

STATE AGRICULTURE DEVELOPMENT COMMITTEE

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

REGULAR MEETING

May 26, 2016

Chairman Fisher called the meeting to order at 9:06 a.m. Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

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

Roll call indicated the following:

Members Present

Douglas H. Fisher, Chairperson
Brian Schilling (rep. Executive Dean Goodman)
James Requa (rep. DCA Commissioner Richman)
Denis C. Germano, Esq.
Cecile Murphy (rep. DEP Commissioner Martin)
Ralph Siegel (rep. Acting State Treasurer Scudder)
Alan Danser, Vice Chairman
James Waltman (arrived at 9:17 a.m.)
Peter Johnson
Jane Brodhecker

Members Absent

W. Scott Ellis

Susan Payne
Jason Stypinski, Esq., Deputy Attorney General

Others present as recorded on the attendance sheet: Stefanie Miller, Cindy Roberts, Paul Burns, Richard Martin, Dan Knox, Heidi Winzinger, Alison Reynolds, Esq., David Kimmel, Charles Roohr, David Clapp, Hope Gruzlovic, Matthew DiStaulo, Steven Bruder, Sandy Giambrone and Patricia Riccitello, SADC staff; Michael Collins, Esq., Governor's Authorities Unit; Daniel Pace, Mercer County Agriculture Development Board; Jim Johnson, Burlington County Agriculture Development Board; Adam Bradford, Hunterdon County Agriculture Development Board; Brigitte Sherman, Cape May County Agriculture Development Board; Donna Rue, Rue Brothers Farm, Monmouth County; Glorianne Robbi, East Amwell Township, Hunterdon County; Frank Pinto, Spinelli and Pinto Consulting, LLC; Phil Forte, landowner, Morris County; and Eric Pierson, Monmouth County Agriculture Development Board.

Minutes

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

It was moved by Mr. Danser and seconded by Ms. Brodhecker to approve the Open Session and Closed Session minutes of the SADC regular meeting of April 22, 2016. The motion was unanimously approved (Mr. Waltman was absent for the vote).

REPORT OF THE CHAIRPERSON

- Corporate Business Tax (CBT) Funding

Chairman Fisher stated that the Administration is coming down to the wire on the June 30th deadline for the FY2017 budget. Regarding preservation funding, the bill conditionally vetoed by the Governor would result in approximately \$21 million for farmland preservation. He stated that we think the SADC would fare well in terms of what this conditional veto would do but we will see how this plays out.

- Soil Disturbance

Chairman Fisher stated that we have been working with a number of farmers talking about soil disturbance and he hopes that this can advance discussions.

REPORT OF THE EXECUTIVE DIRECTOR

- CBT funding

Ms. Payne stated that with respect to the CBT enabling law and the Governor's conditional veto, the bill as drafted by the Legislature would provide 31 percent of the CBT proceeds to farmland preservation. The Governor's conditional veto held that constant and did not change that allocation. That is good news for the SADC if this were to go through. It also held constant Historic Preservation at 5 percent, and it took Green Acres' percentage of 64 percent and reduced it to 60 percent, directing the other 4 percent to the Blue Acres program. The only changes in allocations were between the Green Acres and Blue Acres programs. The bill clearly allows for administrative costs for all the agencies to be paid out of the CBT proceeds, so that would be a good thing and would put that issue to bed. Ms. Payne stated that she thinks the biggest change is that it broadens the definition of stewardship to include not only improvements and the like but also maintenance and taking care of properties. That is the biggest issue at the Department of Environmental Protection (DEP), whether the money can be used to pay any park salaries. But it also broadened the definition for farmland too, so it does open some possibilities for the future if it were to go through. The SADC may be able to get a little broader in terms of its grants. We have always given out soil and water program grants and that would clearly be permitted but the language is broader than that so we may have an opportunity to think about whether there are other types of on-farm investments that the SADC would want to consider funding under the stewardship category. The options for the bill are the Legislature can approve the conditional veto, in which case it becomes law, attempt to override the conditional veto to restore the original language of the bill, or neither of those would happen and somehow the wrestling match continues with the budget. Much remains to be seen and staff will keep the Committee posted.

- Agricultural Land Easement (ALE) Program

Ms. Payne stated that with respect to the ALE program (formerly the Farm and Ranch Lands Protection Program), staff sent to the Natural Resources Conservation Service (NRCS) what would be its preferred deed of easement to address all the issues that staff reviewed with the Committee. The NRCS has offered to set up a meeting for staff to discuss it. We are waiting for the NRCS to get back to staff with some dates to meet.

- Soil Disturbance

Ms. Payne stated that with respect to soil disturbance, Secretary Fisher stated that he has been trying to cultivate a conversation between both sides of the question through the farming community. We had a meeting last week. Staff will develop some bullet points that reflect this discussion and then reconvene the SADC's Soil Disturbance Subcommittee to review that in detail sometime before the next SADC meeting.

COMMUNICATIONS

Ms. Payne reminded the Committee to take home the various articles provided in the meeting binders. There are a lot of articles about funding and pipeline issues. There is a very interesting article about drones on farms. Dean Goodman from Rutgers University yesterday at the State Board meeting was speaking about how Rutgers is getting into the use of drone technology. It is a very interesting evolution of technology for the agricultural industry. Chairman Fisher stated that Rutgers secured the FCC rights to conduct programs at the university with drones. Mr. Siegel asked what they would do with the drones. Mr. Schilling stated that some of the technology is amazing. They use drones for surveillance-type issues, to determine for example, if ground is wet or dry or if there is disease. Ms. Payne stated that this is a license that Rutgers received from the federal government to be an approved operator.

Chairman Fisher noted that Mr. Schilling just achieved a milestone at Rutgers in getting full tenured professorship. The Committee congratulated Mr. Schilling on his achievement.

PUBLIC COMMENT

Adam Bradford from the Hunterdon County Agriculture Development Board stated that he was a little surprised that New Jersey is just looking into drones just now. This is pretty common in states like Iowa. In terms of efficiency it is drastic. You can fly a drone over someplace and look at all the types of vegetation and if there is disease then they will do treat only those areas that need it so it has increased the efficiency in terms of bushels per acre anywhere from 20 to 50 percent. It is a big up-front cost but in terms of long-term payout it is actually very cool technology in which big agricultural manufacturers are investing a lot of money.

OLD BUSINESS

A. Cluster Development Bill (P.L. 2013, Ch. 106), Agricultural Deed Restriction

Ms. Payne stated that this agenda item was discussed at the last SADC meeting, which she was unable to attend. She wanted to bring this item back to the Committee for some clarification on a couple of points. The SADC has to approve the template that a township is going to use if they are going to protect agricultural land with this noncontiguous cluster law. The reason is that those preserved farms will get similar benefits such as access to soil and water cost-share grants, protection from eminent domain and the like. The Legislature has seen fit to give the SADC the authority to make sure that the deed template is up to par. The way the legislation was written pretty much says that the SADC can adopt a template, the township can use the template or they can get the Committee's approval for an alternate deed. In the end the SADC is the gatekeeper and the quality control of what is in that easement to make sure the land is actually preserved for agriculture.

Ms. Payne stated that there are two provisions in the deed in particular that were discussed last month. One is how much subdivision of preserved land can occur on a deed-restricted farm under noncontiguous cluster and there is also the question of how much housing can occur. Ms. Payne referred the Committee to page 3 of the draft deed template dealing with housing opportunities (section #16). The sense she got from reading the minutes of the last meeting and in speaking with staff was that the Committee's goal was to provide as much flexibility as possible to the towns to manage how much housing should be able to occur on these preserved farms in compliance with the statute. Ms. Payne stated that she wanted to raise a concern about giving that totally to the towns and being completely hands-off. Let's say a town has 10-acre zoning today and they enact a cluster law. The landowner preserves the property but then five years down the road the town council decides to let them build one house on every 10 acres, even on preserved farmland. She thinks the SADC has to play some role in saying, no that land is preserved and you cannot have a house on every five acres. What we are proposing in this language is to say that additional housing opportunities are regulated by the town according to the ordinance that they adopt at the time they adopt their noncontiguous cluster ordinance. So the SADC will be able to say, your ordinance says one house for every "x" amount of acres, OK that looks good to us, and if we reference that ordinance here then that is what would stick. What this section of the draft continues to say is that any modification of that ordinance that would have the effect of increasing the amount of housing has to be approved by the SADC before it could be applicable to these preserved farms. That is our attempt at trying to have some quality control role but also have some flexibility to the town to evaluate the local conditions. Ms. Payne stated that staff is

proposing to take the same type of approach in paragraph #18 (page 4 at the bottom and page 5) for the purposes of subdivisions. Staff wanted to discuss this with the Committee to see if that was a reasonable approach. Whatever we discuss today or whatever direction the Committee gives staff is just for the purposes of developing the draft, which will then be circulated to the agricultural community, interested towns and the League of Municipalities to solicit feedback.

