

STATE AGRICULTURE DEVELOPMENT COMMITTEE

Department of Agriculture

Market and Warren Streets, 1st Floor Auditorium

Trenton, NJ 08625

REGULAR MEETING

January 25, 2018

Chairman Fisher called the meeting to order at 9:08 a.m. The flag salute was conducted.

Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

Roll call indicated the following:

Members Present

Chairman Douglas H. Fisher

Scott Ellis

Pete Johnson

Ralph Siegel (rep. Acting Treasurer Elizabeth Maher Muoio)

Cecile Murphy (rep. acting NJDEP Commissioner Catherine R. McCabe)

Jane Brodhecker

Brian Schilling (rep. Executive Dean Goodman)

Thomas Stanuikynas (rep. DCA Commissioner/Lt. Governor Sheila Y. Oliver)

James Waltman

Members Absent

Alan Danser

Denis Germano, Esq.

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

Others present as recorded on the attendance sheet: Dan Pace, Mercer County Agriculture Development Board (CADB); Sean Pizzio, Monmouth CADB; and Walter and Diane Eriksson, Hunterdon County landowners.

Minutes

A. SADC Regular Meeting of December 7, 2017 (Open and Closed Sessions)

It was moved by Mr. Siegel and seconded by Ms. Murphy to approve the Open Session and Closed Session minutes of the SADC regular meeting of December 7, 2017. Mr. Johnson and Mr. Ellis abstained from the vote. The motion was approved.

Report of the Chairman

Chairman Fisher stated that he is very appreciative of Governor Christie signing the Farmland Preservation Program appropriation bills and Senator Sweeney posting the bills at the close of the last session of the Legislature. There are a lot of deals in the queue that can continue to move forward because of enactment of those bills.

The Committee is scheduled to act today on proposed rules regarding Rural Microenterprises on preserved farms, which will be the culmination of a five-year process. Ms. Payne and her staff helped organize a meeting with beginning farmers to try to determine how the State Agriculture Development Committee (SADC) can help them overcome obstacles and be more successful.

Chairman Fisher stated that he met with Governor Murphy and is very excited about his interest in agriculture. He is thrilled to continue as Secretary and appreciates the support he has received. The SADC needs to make sure it is as creative as possible so there can be enough opportunities for new and beginning farmers to work the land and make a living.

There has been a great deal of discussion regarding bees. The N.J. Department of Agriculture (NJDA) was charged with writing rules for beekeeping, developed and posted a proposal and has received more than a thousand comments, which the department is reviewing. Chairman Fisher stated that addressing bees requires a balancing act.

Report of the Executive Director

Ms. Payne stated that staff is trying to obtain permanent parking tags for the Committee members so they can more easily park outside the NJDA building. She requested that

members provide staff with license plate numbers of their vehicles to aid in that process.

Governor Murphy signed Executive Order #2 regarding financial disclosure, and the annual financial disclosure process will commence again shortly. As soon as staff receives the financial disclosure form, they will provide it to the Committee members. Members should be alert for related emails.

The SADC will send notices to all grant recipients letting them know that approved farmland preservation funding is available for expenditure.

The Quaker Valley Farms case was argued before the New Jersey Supreme Court on January 2, 2018. A link to where the argument can be watched online has been provided to the Committee.

SADC staff joined Larry Fernbrook, the owner of Fernbrook Farms in Chesterfield, and his apprentice Jeff Tober, in organizing a January meeting of beginning farmers and people involved in farmer training to discuss barriers for new and beginning farmers, how to enhance their success, and potential roles the SADC and NJDA can play. Among those attending were members of the New Jersey and eastern Pennsylvania-based CRAFT – the Collaborative Regional Alliance for Farmer Training – in which participating farmers offer their knowledge and experience to mentor the next generation of farmers. Some of the barriers beginning farmers face are student debt and health care costs. There are many experienced farmers in New Jersey who do not have anyone to whom they can pass on their knowledge. The question is how to provide opportunities and apprenticeships to new and beginning farmers. SADC staff is working on a grant application to the U.S. Department of Agriculture (USDA) to secure more funds to help this population of farmers.

A-4787, which provides for alternate members of the SADC, has been signed into law. It allows for the designation of an alternate farmer member and alternate public member to participate in an SADC meeting when a permanent member cannot attend. The State Board of Agriculture is developing recommendations to nominate an alternate farmer member, who must be a former member of the State Board of Agriculture or SADC.

Communications

There were no communications.

Public Comment

Donna Rue, an Upper Freehold landowner, asked if the new and beginning farmer initiative would involve FFA. Ms. Payne stated that FFA would be a part of the team.

Old Business

A. Adoption of Proposed Rules: Special Permit for a Rural Microenterprise Activity on Preserved Farmland (N.J.A.C. 2:76-22) and Special Permit for Rural Microenterprises on Preserved Farmland – Historic and Cultural Character and Heritage Preservation Provisions (N.J.A.C. 2:76-22A)

Mr. Smith stated that the SADC received two comments in response to the proposed rules for Rural Microenterprises. The only comment that resulted in a change was from Montgomery Township, which recommended that municipalities should receive notice of the SADC's decision after an application is filed. A change was made in section 22.8(c) to reflect that. Mr. Smith stated that the change is minor, so the proposed rules do not need to be republished. Another comment from a municipality was received after the public comment deadline and staff will respond to the municipality separately. In response to a question, Ms. Payne stated that the rule adoption is expected to be published sometime in March or April.

It was moved by Mr. Schilling and seconded by Mr. Stanuikynas to adopt the proposed and amended rules for Rural Microenterprise Activity on Preserved Farms (N.J.A.C. 2:76-22 and 22A), as presented and discussed, including a revision to require that a municipality be notified of the SADC's decision after an application is filed. The motion was unanimously approved.

New Business

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

David Kimmel referred the Committee to eight terminations of 8-year programs in Camden County. No Committee action is required.

1. Terminations

- a. Anthony Grasso Jr., Waterford Township, Camden County (SADC #04-0002-8F)
- b. Bates Run Farms, LLC, Winslow Township, Camden County (SADC #04-0005-8F)

- c. Louise Iulianetti, Winslow Township, Camden County (SADC #04-0007-8F)
- d. Anthony J. and Mary E. Melora #4, Winslow Township, Camden County (SADC #04-0009-8F)
- e. Dennis and Nancy Donio, Winslow Township, Camden County (SADC #04-0010-8F)
- f. Donio Farms, Inc., Winslow Township, Camden County (SADC #04-0011-8F)
- g. Dennis and Nancy Donio, Winslow Twp., Camden County (SADC #04-0013-8F)
- h. Charles Sr., Margaret, Charles Jr. and John Tomasello, Winslow Township, Camden County (SADC #04-0014-8F).

B. Resolution of Final Approval: Nonprofit Program

Stefanie Miller referred the Committee to one request for final approval under the Nonprofit Program. Ms. Miller reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as outlined in said resolution.

- 1. Richard Murphy (The Land Conservancy of New Jersey\Murlan), SADC ID #21-0031-NP (Resolution FY2018R1(1))
Block 301, Lot 6, Frelinghuysen Township, Warren County, approximately 243 Net Acres.

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolution FY2018R1(1) granting final approval to The Land Conservancy of New Jersey for the Murphy farm easement acquisition application under the Nonprofit Grant Program, as presented and discussed, subject to any conditions of said resolution. The motion was unanimously approved. A copy of Resolution FY2018R1(1) is attached to and a part of these minutes.

C. Resolutions of Final Approval: County Planning Incentive Grant Program (PIG)

Cindy Roberts and Katie Mazzella referred the Committee to three requests for final approval under the Municipal Planning Incentive Grant Program. They reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Schilling and seconded by Mr. Stanuikynas to approve Resolution FY2018R1(2) granting final approval to the following application under the County Planning Grant Program, as presented and discussed, subject to any conditions of said resolution:

1. Thomas Mulvaney, SADC ID #19-0040-PG, (Resolution FY2018R1(2))
Block 74, Lots 7.05, 7.06 and 7.07, Hardyston Township, Sussex County, approximately 53.75 Net Acres.

The motion was approved. Ms. Brodhecker recused from the discussion and the vote. Ms. Brodhecker is a member of the Sussex County Agriculture Development Board. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. A copy of Resolution FY2018R1(2) is attached to and a part of these minutes.

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolutions FY2018R1(3) and FY2018R1(4) granting final approval to the following applications under the County Planning Grant Program, as presented and discussed, subject to any conditions of said resolution:

2. Kenneth Olsen and Dorothy Ludwig, SADC ID #14-0128-PG, (Resolution FY2018R1(3))
Block 7, Lot 27, Chester Township, Morris County, approximately 32.12 Net Acres
3. T. Glenn, Ella Mae, Rebekah K. and Travis M. Eachus, SADC ID #06-0187-PG, (Resolution FY2018R1(4))
Block 402, Lot 6, Upper Deerfield Township, Cumberland County, 51.8 Net Surveyed 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. Copies of Resolutions FY2018R1(3) and FY2018R1(4) are attached to and a part of these minutes.

D. Resolution of Final Approval: Municipal Planning Incentive Grant Program (PIG)

Ms. Miller and Ms. Mazzella referred the Committee to four requests for final approval under the Municipal Planning Incentive Grant Program. They reviewed the specifics of

the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Ms. Murphy to approve Resolutions FY2018R1(5) through FY2018R1(8) granting final approval to the following applications under the Municipal Planning Grant Program, as presented and discussed, subject to any conditions of said resolution:

1. Lothar Nonnenmacher, SADC ID #21-0597-PG (Resolution FY2018R1(5))
Block 506, Lot 8.04, Blairstown Township, Warren County, approximately 18.6 Net Acres.
2. Lothar Nonnenmacher, SADC ID #21-0596-PG (Resolution FY2018R1(6))
Block 506, Lot 9, Blairstown Township, Warren County, approximately 103.3 Net Acres.
3. Ronald and Sharon Pittenger (Dark Moon), SADC ID #21-0490-PG
(Resolution FY2018R1(7))
Block 1201, Lot 34, and Block 1301, Lot 3, Frelinghuysen Township, Warren County, approximately 92 Net Acres.
4. Edward and Barbara Byrnes, SADC #17-0175-PG (Resolution FY2018R1(8))
Block 22, Lot 2, Pilesgrove Township, Salem County, 46.832 Surveyed 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. Copies of Resolutions FY2018R1(5) through FY2018R1(8) are attached to and a part of these minutes.

E. Stewardship

1. House Replacement Request
 - a. Collins Farm, Pittsgrove Township, Salem County

Charles Roohr stated that the Collins farm is a former SADC fee simple property that was sold at auction. Since the Collins family bought the house they have converted the farm to a diversified livestock operation that consists of pigs, sheep and longhorn cattle. In the process of developing the property, they needed to create fences, pastures and hayfields, and demolish buildings that were not salvageable and restore some that were salvageable. When the SADC purchased the farm, the structures were not in great shape. The house had a leaky roof and some structural issues as it has not been lived in for a long time.

Three years later at the time of the auction it had acquired more wear and tear. The Collins demolished the house and would like to replace it. The new house would be 150 to 175 feet back from the original location still in the wooded yard area and using existing driveways for access. Mr. Roohr noted that the resolution as presented to the Committee states that the new house will be set back 100 feet and noted that a correction will be made. The new house would be approximately 2,800 square feet of heated living space. Because this house was an SADC fee simple, the SADC sold this property with a house size limitation of 3,500 square feet of heated living space, so this new house would be well within the maximum space that SADC would permit and it is in a location that is not detrimental to the farm. Mr. and Mrs. Collins are the primary operators of the farm and this new house will be positive for the farm, so staff recommendation is to approve the house replacement request. Mrs. Collins is present today for questions.

Chairman Fisher asked if the landowners would be able to add more square feet to the house in the future. Mr. Roohr stated that they could, up to a total of 3,500 square feet of heated living space.

Ms. Payne invited Mrs. Collins to talk about her operation. Mrs. Collins stated that both she and her husband work for the public sector as educators. She stated that the house on the farm was not livable when they first purchased it, so they decided to build a house closer to their animal pastures to keep a close watch on their animals and their longhorn bulls specifically. With SADC approval, she and her husband are excited to start building.

It was moved by Ms. Brodhecker and seconded by Mr. Stanuikynas to approve Resolution FY2018R1(9) for the construction of a single-family residence on the Collins Farm to replace the formerly deteriorated residence, as presented and discussed, subject to any conditions of said resolution. The motion was unanimously approved. A copy of Resolution FY2018R1(9) is attached to and a part of these minutes.

2. Annual Farmland Preservation Program Monitoring Report

Mr. Roohr stated that the annual monitoring report is prepared every year. There were 2,152 verified inspection reports submitted for fiscal year 2017 – a 4 percent decrease from last year, which was the all-time high in overall submissions. Some partners did inspections, but did not supply a report. More partners this year achieved higher completion rates – 90 to 100 percent – than in years past, but there were two or three high-volume entities that had major dips. One county had a staffing issue due to loss of the staff person who performed monitoring; it wasn't until half-way through the year that a replacement could be hired. Another county stated that they performed most of the inspections, but only submitted half of the reports. The reports do not count if they are not

submitted. The monitoring reports indicates a 100 percent completion rate for Camden County for their six farms. The County has not performed monitoring for a number of years, which concerned SADC staff. Staff notified the County that the SADC would monitor those farms along with its own. The nonprofits had a major increase in monitoring completion rates. Six of the eight nonprofits achieved 100 percent. New Jersey Conservation Foundation has the most farms and achieved 91 percent, which is their highest-ever completion rate. All around, this is the highest nonprofit achievement rate to date. The SADC's own monitoring dipped overall by 2 percent. Fifteen farms out of the total of 482 farms the SADC is responsible for are unaccounted for this year. With the retirement of the one staffer who performed monitoring full-time, the SADC has decided not to be dependent on one person to monitor and has instead enlisted four members of the staff to do the monitoring. As in previous years, conservation issues are the most common reported concern – e.g., erosion, invasive species or fields starting to grow up. The next most common type of issue is dumping/trash.

Ms. Payne stated that having Dave Clapp on staff to help with the conservation concerns on farms has been helpful. The potential for farmers to operate rural microenterprises also will be helpful in addressing nonagricultural uses. In response to a question, Ms. Payne stated that the annual monitoring report is part of the compliance report that will be submitted to the N.J. Treasury.

It was moved by Mr. Siegel and seconded by Mr. Schilling to accept the 2017 Annual Monitoring Report as presented and discussed. The motion was unanimously approved.

Public Comment

There was no public comment.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, February 22, 2018, beginning at 9 a.m.
Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 10:36 a.m. Ms. Payne read the following resolution to go into Closed Session:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into Executive Session to discuss matters

falling within the attorney-client privilege; the certification of values for property acquisitions under the Farmland Preservation Program; personnel matters; and any pending or anticipated litigation, pursuant to N.J.S.A. 10:4-12b.(7). The minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists.

It was moved by Mr. Schilling and seconded by Mr. Siegel to approve the resolution to go into Closed Session. The motion was unanimously approved.

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certifications of Values

1. County Planning Incentive Grant Program

It was moved by Ms. Murphy and seconded by Mr. Siegel to approve the Certification of Value for the following application as discussed in Closed Session:

- a. Mercer County (Chowdhury), SADC ID #11-0180-PG
Block 2739, Lot 91, Hamilton Township, Mercer County, 32 Acres

The motion was approved. Mr. Ellis 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 Value Report is attached to and is a part of the Closed Session minutes)

It was moved by Mr. Siegel and seconded by Ms. Murphy to approve the Certifications of Value for the following County and Municipal Planning Incentive Grant and Direct Easement Purchase program applications as discussed in Closed Session:

- b. Cedar Rose Winery, SADC ID #06-0194-PG
Block 67, Lot 9.01, Deerfield Township, Cumberland County, 31 Net Acres

2. Municipal Planning Incentive Grant Program

- a. George Callan, SADC ID #13-0464-PG
Block 10, Lot 10.04, Holmdel Township, Monmouth County, 11 Net Acres

3. Direct Easement Purchase

- a. Joseph P. Ayars, SADC ID #17-0309-DE
Block 115, Lot 1, Salem City, Salem County;
Block 31, Lot 13; Block 4, Lot 7; Block 5, Lot 8; Block 29, Lot 1; Block 31, Lot 16; and Block 5, Lot 4.01, Elsinboro Township, Salem County, 272.53 Net 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 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.)

