acre farm, does result in an agriculturally viable parcel capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output due to the size of the parcel and the quality of soils present on the parcel; and

BE IT FURTHER RESOLVED, that the SADC hereby approves the division of premises request subject to the following conditions:

1. A copy of the revised survey correcting the original survey error from the time of preservation along with any corrective deeds required as a result of the revised survey shall be provided to the SADC for review and approval, prior to the transfer of the parcels; and
2. The Owner shall provide a survey and metes and bounds description of the new parcels B and C to the SADC and CADB;

3. The Owner shall include language in the transfer deed(s) showing the allocation of one RDSO to Parcel-A and the allocation of the second RDSO to Parcel-B;
4. The Owner shall include language in the transfer deeds prohibiting the transfer of Parcel-C separate and apart from the Elms Near parcel known as Block 903, Lot 5.02 in Southampton Township as well as a condition that replacement of the existing single family residence associated with the Elms Near parcel is limited to the original 28 acre area of Block 903, Lot 5.02;

BE IT FURTHER RESOLVED, that this approval is subject to approval by the Burlington County Board of Chosen Freeholders; and

BE IT FURTHER RESOLVED, that upon receipt of the updated surveys, metes and bounds descriptions and review and approval of the transfer deeds the SADC shall record a copy of its approval with the Burlington County Clerk's office; and

BE IT FURTHER RESOLVED, that this approval is subject to the conditions set forth in this resolution and is not transferrable to another purchaser; and

BE IT FURTHER RESOLVED, that the SADC's approval of the division of the premises is subject to, and shall be effective upon, the recording of the SADC's approval resolution; and

BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution, during which the Owner may initiate the requested action; for the purpose of this provision "initiate" means applying for all applicable local, state or federal approvals necessary to effectuate the approved SADC action; and

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11/3/16
Date



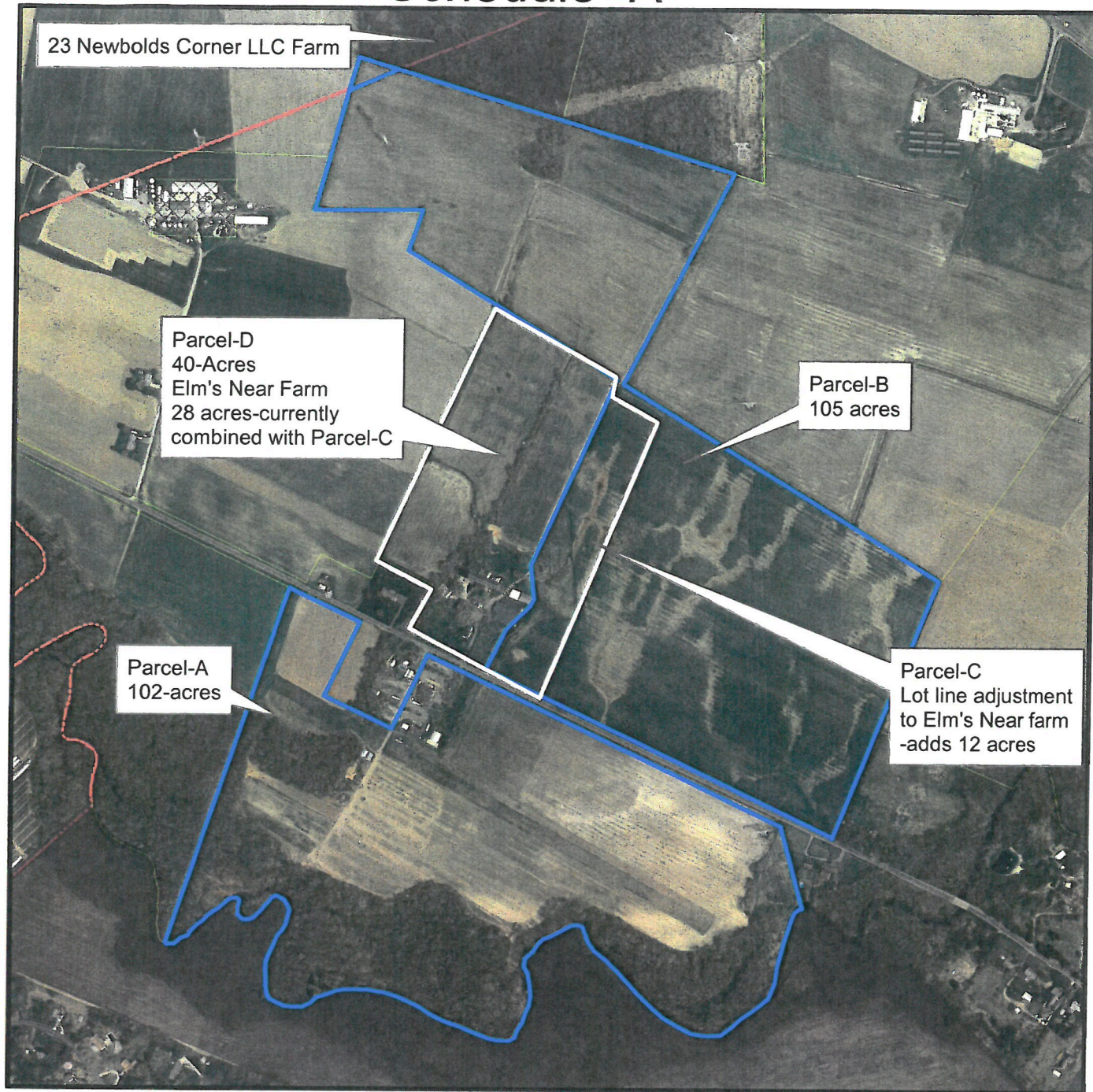
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Tom Stanuikynas (rep. DCA Commissioner Richman)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis Germano, Esq.	YES
Peter Johnson	RECUSAL
James Waltman	ABSENT