Mr. Waltman stated that he could not attend last month's meeting but he read the minutes so he has a basic understanding of the discussion. He was trying to think about this in the zoning context, taking the agricultural component out. Say you have 100 acres and it's 10-acre zoning and you are trying to put your 10 houses on 10 acres and preserve 90 acres. Ms. Payne stated that is a typical cluster that you can do today. Mr. Waltman stated that there is still a total amount of density allowed for the full 100 acres. His question is whether or not there is any housing on the preserved portion of the farm, it shouldn't change the overall density allowance. In other words, to the extent that you built houses on the "preserved" area, that should reduce the density allowed on the receiving area. Otherwise he cannot imagine a municipality – if they are driven to do this, they are trying to control density and they are trying to put it where they want it – would entertain the idea or be pleased to hear that at the end of the day there could be more units built on the total acres through this density transfer. If there is going to be housing on the farm area, that should come out of the allowance in the receiving area. Ms. Payne stated that is the decision that the township makes when it adopts its cluster ordinance. Cluster provisions allow towns to create incentives for clustering so if you have 10-acre zoning then you could build 10 houses on 10-acre lots. An ordinance could easily say that you can sell those 10 lots over to the receiving area but you could still maybe build one or two more houses, as an incentive to preserve this land and to cluster there. So the question becomes how much more housing can be built on that preserved farmland? We are supposed to approve the template that dictates that. There are options – you can lock in a number at the time a township adopts the ordinance, like 1 to 25 or 1 to 50, but from what she was sensing from the conversation last month the Committee was wanting the township to have more flexibility over time to manage that issue.

Mr. Schilling stated he was one of the ones commenting to that effect but what he thinks Mr. Waltman is saying is there is a cap essentially to density and it is going to be how the density is going to be divided up. He is coming from the perspective that he doesn't want to see that set-aside land developed to an insignificant density. Also, if this is our deed of easement, that implies farmland, which implies farming. The two types of flexibilities that we afford in terms of future development are an RDSO, which is 100 acres overall density and then an exception area, otherwise that is that. The only thing you can do is

construct for agricultural purposes. This language here, which is a little tighter, talks about limited additional future housing opportunities that directly support the property's agricultural operations and are appropriate to the scale. Ms. Payne stated that is language straight out of the statute. Mr. Schilling stated correct, it's somewhat subjective but it comes to this Committee for determination in terms of if they are looking for five units to support a tiny operation, we are probably going to find that is not feasible. So he thought there was a check and balance built in here without being overly restrictive so that, if there is a legitimate need for some sort of housing opportunity, that it is permitted. If it is a 5-acre set-aside, that is one thing. One of the things that he and Mr. Siegel were back and forth about was that with TDR we are not seeing it as fully operational. He stated that regarding what he envisions as being the extent of these noncontiguous cluster agreements, he is not seeing 1,000 acres of set-asides somewhere. He is envisioning tens of acres here and there. He doesn't think we are talking about a lot of development opportunities. Do you think there will be a 1 to 100 opportunity here? Ms. Payne stated that in order to exercise this additional housing right, they don't have to come back to the SADC. The landowner is not coming back to us for approval. For example, she is a landowner through a noncontiguous cluster ordinance. I sold my credits to Toll Brothers to do development downtown. Ten years later I want to build a second house on this property. I'm not coming to the SADC for approval, I'm going to the town council or to the planning board for approval, based on what my deed restrictions says I can build. We are not going to be participating in the deliberative process. If we were in that loop she wouldn't have any concern.

Ms. Murphy stated that she was not at the last meeting as well but she wondered why do they get any more housing? Why is this different from selling your PDCs or doing TDR or selling your development rights for preservation? Ms. Murphy stated you have to maintain credits, you are keeping something of value in order to build. Ms. Payne stated that the statute doesn't require that. Ms. Murphy asked does it say that we have to give a building? She stated she didn't understand that. Mr. Danser stated that it can be simple arithmetic but it also has the potential to be like an RDSO. It says that whoever would be in the new housing unit has to be actively involved in the farm. He sees it as something like 15 years later a son or daughter who is now actively involved in the farming operation having a place to live because there isn't room for everyone in the original farm house. Ms. Murphy stated but you are not paying for anything here, you are getting to keep a development right. Mr. Danser stated it is a municipal program. It is not up to the SADC to do the decimal points on the math. If a municipality wants to leave that in there, again, it is an inducement for someone who says, OK, I'll preserve my farm but I would like to have one place for my son or daughter to live on it 20 years down the road. Ms. Murphy stated well why don't we make it one then? Ms. Payne stated that if there is a

300-acre farm that gets preserved with noncontiguous, is that fair to have one right as opposed to a 25-acre property that gets preserved? Mr. Schilling stated that is similar to the RDSO concept. He stated that maybe he has a biased view but he is not seeing huge set-asides here. But he doesn't want to see something where we basically lock a property under a farmland preservation deed of easement but it isn't attractive enough to farm. It could be an RDSO type of arrangement but clearly if you enter into the agreement, he isn't looking for you to find a way to finagle a higher price down the road. He is just looking at it similar to our program. You have an exception and you have an RDSO option under a closing with us. He is just trying to think of a way to afford some flexibility for a legitimate, bona-fide agricultural purpose here. Ms. Payne stated that it is the legitimate, bona-fide things that get hard to decide. We have a track record and we are pretty clear on what passes that test and what doesn't. She stated that she feels there needs to be some ongoing ability to say if your ordinance is going to allow one house on every five acres on preserved farmland then we don't think it is preserved anymore so no, we don't approve that amount of housing. Without having figured that all out up front in sort of perpetuity, we are trying to let the document flex over time with some oversight.

Mr. Waltman stated that this is different from one of our easements where we explain the rules saying you can under these circumstances come back and build another house. This is a different motivation. This is a transfer of development credits so the landowner is being paid from the developer. I'm selling my rights to build houses and they are going to be built over there on someone else's property. It is strange to him that it would be any more than a single house that should be contemplated on the farm. Ms. Murphy stated or don't transfer them all, keep some of the development credits. Mr. Schilling stated that this is the problem that he is having. We have no skin in this game; we are not financing it, we are not overseeing it and we are not even being consulted. Up front we are being legislatively directed to provide a template that a municipality can opt in or out of or they have to come forward with their own and ask the SADC if it passes muster. Chairman Fisher stated that is a big difference because there is no money from this body. So they are setting up a system of credits, which the town wants to develop on its own where they can increase the density and hopefully maintain a farm, with no money of theirs either. Mr. Siegel stated it saves the town money if you want to look at the advantage of a cluster versus spread out 10-acre mansions. The town saves money in terms of its infrastructure. Mr. Schilling stated that is exactly the point. You have three landowners, they get together with the municipality and the next thing you know there is a cluster agreement, density is transferred. That land set-aside – there is no saying that one of those three original landowners is going to be capable of farming it. So now you have this set-aside land under a farmland preservation deed of easement and let's say it may be interesting to someone who wants to farm it, but if there is a need for living on it, for

example to raise horses, and it is not contemplated up front, no one is going to pick that property to do that. Ms. Murphy stated that the person who owns the property needs to have the foresight to keep one of those development rights to put a house on. Mr. Schilling stated that this is where we may disagree. That person is entering into an agreement to basically sell their land to a developer. Those three noncontiguous properties are being developed in some fashion and some land is being set aside. He personally doesn't think that most landowners are going to have the insight to be thinking about how that land is going to be farmed or not in 10 years. He doesn't see that happening. Mr. Danser stated that if the township wants to use this as an inducement that is one thing. He stated that he worries way more about 8,000 to 15,000 square foot mansions on the leftover parcel than he would about whether there was one more 3,000 square-foot farmhouse on it.

Mr. Siegel stated that suppose there's a farm that was preserved by a cluster and so there are a bunch of condos in the 10-acre corner and a 90-acre preserved farm. That easement doesn't come back to the SADC and if they want to do something, we leave that entirely up to the town based on our template. Is that correct? Ms. Payne responded yes. Now the landowner comes in and says well, I need to build two houses for my kids, and it is up to the town council to decide if this is an agricultural purpose or not. It never comes back to us. Ms. Payne responded correct. What if the agricultural purpose is they need some rental income? Mr. Siegel felt that the template needs to be a little tighter that says once you have clustered you cannot build. Mr. Siegel stated that he is just trying to understand it because it was not clear to him at last month's meeting, that once you set this thing for sale and the township goes and approves a 150-acre cluster and 20 condos get built in a 20-acre corner and the rest is preserved, that the protection of that easement is up to the township committee in perpetuity. Ms. Payne stated correct. He stated that we have to be careful with what we put in the template then. Mr. Requa stated that it is really a local zoning and planning board issue from his perspective at the Department of Community Affairs (DCA). Ms. Murphy stated that if it was just a local issue we wouldn't have been told to do a template. As it was pointed out from the information from staff, DEP was not directed to do this as a binding thing. There is no one that has to use a template for open space but for farmland the Legislature says we have to do it and they have to use it. Mr. Waltman stated let's pretend this bill didn't pass and there is a normal cluster so it is not a noncontiguous transfer and let's go back to the 100-acre farm, 10-acre zoning and the town approves 10 units on a 5-acre piece and 95 acres are preserved. Is the original landowner then allowed to build houses for his own purposes? Ms. Payne stated it is entirely up to the municipal ordinance to direct that. That farm is not considered preserved farmland for our purposes and it doesn't automatically qualify for soil and water, it doesn't get eminent domain protections. It is not part of our program but the

Legislature stated when it did the noncontiguous bill that farmland preserved under this law is now considered preserved farmland from the State's perspective. We have the right of enforcement; we are not obligated to monitor but the State could step in on any of these easements and enforce them. Mr. Siegel asked how does that enforcement work? Who does what? Ms. Payne stated that if something happened we would contact the town and say what is going on? The neighbors will be contacting the SADC up in arms and saying State, you have to step in and do something. It doesn't say "SADC," it says "State." The town holds the easement but the State has the right of enforcement. Mr. Bruder reviewed with the Committee some of the conditions under the statute that calls for the SADC to create the deed restriction template.