4. Fee Simple Auction

- a. The SADC Former Sassi Farm, SADC ID #17-0004-FS
Block 231, Lot 40, Carneys Point Township, Salem County, 81.681 Acres

Mr. Everett stated that the SADC purchased the former Sassi farm in fee simple in 2005 for \$571,767. The SADC had tried to auction it on two separate occasions in 2006 and 2009, but did not receive bids that met the minimum. Staff is seeking the Committee's authorization to sell this farm in fee simple, deed-restricted. As discussed in Closed Session regarding contracting, staff first will attempt to sell the farm without a Residual Dwelling Site Opportunity (RDSO) at the certified value of \$183,800 based on 81.681 acres. If it does not sell without an RDSO, staff would like the Committee's authorization to auction the farm with an RDSO at a certified value of \$196,000. The RDSO would be limited to 3,500 square feet of heated space, with an additional allocation of 1,000 square feet for ancillary structures such as porches, decks and garages, and the building envelope limited to 2 acres. The property would be auctioned in Spring 2018. A bid deposit of \$10,000 would be required. Staff is seeking approval to authorize the sale and execute required documents.

Ms. Payne stated that the resolution staff originally drafted would be modified based on what Mr. Everett has recommended with respect to the order of the auction and the addition of a 2-acre stated envelope for the RDSO. Mr. Everett noted that the minimum bids for this auction will be advertised, unlike for the prior auctions where there were sealed bids and the bidders did not know what the minimum was.

It was moved by Mr. Ellis and seconded by Mr. Waltman to approve Resolution FY2018R1(10), amended as discussed to auction the former Sassi Farm first without an RDSO and if unsuccessful then with an RDSO that would be limited to a maximum of 3,500 square feet of heated living space, 1,000 square feet of ancillary structures and a 2-acre building envelope, subject to any other conditions of said resolution. The motion was unanimously approved.

B. Attorney/Client Matters

1. Litigation

- OAL Application for Emergency Relief – Eriksson v. Valley Crest Farm

Mr. Smith stated that Mr. and Mrs. Eriksson have filed an application for emergency relief with the SADC to require Valley Crest Farm to move horses out of a horse barn, move the barn, relocate a manure facility and remediate the effects of the manure facility. Staff reviewed the record that was provided by the Erikssons and the replies filed by Valley Crest Farm. For the reasons stated in the recommended decision before the Committee, the staff's conclusion is that the agency cannot grant the relief requested under the Right to Farm Act because the Legislature has not given the SADC the legal authority to enjoin the actions of a commercial farm under Right to Farm. There is an order attached to the recommended decision. The order states that the relief cannot be granted and it adopts the recommended decision, which more fully describes the rationale for the issuance of the order. Copies of the decision and order will be provided to the parties immediately after the SADC takes action with the proviso that the action is not official until the Governor's veto period expires.

Ms. Payne stated that the merits of this Right to Farm case were previously forwarded to the Office of Administrative Law (OAL) for a full hearing, which will be scheduled for sometime in February. The expectation is that following the hearing, the OAL will issue an initial decision to the SADC on this Right to Farm case, so the SADC will then again address this dispute. At that point the SADC will either accept, modify or reject the initial decision made by the Administrative Law judge. To reiterate what Mr. Smith stated earlier, the SADC does not have the authority to grant the action requested by the Erikssons. Chairman Fisher invited the Erikssons to address the Committee if they would like. Mr. Smith stated that he reached out to the Erikssons and Valley Crest prior to the meeting. The Erikssons indicated that they would be present for the meeting, but did not want to speak.

It was moved by Mr. Siegel and seconded by Ms. Murphy to approve the order to not grant the Erikssons' application for emergency relief and to adopt the Recommended Decision on Application Emergency Relief.

Discussion:

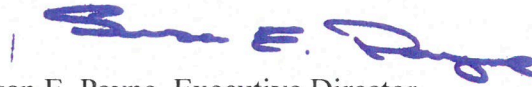
Ms. Murphy stated that she concurs with Ms. Payne's summary. Based on the legal advice received, the SADC does not have the legal ability to do what the Erikssons are requesting.

The motion was unanimously approved.

ADJOURNMENT

Chairman Fisher adjourned the meeting at 11:57 a.m.

Respectfully Submitted,



Susan E. Payne, Executive Director

State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY18R1(1)
FINAL REVIEW AND APPROVAL OF A NONPROFIT GRANT TO
THE LAND CONSERVANCY OF NEW JERSEY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Murphy, Richard (TLCNJ\Murlan)
2016 Non Profit Round – SADC #21-0031-NP
JANUARY 25, 2018

WHEREAS, on May 18, 2015 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from The Land Conservancy of New Jersey (TLC-NJ) for the Murphy farm identified as Block 301, Lot 6, Frelinghuysen Township, Warren County, totaling approximately 249.5 gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is in the Highlands Planning Area; and

WHEREAS, the original application included one (1), approximately 7-acre non-severable exception area for and limited to three (3) existing single-family residences and to afford future flexibility of uses; and

WHEREAS, in preparation for final approval, the landowner requested to change the configuration of the one of the non-severable exception area for one of the residences to remain on the Premises; and

WHEREAS, it is the opinion of the SADC staff Review Appraiser that this change does not impact the SADC certified value; and

WHEREAS, the Property includes one (1), approximately 6.5-acre non-severable exception area for and limited to two (2) existing single-family residences and to afford future flexibility of uses resulting in approximately 243 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes one (1) existing single family residential unit, zero (0) agricultural labor units and (0) non-agricultural uses; and

WHEREAS, at the time of application the Property was in corn and soybean production and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, on November 12, 2015 the SADC granted preliminary approval by Resolution #FY2016R11(11) to the TLC-NJ application and appropriated \$1,425,000 for the acquisition of development easement on five farms including the Murphy farm; and

WHEREAS, at this time funding has been encumbered for the Tjamla #2, Shoemaker I & II farms, therefore approximately \$931,108.25 is still available; and

WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) the SADC determined that any farm that has a quality score (as determined by N.J.A.C. 2:76-6.16) greater than or equal to 70% of the county average quality score as determined in the County PIG program be eligible for funding; and

WHEREAS, the Property has a quality score of 59.68 which is greater than 70% of the County average quality score of 39 as determined by the Committee on July 24, 2014; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-15(b) 1., on May 25, 2017 the SADC certified a development easement value of \$4,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and based on zoning and environmental regulations in place as of the current valuation date February 2017; and

WHEREAS, the SADC advised TLC-NJ of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of TLC-NJ's eligible costs and subject to available funds; and

WHEREAS, on October 19, 2017 TLC-NJ informed the SADC that it will accept the SADC cost share of \$2,000 per acre; and

WHEREAS, the Warren County Board of Chosen Freeholders entered into a Farmland Preservation Agreement with TLC-NJ on January 25, 2017 and will provide 50% matching funds from Warren County for TLC-NJ easement acquisition on the Murphy farm and agreed to accept assignment of the development easement from TLC-NJ and be responsible for annual monitoring ; and

WHEREAS, the cost share breakdown based on 243 acres is as follows:

Warren County	\$486,000	(\$2,000/acre or 50% total cost)
SADC Nonprofit Grant Funds	\$486,000	(\$2,000/acre or 50% total cost)
Total	\$972,000	(\$4,000/acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to TLC-NJ for up to 50% of the eligible ancillary costs which will be deducted from its FY16 appropriation and subject to the availability of funds; and

WHEREAS, N.J.A.C. 2:76-16.1(a)3.iii allows for the conveyance of the development easement to the Federal Government, the State, the County, or another qualifying tax exempt organization for farmland preservation purposes; and

WHEREAS, TLC-NJ is under contract with the County and will assign the Deed of Easement to the Warren County Board of Chosen Freeholders immediately after closing on the Deed of Easement; and

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to TLC-NJ for the Murphy farm easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 6.5-acre non-severable exception area for and limited to two (2) existing single-family residences and to afford future flexibility of uses; and

BE IT FURTHER RESOLVED, the portion of the Property outside the exception area includes one (1) existing single-family residential unit, zero (0) agricultural labor units and (0) non-agricultural uses; and

BE IT FURTHER RESOLVED, TLC-NJ the SADC approves the assignment of the Deed of Easement from TLC-NJ to Warren County provided the SADC reviews and approves in advance all documentation to accomplish the assignment, including but not limited to review of survey, title, and assignment document; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$2,000 per acre (total of approximately \$486,000 based on 243 acres) to TLC-NJ for the development easement acquisition on the Murphy farm, subject to the availability of funds; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC's cost share grant for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to TLC-NJ for the acquisition of a development easement on the Murphy farm; 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.

1/25/2018

Date

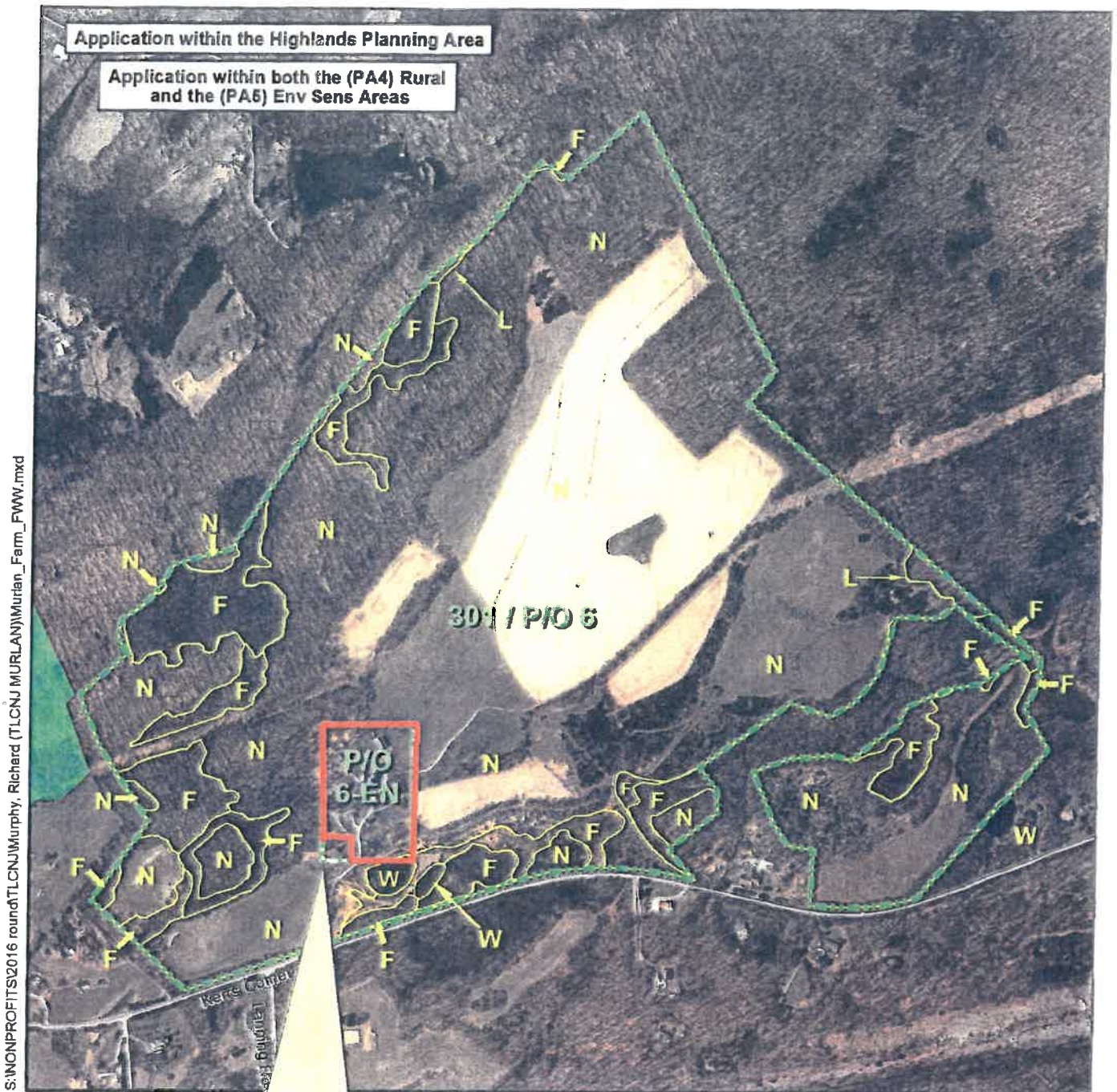


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands



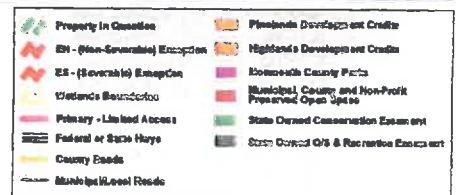
Exception area reduced by 0.5 acre to leave one single family residence on the Premises

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Murphy, Richard (TLCNJ/Murlan)
Block 301 P/O Lot 6 (242.45 ac)
& P/O Lot 6-EN (non-severable exception - 7.0 ac)
Gross Total - 249.45 ac
Frelinghuysen Twp. Warren County

0 500 1000 Feet

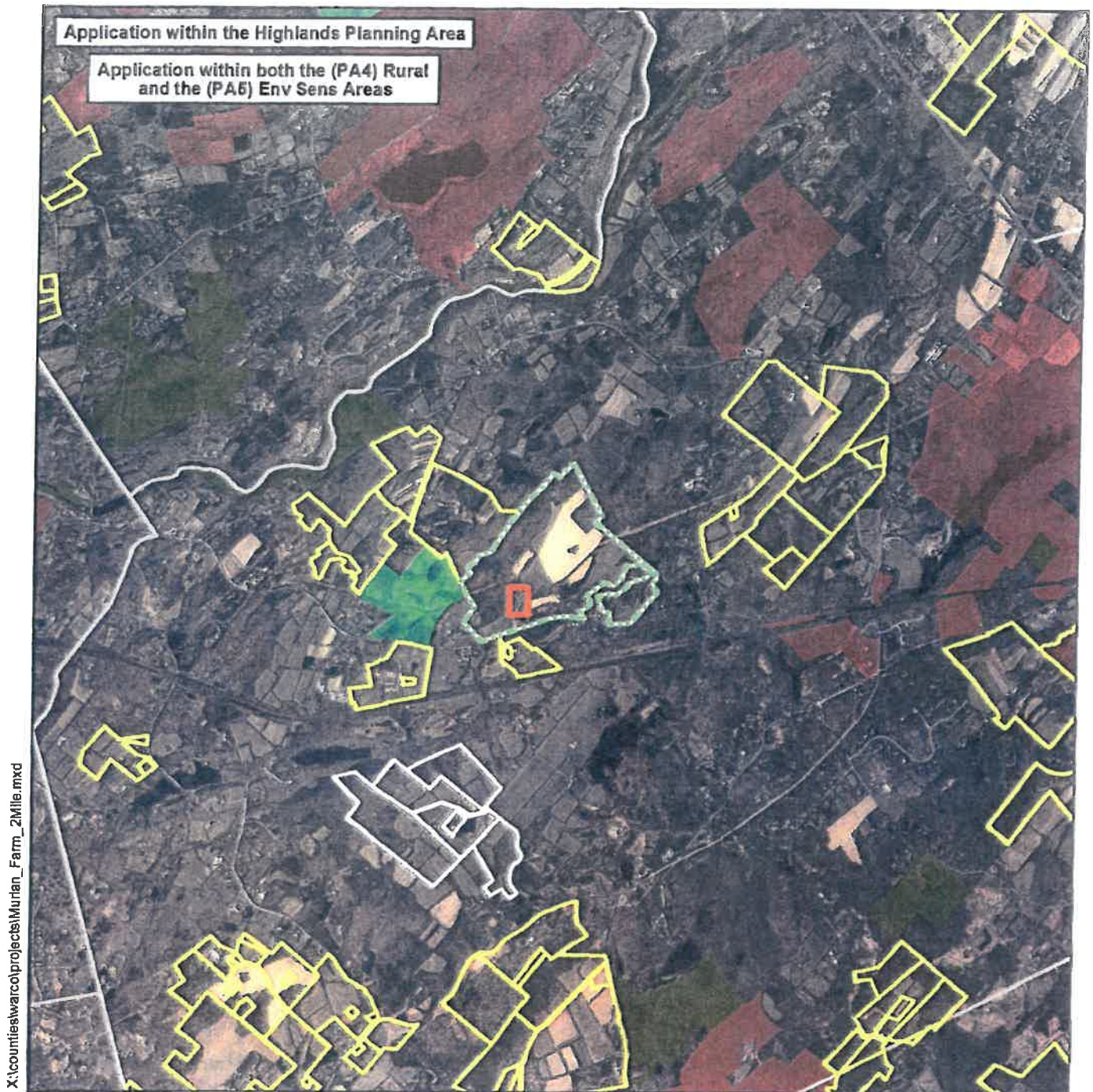
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and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