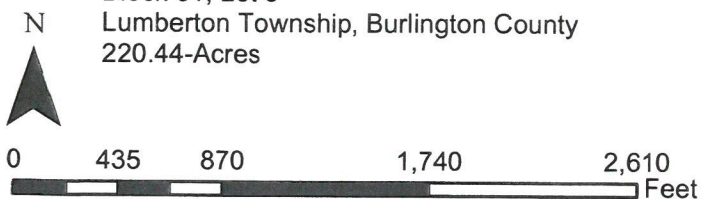
Schedule "A"

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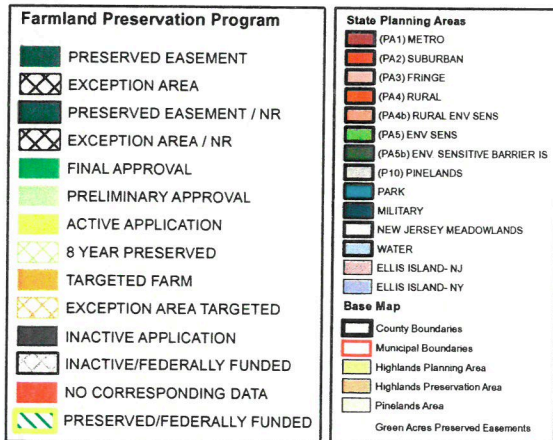


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Rick Allen Farm
Block 902, Lot 2 & Block 903, Lot 5
Southampton Township
Block 51, Lot 9
Lumberton Township, Burlington County
220.44-Acres



10/17/2016



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R11(11)

On Motion for Interlocutory Review

**Edward and Linda Feinberg v. Hunterdon County Agriculture Development Board;
and Ann del Campo and Laura del Campo, t/a Stonybrook Meadows, LLC
OAL Dkt. No. ADC 57-14**

-and -

In re Stonybrook Meadows, LLC, OAL Dkt. No. ADC 14324-12

November 3, 2016

WHEREAS, on October 3, 2016, Edward and Linda Feinberg ("Petitioners") filed a motion with the State Agriculture Development Committee (SADC) for interlocutory review of a September 27, 2016 letter order issued in the above-captioned consolidated cases by John S. Kennedy, ALJ; and

WHEREAS, the September 27, 2016 letter order set forth the issues to be resolved at the administrative hearing in connection with the application by Ann and Laura del Campo, t/a Stonybrook Meadows, LLC ("Stonybrook"), for a site specific agricultural management practice ("SSAMP") determination; and

WHEREAS, the SADC reviewed the papers and materials Petitioners submitted in support of the motion, the opposing papers and materials filed by Stonybrook dated October 12 and 18, 2016, the reply filed by Petitioners on October 21, 2016, and the SADC's November 14, 2013 Final Decision and Remand Order; and

WHEREAS, the SADC convened a special meeting on October 13, 2016 to determine whether, pursuant to N.J.A.C. 1:1-14.10(c), the ALJ's September 27, 2016 letter order should be reviewed; and

WHEREAS, by resolution dated October 13, 2016, the SADC decided to review the September 27, 2016 letter order; and

WHEREAS, the SADC reviewed and discussed the September 27, 2016 letter order and the above-noted papers and materials at its November 3, 2016 meeting,

NOW, THEREFORE, BE IT RESOLVED, that the SADC supplements its Final Decision and Remand Order dated November 14, 2013, and directs the Office of Administrative Law in the above-captioned consolidated cases to consider and

address the following issues:

1. When did the Stonybrook property obtain "commercial farm" status as defined in the Right to Farm Act?
2. As of the date the Stonybrook farm property became a commercial farm:
 - a. what were the conditions in East Amwell Township's conditional use ordinance applicable to agricultural uses in the zone where the farm property was located prior to enactment of the 2005 conditional use ordinance amendments?
 - b. did Stonybrook maintain its commercial farm status and was it in compliance with the township's conditional use conditions described in paragraph #2a. as of the date of enactment of the 2005 conditional use ordinance amendments?
3. Must Stonybrook comply with the 2005 amendments to the township's conditional use ordinance, or is application of such amendments to Stonybrook subject to preemption under the Right to Farm Act?
4. If Stonybrook must comply with the 2005 amendments to the township's conditional use ordinance, and since the SADC's November 14, 2013 Final Decision and Remand Order determined that the only 2005 conditional use provisions at issue are whether the proposed SSAMP activities implicated lot coverage and impervious surface restrictions, does Stonybrook comply with those two (2) provisions?

and

BE IT FURTHER RESOLVED that the November 14, 2013 Final Decision and Remand Order remain in full force and effect to the extent not inconsistent herewith; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

November 3, 2016

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Brian Schilling (rep. Executive Dean Goodman)	RECUSED
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Jane Brodhecker	YES
Alan Danser, Vice-Chairman	YES
Scott Ellis	ABSENT
Denis C. Germano, Esq.	YES
Peter Johnson	YES
James Waltman	ABSENT

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