Ms. Payne stated that the Committee could create a template that has the exact language of our RDSO, which is you get 1 to 100. The question is, for places in the state where 1 to 100 just isn't going to meet the need, what is the standard? We don't want to create a cookbook, one-size-fits-all approach in a template that works whether you're in Cape May or Upper Deerfield Township. Mr. Danser stated you could fix that by saying one "per" 100. Someone with 35 acres gets one but you have to have over 100 acres to get a second one. Ms. Payne stated we could totally do that if the Committee wants to create a clearer standard. Ms. Murphy stated she has a lot of concerns about who is going to monitor and enforce. It is very difficult to monitor and enforce an RDSO. It is difficult to know who lives there, even the first person who lives in it. We get to look at that but then after that the farm gets sold. It is almost intrusive to monitor that. We do it because it is in our easement and it is our responsibility but she didn't know if the Committee is going to get involved in monitoring all of these. What is to say it isn't just going to become a whole bunch of estates across the state once it gets sold to the second owner. Now you have this 35 acre-parcel with this nice house on it and who cares if it is farmed as long as it has a goat in the front yard. Mr. Schilling stated that he doesn't want to see a 77-acre set-aside essentially become a mini estate when it's not farmed and he also doesn't want to see a 77-acre set-aside that is not a practical farm because you are splitting a use that might go there by not having a housing opportunity, like for a livestock operation. Mr. Siegel stated that this is a cluster and this guy is exercising a clustering option where he is going to build a whole lot of residences within sight of his land, noncontiguous, but nearby. He doesn't understand why we would be talking about an RDSO. If he needs a house, use one of the ones you are building. Ms. Payne stated she thought that is unrealistic. If you go to rural South Jersey where there still are 300-acre farms and if one of those towns is smart enough to put TDR in place or noncontiguous clustering, the developers don't want to build three or five of your houses, they want to build a clustered village on sewer. This is great from a planning perspective, but you have a 300-acre farm left and it may be necessary to divide that farm and have more than one house on it in the

future. The statute does not mandate that when a town does noncontiguous cluster that it limits the houses to the exact number that could have been built the day before the ordinance was adopted. In fact, it has language saying bonuses can be allocated to provide incentives so the conversation about we don't want to see one more house – that is not consistent with the statute. Mr. Waltman asked how is that 300-acre farm being farmed today? If it is a functioning farm, someone is living on that farm and managing the farm today so he is not as fearful as some others are that these farms that are farms today are going to be unmanageable in the future if we don't allow additional housing units because presumably they are functioning as farms already. Mr. Siegel stated that his problem with all of this is that we are giving discretion to municipal officials. Mr. Danser stated that the legislation gave it to the municipal officials; they are only asking us to give them advice. Mr. Siegel stated it asks us to provide a template and the template is to prevent what we would consider unacceptable on an easement that we control. Ms. Payne stated correct. We are to give them a template so that the easement has some relationship to the easements that the taxpayers enforce. Mr. Siegel thinks that we have to look at that. When we have an RDSO, when someone wants to split their property and sell it, we have our stewardship staff looking at it for viability and agricultural purposes tests. We cannot count on a township to do that. They may not even know what an agricultural viability test is or they may not care. He feels that we should tell them once you have clustered and preserved there should be no building. Maybe the language is not clear enough. We should be very clear that the building that is allowed has to be for capital agricultural purposes, not because you feel like you need a house for your child.

Ms. Payne stated that there are three options if the Committee wants to do more development on this. One is that we create a template that has numbers in it and our standards. If the town doesn't like it they can ask for something else and we will address it at that time. Option 2 is what we presented, which is we approve the ordinance that is in place at the time and if the ordinance changes over time we have a chance to approve that too. The third option is to delegate this to the towns. To her, those are the three categories that serve our approach here. Chairman Fisher stated that the second option is, at this point in time, there is an ordinance and we look at it and say yes, it looks pretty good, do it. And then they say what about 20 years from now and then we would say, then you would come back at that time. He felt that wasn't bad. Mr. Germano agreed. Mr. Danser stated does that mean that this new ordinance can come back and say this doesn't need to be preserved anymore because there is nothing but houses around it and we want to build 50 houses there too? Mr. Germano stated it has to come to the SADC if they change the ordinance. That is what this says. Mr. Requa stated then we could deny that. Ms. Payne stated that the easement terms are constant unless there is some provision to allow them to change. What we are using in this draft is the ordinance is the controlling

factor on subdivisions and housing. The template stays the way it is, it gets recorded with the County Clerk but it says you can build additional housing as long as it is consistent with the ordinance. What she is saying is if they want to change the ordinance down the road, that would come back to the SADC.

Mr. Germano stated that he sees a legislative intent, not a direction. The Legislature is saying to us you may allow some flexibility for future housing opportunities when you develop this template. He feels, because things change in agriculture so rapidly and unpredictably, that it is a good idea. He is not insensitive to the concern about more density cropping up but he is not as afraid of it as others. Localities don't want density and the people who have moved into these areas are going to be very protective of their open space. He doesn't think we have to worry as much as some are about this being abused. He personally likes what is on paper for those reasons.

Ms. Payne stated that if the agency is relatively comfortable with what staff has drafted, we will go back and make sure it is clear and then we can circulate that to the agricultural community for feedback. Chairman Fisher stated that he would be interested in the League of Municipalities' thoughts. Ms. Payne stated that as this is drafted we get a shot at approving a town's ordinance and if they change their ordinance provisions we get another shot at making sure the new ones are OK. Ms. Murphy asked if we could make it clear that it runs with the property so that it doesn't end after the construction of the house. Ms. Payne stated that we can.

Chairman Fisher felt that staff has enough to review this and come back next month. Mr. Waltman stated that a lot of these provisions are required and some of them a municipality may choose to include. He felt it might be a better move to have a template with some preamble language that clarifies that the ordinance may or may not include certain sections. Ms. Payne stated the point is well taken and it is also to Ms. Murphy's point too. We could outline that on a document that is in front of this where we say to the municipality, the statute says that these are provisions that may be included. A town may come to the SADC and say they want no more housing and they want that whole thing pulled out. We can approve that. They may want no subdivisions, we could approve that. We are just trying to create a template that addresses all of the issues that were raised by the Legislature. However, the point is well taken and we can accomplish that. Mr. Siegel stated that the idea of putting numbers in is a good idea just to give them an idea of what we are talking about. An RDSO for the first 100 acres and two RDSOs for properties above 100 acres. He thought that wasn't a bad idea. At least it's out there – some proposed numbers connected to acres. Ms. Payne asked sort of a TDR template guidelines document explaining this? Mr. Siegel stated an RDSO guidance document.

Chairman Fisher stated that as part of this discussion he would like staff to revisit #7 of the template draft because when we are talking about soil disturbance he doesn't understand what this piece is doing in there. He wouldn't want to create a new barrier so he would ask staff to review that and come back again next month.

NEW BUSINESS

A. Resolutions of Final Approval – FY2017 Planning Incentive Grant Program

1. Final Approval – Annual County Planning Incentive Grant Program Plans Update

Mr. Danser, Mr. Johnson and Ms. Brodhecker recused themselves from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest. Mr. Danser is the Chairperson of the Middlesex County Agriculture Development Board, Mr. Johnson is a member of the Burlington County Agriculture Development Board and Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.

Mr. Bruder referred the Committee to Resolution FY2016R5(1) for a request for final approval of Bergen, Burlington, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Salem, Somerset, Sussex and Warren Counties' Planning Incentive Grant applications, including comprehensive farmland preservation plans and project area summaries. Mr. Bruder reviewed the specifics with the Committee. He stated that Ocean, Camden and Passaic Counties did not apply for the 2017 County Planning Incentive Grant round. Mr. Bruder stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Schilling and seconded by Mr. Siegel to approve Resolution FY2016R5(1) granting final approval of Bergen, Burlington, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Salem, Somerset, Sussex and Warren Counties' Planning Incentive Grant applications as summarized in Schedule B of said Resolution, as presented and discussed, subject to any conditions of said Resolution. Ocean, Camden and Passaic Counties' decisions to not apply to the 2017 County Planning Incentive Grant Program do not preclude their use of previously appropriated funds in a manner consistent with their existing Planning Incentive Grant plans. The motion was approved. (Mr. Danser, Mr. Johnson and Ms. Brodhecker recused themselves from the vote.) This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. (A copy of Resolution FY2016R5(1) is attached to and is a part of these minutes.)

2. Final Approval – Annual Municipal Planning Incentive Grant Program Plans Update

Mr. Danser, Mr. Johnson and Ms. Brodhecker recused themselves from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest. Mr. Danser is the Chairperson of the Middlesex County Agriculture Development Board, Mr. Johnson is a member of the Burlington County Agriculture Development Board and Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.

Mr. Bruder referred the Committee to Resolution FY2016R5(2) for a request for final approval of the Municipal Planning Incentive Grant applications, including comprehensive farmland preservation plans and project area summaries. Mr. Bruder reviewed the specifics with the Committee and stated staff recommendation is to grant final approval.