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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJ Pinelands Commission PDC Data
NJ Highlands Council Data
NJOTISGIS 2012 Digital Aerial Image

Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Murphy, Richard (TLCNJ/Murlan)
Block 301 P/O Lot 6 (242.45 ac)
& P/O Lot 6-EN (non-severable exception - 7.0 ac)
Gross Total - 249.45 ac
Frelinghuysen Twp. Warren County

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



Property in Question	County Boundaries
BN - (Non-Severable) Exception	Municipal Boundaries
DS - (Severable) Exception	Pasture Development Credits
Preserved Farms	Highlands Development Credits
Active Applications	Monmouth County Parks
Primary - Limited Access	Monmouth County and Non-Profit Preserved Open Space
Federal or State Highways	State Owned Conservation Easement
County Roads	State Owned DS & Restoration Easements
Municipal/Local Roads	

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJ Pinelands Commission PDC Data
NJ Highlands Council Data
NJDOT/GIS 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

Date: 8/18/2015

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Murphy, Richard (TLCNJ\Murlan)

21- 0031-NP

FY 2016 Easement Purchase - Nonprofit

236 Acres

Block 301	Lot 6	Frelinghuysen Twp.	Warren County
SOILS:			
	Other	86% * 0	= .00
	Statewide	8% * .1	= .80
	Unique zero	6% * 0	= .00
			SOIL SCORE: .80
TILLABLE SOILS:			
	Cropland Harvested	40% * .15	= 6.00
	Wetlands	12% * 0	= .00
	Woodlands	48% * 0	= .00
			TILLABLE SOILS SCORE: 6.00
FARM USE:			
	Corn-Cash Grain	61 acres	
	Hay	36 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. 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 (6.8) acres for Residential and farm buildings
Exception is not to be severable from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be limited to two existing single family residential unit(s)
 - c. Additional Restrictions:
 1. Contamination area noted in map, planning unit to review.
 - 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 eligible costs ancillary to 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, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2018R1(2)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SUSSEX COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

**On the Property of
Mulvaney, Thomas ("Owner")
Hardyston Township, Sussex County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 19-0040-PG**

January 25, 2018

WHEREAS, on December 15, 2007 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Sussex 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, Sussex County received SADC approval of its FY2018 Annual PIG Plan update on May 25, 2017; and

WHEREAS, on May 20, 2015 the SADC received an application for the sale of a development easement from Sussex County for the subject farm identified as Block 74, Lots 7.05, 7.06, and 7.07, Hardyston Township, Sussex County, totaling approximately 55 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Sussex County's Eastern Highlands 2 Project Area; and

WHEREAS, the original application included one (1), approximately 1-acre non-severable exception area for and limited to one (1) future single-family residential unit and to afford future flexibility of uses; and

WHEREAS, in preparation for final approval, the landowner and the County requested to amend the application to include a one-quarter ($\frac{1}{4}$) acre non-severable exception to provide the landowner with flexibility of use for a portable saw mill. The exception will be limited to zero (0) residential opportunities; and

WHEREAS, both of the County's appraisers reviewed the change to the application and provided correspondence that recognizing the one-quarter ($\frac{1}{4}$) acre non-severable exception for flexibility in use, limited to zero (0) residential opportunities had no impact on the easement per acre value. It is the opinion of the SADC staff Review Appraiser that this change does not impact the SADC certified value; and

WHEREAS, the Property includes one (1), approximately 1.0 acre non-severable exception for and limited to one (1) future single family residential unit and one (1) approximately one-quarter ($\frac{1}{4}$) acre non-severable exception for flexibility in use, limited to zero residential opportunities, resulting in approximately 53.75 acres to be preserved; and

WHEREAS, the portion of the Property outside of the exception area includes zero (0) existing or future 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 hay 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 65.68 which exceeds 38, which is 70% of the County's average quality score as determined by the SADC on July 24, 2014; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on October 5, 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 May 26, 2016 the SADC certified a development easement value of \$4,300 per acre based on zoning and environmental regulations in place as of the current valuation date March 22, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,300 per acre for the development easement for the Property; and

WHEREAS, on May 31, 2017 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 December 14, 2016 the Hardyston Township Council 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 April 17, 2017 the Sussex CADB passed a resolution granting final approval for funding the Property and on December 18, 2017 the CADB approved amending the application to include a one-quarter ($\frac{1}{4}$) acre non-severable exception for flexibility in use, limited to zero (0) residential opportunities; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 24, 2017, the Board of Chosen Freeholders of the County of Sussex passed a resolution granting final approval and a commitment of funding for \$1,320.00 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 55.36 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 55.36 acres); and

SADC	\$ 164,972.80	(\$2,980/ acre)
Sussex County	\$ 73,075.20	(\$1,320/ acre)
Total Easement Purchase	\$ 238,058.00	(\$4,300/ acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Sussex County Agriculture Development Board is requesting \$164,972.80 in base grant funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, the SADC grants final approval to provide a cost share grant to Sussex County for the purchase of a development easement on the Property, comprising approximately 55.36 net easement acres, at a State cost share of \$2,980 per acre, (69.30% of certified easement value and purchase price), for a total grant need not to exceed \$164,972.80 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 1.0 acre non-severable exception for and limited to one (1) future single family residential unit and one (1) approximately one-quarter ($\frac{1}{4}$) acre non-severable exception for flexibility in use, limited to zero (0) residential opportunities, resulting in approximately 55.36 acres to be preserved; 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, at the time of closing any unused funds encumbered from the base grant shall be returned to the County base grant; and

BE IT FURTHER RESOVLED, 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-C; 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.

1/25/18

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

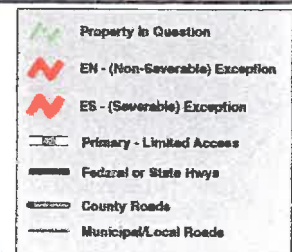
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	RECUSE
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Mulvaney, Thomas
Block 74, Lots 7.07 (5.1 ac), P/O 7.06 (26.5 ac);
P/O 7.06-EN (non-severable exception - 0.25 ac);
P/O 7.05 (20.0 ac) & P/O 7.05-EN (non-severable exception - 1.0 ac)
Gross Total = 52.8 ac
Hardyston Twp. Sussex County



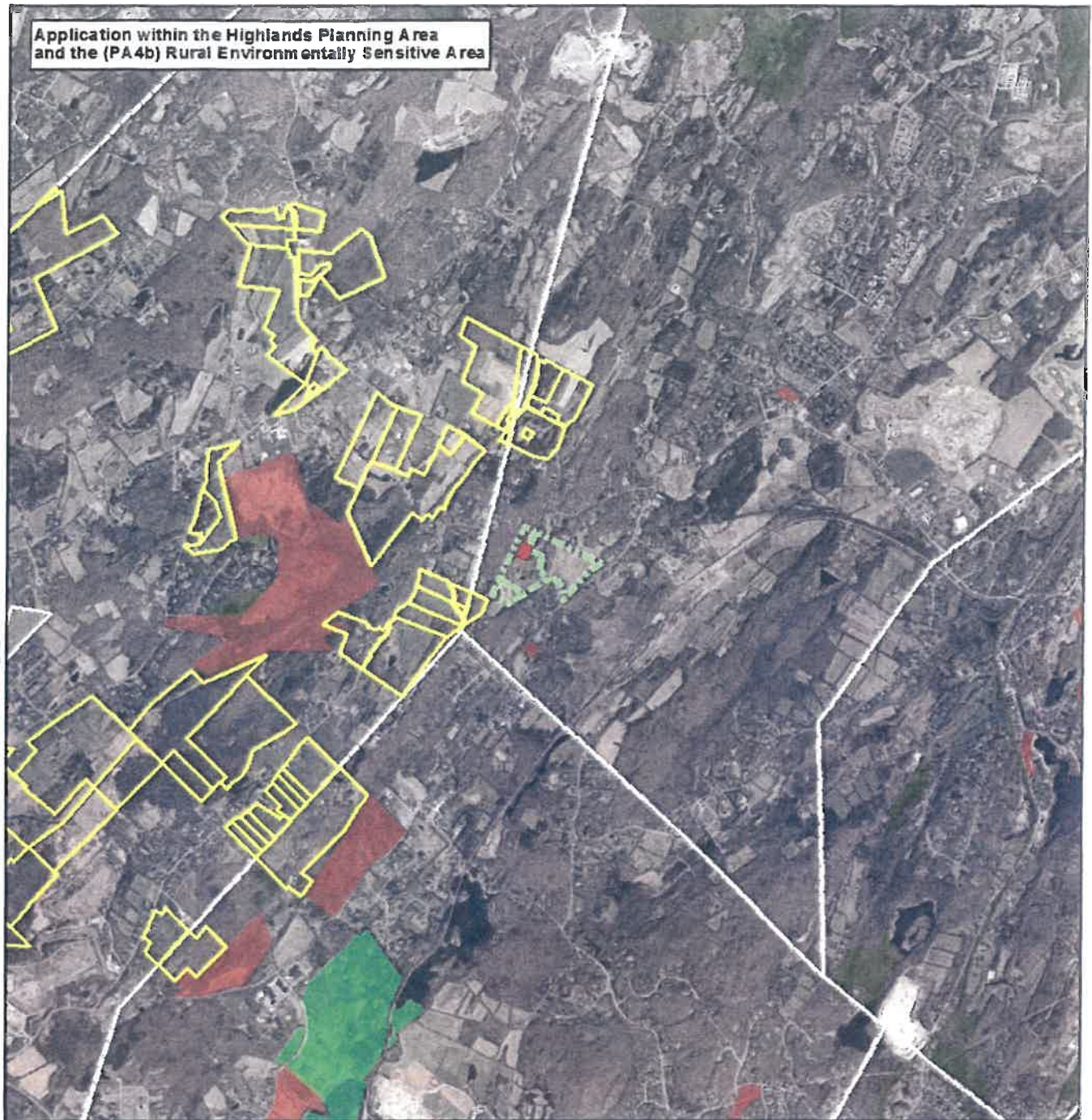
Sources:
Green Acres Conservation Easement Data
NJOT/OGIS 2015 Digital Aerial Image

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November 27, 2017

Preserved Farms and Active Applications Within Two Miles

\\ag.state.nj.us\AgrData\sadcgis\data\our\test\usco\project\Mulvaney_T_2Mile.mxd



Application within the Highlands Planning Area and the (PA4b) Rural Environmentally Sensitive Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mulvaney, Thomas
Block 74, Lot 7.07 (5.05 ac), Lot 7.06 (26.71 ac)
P/O Lot 7.05 (51.8 ac) & P/O 7.05-EN (non-severable exception – 1.0 ac)
Gross Total – 52.8 ac)
Hardyston Twp. Sussex 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



30 SEP 2015
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJ State Agriculture Development Committee
NJ State Agriculture Development Committee
NJ State Agriculture Development Committee
Date: 9/21/2015

Sussex County

[illegible]

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Mulvaney, Thomas
19- 0040-PG
County PIG Program
54 Acres

Block 74	Lot 7.05	Hardyston Twp.	Sussex County
Block 74	Lot 7.06	Hardyston Twp.	Sussex County
Block 74	Lot 7.07	Hardyston Twp.	Sussex County

SOILS:	Other	20% *	0	=	4.00
	Prime	80% *	.15	=	12.00

SOIL SCORE: 12.00

TILLABLE SOILS:	Cropland Harvested	66% *	.15	=	9.90
	Wetlands	2% *	0	=	.00
	Woodlands	32% *	0	=	.00

TILLABLE SOILS SCORE: 9.90

FARM USE:	Hay	34 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 one (1) acres for future single family residence
Exception is not to be severed from Premises
Exception is to be limited to one future single family residential unit(s)
 - 2nd (.25) acres for flexibility in use
Exception is not to be severed from Premises
limited to zero residential opportunities
 - 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 FY2018R1(3)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

MORRIS COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Olsen, Kenneth and Ludwig, Dorothy ("Owner")

Chester Township, Morris County

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

SADC ID# 14-0128-PG

January 25, 2018

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Morris 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, Morris County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on January 30, 2017 the SADC received an application for the sale of a development easement from Morris County for the subject farm identified as Block 7, Lot 27, Chester Township, Morris County, totaling approximately 34.32 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Morris County's West Project Area in the Highlands Preservation Area; and

WHEREAS, the Property includes one (1), approximately 2.2 acre non-severable exception area for and limited to one existing single family residential unit and to afford flexibility in uses resulting in approximately 32.12 net acres to be preserved; and

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

WHEREAS, at the time of application the Property was in corn 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 59.46 which exceeds 46, which is 70% of the County's average quality score as determined by the SADC on July 28, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on March 31, 2017 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 July 27, 2017 the SADC certified a development easement value of \$25,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$2,000 per acre based on zoning and environmental regulations in place as of the current valuation date May 31, 2017; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$25,500 per acre for the development easement for the Property, which is higher than the certified easement value, but not higher than the highest appraised value of \$26,000 per acre; and

WHEREAS, on October 17, 2017 the County prioritized it farms and submitted an 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 December 6, 2016 the Chester 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 September 13, 2017, the Board of Chosen Freeholders of the County of Morris passed a resolution granting final approval and a commitment of funding for \$10,500 per acre to cover the local cost share; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on October 12, 2017 the Morris CADB passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 33.08 of payable acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 33.08 acres); and

SADC	\$496,200	(\$ 15,000/acre) 60% of \$25,000
<u>Morris County</u>	<u>\$347,340</u>	<u>(\$ 10,500/acre)</u>
Total Easement Purchase	\$843,540	(\$ 25,500/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Morris County Agriculture Development Board is requesting \$496,200 in FY2017 base grant funding which is available at this time (Schedule B); and

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

and consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Morris County for the purchase of a development easement on the Property, comprising approximately 33.08 net easement acres, at a State cost share of \$15,000 per acre, (60% of certified easement value and 58.8% of purchase price), for a total grant need not to exceed \$496,200 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 2.2 acre non-severable exception for and limited to one existing single family residential unit and to afford flexibility in 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, at the time of closing any unused funds encumbered from the base grant fund shall be returned to the County base grant; 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-C; 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.