It was moved by Mr. Schilling and seconded by Mr. Siegel to approve Resolution FY2016R5(2) granting final approval of the Municipal Planning Incentive Grant applications submitted under the FY2012 program funding round as summarized in Schedule B of said Resolution, as presented and discussed, subject to any conditions of said Resolution. The motion was approved. (Mr. Danser, Mr. Johnson and Ms. Brodhecker recused themselves from the vote.) This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. (A copy of Resolution FY2016R5(2) is attached to and is a part of these minutes.)

C. Resolutions for Final Approval – Municipal Planning Incentive Grant Program

SADC staff referred the Committee to four requests for final approval under the Municipal Planning Incentive Grant Program. Staff reviewed the specifics with the Committee and stated the recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Mr. Germano to approve Resolution FY2016R5(3) through resolution FY2016R5(6) granting final approval to the following applications under the Municipal Planning Incentive Grant program, as presented and discussed, subject to any conditions of said Resolutions:

1. Peter and Ellen Kluber, SADC # 10-0371-PG (Resolution FY2016R5(3))

- Block 20.01, Lot 9, Alexandria Township, Hunterdon County, 56.6 Gross Acres
State cost share of \$5,820 per acre (60% of the certified easement value and purchase price), for a total grant need of \$306,132 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property includes one approximately 4-acre nonseverable exception area for and limited to one existing single-family residential unit and for future flexibility of use. The portion of the property outside of the exception to be preserved includes zero housing opportunities, zero agricultural labor units and no pre-existing nonagricultural uses.
2. Bonnie Post, SADC # 21-0584-PG (Resolution FY2016R5(4))
Block 1101, Lot 3.01, Frelinghuysen Township, Warren County, 41.70 Gross Acres
State cost share of \$3,040 per acre (62.04% of the certified easement value and 69.09% of the purchase price) for a total grant need of \$123,728 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property includes one approximately 1-acre nonseverable exception area for and limited to one future single-family residential unit and for future flexibility of use. The portion of the property outside of the exception area to be preserved includes zero housing opportunities, zero agricultural labor units and no pre-existing nonagricultural uses.
3. Anita Ardia, SADC #21-0589-PG (Resolution FY2016R5(5))
Block 1803, Lot 10; Block 1901, Lot 34, Blairstown Township, Warren County, 135 Gross Acres
State cost share of \$3,280 per acre (68.33% of the certified easement value and purchase price) for a total grant need of \$400,160 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property includes one approximately 3-acre nonseverable exception area for and limited to one existing single-family residential unit and one approximately 10-acre severable exception area for and limited to one future single-family residential unit and for future flexibility of use. The portion of the property outside the exception area to be preserved includes one single-family residential unit, zero agricultural labor units and no pre-existing nonagricultural uses.
4. Philip and Dawn Jasper, SADC #170-0136-PG (Resolution FY2016R5(6))
Block 4, Lots 8, p/o 50, Upper Pittsgrove Twp., Salem Co., 96.3 Gross Acres
State cost share of \$3,550 per acre (66.98% of the certified easement value and purchase price) for a total grant need of \$331,215 pursuant to N.J.A.C. 2:76-6.11

and the conditions contained in Schedule E. The property includes one approximately 3-acre severable exception area for and limited to one future single-family residential unit and for future flexibility of use. The portion of the property outside the exception area to be preserved includes one existing single-family residential unit, one apartment attached to a barn and zero agricultural labor units. The equine map (Schedule B) and specialized "Equine Schedule B" (Schedule C) will be recorded with the deed of easement.

Discussion: There is an approximately 0.5-acre "borrow pit" located on a portion of the property inside of the racetrack where the owner borrows soil material for maintaining roads on the subject property (Schedule B). The property is currently an equine operation, with approximately 32.4 acres of pasture considered equine production. Approximately 3.8 acres of the property is devoted to equine service (boarding and riding lessons). The property also includes other equine production activities including breeding and training horses for sale. Staff inspected the property and the borrow pit is pretty much done. All the woods in the back are wetlands and on one end there was water. It is totally filled in with grass and they are working on a little bit that is left on the side.

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 Resolution FY2016R5(3) through Resolution FY2016R5(6) are attached to and are a part of these minutes.)

D. Resolutions for Final Approval – County Planning Incentive Grant Program

SADC staff referred the Committee to three requests for final approval under the County Planning Incentive Grant Program. Staff reviewed the specifics with the Committee and stated that the recommendation is to grant final approval.

It was moved by Mr. Germano and seconded by Mr. Siegel to approve Resolution FY2016R5(7) through Resolution FY2016R5(9), granting final approval to the following applications under the County Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said Resolutions:

1. Betty Ann Davis, SADC # 17-0151-PG (Resolution FY2016R5(7))
Block 47, Lot 5, Upper Pittsgrove Township, Salem County, 44 Gross Acres
State cost share of \$3,450 per acre (67.65% of the certified easement value and purchase price) for a total grant need of \$149,247 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property includes one

approximately 2-acre nonseverable exception area limited to one existing single-family residential unit and for future flexibility of use. The portion of the property outside of the exception area includes zero housing opportunities, zero agricultural labor units and no pre-existing nonagricultural uses.

Discussion: The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 43.26 acres will be utilized to calculate the grant need.

2. Clara Molski, SADC # 13-0451-PG (Resolution FY2016R5(8))
Block 38, Lots 2, 2.01, 2.02, 3, Upper Freehold Township, Monmouth County, 108.3 Gross Acres
State cost share of \$13,140 per acre (60% of the certified easement value and purchase price) for a total grant need of \$1,403,483.40 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property includes one approximately 4.6-acre nonseverable exception area limited to two existing single-family residential housing opportunities and two existing apartments for future flexibility of uses. This approval is conditioned upon the 20-foot wide access easement to Lot 14 not extending beyond Lot 14. The portion of the property outside of the exception area to be preserved includes zero single-family residential units, zero agricultural labor units and no pre-existing nonagricultural uses. The equine map (Schedule B) and specialized "Equine Schedule B" (draft shown in Schedule C) will be recorded with the deed of easement.

Discussion: There is an existing 20-foot wide recorded easement from Burlington Path Road, along the northwest boundary of Lot 2, providing access to adjacent Lot 14 for residential purposes, which is not owned by the Applicant (Schedule A). According to the tax map the easement extends beyond Lot 14. Staff sees no reason for the easement to extend beyond Lot 14 and recommends that final approval be conditioned upon the termination of the access easement at the end of Lot 14. The property is currently an equine operation with approximately 83.1 acres in equine hay production and pasture (Schedule B). The only equine service (boarding services, lessons and riding ring) takes place within the 4.6-acre nonseverable exception. The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 106.81 acres will be utilized to calculate the grant need.

3. Konkus Farm, LLC, ADC # 14-0115-PG (Resolution FY2016R5(9))
Block 7, Lot 14.03, Chester Township, Morris County, 24.6 Gross Acres
State cost share of \$13,800 per acre (payment based on 12.67 acres), (60% of the

certified easement value and purchase price) for a total grant need of \$174,846 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule E. As DEP Green Acres Program staff have raised a concern about the farmland preservation deed of easement covering portions of the property already subject to conservation or trail easements, this final approval is conditioned on this issue being resolved by SADC, the County and Green Acres staff prior to closing. The property includes one approximately 1-acre nonseverable exception area for the two existing single-family residential units. The portion of the property outside the exception area includes zero housing opportunities and zero agricultural labor units. There is a pre-existing nonagricultural use on a portion of the property outside the exception area, which includes storage of commercial vehicles and equipment in a barn and adjacent parking area and will be delineated on the survey and restricted by the terms of the deed of easement. The equine map (Schedule B) and specialized "Equine Schedule B" (Schedule C) will be recorded with the deed of easement.

Discussion: There is an existing +/- 11.1-acre conservation easement on the Premises held by Chester Township that contains restrictions that are inconsistent with the Farmland Preservation Program deed of easement. The property includes an existing 20-foot wide trail easement (approximately 0.2 acres) along a segment of the Morris County Park System's Patriot's Path (Schedule A). The standard trail easement Morris County uses for Patriot's Path contains indemnification language requiring the Morris County Park Commission to indemnify the owners from any and all suits, claims, demands, other actions, and damages and expenses resulting from property damage and/or personal injuries associated with the Morris County Park Commission's development, installation or maintenance of Patriot's Path or the public's use of Patriot's Path for recreational trail purposes. The farmland preservation easement traditionally covers any conservation and trail easement areas; however, the SADC does not cost share on these areas. DEP's Green Acres Program staff raised a concern about the Farmland Preservation Program deed of easement covering portions of the property already subject to a conservation or trail easement; therefore, this final approval will be conditioned upon the issue being resolved by SADC, County and Green Acres staff prior to closing. The total area of the property subject to a conservation easement and Patriot's Path trail is approximately 11.3 acres, which will not be included in paid acreage. There is a pre-existing nonagricultural use on a portion of the property outside the exception area, which includes storage of commercial vehicles and equipment in a barn and adjacent parking area and will be delineated on the survey and restricted by the terms of the deed of easement (Schedule A). At the time of application the property was in hay and equine production with approximately 17.7 acres utilized for pasturing and hay production (Schedule B).

Approximately 0.6 acres, is devoted to equine service (boarding services riding lessons, training) outside the exception areas. The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 12.67 payable acres will be utilized to calculate the grant need.

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 Resolution FY2016R5(7) through Resolution FY2016R5(9) are attached to and are a part of these minutes.)

E. Resolutions for Final Approval – State Acquisition Program

SADC staff referred the Committee to one request for final approval under the State Acquisition Program. Staff reviewed the specifics with the Committee and stated the recommendation is to grant final approval, as presented and discussed.

It was moved by Ms. Brodhecker and seconded Mr. Danser by to approve Resolution FY2016R5(10) granting final approval to the following application under the State Acquisition Program, as presented and discussed, subject to any conditions of said Resolution:

1. Catherine Licciardello, Trustee, SADC # 17-0295-DE (Resolution FY2016R5(11))
Block 12, Lot 1; Block 10, Lot 1; Block 9, Lot 3, Pilesgrove Township, Salem County, 130.40 Net Easement Acres
Acquisition of the development easement at a value of \$6,700 per acre for a total of approximately \$873,680, subject to the conditions contained in Schedule B. The property includes one approximately 2-acre nonseverable exception area for and limited to one future single-family residential unit and for flexibility of uses. The portion of the property outside of the exception area to be preserved has zero housing opportunities, zero agricultural labor units and no pre-existing nonagricultural uses.

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. (A copy of Resolution FY2016R5(10) is attached to and is a part of these minutes.)

F. Stewardship – Agricultural Labor Housing (Discussion Only)

- a. Forte Farm, Chester Township, Morris County

SADC staff referred the Committee to a Memorandum dated May 19th from SADC Stewardship Manager Charles Roohr regarding a request for agricultural labor housing on the Phillip Forte Farm, known as Block 40, Lot 14, and Block 46, Lot 19 in Chester Township, Morris County. The request is to construct five, two-bedroom apartment units on the second floor of two existing equine barns to serve as agricultural labor housing for the operators of two hunter/jumper equine businesses and a vegetable producer operating on the farm as well as to perform general maintenance on the premises. Mr. Roohr stated that staff is not asking for formal action today. Mr. Forte is the owner of the farm but is not actively engaged in any of the three agricultural businesses occurring on the property. The three operations, Stormfront Stables (equine), Glen Eden Stables (equine) and Stony Hill Gardens (vegetable) operate as unique entities independent of one another. Mr. Roohr reviewed the specifics of this request, as outlined in the Memorandum, with the Committee.

Mr. Roohr stated that staff is seeking clarification from the Committee as to its position on whether labor housing for tenant operators is acceptable. It appears that this business model is fairly common in this sector of the equine industry and permitting on-site housing to accommodate the workers associated with these types of operations would support the industry. Conversely, the allowance of housing for tenant operations with no ownership interest in the farm opens the door to creation of residential rental unit compliance issues once the landowner has constructed the units and becomes accustomed to the additional income they generate. Also, staff would like to understand the Committee's opinion on whether the work associated with horses that are trained on preserved farms and not owned by the farm owner or equine training operator, yet generate a commission for the training operation upon sale or lease, can be considered production income for purposes of qualifying for labor housing. In the past the Committee has never approved agricultural labor housing for property caretakers – individuals who are not directly employed in the production aspects of the farm. There is, however, an existing duplex located on Lot 19.02 (shown on attachment 1B) currently used for agricultural labor that could perhaps accommodate Mr. Forte's request for agricultural labor for purposes of property maintenance. Lot 19.02 is not part of the preserved premises and therefore not subject to the production test.

Mr. Roohr stated that in 2011 Mr. Forte came to the Morris CADB with an initial request, which is pretty much the same request that is before the Committee today, to put agricultural labor on the second floor of two of the stables. It was at that time that the CADB staff and the SADC identified that there was no paragraph 14 in the deed of easement that Mr. Forte purchased. Paragraph 14 has the deed language that allows for

someone to make a request for agricultural labor. Since the language didn't exist to request agricultural labor, the consensus between the two agencies was that we couldn't entertain or review that request because that language that would allow for that wasn't there. Mr. Forte filed suit in Superior Court in Morris County to get the language reinserted and in 2014 the Superior Court in Morris County did determine that language should be inserted to amend this deed of easement to allow for the opportunity to request agricultural labor. It didn't say that you had to grant agricultural labor housing, it just said to put the language in that allows the owner to request it. Ms. Payne stated that part of the Court proceeding to restore it was a question about why this was omitted. There were varying opinions as to why that happened. There was nothing in the SADC's record that was evidence that the SADC was aware of the omission. There was nothing in any review memos, or the appraisals, or anything that talked about this not being there, so from our perspective it may have just been a mistake. The SADC didn't oppose the order to reform the deed to put that back in.

Mr. Roohr stated that the request comes from Mr. Forte, who is the landowner but he is not a farmer. He owns and lives on the property but he rents the property out to three different farming operations, none of which he has an ownership interest in. Two of the operations are equine hunter-jumper operations and one is a vegetable operator. Mr. Forte rents space in both of the barns and the outdoor paddocks to the two equine operators and then he rents about 70 acres to the vegetable farmer. All three tenants would like to have labor housing on-site for their own workers. The unique part of this is that we have never had a request for someone to build brand new agricultural labor on a farm that they didn't own. The logical reason for that is that not too many tenant farmers would front the money to build a new house for a property that they do not own. In this case Mr. Forte is going to build those units. He is going to build out the second floor of two of those barns into the apartments for the agricultural laborers and in exchange for that he would be able to charge additional rent to the tenants for that additional building that they have.

Mr. Roohr stated that there are two equine stables and on the second floor in one barn he wants to build three apartments that would each have two bedrooms and in the other barn he wants to build two apartments that would have two bedrooms. There would be a total of 10 bedrooms with a concept that each bedroom could house up to two people so ultimately there could be 20 people residing in these units. Realistically, that probably wouldn't happen. You have three employers and you also have men and women and you have folks from different parts of the world so the way they envision this happening realistically is that there would be these five two-bedroom apartments but you would have to separate the workers by employers, gender and nationality. With that it is going to be difficult to fill this up with 20 people. Currently they don't have 20 people they are

looking to house; it is just ultimately the layout could provide for that.

Mr. Roohr stated that he mentioned that he never had a request for agricultural labor for tenant operators. In this case the two equine operations, they are not purely production in the sense that we think of it normally – i.e., you breed a horse, raise a young horse, you sell a horse. They do some of that but they also purchase horses that are several years old, train them and sell them. In each case both businesses do that and about 25 to 30 percent of their business is horses that the operations themselves own, train and eventually sell for profit. The remaining percentage of their business is clients who have horses that are boarded there that the operators are training for them. So they are training both the client's horse and the client. From the agricultural labor perspective, it is the same type of work, the same hours of work for the horses that the operation owns versus the horses that the clients own so they are not seeing a difference in the work that they do. What we are seeing is that this is not purely a production operation where 100 percent of the animals are owned by the operator and sold by the operator.

Mr. Roohr stated that what is unique about this is there is an arrangement that is apparently common in the industry that if a horse enters the program for training – and all of these animals are there to be trained to be a competition animal and the more they compete the better they get and then the more valuable they become – for every horse that comes through these programs, the operators are entitled to a 10 to 15 percent commission of the sale or lease of that animal. So they are getting a piece of the action depending on how well the animal does and how good their training is and the result of that. Mr. Roohr stated that you have this idea of, is my ability of getting 10 to 15 percent of the proceeds of this animal, is that production and if so does the percentage of commission matter – if it was 1 percent would it be different than if it was 95 percent? The vegetable operation is pretty standard. It is Stony Hill Gardens from Chester. They operate on a total of about 500 acres in the Chester area, 70 acres of which are on this property, and they would like to have two people live here for the fruit and vegetable operation on this farm. He felt that was pretty standard.

Mr. Roohr stated there were a couple of things that were of interest to the SADC. Glenn Eden and Stormfront Stables are the equine operations. Glen Eden's handout is part of the memorandum that was provided to the Committee, which describes their 10 to 15 percent commission scenario. The owner, Kathy Kunsman, says she gives the handout to every person who comes there. What staff asked for was whether they have copies of these contracts that spell out this 10 to 15 percent but neither operator did that. They essentially work on handshakes. That was one point of interest for us. On a smaller scale, both operations do some breeding. Glen Eden breeds about a horse a year. They do

hunter-jumper breeding and also Mrs. Kunsman is involved a little bit in thoroughbred racehorses. The other equine operation, Stormfront, had a broodmare on-site that they bred last year. The reason that the breeding programs in the hunter-jumper industry are not as intense as the racehorse industry is because for a racehorse, his or her career is over at 4 years old. In the hunter-jumper world they don't even put the saddle on them to start breaking them in until they are 3 to 4 years old. You take a lot of risk if you breed a hunter-jumper horse, keep it on your farm for four years and then find out it doesn't have what it takes to be a good hunter-jumper. They are many times bringing in these animals from all over the world that have the bloodline and showing the talent at 3 to 4 years old that they have what it takes.

Ms. Payne asked that Mr. Roohr explain the concept of leasing. Mr. Roohr stated that also in the hunter-jumper world you can lease a horse. The way they explained it to staff was that as the riders become more talented, they need a more talented horse to match their skill level. You may have a situation where you have a young person who is training to do this sport and they need this type of horse today to match their skill set but as they progress and get better they will need a better horse so instead of buying a new horse every two years you can lease one for a year. Any of these horses that are there as client horses that get leased out for someone to lease for a year or two, the operators get a commission on that as well. Staff didn't provide all of the sales documents in the packet, just provided one from each business, but they provided a dozen or so from over the years, both leases and sales receipts that they had. Ms. Payne asked if the operation owns those horses that get leased. Mr. Roohr stated both – the operation could own a horse and they can lease it out or they could have a client horse in training that maybe the client has outgrown but it is still good for the next up-and-coming person so they will lease a client horse out to someone as well and they get a commission on that also.