1/25/18
Date

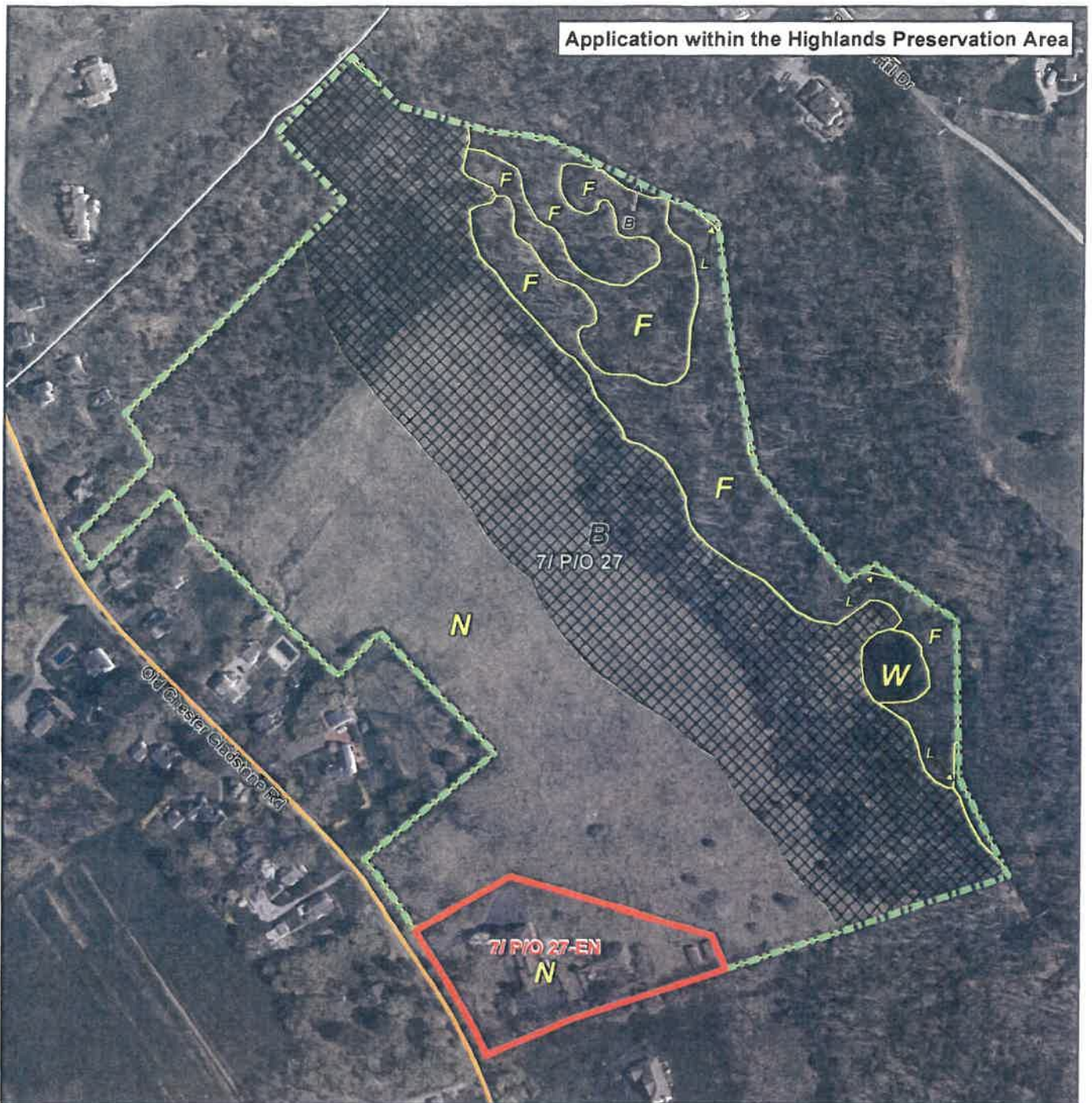

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands

Schedule H



X:\counties\morris\projects\Olsen_Kenneth_A_and_Ludwig_Dorothy_O_www.mxd

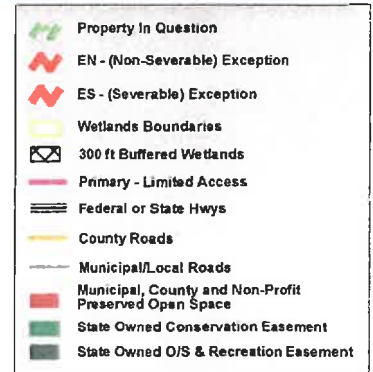
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Olsen, Kenneth A. and Ludwig, Dorothy O.
Block 7 Lots P/O 27 (32.0 ac)
& P/O 27-EN (non-severable exception – 2.2 ac)
Gross Total = 34.2 Ac.
Chester Twp. Morris County

250 125 0 250 500 Feet

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

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

April 25, 2017

Preserved Farms and Active Applications Within Two Miles

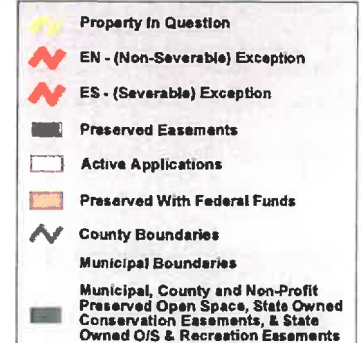
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Olsen, Kenneth A. and Ludwig, Dorothy O.
Block 7 Lots P/O 27 (32.0 ac)
& P/O 27-EN (non-severable exception – 2.2 ac)
Gross Total = 34.2 Ac.
Chester Twp. Morris 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/IGIS 2015 Digital Aerial Image

April 25, 2017

SADC Court g Financial Status
Schedule B

Morris County

SADC ID#	Farm	Municipality	Acres	Pay Acres	SADC Certified or Negotiated Per Acres	SADC Grant Per Acres	Grant (%) Per Acres	SADC				Federal Grant			Base Grant			Competitive Funds					
								Cost	Basis	Share	Cost	Total	SADC Federal Grant	SADC Federal Grant	Encumbered	PV	Expanded	Balance	Encumbered	PV	Expanded	Fund Balance	
																						FY11 Balance	FY13 Balance
14-0110-PG	Angen LLC	Mount Olive	23,8410	23,8510	64,000.00	37,700.00	58.91%	1,533,264.00	897,297.70	931,944.00	897,297.70	897,297.70	897,297.70	897,297.70	897,297.70	897,297.70	897,297.70	700,917.09	2,386,082.81				
14-0110-PG	Michael L. Chester	Chesler	19,5350	19,5350	25,000.00	14,000.00	60.00%	3,839,365.65	2,303,619.38	1,602,702.30	1,602,702.30	1,602,702.30	1,602,702.30	1,602,702.30	1,602,702.30	1,602,702.30	1,602,702.30	1,185,430.04	1,103,652.87				
14-0110-PG	Michael L. Chester	Chesler	98,2075	94,8754	21,000.00	12,800.00	60.00%	1,922,333.40	1,135,139.54	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	450,802.70				
14-0113-PG	Estate of Schellar	Washington	42,5380	42,4350	19,300.00	11,580.00	60.00%	818,905.50	491,337.30	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	3,350,508.30	3,240,983.30				
14-0115-PG	Aresty Estate	Chesler	60,0057	58,8545	38,000.00	19,200.00	53.33%	2,154,762.00	1,149,208.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	1,184,268.40	3,078,981.38				
14-0118-PG	Tinc	Mt. Olive	13,1880	13,1880	15,000.00	9,000.00	60.00%	197,835.00	118,713.92	118,713.92	118,713.92	118,713.92	118,713.92	118,713.92	118,713.92	118,713.92	118,713.92	118,713.92	118,713.92				
14-0118-PG	Konkus	Chesler	23,0021	11,7184	23,000.00	13,800.00	60.00%	289,628.20	187,713.92	187,713.92	187,713.92	187,713.92	187,713.92	187,713.92	187,713.92	187,713.92	187,713.92	187,713.92	187,713.92				
14-0125-PG	Verhaka, Simone M.	Chesler	19,5350	19,5350	16,000.00	9,600.00	60.00%	312,500.00	187,488.00	208,440.00	208,440.00	208,440.00	208,440.00	208,440.00	208,440.00	208,440.00	208,440.00	187,488.00	187,488.00				
14-0130-PG	Cogger, Maile (Young #2)	Chesler	11,5800	11,5800	30,000.00	18,000.00	60.00%	347,400.00	208,440.00	498,200.00	498,200.00	498,200.00	498,200.00	498,200.00	498,200.00	498,200.00	498,200.00	187,488.00	187,488.00				
14-0128-PG	Olsen, Kenneth & Ludwig, Dorothy	Chesler	32,1200	33,0800	25,500.00	15,000.00	58.82%	819,080.00	498,200.00	498,200.00	498,200.00	498,200.00	498,200.00	498,200.00	498,200.00	498,200.00	498,200.00	187,488.00	187,488.00				
Closed	7		364,8659	351,0614				10,790,121.75	6,317,385.75														
Encumbered	3		63,2350	64,1959				1,679,020.00	895,128.00														
											Encumbered/Expanded FY09	Encumbered/Expanded FY11	Encumbered/Expanded FY13	Encumbered/Expanded FY15	Encumbered/Expanded FY17	Encumbered/Expanded FY19	Encumbered/Expanded FY21						
											-	-	-	-	-	-	-	-	1,808,347.13	1,103,652.87			
											-	-	-	-	-	-	-	-	1,808,347.13	1,103,652.87			
											-	-	-	-	-	-	-	-	1,808,347.13	1,103,652.87			
											704,840.00	1,500,000.00	1,500,000.00	1,500,000.00	1,500,000.00	1,500,000.00	1,500,000.00	2,891,493.38	2,891,493.38				
											295,380.00	295,380.00	295,380.00	295,380.00	295,380.00	295,380.00	295,380.00	2,891,493.38	2,891,493.38				
											Total	Total	Total	Total	Total	Total	Total	Total	Total	Total			
											2,011,493.38	2,011,493.38	2,011,493.38	2,011,493.38	2,011,493.38	2,011,493.38	2,011,493.38	2,011,493.38	2,011,493.38	2,011,493.38			

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Olsen, Kenneth A. & Ludwig, Dorothy O.
14- 0128-PG
County PIG Program
32 Acres

Block 7	Lot 27	Chester Twp.	Morris County
SOILS:		Other	34% * 0 = .00
		Prime	22% * .15 = 3.30
		Statewide	44% * .1 = 4.40
			SOIL SCORE: 7.70
TILLABLE SOILS:		Cropland Harvested	49% * .15 = 7.35
		Wetlands	20% * 0 = .00
		Woodlands	31% * 0 = .00
			TILLABLE SOILS SCORE: 7.35

FARM 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:
 - 1st (2.1) acres for Existing residence, sheds, drive and tennis court
Exception is not to be severed from Premises
limited to one existing single family residential unit
 - 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.

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2018R1(4)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
CUMBERLAND COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
T. Glenn, Ella Mae, Rebekah K, and Travis M. Eachus ("Owners")
Upper Deerfield Township, Cumberland County

N.J.A.C. 2:76-17 et seq.
SADC ID#06-0187-PG

January 25, 2018

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland 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, Cumberland County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on October 31, 2016, the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 402, Lot 6, Upper Deerfield Township, Cumberland County, totaling 52.800 surveyed gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Cumberland County's Deerfield - Upper Deerfield North Project Area; and

WHEREAS, the Property includes one (1), 1 acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in 51.800 net surveyed acres to be preserved; and

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

WHEREAS, at the time of application the Property was in corn 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 67.97 which exceeds 44, 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 January 30, 2017, 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 23, 2017, the SADC certified a development easement value of \$5,300 per acre based on zoning and environmental regulations in place as of the current valuation date June 1, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owners accepted the County's offer of \$5,300 per acre for the development easement for the Property; and

WHEREAS, on December 13, 2017, the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on April 6, 2017, the Upper Deerfield 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 April 11, 2017, the Cumberland 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 April 25, 2017, the Board of Chosen Freeholders of the County of Cumberland passed a resolution granting final approval and a commitment of funding for \$1,750 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 51.800 surveyed acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$183,890	(\$3,550/acre)
<u>Cumberland County</u>	<u>\$ 90,650</u>	<u>(\$1,750/acre)</u>
Total Easement Purchase	\$274,540	(\$5,300/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Cumberland County Agriculture Development Board is requesting \$3,550 per acre or \$183,890 in FY17 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 Cumberland County for the purchase of a development easement on the

Property, comprising 51.800 net surveyed easement acres, at a State cost share of \$3,550 per acre, (66.98% of certified easement value and purchase price), for a total grant of \$183,890 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), 1 acre non-severable exception area for and limited to 1 future 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, at the time of closing any unused funds encumbered from base grant funds shall be returned to the County base grant and any unused competitive funds shall be returned to the most current legislatively authorized competitive 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-C; 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.

1/25/18
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

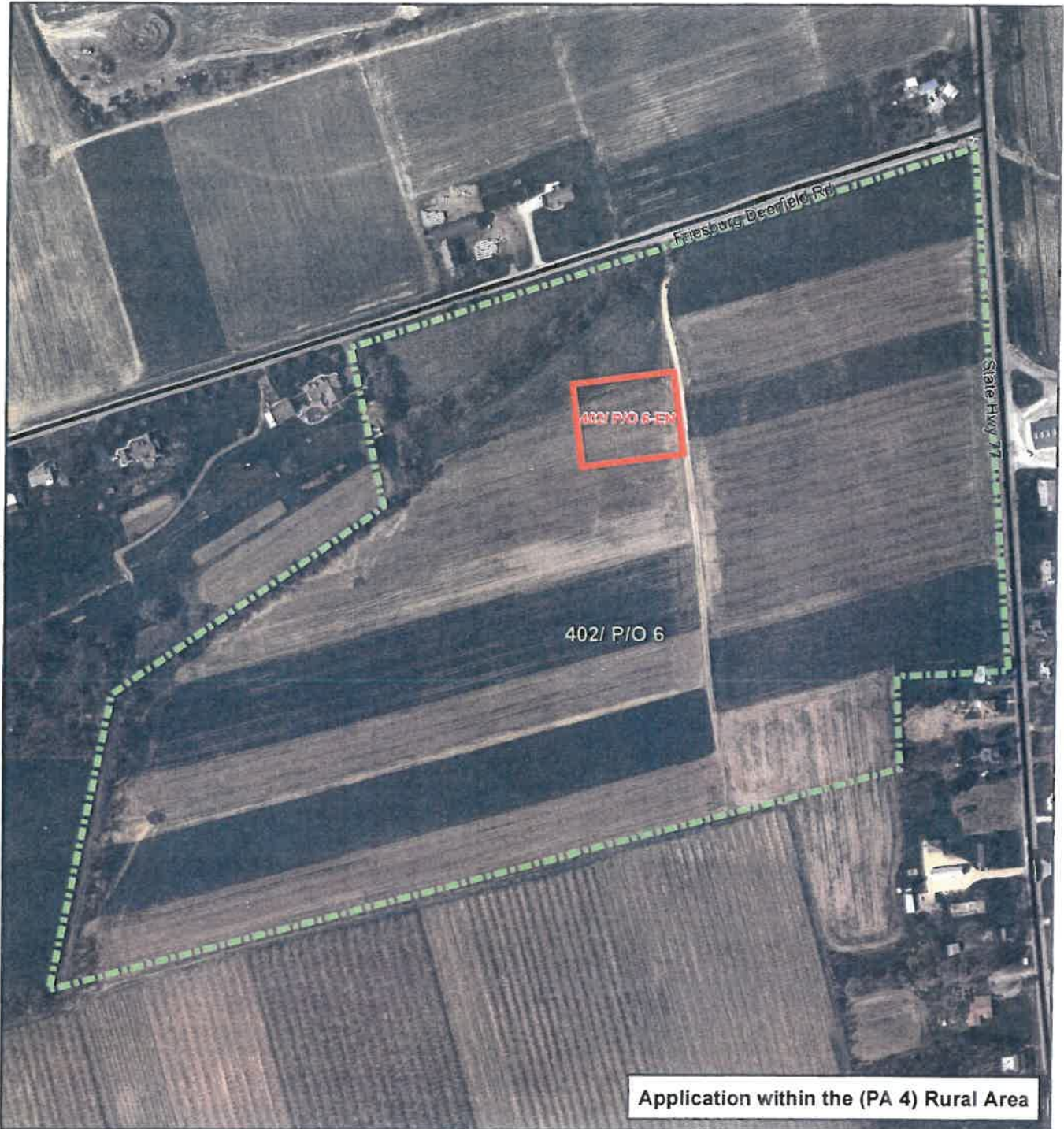
VOTE WAS RECORDED AS FOLLOWS:

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

Project Map

Schedule A

X:\counties\cumco\projects\Eachus_T_Glenn_Ella_M_Travis_Rebekah_project_map.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Eachus, T. Glenn, Ella M., Travis & Rebekah
Block 402 Lots P/O 6 (53.5 ac);
& P/O 6-EN (non-severable exception - 1.0 ac)
Gross Total = 54.5 ac
Upper Deerfield Twp., Cumberland County

250 125 0 250 500 Feet



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

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.