Mr. Roohr stated that Mr. Forte, the owner, is present today as is Mr. Lamarca, who is the owner of Stormfront Stables, and then we have Frank Pinto who represents the clients. Also present is Ms. Kunsman who owns Glen Eden Stables. Mr. Roohr reviewed various photos with the Committee – the overall farm, the two barns where the agricultural labor housing would go and other photos.

Chairman Fisher stated that we have an agricultural labor request, which staff explained how it breaks down. You talked about there is production, and there is value added, you talked about the entire operation and how it works. This is in horse country. He asked if anyone from the various operations wanted to address the Committee. Mr. Pinto stated that he was not an attorney so he isn't providing any legal advice, he is just providing assistance with the application in trying to keep things moving forward. He stated that

what is unique is that you have a situation where you have tenants and a landowner who is willing to invest in the property for a tenant operation. Horse operations are extremely capital intensive and it is extremely difficult to break into that industry and build a business that will be successful and still be able to make the bottom line. Mr. Forte is essentially providing that capital on that investment for tenant operations who then grow and then maybe outgrow his operation as they become more successful trainers. Ms. Kunsman and Mr. Lamarca both have long experience in this. Mr. Lamarca from Argentina came to this farm from the Hamptons because it was focused on training and production as opposed to out in the Hamptons where people just wanted to pleasure ride. Their experience is in training and the whole industry is large. For example, every winter Ocala and Wellington, Florida, is the center of the show-jumping industry. There are about 150,000 to 200,000 horses from 30 countries, including the United States, that go to Wellington, Florida to compete. That industry is huge and there is a tremendous tie-in with all the farms up and down the East Coast of the United States. Another farm, a horse operation in Chester Township, talked to a hay grower in our county who delivers every week a truckload of hay to Florida all winter long. As far as an economic issue, that farmer now has agricultural viability in Morris County because now he no longer has to take loans out to do his hay operation every year. He brings that up because it isn't just the horses on this farm; there is just a huge tie-in to the whole agricultural industry in the region. This is not a boarding operation. You'll see the word boarding on various documents but there is no horse that is on this property that is just kept there and someone pays a fee. Every horse is in a training program with the intent of advancing both the rider and the horse to make both of them more valuable in the industry.

Mr. Danser stated that given the idiosyncrasies of the various personnel that Mr. Roohr described very early on, do there need to be two bedrooms? It seems to him that one-bedroom apartments would be more appropriate and less of a concern of winding up being some nonfarm-related agricultural use down the line. Mr. Roohr stated that possibly Mr. Forte could better answer that question. Mr. Forte stated that they feel that the two-bedroom apartment is better because maybe Ms. Kunsman or Mr. Lamarca have a couple of employees who could go together. It would be economically prohibitive to have one bedroom and one person in each unit. The construction costs, air conditioning and heating, taxes and everything else involved to cover just one employee wouldn't work that well. Mr. Lamarca has four employees who could possibly go into one unit and then Ms. Kunsman has some folks who could go into another unit. But then if you have some women trainers they would have to go elsewhere. A couple of women could go into a unit with their own bedroom on each side. Then we go into nationalities, where some just don't get along. These are the reasons for different units and then if the trainer comes in and has two people and they know each other, that may be OK but if they don't it

would be difficult. They have a lot of money tied up in these horses and if someone isn't right there to take care of them during the night, one of them gets out, or if a horse comes back from the racetrack that is sick, someone has to take care of it. They need to be close to these animals. Some of these horses are worth hundreds and hundreds of thousands of dollars so you have to have someone there with them. Ms. Payne asked Mr. Forte to describe for the Committee the three unpreserved lots that he bought with the preserved farm. She asked if he could advise what is going on with those properties. Mr. Forte stated that on the one property there is an old house and then on the other portions there are two houses on separate deeds and they are not part of the farm. In the center of the mapping being shown there is a farmhouse that came with the property, it is historic (1780) and that is where these people are staying at the present time; some are off-site and some are in that historic house. That was to be used for additional income on the farm when the auction was held and that would make it feasible to make all of these improvements and payments and spending the money for the initial investment in the farm. Ms. Payne stated that some of the agricultural laborers are currently in that house that is connected to the farm but not preserved and you are saying you'll move them into the apartments and then be able to rent that house out to someone else for income. Mr. Pinto stated that when Mr. Forte was looking at the auction, what he could afford to pay for the preserved farm, that was a factor, being able to rent out those houses at a market rate. Mr. Forte stated that is right. He could use that for additional income in the prospectus when the farm was purchased. That was income and it pays the mortgage. And now it is cut away because it has to be used for the agricultural labor, which was originally in the deed to be added, allowed to have agricultural labor in different buildings.

Mr. Roohr stated that if approved, this would be only for agricultural labor employed on the premises and Morris County approved this earlier this year with a condition that each year during annual monitoring the owner would provide a list of who is residing in the units and their job functions on the farm. That is their annual test. Chairman Fisher asked what staff needed today. Ms. Payne stated that staff just wanted to make sure the Committee is clear on the two main questions. One is this is the first time that we would be approving the construction of agricultural labor housing for someone other than the landowner. This is a tenant farmer who is utilizing it, not the owner. This is a precedent so we wanted to make sure the Committee understands it. Ms. Payne stated that the second piece is, does the Committee consider commissions on the sale of training horses and commissions on the lease of trained horses to be income that is reflective of production activity on the farm? We can only approve agricultural labor housing if we think there are sufficient agricultural production activities occurring. This is not a breeding operation, this is a training operation. So the other precedent that would be set

here would be to say yes, a trainer who is getting a commission on every horse leased and every horse sold, that is sufficient evidence for us of agricultural production that therefore warrants agricultural labor housing. Mr. Roohr stated the reason for that is the Committee in the past has denied requests for agricultural labor where the workers were engaged in purely boarding operations where there was more of the pleasure aspect. The Committee is on record as denying that. Mr. Germano stated that he has been assuming all along that in addition to earning money through leases and commissions, that people are being paid to train the horses. That is probably more money than the commissions because that is day in and day out, year in year out. Have we already answered that question? Ms. Payne stated kind of. When we developed the right to farm equine agricultural management practice (AMP), we had to clarify what income counts as production. Boarding does not, training fees do not but the proceeds from the sale of a horse that is trained on the property for at least something like 120 days is considered. The Committee has laid down some of its thinking in the equine AMP and so we are trying to make sure we are consistent. Mr. Johnson stated that it sounds like they meet the third test. Ms. Payne stated right, on the commission on the sale of the horse and the commission on the lease of the horse that we would be looking at as agricultural production activities here. She felt that would be consistent with what the Committee has said in the equine AMP. Staff will provide that information at the next meeting. Mr. Germano stated he would be interested in percentages – what percentage of the income comes from commissions from sales and leases versus training fees.

Mr. Siegel stated that if you are running a boarding operation where he keeps his pony for his daughter to ride on Saturday that is not production. We are black and white on that. If they are training that horse that is also not production. If he is paying them every month, not only to board and vet, but to also make the horse more rideable, that training fee he pays every month or that he receives each month, that is not agricultural production. Ms. Payne stated that is correct. Mr. Siegel stated that if it is a \$10,000 horse and after two years of training that sells for \$100,000 and he gets a piece of that improvement, that is production. Ms. Payne stated that is what this case is raising. This is the first time this is being asked. Mr. Danser stated that some of the horses are owned and some are on-site being trained with potential of commissions and leases so if we knew the difference or the breakdown it may make it easier. Mr. Roohr stated it's about 25 to 30 percent of the animals on-site are owned by the operations and 75 to 77 percent are client-owned horses. Another interesting component of this is Mr. Pinto's group had prepared an audit for both operations and the audit documents provided broke it down by what they considered production income, which is sale and lease of horses they produced, versus their training operations. You could take the information for what it is worth but what it shows is that there is an either break-even or slight loss in the nonproduction

training component, which involves a lot more money but also a lot more expense as well. The profit comes from the production income – the sale and lease of horses that they raised and trained, so his question was why don't you just cut out the training part? If the production part is the profitable end, why have the other part? The explanation staff received from both owners is that by having these other horses you create an economy of scale that allows you to buy the full truckload of hay for when it's time for the horse to go to the competition, which they all need to do to increase their value. Whether you put your one horse on the trailer or put all 5 to fill the trailer, you are paying the same amount in tolls, gas and the person to take them there. The other horses help float the carrying costs of the production operation. The other part was this group of people, the clients, they are a lot of times the people who are buying the horses. When they have outgrown the skill level of their own horse and need to move up to the next higher grade, there are 12 people who come to my barn on a weekly basis to get their training that are also my clients or they are referencing their friends and family as clients. That is why they keep this training component, because it is complementary and necessary to keep the production end afloat.