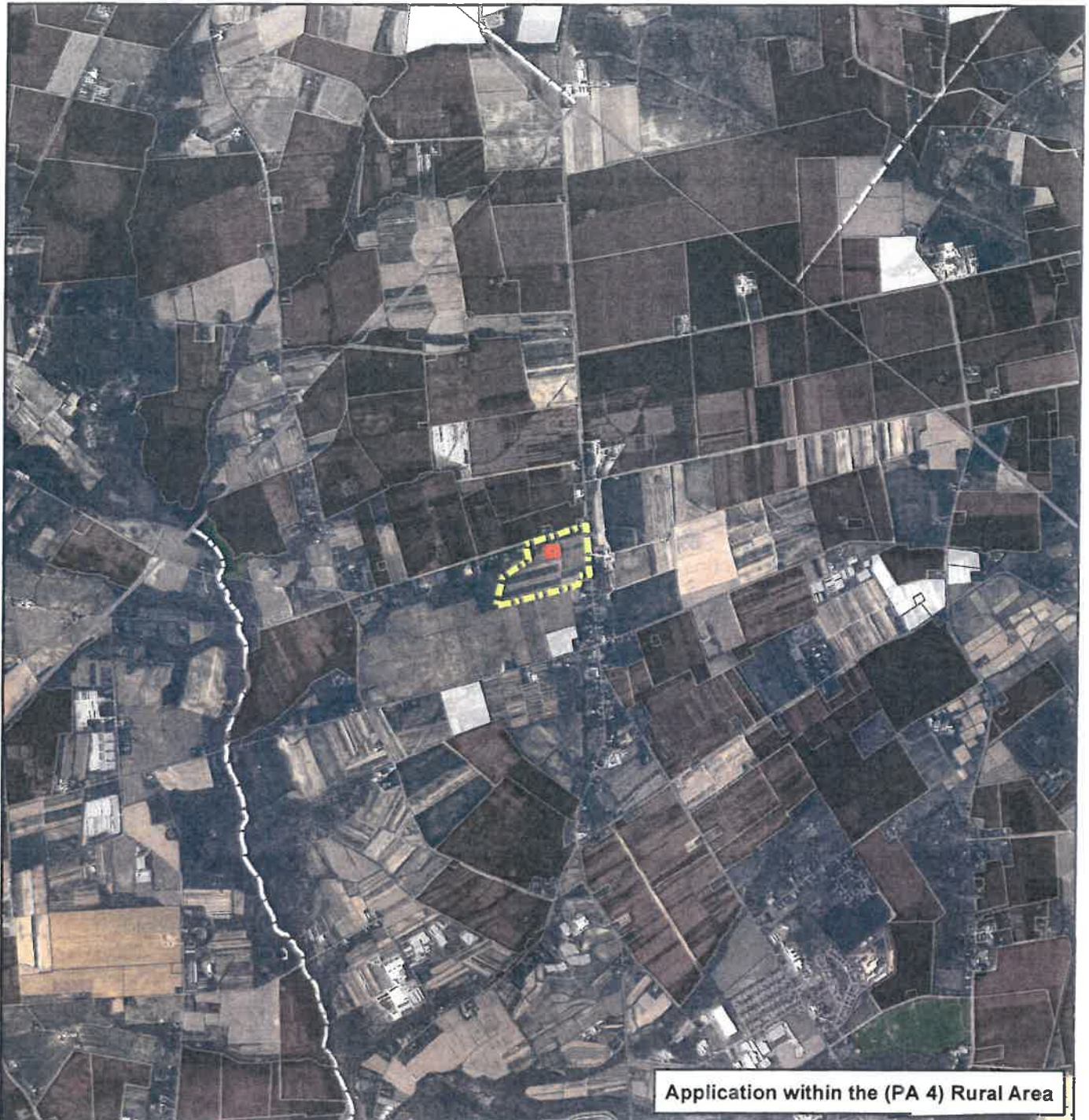
Sources:
Green Acres Conservation Easement Data
NJOT/OGIS 2015 Digital Aerial Image

December 28, 2016

Preserved Farms and Active Applications Within Two Miles

SHOW 18

X:\counties\cumco\projects\Eachus_T_Glenn_Ella_M_Travis_Rebekah_2mile.mxd



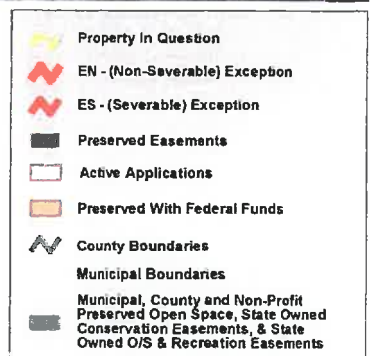
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Eachus, T. Glenn, Ella M., Travis & Rebekah
Block 402 Lots P/O 6 (53.5 ac);
& P/O 6-EN (non-severable exception - 1.0 ac)
Gross Total = 54.5 ac
Upper Deerfield Twp., Cumberland County

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

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

Application within the (PA 4) Rural Area



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

December 28, 2016

Cumberland County

[illegible]

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Eachus, T. Glenn, Ella M., Travis & Rebekah
06- 0187-PG
County PIG Program
54 Acres

Block 402 Lot 6 Upper Deerfield Twp. Cumberland County

SOILS:	Other	2% *	0	=	.00
	Prime	76% *	.15	=	11.40
	Statewide	22% *	.1	=	2.20
					SOIL SCORE: 13.60

TILLABLE SOILS:	Cropland Harvested	95% *	.15	=	14.25
	Woodlands	5% *	0	=	.00
					TILLABLE SOILS SCORE: 14.25

FARM USE:	Corn-Cash Grain	33 acres
	Hay	21 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st one (1) acres for Future residence
Exception is not to be severed 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 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 FY2018R1(5)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

BLAIRSTOWN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

**On the Property of
Nonnenmacher, Lothar ("Owner")
Blairstown Township, Warren County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 21-0597-PG**

JANUARY 25, 2018

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 Blairstown Township, Warren County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Blairstown Township received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on May 25, 2016 the SADC received an application for the sale of a development easement from Blairstown Township for the subject farm identified as Block 506, Lot 8.04, Blairstown Township, Warren County, totaling approximately 19.6 gross acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 18.6 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 soybean 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 July 14, 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 January 26, 2017 the SADC certified a development easement value of \$5,000 per acre based on zoning and environmental regulations in place as of the current valuation date November 2016; and

WHEREAS, the Owner accepted the Township's offer of \$5,000 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on October 11, 2017 the Blairstown Township Committee approved the application and a funding commitment of \$800 per acre; and

WHEREAS, the Warren County Agriculture Development Board approved the application on January 18, 2018 and secured a commitment of funding from the Warren County Board of Chosen Freeholders for the \$800 required local match on January 24, 2018; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 18.6 net easement acres):

	<u>Total</u>	
SADC	\$63,240	(\$3,400 per acre)
Warren County	\$14,880	(\$800 per acre)
Blaristown Twp.	<u>\$14,880</u>	<u>(\$800 per acre)</u>
Total Easement Purchase	\$93,000	(\$5,000 per acre)

WHEREAS, Blairstown Township is requesting \$3,400 per acre or \$63,240 and sufficient funds are available (Schedule B); 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 Blairstown Township for the purchase of a development easement on the Property, comprising approximately 18.6 net easement acres, at a State cost share of \$3,400 per acre, (68% of certified easement value and purchase price), for a total grant need of approximately \$63,240 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 1-acre non-severable exception area for and limited to one (1) future 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, should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds; and

BE IT FURTHER RESOLVED, the SADC will be providing its grant directly to Warren 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 Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the 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-C ; 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.

1/25/18
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 McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Wetlands



Application within the (PA4b) Rural Env Sens Area

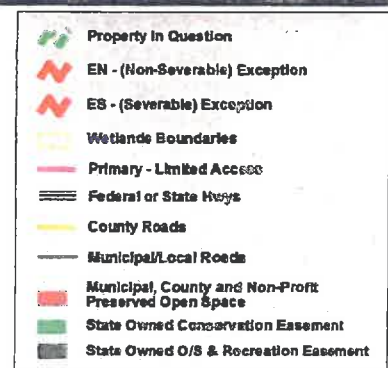
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Nonnenmacher, Lothar
Block 506 Lots P/O 8.04 (18.6 ac);
& P/O 8.04-EN (non-severable exception - 1.0 ac)
Gross Total = 19.6 ac
Blairstown Twp., Warren County

250 125 0 250 500 Feet

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

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

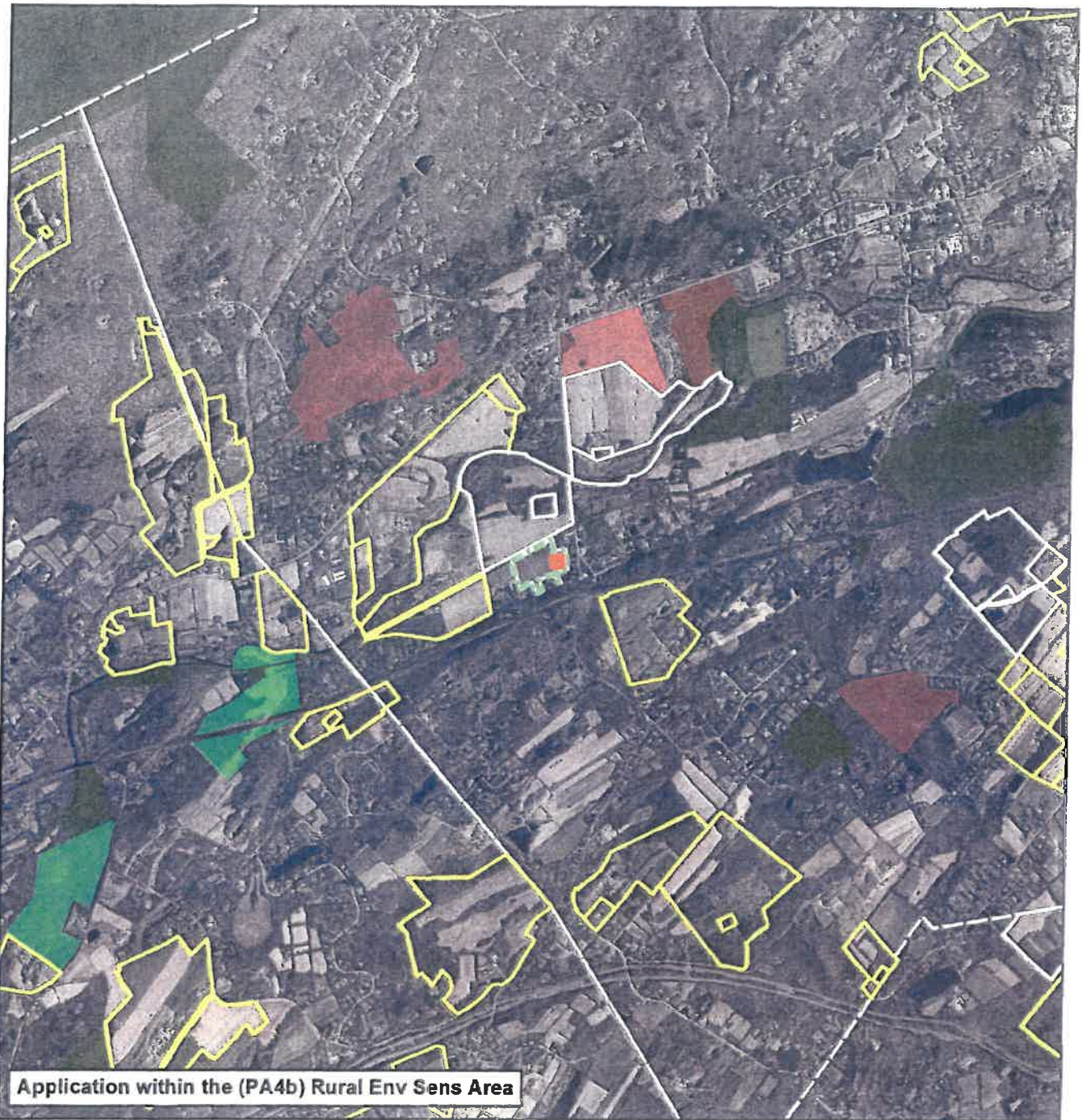


Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Total Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

June 9, 2016

Preserved Farms and Active Applications Within Two Miles

X:\counties\warco\projects\nonnenmacher_lothar_lot8_04_2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Nonnenmacher, Lothar
Block 506 Lots P/O 8.04 (18.6 ac);
& P/O 8.04-EN (non-severable exception - 1.0 ac)
Gross Total = 19.6 ac
Blairstown Twp., Warren County

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



- Property in Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned O/S & Recreation Easement

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

June 9, 2016

SADC Municipal Pig Financial Status
Schedule B

Blairstown Township, Warren County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	Grant (%) Per Acre	SADC			Federal Grant		Grant		
							Cost Basis	Cost Share	Total	SADC Federal Grant	Encumbered	PV	Expended	Balance
21-0502-PG	C&J Race	44.4440	44.1960	7,700.00	4,750.00	61.69%	340,309.20	209,931.00		209,931.00	209,931.00	209,931.00	209,931.00	1,750,000.00
21-0511-PG	D Race (LLC)	30.0330	30.0330	6,700.00	4,250.00	63.43%	201,221.10	127,640.25		127,640.25	127,640.25	127,640.25	127,640.25	1,540,069.00
21-0585-PG	D Race & C&J Race ancillary	83.0570	83.0570	4,100.00	2,860.00	69.76%	340,533.70	237,543.02		243,100.00	243,100.00	237,543.02	8,425.00	1,412,428.75
21-0589-PG	Croucher	120.5040	120.5040	4,800.00	3,280.00	68.33%	578,419.20	395,253.12		400,160.00	400,160.00	395,253.12	237,543.02	1,404,003.75
	Ardia (High Acres)													1,166,460.73
	Croucher ancillary													771,207.61
21-0597-PG	Nonnemacher, Lothar J. (Lot 8.04)	18.6000	18.6000	5,000.00	3,400.00	68.00%	93,000.00	63,240.00		63,240.00	63,240.00		1,887.50	769,320.11
21-0596-PG	Nonnemacher, Lothar J. (Lot 9)	103.3000	103.3000	3,100.00	2,260.00	72.90%	320,230.00	233,458.00		233,458.00	233,458.00			706,080.11
														472,622.11
Closed		157.5340	157.2860				882,064.00	575,114.27						
Encumbered		242.4040	242.4040				991,649.20	691,951.12						
										Encumber/Expended FY09	Encumber/Expended FY11	Encumber/Expended FY13	Encumber/Expended FY17	Total
										-	-	166,460.73	583,539.27	-
										-	269,320.11	228,792.39	1,887.50	-
										-	27,377.89	-	-	472,622.11
										-	-	-	-	472,622.11

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Nonnenmacher Farm I (B506-L8.04)
21- 0597-PG
PIG EP - Municipal 2007 Rule
19 Acres

Block 506 Lot 8.04 Blairstown Twp. Warren County

SOILS:	Prime	100% *	.15	=	15.00
					SOIL SCORE: 15.00

TILLABLE SOILS:	Cropland Harvested	87% *	.15	=	13.05
	Other	3% *	0	=	.00
	Woodlands	10% *	0	=	.00
					TILLABLE SOILS SCORE: 13.05

FARM USE:	Soybeans-Cash Grain	16 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 one (1) acres for Future single family residential unit
Exception is not to be severed from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No 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 FY2018R1(6)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

BLAIRSTOWN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

**On the Property of
Nonnenmacher, Lothar ("Owner")
Blairstown Township, Warren County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 21-0596-PG**

JANUARY 25, 2018

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 Blairstown Township, Warren County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Blairstown Township received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on May 25, 2016 the SADC received an application for the sale of a development easement from Blairstown Township for the subject farm identified as Block 506, Lot 9, Blairstown Township, Warren County, totaling approximately 109.3 gross acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 6-acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 103.3 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 soybean 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 July 15, 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 January 26, 2017 the SADC certified a development easement value of \$3,100 per acre based on zoning and environmental regulations in place as of the current valuation date November 2016; and

WHEREAS, the Owner accepted the Township's offer of \$3,100 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on October 11, 2017 the Blairstown Township Committee approved the application and a funding commitment of \$420 per acre; and

WHEREAS, the Warren County Agriculture Development Board approved the application on January 18, 2018 and secured a commitment of funding from the Warren County Board of Chosen Freeholders for the \$420 required local match on January 24, 2018; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 103.3 net easement acres):

	<u>Total</u>	
SADC	\$233,458	(\$2,260 per acre)
Warren County	\$43,386	(\$420 per acre)
Blaristown Twp.	<u>\$43,386</u>	<u>(\$420 per acre)</u>
Total Easement Purchase	(\$320, 230	(\$3,100 per acre)

WHEREAS, Blairstown Township is requesting \$2,260 per acre or \$233,458 and sufficient funds are available (Schedule B); and

WHEREAS, the County will hold the development easement; 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 Blairstown Township for the purchase of a development easement on the Property, comprising approximately 103.3 net easement acres, at a State cost share of \$2,260 per acre, (72.9% of certified easement value and purchase price), for a total grant need of approximately \$233,458 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) future 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, should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds; and

BE IT FURTHER RESOLVED, the SADC will be providing its grant directly to Warren 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 Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the 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-C ; 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.