Ms. Payne stated her only other question would be regarding documentation. Do we have copies of the receipts from the commissions? She stated that her understanding is that the agreements are verbal with the tenant, the horses that are leased, that it is not in writing. She asked if we have receipts from commissions that have been issued over the past several years. Mr. Roohr stated that he didn't know if they have every receipt from every horse that went through programs but we have receipts from both operations that show commission tallies and receipts. Ms. Payne stated that if the agency is going to take the position that commissions on leased and trained horses are considered production that warrants agricultural labor, she wants to make sure there is evidence of those commissions being paid for the record. Ms. Murphy asked if the SADC has approved agricultural labor housing for an equine operation where there was a mix of what the agricultural labor was going to do in terms of production and nonproduction. Mr. Roohr stated it has always been production. Mr. Everett stated that he thinks this will be the modus operandi for the equine industry in New Jersey moving forward. It's kind of a departure from the traditional thoroughbred racing and purses. He thinks you are going to see production being the sale of the horse as evidence of production. You are not breeding them, you are training them and selling them. Mr. Roohr stated that Mr. Germano indicated that he wanted to better understand the income from commissions versus training fees. He stated he would provide that information but does the way that plays out affect Mr. Germano's opinion on whether this would be permissible or not? Mr. Germano stated it does. Mr. Roohr stated that he thinks the percent of the total income is going to be greater from training fees because there is a monthly fee paid for each horse

to be trained and the income from the sales and commissions happen more sporadically. Mr. Germano stated that he thought Mr. Roohr had explained that although the dollars coming in for training may be larger, the dollars going out for training are larger also so it is the net income that he is interested in. Mr. Roohr stated one of the things that Mr. Pinto made very clear up front is that just about every one of these horses on-site has an Equine Federation number and you don't get that number unless you are competing the horse so that is a definite sign that these are competition animals. Mr. Siegel asked Mr. Germano what his concerns were. Mr. Germano stated to differentiate what we've decided through our AMP is not production from what is. He was thinking of this like a farm market and one with more than half is production.

Ms. Payne stated that staff will go through all the details and the financials based on this discussion and will draft a resolution for the next meeting. If for some reason we cannot, we will come back to the Committee but we expect to come back with a resolution. Mr. Waltman asked for clarification on the number of employees in the units. Mr. Roohr stated that the total capacity of the five apartments could be 20 people, two people per bedroom, but they don't have 20 employees they want to put in there today. Mr. Lamarca has five employees plus himself, Ms. Kunsman has four employees plus herself and her daughter and possibly another trainer, Stony Hill Orchards is requesting two people and Mr. Forte is requesting one person as a general property caretaker and that doesn't add to 20 people at this point. The Morris CADB felt that the argument about the separation by gender and nationality and employer was a good one and you wouldn't probably fill all of those to capacity, but also if either operation added a person or two in the next year they didn't want to have to come back and get approval for one more unit. Mr. Roohr stated that this does raise one additional question regarding Mr. Forte's request for a property manager for himself. This would be a person under his employ who would do general work around the farm as it is a big property and has a lot of upkeep. The Committee has never approved a request essentially for a caretaker because there isn't a production element associated with that. We have had different types of cases, more estate properties where we have had people who have bought a big farm, they rent it out to a grain person but they still need someone to mow the grass and paint the fence. The Committee has said no to that in the past so he doesn't know if this being an actual pretty big horse operation, if that changes the flavor at all but it is something he wanted to raise with the Committee. Mr. Schilling stated that the nature of that person's duties is going to be tied to the property and the property is agricultural so he does see a difference between that and a general estate upkeep. Chairman Fisher stated he would like to add that the three houses that are not part of this are immaterial in his mind. They are not part of the farm and this deal. This deal is putting farm agricultural labor on this operation. Mr. Siegel stated that he wanted to point out also regarding the number of bedrooms, we have to

remember that this is a zero footprint issue – it's all in the upper floors of a barn – so to him it almost becomes the applicant's discretion as to what he thinks he needs, particularly since we have a lessor doing this and he has to be flexible for future tenants.

Ms. Payne stated that she doesn't have a description of what the caretaker is supposed to be doing or what their responsibilities would be. Do we have that? Mr. Roohr responded no. Ms. Payne stated that we should clarify this with the applicant over the next month to get a better handle on that before this matter comes back to the Committee.

PUBLIC COMMENT

None

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, June 23, 2016, beginning at 9 a.m. Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 11:31 a.m., Mr. Siegel moved the following resolution to go into Closed Session. The motion was seconded by Mr. Germano and unanimously approved.

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

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certification of Values

County Planning Incentive Grant Program

Ms. Brodhecker recused herself from any discussion/action pertaining to the following agenda item to avoid the appearance of a conflict of interest. Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development

Board.

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

4. Thomas Mulvaney c/o Brian Lenker, SADC # 19-0040-PG
Block 74, Lots 7.05, 7.06, 7.07, Hardyston Township, Sussex County, 53.842
Gross/Net Acres (Appraisal Order Checklist (AOC))

The motion was approved. (Ms. Brodhecker recused herself from the vote.) (A copy of the Certification of Value Report is attached to and is a part of the Closed Session minutes.)

Ms. Brodhecker returned to the meeting at this point.

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve the following Certification of Values for the following applicants as discussed in Closed Session:

1. Claire Bartholomew, SADC # 08-0097-PG
Block 5, Lots 6, 17.01, Harrison Township, Gloucester County, 22.08 Net Acres
2. Robert and George Harrell, SADC # 17-0161-PG
Block 25, Lot 40, Upper Pittsgrove Township, Salem County, 94.60 Net Acres,
96.60 Gross Acres (AOC)
3. Christian DuBois, SADC # 17-0163-PG
Block 1401, Lot 8, Pittsgrove Township, Salem County, 30.24 Gross/Net Acres

Municipal Planning Incentive Grant Program

1. Thomas and Sharon Holcombe (Mill Road), SADC # 10-0366-PG
Block 11, Lots 1 and 1.01, W. Amwell Township, Hunterdon County, 19.3 Net
Acres (AOC), 21.83 Gross Acres (AOC)
2. David Seery, SADC # 17-0159-PG
Block 6, Lot 7, 13, 14, Upper Pittsgrove Township, Salem County, 55 Net Acres
(AOC), 61 Gross Acres (AOC)
3. Steven and Kathy Williams, SADC # 17-0162-PG

Block 60, Lot 18, Upper Pittsgrove Township, Salem County, 22 Acres

Direct Easement Purchase Program

1. Still Run Properties, LLC, SADC # 17-0296-DE
Block 61, Lots 30, 33.01, 33.02, 33.03, 34.03, Upper Pittsgrove Township, Salem County, 128.60 Acres (AOC)

The motion was unanimously approved. (Copies of the Certification of Value Reports are attached to and are a part of the Closed Session minutes.)

PUBLIC COMMENT

None

ADJOURNMENT

There being no further business, it was moved by Mr. Danser and seconded by Mr. Siegel and unanimously approved to adjourn the meeting at 12: 05 p.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**RESOLUTION FY2016R5(1)
FINAL APPROVAL**

Of

**BERGEN, BURLINGTON, CAPE MAY, CUMBERLAND, GLOUCESTER, HUNTERDON,
MERCER, MIDDLESEX, MONMOUTH, MORRIS, SALEM, SOMERSET, SUSSEX AND
WARREN COUNTIES' PLANNING INCENTIVE GRANT ("PIG")**

APPLICATIONS

**INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLANS AND
PROJECT AREA SUMMARIES**

FY 2017 PIG PROGRAM

May 26, 2016

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

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

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

WHEREAS, a county, in submitting an application to the SADC shall outline a multi-year plan for the purchase of multiple targeted farms in a project area and indicate its annual share of the estimated purchase price; and

WHEREAS, the application shall include a copy of the comprehensive farmland preservation plan element; an estimate of the cost of purchasing development easements on all the farms in a designated project area, to be determined in consultation with the CADB or through an appraisal for the entire project area; and an inventory showing the characteristics of each farm in the project area which may included, but not be limited to, size, soils and agricultural use; and

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

WHEREAS, a county, applying for a grant to the SADC shall submit a copy of the county comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17.6; and

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

WHEREAS, to date, 17 counties including Bergen, Burlington, Camden, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex and Warren Counties have received SADC Final Approval of their comprehensive farmland preservation plans and planning incentive grant applications; and

WHEREAS, SADC staff are actively working with Atlantic County to complete their comprehensive farmland preservation plan; and

WHEREAS, the 18 total applications for the County Planning Incentive Grant Program identified 133 project areas targeted 5,061 farms and 227,450 acres at an estimated total cost of \$2,245,000,000, with a ten-year preservation goal of 147,222 acres, as summarized in the attached Schedule A; and

WHEREAS, Ocean County, Camden County and Passaic County did not apply for the 2017 County Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17.6(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.6(b)1 and N.J.A.C. 2:76-17.6(b)2, in order to improve county and municipal farmland preservation coordination, the counties notified all municipalities in which targeted farms are located within a project area and provided evidence of municipal review and comment and, if appropriate, the level of funding the

municipality is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, SADC staff reviewed and evaluated the counties' applications to determine whether all the components of the comprehensive farmland preservation plans are fully addressed and complete and whether the project area summaries are complete and technically accurate, and that the application is designed to preserve a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry.

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Bergen, Burlington, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Salem, Somerset, Sussex and Warren Counties' Planning Incentive Grant applications as summarized in the attached Schedule B.