1/25/18
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 McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Wetlands

X:\counties\warco\projects\nonnenmacher_lothar_lothar_fw.mxd



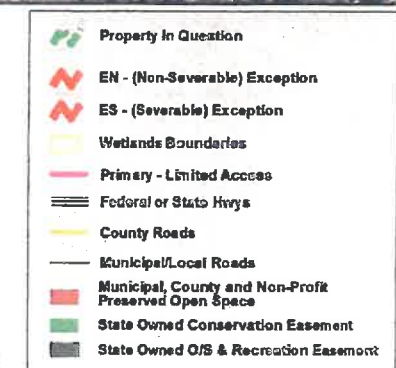
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Nonnenmacher, Lothar
Block 506 Lots P/O 9 (103.3 ac);
& P/O 9-EN (non-severable exception - 6.0 ac)
Gross Total = 109.3 ac
Warren County



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

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

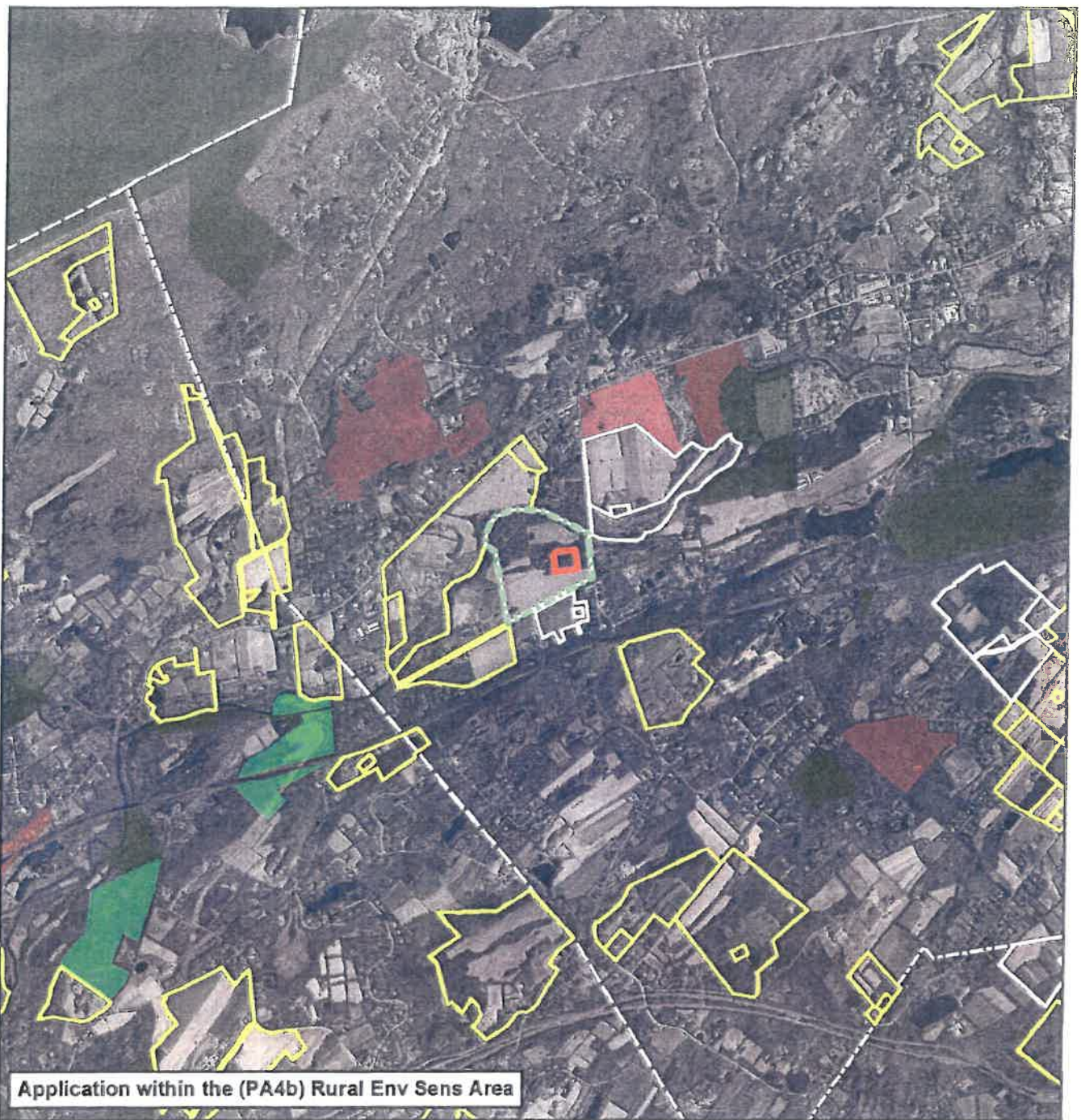


Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

June 8, 2016

Preserved Farms and Active Applications Within Two Miles

X:\counties\warco\projects\nonnenmacher_lothar_lot9_2mile.mxd

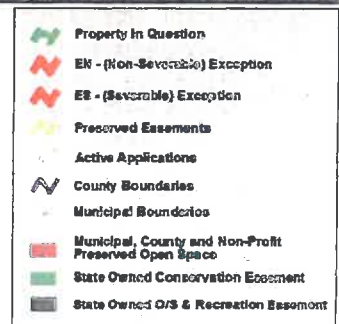


Application within the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Nonnenmacher, Lothar
Block 506 Lots P/O 9 (103.3 ac);
& P/O 9-EN (non-severable exception - 6.0 ac)
Gross Total = 109.3 ac
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

June 9, 2016

SADC Municipal Pig Financial Status
Schedule B

Blairstown Township, Warren County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	Grant (%) Per Acre	SADC			Federal Grant		Grant			
							Cost Basis	Cost Share	SADC	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expanded	Balance
21-0502-PG	C&J Race	44.4440	44.1960	7,700.00	4,750.00	61.69%	340,309.20	209,931.00	209,931.00	209,931.00	209,931.00	209,931.00	209,931.00	209,931.00	1,540,069.00
21-0511-PG	D Race (LLC)	30.0330	30.0330	6,700.00	4,250.00	63.43%	201,221.10	127,640.25	127,640.25	127,640.25	127,640.25	127,640.25	127,640.25	127,640.25	1,412,428.75
21-0585-PG	D Race & C&J Race ancillary	83.0570	83.0570	4,100.00	2,850.00	69.76%	340,533.70	237,543.02	237,543.02	237,543.02	237,543.02	237,543.02	237,543.02	237,543.02	1,404,003.75
21-0589-PG	Croucher	120.5040	120.5040	4,800.00	3,280.00	68.33%	578,419.20	395,253.12	395,253.12	395,253.12	395,253.12	395,253.12	395,253.12	395,253.12	1,166,460.73
21-0597-PG	Ardia (High Acres)	18.6000	18.6000	5,000.00	3,400.00	68.00%	93,000.00	63,240.00	63,240.00	63,240.00	63,240.00	63,240.00	63,240.00	63,240.00	771,207.61
21-0596-PG	Croucher ancillary	103.3000	103.3000	3,100.00	2,260.00	72.90%	320,230.00	233,458.00	233,458.00	233,458.00	233,458.00	233,458.00	233,458.00	233,458.00	706,080.11
Closed	3	157.5340	157.2860				882,064.00	575,114.27	575,114.27						472,622.11
Encumbered	3	242.4040	242.4040				991,649.20	691,951.12	691,951.12						472,622.11
										Encumber/Expanded FY09	Encumber/Expanded FY11	Encumber/Expanded FY13	Encumber/Expanded FY17	Total	
										-	-	-	-	-	-
										166,460.73	228,792.39	269,320.11	27,377.89	583,539.27	472,622.11
										-	-	-	-	1,887.50	472,622.11

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Nonnenmacher, Lothar J. (Lot 9)
21- 0596-PG
PIG EP - Municipal 2007 Rule
101 Acres

Block 506	Lot 9	Blairstown Twp.	Warren County
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SOILS:	Other	47% * 0	= .00
	Prime	53% * .15	= 7.95
		SOIL SCORE:	7.95

TILLABLE SOILS:	Cropland Harvested	77% * .15	= 11.55
	Other	5% * 0	= .00
	Wetlands	18% * 0	= .00
		TILLABLE SOILS SCORE:	11.55

FARM USE:	Soybeans-Cash Grain	51 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 six (6) acres for Future single family residential unit
 - Exception is not to be severed from Premises
 - Right to Farm language is to be included in Deed of Easement
 - 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
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 FY2018R1(7)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

FRELINGHUYSEN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Pittenger, Ronald and Sharon (Dark Moon) ("Owner")

Frelinghuysen Township, Warren County

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

SADC ID# 21-0490-PG

JANUARY 25, 2018

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 Frelinghuysen Township, Warren County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Frelinghuysen Township received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on August 9, 2016 the SADC received an application for the sale of a development easement from Frelinghuysen Township for the subject farm identified as Block 1201, Lot 34 and Block 1301, Lot 3, Frelinghuysen Township, Warren County, totaling approximately 95.7 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Frelinghuysen Township's Limestone Valley Bear Brook Project Area and in the Highlands Planning Area; and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area for and limited to one (1) existing single family residential unit and one (1) approximately 1.6-acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 92 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes one (1) residential trailer without a foundation that cannot be rebuilt or replaced if it is removed or destroyed, zero (0) agricultural labor units and (0) non-agricultural uses; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on October 3, 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 November 3, 2016 the SADC certified a development easement value of \$3,700 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$3,000 per acre based on zoning and environmental regulations in place as of the current valuation date September 2016; and

WHEREAS, the Owner accepted the Township's offer of \$3,700 per acre for the development easement for the Property; and

WHEREAS, a neighboring residence on Block 1201, Lot 34.01 currently gains access along an existing farm lane, a portion of which was designated by the Township as "Old Dark Moon Rd." and labeled on the Municipal Tax Maps as "Pittenger Lane" (Schedule A).

WHEREAS, the certification of easement value was conditioned upon Frelinghuysen Township formally vacating Old Dark Moon Rd. and recording of an access easement along the existing farm lane to provide access to the existing residence on Block 1201, Lot 34.01 prior to closing; and

WHEREAS, pursuant to ordinance 2017-05 recorded on August 31, 2017 in Deed Book 2790, Page 139, Frelinghuysen Township has vacated its interest in Old Dark Moon Rd; however, the certification of easement value and this final approval are still conditioned on recording of an access easement along the existing farm lane to provide access to the existing residence on Block 1201, Lot 34.01 prior to closing; and

WHEREAS, the Township of Frelinghuysen applied for a grant from the Highlands Council through the Highlands Open Space Partnership Funding Program (Highlands Grant); and

WHEREAS, the Highlands Council approved Resolution 2017-5 authorizing a Highlands Grant for the Pittenger farm of \$164,628.00 or 50 percent of the final purchase price, whichever is less; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on July 19, 2017 the Frelinghuysen Township Committee approved the application but is not participating financially in the easement purchase due to the anticipated receipt of the Highlands Grant; and

WHEREAS, the Warren County Agriculture Development Board approved the application on July 20, 2017 and the Warren County Board of Chosen Freeholders approved the application on July 26, 2017 but is not participating financially in the easement purchase due to the anticipated receipt of the Highlands Grant; and

WHEREAS, this final approval is conditioned upon a Highlands Grant in an amount sufficient enough to cover the County and Township's cost share; and

WHEREAS, the use of the Highlands Grant is conditioned upon the satisfactory resolution of any closing procedure agreements between the SADC and the Highlands Council; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 92 net easement acres):

	<u>Total</u>
SADC	\$241,040 (\$2,620 per acre)
Frelinghuysen Twp.	\$ 49,680 (\$540 per acre)
<u>Warren County</u>	<u>\$ 49,680 (\$540 per acre)</u>
Total Easement Purchase	\$340,400 (\$3,700 per acre)

Estimated Cost share breakdown if the Highlands Grant is finalized and applied:

	Total	Highlands	New Cost Share
SADC	\$241,040	\$65,268	\$175,772 (\$1,910.56 /acre)
Frelinghuysen Twp.	\$ 49,680	\$49,680	\$0
Warren County	\$ 49,680	\$49,680	\$0
<u>Highlands Grant</u>			<u>\$164,628 (\$1,789.44/acre)</u>
TOTAL	\$340,400	\$164,628	\$340,400 (\$3,700/acre)

WHEREAS, Frelinghuysen Township is requesting to encumber \$1,910.56 per acre or \$175,772 and sufficient funds are available (Schedule B); and

WHEREAS, the County will hold the development easement; 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 Frelinghuysen Township for the purchase of a development easement on the Property, comprising approximately 92 net easement acres, at a State cost share of \$1,910.56 per acre, (51.64% of certified easement value and purchase

price), for a total grant need of \$175,772 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) existing single family residential unit and one (1) approximately 1.6-acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses; and

BE IT FURTHER RESOLVED, the Property includes one (1) residential trailer which cannot be rebuilt or replaced if it is removed or destroyed, 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, that the SADC will utilize any remaining Highlands Grant funds (estimated \$65,268) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, this final approval is conditioned upon the recording of an access easement along the existing farm lane to provide access to the existing residence on Block 1201, Lot 34.01 prior to closing; and

BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of Highlands Grant funds sufficient enough to cover the Township and County's cost share or in absence of the Highlands Grant, a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the total local cost share; and

BE IT FURTHER RESOLVED, should additional funds be needed and grant funding becomes available the grant may be adjusted to utilize unencumbered grant funds; and

BE IT FURTHER RESOLVED, the SADC will be providing its grant directly to Warren 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 Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the 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-C; 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.



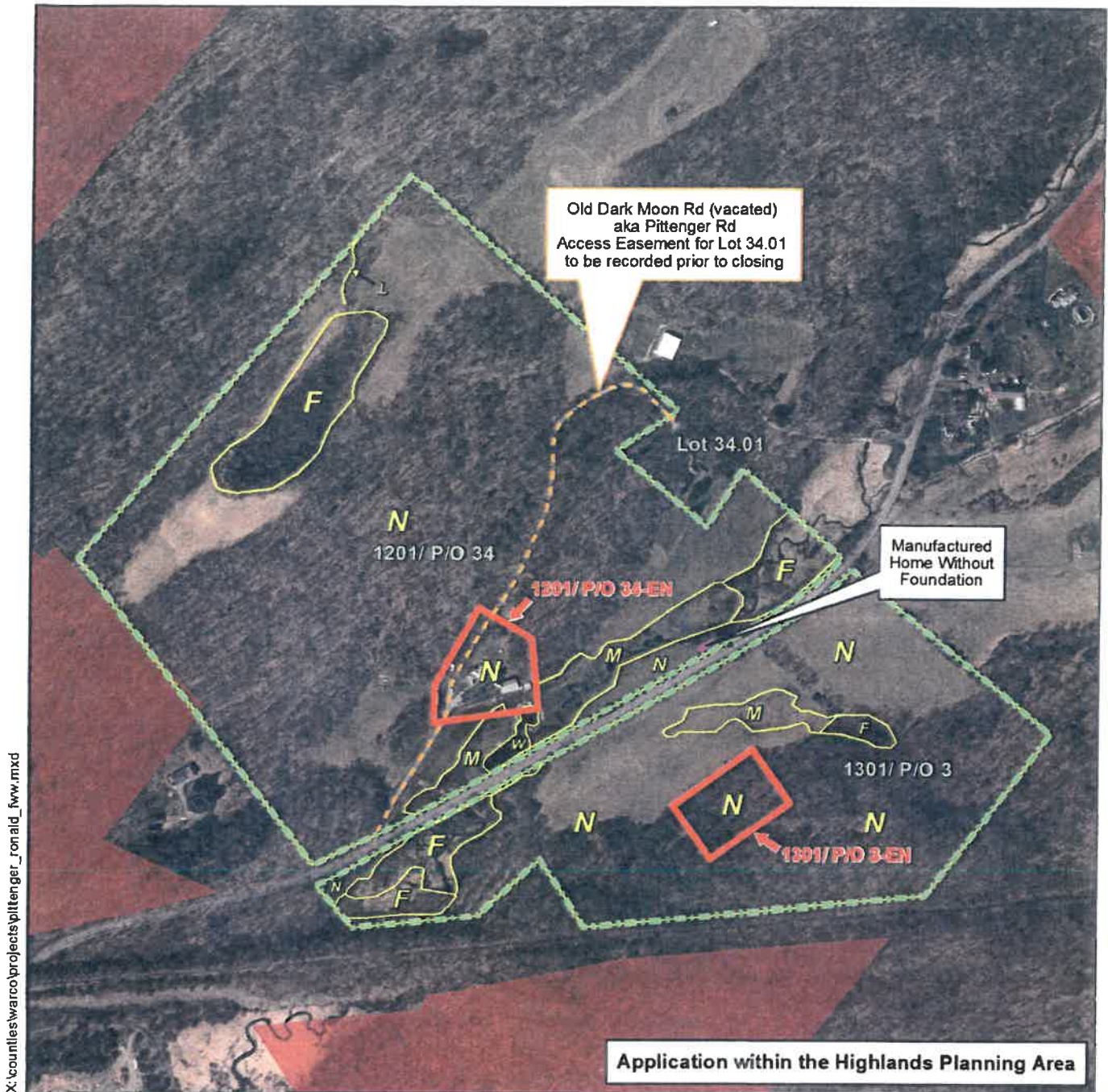
1/25/18
Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands



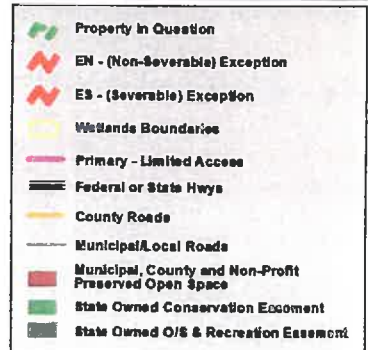
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Pittenger, Ronald and Sharon/Dark Moon Farm
Block 1201 P/O Lots 34 (61.6 ac),
& P/O 34-EN (non-severable exception - 2.0 ac);
Block 1301 P/O Lots 3 (30.5 ac)
& P/O 3-EN (non-severable exception - 1.6 ac)
Gross Total - 95.7 ac
Frelinghuysen 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
NJOT/OGIS 2015 Digital Aerial Image

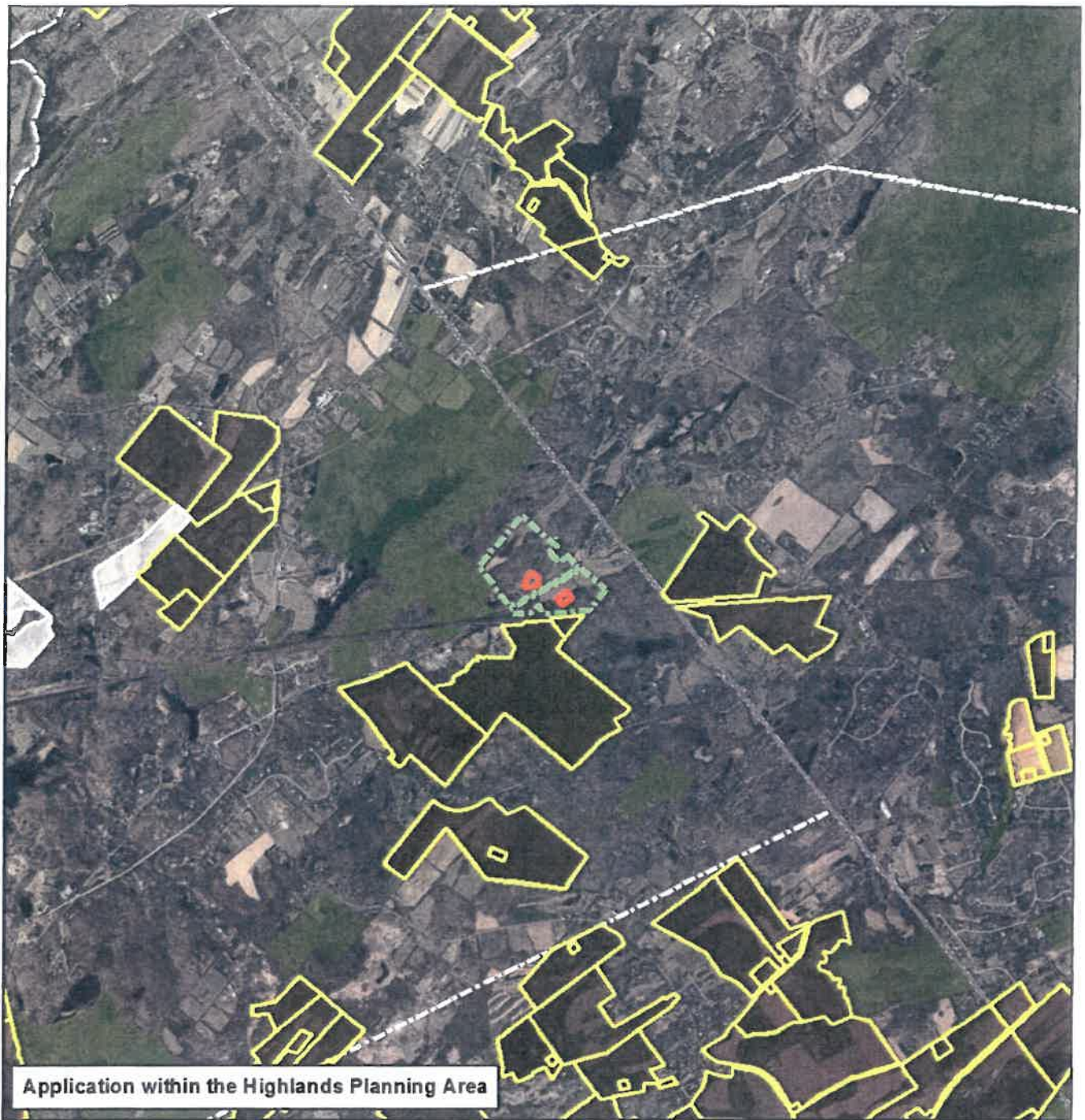
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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



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

Preserved Farms and Active Applications Within Two Miles

X:\counties\warco\projects\pittenger_ronald_2mile.mxd

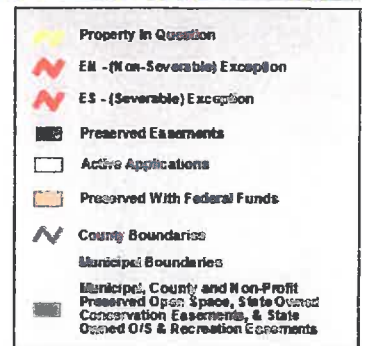


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Pittenger, Ronald and Sharon/Dark Moon Farm
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Block 1301 P/O Lots 3 (30.5 ac)
& P/O 3-EN (non-severable exception - 1.6 ac)
Gross Total - 95.7 ac
Frelinghuysen Twp., Warren County

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

NOTE:
This 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
NJDOT GIS 2015 Digital Aerial Image

September 7, 2016

SADC Municipal Pig Financial Status Schedule B

Freilinghuysen Township, Warren County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	Grant% Per Acre	SADC		Federal Grant		Grant			
							Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
21-0486-PG	Linz	122.8470	122.8080	3,500.00	2,500.00	71.43%	429,828.00	307,020.00			307,020.00	307,020.00	307,020.00	1,442,980.00
21-0569-PG	Berry / Shiloh Hill	95.7600	95.7600	5,750.00	3,775.00	65.65%	550,620.00	361,494.00			361,494.00	361,494.00	361,494.00	1,081,486.00
21-0584-PG	Post	40.3110	40.2520	4,400.00	3,040.00	69.09%	177,108.80	122,366.08			123,728.00	122,366.08	122,366.08	950,387.92
21-0592-PG	Murphy, Richard & Gloria Post ancillary	203.7760	203.7760	4,800.00	3,280.00	68.33%	978,124.80	668,385.28			663,544.00	668,385.28	292,002.64	276,597.64
21-0490-PG	Pittinger, Robert & Sharon (Dark Moon)	92.0000	92.0000	3,700.00	1,910.56	51.64%	340,400.00	175,772.00			175,772.00		5,405.00	100,825.64
Closed	3	258.9180	258.8200				1,157,556.800	790,880.080	-	-	-	-	-	-
Encumbered	2	295.7760	295.7760				1,318,524.800	844,157.280	-	-	-	-	-	-
										Encumber/Expended FY09	Encumber/Expended FY11	Encumber/Expended FY13	Encumber/Expended FY17	Total
										-	-	450,387.92	217,997.36	750,000.00
										175,772.00	-	48,612.08	5,405.00	100,825.64
										-	-	-	-	100,825.64

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Pittenger, Ronald & Sharon (Dark Moon)

21-0490-PG

PIG EP - Municipal 2007 Rule

92 Acres

Block 1201 Lot 34 Frelinghuysen Twp. Warren County

Block 1301 Lot 3 Frelinghuysen Twp. Warren County

SOILS:	Other	76% *	0	=	.00
	Prime	24% *	.15	=	3.60

SOIL SCORE: 3.60

TILLABLE SOILS:	Cropland Harvested	30% *	.15	=	4.50
	Wetlands	12% *	0	=	.00
	Woodlands	58% *	0	=	.00

TILLABLE SOILS SCORE: 4.50

FARM USE:	Hay	40 acres	
	Other	12 acres	Pasture

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 Existing residence and use flexibility
Exception is not to be severed from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be limited to one existing single family residential unit(s)
 - 2nd (1.6) acres for Future single family dwelling
Exception is not to be severed from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. A neighboring residence on Block 1201, Lot 34.01 currently gains access along an existing farm lane through the Property (Schedule A). SADC approval is conditioned upon memorialized access with an easement recorded prior to closing.
 - e. Dwelling Units on Premises:
Manufactured without Foundation - Rented trailer. Not a permanent housing opportunity, it cannot be rebuilt or replaced.
 - 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 FY2018R1(8)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**PIESGROVE TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Edward and Barbara Byrnes ("Owners")
Pilesgrove Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID#17-0175-PG**

January 25, 2018

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 Pilesgrove Township, Salem County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Pilesgrove Township received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on July 22, 2016, the SADC received an application for the sale of a development easement from Pilesgrove Township for the subject farm identified as Block 22, Lot 2, Pilesgrove Township, Salem County, totaling 46.832 surveyed acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property has zero (0) exceptions, zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

WHEREAS, at the time of application the Property was in soybean 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 October 28, 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 February 23, 2017, the SADC certified a development easement value of \$6,500 per acre based on zoning and environmental regulations in place as of the current valuation date January 18, 2017; and

WHEREAS, the Owners accepted the Township's offer of \$7,000 per acre for the development easement for the Property which is higher than the certified easement, but not higher than the highest appraised value of \$7,000; and

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

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

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the ALE grant will be calculated based on the per acre value of the ALE appraisal submitted for approval on July 26, 2017 equating to an ALE grant of \$3,500 per acre (50% of \$7,000) or approximately \$163,912 in total ALE funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including no future division of the premises and a 7.33% maximum impervious coverage restriction (approximately 3.4 acres) for the construction of agricultural infrastructure on the Property, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, due to a shortage of available funds from the Township and Salem County the requested ALE grant funds are to be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant need; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on July 11, 2017 the Pilesgrove Township Committee approved the application and a funding commitment of an estimated \$125 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on October 25, 2017 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 November 1, 2017, the Board of Chosen Freeholders of the County of Salem passed a resolution granting final approval but is not participating financially in the easement purchase due to the anticipated receipt of ALE funds; and

WHEREAS, the County has agreed to hold the development easement; and

WHEREAS, this final approval is conditioned upon ALE funding in an amount sufficient enough to cover the County and Township's cost share; and

WHEREAS, the cost share breakdown is approximately as follows (based on 46.832 net surveyed easement acres):

	<u>Total</u>	
SADC	\$194,352.80	(\$4,150/acre)
Salem County	\$ 55,027.60	(\$1,175/acre)
<u>Pilesgrove Twp.</u>	<u>\$ 78,443.60</u>	<u>(\$1,675/acre)</u>
Total Easement Purchase	\$327,824.00	(\$7,000/acre)

Estimated Cost share breakdown when the ALE Grant is finalized and applied:

	<u>Total</u>	<u>ALE \$</u>	<u>New Cost Share</u>	
SADC	\$194,352.80	\$30,440.80	\$163,912.00	(\$3,500/acre)
Salem County	\$ 55,027.60	\$55,027.60	\$0	(\$0/acre)
Pilesgrove Township	\$ 78,443.60	\$78,443.60	\$0	(\$0/acre)
<u>ALE Grant</u>			<u>\$163,912.00</u>	<u>(\$3,500/acre)</u>
TOTAL	\$327,824.00	\$163,912.00	\$327,824.00	(\$7,000/acre)

WHEREAS, Pilesgrove Township is requesting SADC to encumber \$3,500 per acre or \$163,912.00 from the municipal PIG funding and sufficient funds are available (Schedule B); 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 Pilesgrove Township for the purchase of a development easement on the Property, comprising 46.832 net surveyed easement acres, at a State cost share of \$3,500 per acre, (53.85% of certified easement value and 50% of purchase price), for a total grant of approximately \$163,912.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C);

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

BE IT FURTHER RESOLVED, that after being applied to the County and Municipal cost share, the SADC will utilize any remaining ALE grant funds (estimated \$30,440.80) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of ALE funds sufficient enough to cover the Township and County's cost share or in absence of ALE funding a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the total local cost share; and

BE IT FURTHER RESOLVED, should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds; and

BE IT FURTHER RESOLVED, the SADC will be providing its grant directly to Salem 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 Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the 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-C; 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.

1/25/18
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 McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Wetlands

Schedule A

Delaware North
Tidelands Region



Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Byrnes, Edward and Barbara
Block 22 Lot 2 (44.43 ac)
Gross Total = 44.43 ac
Pilesgrove Twp., Salem County

250 125 0 250 500 Feet

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

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

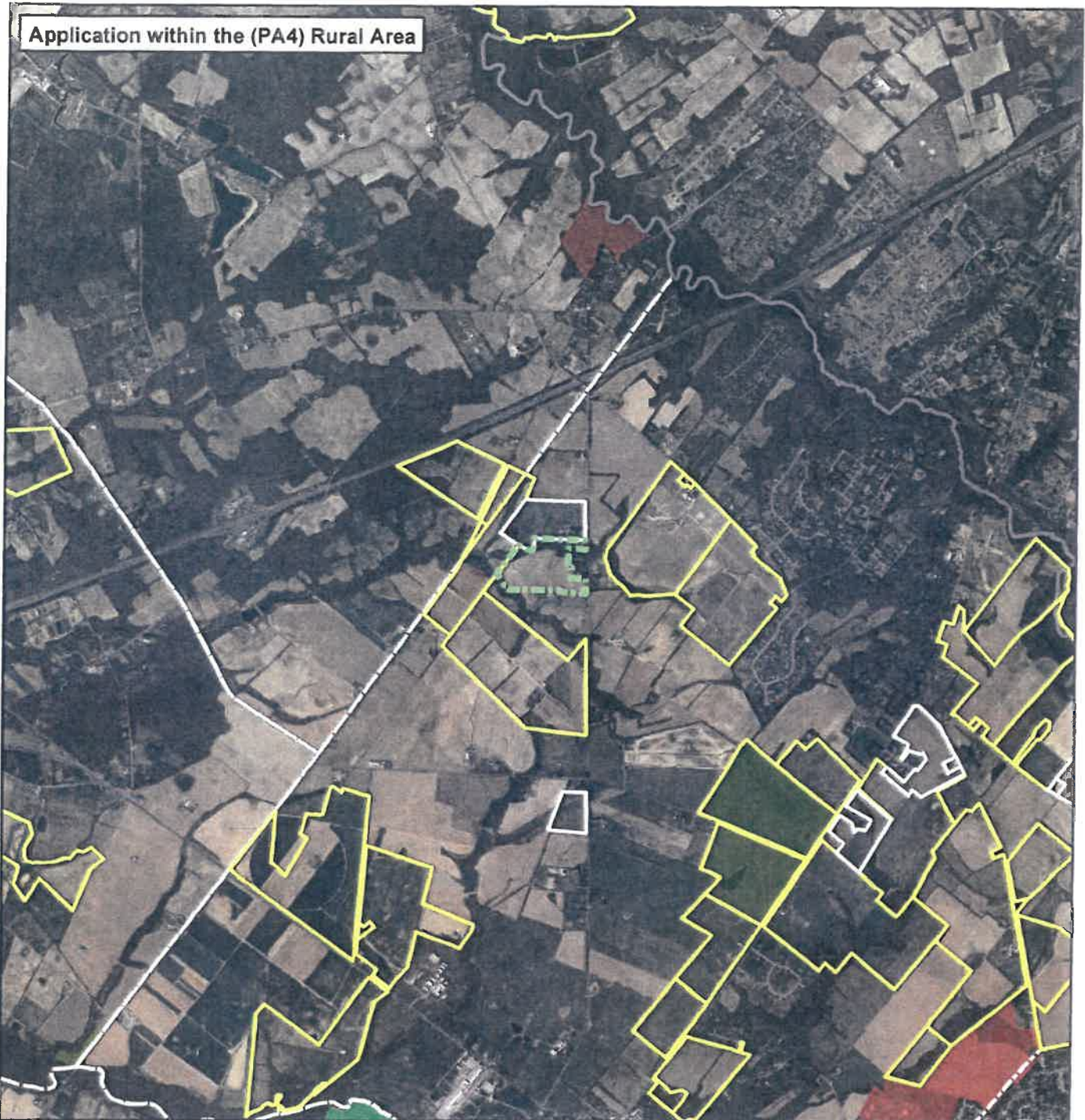
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Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

February 7, 2017

Preserved Farms and Active Applications Within Two Miles



X:\counties\alco\projects\Byrnes_Edward_and_Barbara_2mile.mxd

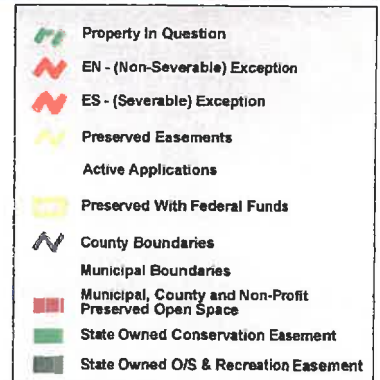
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Byrnes, Edward and Barbara
Block 22 Lot 2 (44.43 ac)
Gross Total = 44.43 ac
Pilesgrove 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



SADC Municipal Pig Financial Status
Schedule B

Pilesgrove Township, Salem County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	Grant% Per Acre	SADC			Federal Grant		Grant			
							Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Fiscal Year 09	Balance
17-0094-PG	Williams Lot 1	29.7190	29.7190	9,800.00	5,880.00	60.00%	291,246.20	174,747.72	145,139.28	28,640.80	146,106.92	146,106.92	146,106.92	750,000.00	2,250,000.00
17-0092-PG	Lippincott	152.8340	152.8340	8,200.00	5,000.00	60.98%	1,253,238.80	764,170.00	643,538.12	154,469.32	609,700.68	609,700.68	609,700.68	500,000.00	2,103,893.08
17-0126-PG	Robbins	72.6190	72.1060	9,050.00	5,430.00	60.00%	652,559.30	391,535.58	331,687.59	70,663.88	320,871.70	320,871.70	320,871.70	500,000.00	1,494,192.40
	Lippincott ancillary														1,173,320.70
	Williams ancillary														13,607.00
17-0054-PG	Fliton	50.0610	50.0610	9,700.00	5,820.00	60.00%	485,591.70	291,355.02			291,355.02	291,355.02	291,355.02		1,159,713.70
17-0143-PG	Peters	37.0200	37.0200	9,300.00	5,580.00	60.00%	344,286.00	206,571.60			206,571.60	206,571.60	206,571.60		1,150,586.20
	Filton and Peters ancillary														9,127.50
17-0144-PG	Ostrum, Gordon J. Jr.	31.6400	31.6400	8,000.00	3,950.00	49.38%	253,120.00	124,977.97	128,142.00	18,193.00	124,977.97		13,972.00		859,231.18
	Robbins ancillary														652,659.58
17-0153-PG	Wentzell, Wayne & Marlene	33.9120	33.9120	6,930.00	2,233.47	32.23%	235,010.16	75,741.43	159,268.73	61,602.17	75,741.43		8,433.50		513,709.61
17-0154-PG	Stroms, William K. (Revocable Trust)	16.0180	16.0180	7,500.00	2,375.00	31.67%	120,135.00	38,042.75	82,092.25	36,440.95	38,042.75				505,276.11
17-0155-PG	Atanasio, Philip R.	39.3040	39.3040	7,040.00	2,399.39	34.08%	276,700.16	94,305.62	182,394.53	66,840.97	94,305.63				429,534.68
17-0175-PG	Bynes, Edward & Barbara	46.8320	46.8320	7,000.00	3,500.00	50.00%	327,824.00	163,912.00	163,912.00	30,440.80	163,912.00				391,491.93
															297,186.30
															133,274.30
Closed	5	342.2530	341.7400		3,026,922.00		1,826,379.92	1,120,364.99	253,774.00						
Encumbered	5	167.7060	167.7060		1,212,789.32		496,979.78	715,809.51	213,517.89						
								Encumber/Expended FY09					750,000.00		
								Encumber/Expended FY11					437,184.92		
								Encumber/Expended FY13					432,561.00		
								Encumber/Expended FY17							
								Total							

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Schedule C

Byrnes, Edward & Barbara
17- 0175-PG
PIG EP - Municipal 2007 Rule
45 Acres

Block 22	Lot 2	Pilesgrove Twp.	Salem County
SOILS:		Other	10% * 0 = .00
		Prime	24% * .15 = 3.60
		Statewide	64% * .1 = 6.40
		Unique zero	2% * 0 = .00
			SOIL SCORE: 10.00
TILLABLE SOILS:		Cropland Harvested	82% * .15 = 12.30
		Other	9% * 0 = .00
		Woodlands	9% * 0 = .00
			TILLABLE SOILS SCORE: 12.30
FARM USE:	Soybeans-Cash Grain	38 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: 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 #FY2018R1(9)

Request to Replace a Single-Family Residence

Sean and Chelsea Collins

January 25, 2018

Subject Property: Block 303, Lot 8, 36, 37, 38
Block 802, Lot 1
Pittsgrove Township, Salem County
82.59 Acres

WHEREAS, the State Agriculture Development Committee (SADC) acquired the former Schroeder farm, Block 303, Lots 8, 36, 37 & 38 and Block 802, Lot 1, in the Township of Pittsgrove, Salem County, hereinafter "Premises", through its fee simple acquisition program on July 19, 2007, as recorded in Deed Book 1284, Page 206 in the Salem County Clerk's Office (as shown in Schedule "A"); and

WHEREAS, the SADC transferred title to the Premises to John, Elizabeth and Sean Collins, hereinafter "Owners", on April 7, 2010, as recorded in the Salem County Clerk's Office in Deed Book 31780, Page 10000; and

WHEREAS, since acquiring the Premises the Owners have improved it by rebuilding barns, fencing significant portions of the property and establishing pasture and hay fields in support of their diversified livestock operation which includes sheep, pigs and longhorn cattle; and

WHEREAS, Sean and Chelsea Collins, husband and wife, are the primary operators of the farm, hereinafter "Operators"; and

WHEREAS, on December 18, 2017, the SADC received a request from the Operators to replace the previously existing single-family residence on the Premises; and

WHEREAS, the Deed of Easement identifies one single family residence on the Premises, no agricultural labor residential units, no RDSOs, and no exception areas; and

WHEREAS, paragraph 13ii of the Deed of Easement allows for the replacement of any existing single family residential building anywhere on the Premises with the approval of the Grantor; and

WHEREAS, the residence that existed on the Premises at the time of preservation was in disrepair and has since been removed; and

WHEREAS, the Operators propose to replace the previous residence on the Premises with a new single-family residence for themselves; and

WHEREAS, the proposed new residence will be built approximately 150-175 feet behind the location of the previously existing residence as shown on Schedule "A"; and

WHEREAS, the new residence will utilize existing driveways for a majority of its length; and

WHEREAS, the Deed of Easement sets forth a maximum of 3,500 square feet of heated living space limitation; and

WHEREAS, the Operators propose to build a residence with approximately 2,800 sq./ft. of heated living space to replace the original residence; and

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of the single-family residence on the Premises with a new single-family residence will have a positive impact on the continued agricultural operations of this farm by replacing a formerly deteriorated residence with a new residence which shall serve as the primary residence for the Operators of the farm; and

BE IT FURTHER RESOLVED, that the Committee approves the construction of a single-family residence, consisting of approximately 2,800 sq./ft. heated living space, in the location shown in Schedule "A", to replace the former residence which existed on the Premises at the time of preservation that has since been removed; and

BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution; and

BE IT FURTHER RESOLVED, that this approval is non-transferable; and

BE IT FURTHER RESOLVED, that the construction of the new residence is subject to all applicable local, State and Federal regulations; 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.

1/25/18
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE TO BE RECORDED AS FOLLOWS:

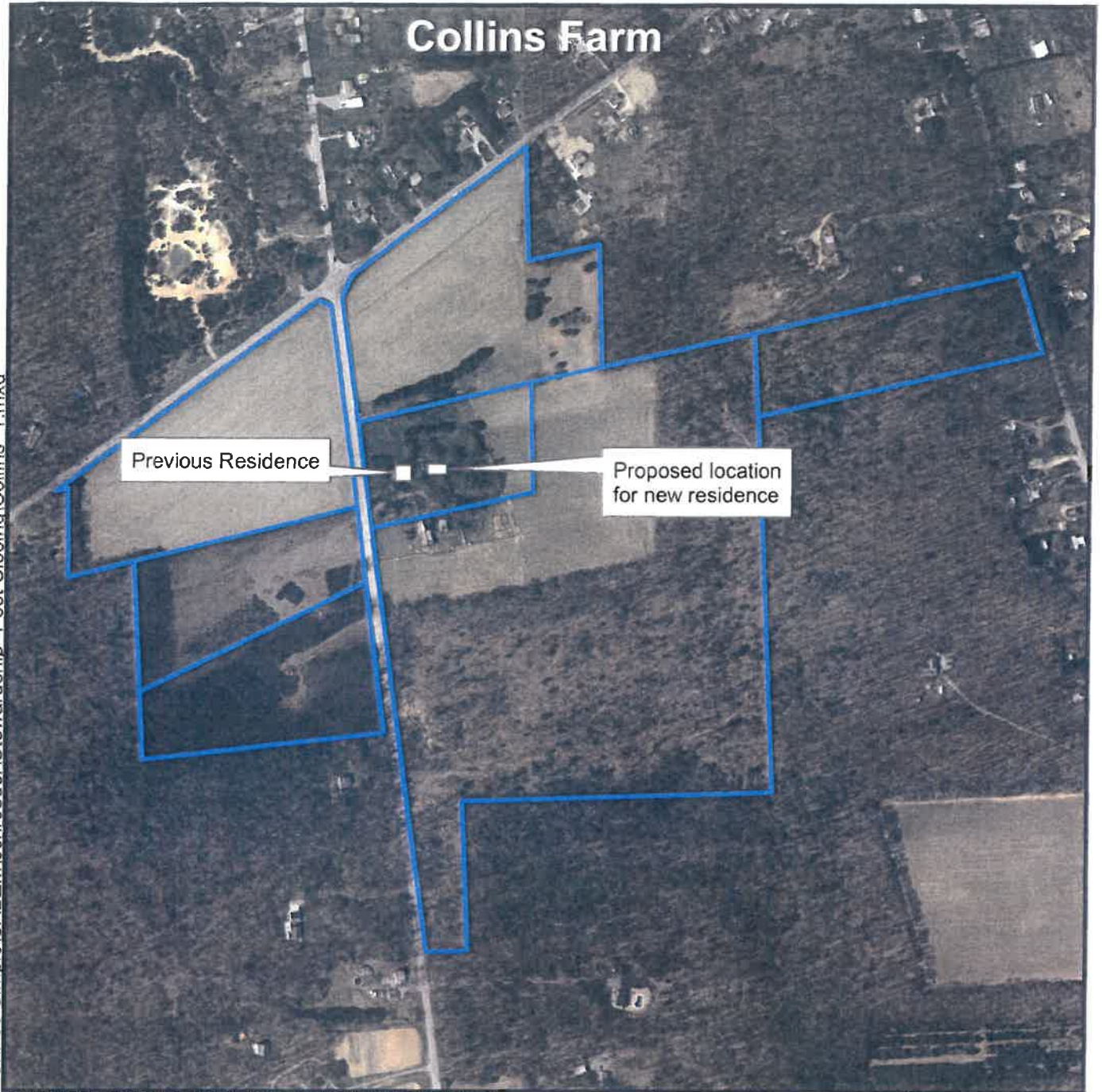
Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	YES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

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Schedule "A"

Collins Farm

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Collins/Former Schroeder Farm
Block 303, Los 8, 36, 37 & 38
Block 802, 1
Pittsgrove Township, Salem County
82 - acres



0 290 580 1,160 1,740 Feet

1/10/2018

Farmland Preservation Program

- PRESERVED EASEMENT
- EXCEPTION AREA
- PRESERVED EASEMENT / NR
- EXCEPTION AREA / NR
- FINAL APPROVAL
- PRELIMINARY APPROVAL
- ACTIVE APPLICATION
- 8 YEAR PRESERVED
- TARGETED FARM
- EXCEPTION AREA TARGETED
- INACTIVE APPLICATION
- INACTIVE/FEDERALLY FUNDED
- NO CORRESPONDING DATA
- PRESERVED/FEDERALLY FUNDED

State Planning Areas

- (PA1) METRO
- (PA2) SUBURBAN
- (PA3) FRINGE
- (PA4) RURAL
- (PA4B) RURAL ENV SENS
- (PA5) ENV SENS
- (PA6B) ENV. SENSITIVE BARRIER IS
- (P10) PINELANDS
- MILITARY
- PARK
- NEW JERSEY MEADOWLANDS
- WATER
- ELLIS ISLAND- NJ
- ELLIS ISLAND- NY

Base Map

- County Boundaries
- Municipal Boundaries
- Highlands Planning Area
- Highlands Preservation Area
- Pinelands Area
- Green Acres Preserved Easements

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY18R1(10)

**AUTHORIZATION FOR THE SALE OF REAL PROPERTY
and
EXECUTION OF DOCUMENTS**

January 25, 2018

Subject Farm: Former Sassi Farm
 Block 231, Lot 4
 Carney's Point Township, Salem County
 81.861 Acres

WHEREAS, pursuant to N.J.S.A. 4:1C-31.1, the State Agriculture Development Committee ("SADC") acquired the Sassi Farm, Block 231, Lot 4 in Carney's Point Township, Salem County ("property") in fee simple absolute title from the Estate of Antonnette Sassi, Grace Daqui, Executrix, at a purchase price of \$571,767; and

WHEREAS, on January 25, 2018, the SADC certified the fair market value of the deed restricted property at \$2,250 per acre without a residual dwelling site opportunity (RDSO) for a total value of \$183,800 based on 81.681 acres; and

WHEREAS, on January 25, 2018, the SADC certified the fair market value of the deed restricted property at \$2,400 per acre with a residual dwelling site opportunity (RDSO) for a total value of \$196,000 based on 81.681 acres; and

WHEREAS, N.J.S.A. 4:1C-31.1(f) authorizes the SADC to resell the property, identified as Block 231, Lot 4 in Carney's Point Township (containing 81.861 acres) with agricultural deed restrictions for farmland preservation purposes;

NOW THEREFORE BE IT RESOLVED, that the SADC establishes the following conditions for the resale of the property:

1. A public auction to be held in early 2018;
2. A minimum bid of \$183,800 without an RDSO or, if the property does not sell without an RDSO, a minimum bid of \$196,000 with an RDSO.
3. The minimum bidding increment shall be in increments of \$5,000;
4. The property sold in its entirety;
5. The addition of the following restrictions in the deed:
 - a. The allocation of one RDSO or prohibition of same depending on bids received in accordance with Paragraph 2 above;
 - b. In the event an RDSO is allocated and exercised, the residential unit shall not exceed a maximum heated living space of 3,500 sq. ft. and an allocation of 1,000 square feet of building footprint for ancillary structures such as porches, decks, and garages;

- c. In the event the residential unit constructed is improved, the maximum heated living space shall not exceed 3,500 sq. ft. including the existing residential unit and an allocation of 1,000 square feet of building footprint for ancillary structures such as porches, decks, and garages;
 - d. In the event the residential unit is replaced, the maximum heated living space shall not exceed 3,500 sq. ft. an allocation of 1,000 square feet of building footprint for ancillary structures such as porches, decks, and garages;
 - e. In the event the RDSO is allocated and exercised and the residential unit and ancillary structures are built, improved, or replaced, the residential unit and ancillary structures must be located within a residential dwelling site two acres in size, identified by a legal metes and bounds description and exercised in accordance with Procedure #1 in SADC Policy P-31 (Exhibit 1).
 - f. A "Preserved Farmland" sign shall be posted on the property;
6. Qualified bidders must provide a proper deposit in the amount of \$10,000.

BE IT FURTHER RESOLVED THAT, upon conclusion of the successful auction, the bidder shall execute an "Agreement to Sell Real Property" and any necessary Addenda or documents needed to convey the property; and

BE IT FURTHER RESOLVED THAT the SADC hereby authorizes Secretary of Agriculture Douglas Fisher or Executive Director Susan E. Payne to deliver a deed and execute all documents to assure a proper and orderly closing of said parcel as required by the Office of the Attorney General; 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.

1/25/18
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 McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Project Map

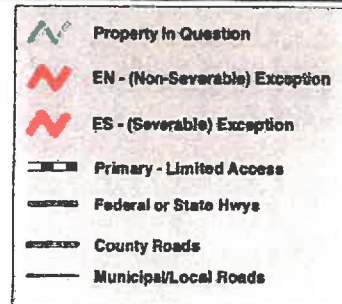
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Former Sassi
Block 231 Lot 4 (81.68 ac)
Gross Total - 81.68 ac
Carney's Point Twp. Salem 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:
Green Acres Conservation Easement Data
NJGIT/OGIS 2015 Digital Aerial Image

August 4, 2017