BE IT FURTHER RESOLVED, that Ocean, Camden and Passaic county's decisions to not apply to the 2017 County Planning Incentive Grant Program does not preclude their use of previously appropriated funds in a manner consistent with their existing Planning Incentive Grant plans; and

BE IT FURTHER RESOLVED, that the SADC will monitor each county's funding plan pursuant to N.J.A.C. 2:76-17.17 and adjust the eligibility of funds based on the county's progress in implementing the proposed funding plan. Each Planning Incentive Grant county should expend its grant funds within two years of the date the funds are appropriated. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within two years are subject to reappropriation and may no longer be available to the county; and

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

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

5/26/16

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

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COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Atlantic	15	288	9,690	\$43.676	27,724	200	750	1,500	5.0	\$2.100	No Set Amount
Bergen	8	40	525	\$70.454	10,887	30	150	300	0.25	\$4.111	No Set Amount
Burlington	4	171	18,222	\$111.000	113,027	1,000	5,000	10,000	1.5	\$19.000	No Set Amount
Camden	5	57	3,469	\$30.843	15,071	258	1,394	3,147	2.0	\$6.800	No Set Amount
Cape May	6	162	8,466	\$81.517	12,084	180	939	1,174	1.0	\$4.701	No Set Amount
Cumberland	16	501	19,857	\$98.964	65,302	1,966	9,929	19,857	1.0	\$0.898	No Set Amount
Hopewell	1	45	1,576	\$9.420	5,689	158	788	1,576	0.0	\$0.000	No Set Amount
Upper Deerfield	1	51	3,418	\$20.536	9,233	396	1,979	3,958	0.0	\$0.050	\$0.050
Gloucester	11	1031	19,223	\$230.678	89,920	1,000	4,000	8,000	4.0	\$11.000	\$5.000
Elk	2	25	971	\$10.679	4,219	75	377	754	1.00	\$0.038	\$0.038
Franklin	5	125	4,870	\$29.061	10,106	598	1,799	3,290	1.00	\$0.080	No Set Amount
Woolwich	3	72	3,403	\$51.048	5,183	265	1,920	3,984	5.00	\$0.542	No Set Amount
Hunterdon	7	107	9,794	\$125.297	178,126	1,000	5,000	10,000	3.0	\$7.000	\$1.500
Alexandria	4	74	3,821	\$38.195	16,912	524	1,160	2,137	4.00	\$0.328	No Set Amount
Delaware	2	20	1,522	\$19.025	23,707	300	1,500	1,500	6.0	\$0.476	No Set Amount
East Amwell	1	21	1,576	\$24.024	13,515	185	925	1,848	4.0	\$0.267	\$0.267
Franklin	1	16	1,602	\$14.419	10,644	534	1,068	1,602	3.00	\$0.162	No Set Amount
Holland	4	34	2,106	\$21.095	11,335	703	1,700	2,222	2.0	\$0.079	\$0.079
Kingwood	1	21	1,592	\$15.925	12,645	169	679	849	3.00	\$0.184	No Set Amount
Raritan	4	23	1,554	\$31.079	6,111	100	300	600	1.5	\$0.602	No Set Amount
Readington	1	42	2,338	\$42.089	16,774	100	600	1,100	2.0	\$0.569	No Set Amount
Tewksbury	3	3	409	\$9.700	4,557	100	300	1,000	5.0	\$0.425	No Set Amount
Union	3	20	618	\$6.100	4,189	70	325	600	2.0	\$0.137	No Set Amount
West Amwell	1	7	563	\$5.630	10,440	35	329	563	6.00	\$0.305	\$0.250
Mercer	7	33	2,463	\$21.382	13,594	50	250	500	2.5	\$10.795	No Set Amount
Hopewell	1	10	854	\$17.080	10,761	150	500	854	3.00	\$1.109	No Set Amount
Middlesex	5	121	4,431	\$178.190	21,284	225	1,125	2,250	3.0	\$29.145	No Set Amount
Monmouth	6	105	9,109	\$190.287	60,623	1,200	3,000	6,000	1.5	\$16.921	\$1.100
Colts Neck	1	6	321	\$12.562	9,321	41	81	199	1.2	\$0.367	No Set Amount
Holmdel	1	14	587	\$27.182	2,572	10	70	338	2.50	\$0.958	No Set Amount
Howell	3	13	560	\$8.554	12,666	127	370	453	2.00	\$1.396	\$0.700
Manalapan	1	38	1,318	\$26.343	9,223	131	659	1,318	2.00	\$1.234	No Set Amount
Marlboro	3	16	593	\$17.330	19,690	47	216	298	1.00	\$0.709	No Set Amount
Millstone	4	47	2,758	\$55.160	14,359	60	180	300	6.00	\$1.038	No Set Amount
Upper Freehold	1	167	5,042	\$75.630	27,368	550	1,000	1,500	6.0	\$0.715	\$0.477
Morris	3	74	4,391	\$110.561	169,342	437	2,185	4,391	1.0	\$9.07	\$0.45
Ocean	7	152	2,540	\$84.287	21,975	200	901	1,623	1.2	\$10.000	No Set Amount

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Passaic	1	10	191	\$5,977	6,415	100	500	1,000	1.0	\$5,000	\$0.750
Salem	3	429	35,378	\$281,848	80,424	2,600	13,000	26,000	2.0	\$1,053	\$1,053
Alloway	1	11	517	\$3,976	5,465	200	400	600	0.05	\$0,014	No Set Amount
Mannington	1	47	1,140	\$6,843	22,627	25	125	250	2.00	\$0,043	\$0,043
Pilesgrove	4	58	4,281	\$39,569	9,305	203	1,304	2,608	3.00	\$0,143	\$0,143
Pittsgrove	2	248	5,091	\$38,181	13,881	255	1,018	3,054	1.0	\$0,067	No Set Amount
Upper Pittsgrove	1	256	11,240	\$84,299	24,167	700	3,500	7,000	2.00	\$0,080	\$0,080
Somerset	12	267	14,123	\$228,218	87,623	1,000	4,000	5,000	3.0	\$17,470	No Set Amount
Bedminster	1	120	5,863	\$175,899	10,111	500	2,706	2,706	2.0	\$0,342	No Set Amount
Bernards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1,500	No Set Amount
Franklin	2	19	855	\$16,584	18,931	508	644	830	5.0	\$4,480	No Set Amount
Hillsborough	3	28	996	\$14,814	3,860	100	500	1,000	2.8	\$1,529	No Set Amount
Montgomery	1	16	776	\$26,722	14,735	50	300	454	4.00	\$1,483	No Set Amount
Peapack & Gladstone	2	11	315	\$9,455	1,932	20	85	160	3.00	\$0,212	\$0,212
Sussex	10	998	34,942	\$191,129	176,195	2,648	13,240	26,480	0.23	\$0,395	\$0,209
Frankford	4	101	4,318	\$25,065	10,142	63	350	700	0.50	\$0,080	\$0,080
Green	3	53	1,831	\$11,908	7,632	150	675	1,300	1.5	\$0,063	\$0,063
Warren	7	515	30,636	\$161,024	155,068	2,000	10,000	20,000	6.0	\$7,400	\$3,707
Blairtown	4	72	2,065	\$14,450	12,307	100	500	1,000	2.0	\$0,144	No Set Amount
Franklin	4	150	5,700	\$37,052	11,542	225	1,000	1,900	39.00	\$0,165	No Set Amount
Freylinghuysen	7	76	2,744	\$17,838	11,029	45	220	430	2.00	\$0,055	\$0,055
Greenwich	1	21	1,283	\$14,337	3,453	174	1,092	1,573	4.0	\$0,239	\$0,239
Harmony	3	87	4,097	\$24,580	12,409	220	1,000	1,800	5.00	\$0,196	\$0,196
Hope	4	63	3,189	\$17,541	6,321	65	300	600	2.0	\$0,632	\$0,632
Knowlton	2	32	2,775	\$13,875	13,355	100	500	1,000	2.00	\$0,052	\$0,052
Pohatcong	4	16	1,116	\$8,118	8,156	100	500	1,000	0.5	\$0,174	\$0,174
White	4	106	4,111	\$20,653	13,599	150	700	1,300	2.00	\$0,116	\$0,116
County Totals (18)	133	5,061	227,450	\$2,245	1,304,684	16,114	75,363	147,222		\$162,859	
Municipal Totals (47)	112	2,549	109,550	\$1,290	511,848	9,699	36,676	65,045		\$26,609	

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

Date: 5/11/16

Schedule B

**2017 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications**

County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
Bergen	Paramus Borough	2	24	\$3,927,000	\$165,000						
	Oakland Borough	5	82	\$8,965,000	\$110,000						
	Saddle River	7	92	\$15,229,500	\$165,000						
	Franklin Lakes	7	94	\$13,195,000	\$140,000						
	Montvale Borough	2	43	\$5,325,000	\$125,000						
	Ramapo Valley	6	73	\$9,137,500	\$125,000						
	Masonius Brook	2	36	\$4,550,000	\$125,000						
	Various: Rivervale, Old Tappan, Norwood, Emerson, Closter	9	81	\$10,125,000	\$125,000						
	8	40	525	\$70,454,000	\$134,211	30	150	300	0.25	\$4.11	No Set Amount
Burlington	North	75	8,438	\$71,723,000	\$8,500						
	West	18	1,498	\$14,980,000	\$10,000						
	East	31	2,743	\$9,600,500	\$3,500						
	South	47	5,543	\$16,629,000	\$3,000						
	4	171	18,222	\$112,932,500	\$6,198	1,000	5,000	10,000	1.5	\$19.00	No Set Amount
	Lower	25	1,054	\$24,812,214	\$23,541						
	Middle	25	2,163	\$21,004,893	\$9,711						
	Upper	35	2,090	\$5,262,620	\$2,518						
	West Cape May	4	84	\$2,247,084	\$26,751						
Cape May	Dennis	66	2,863	\$27,610,772	\$9,644						
	Woodbine	7	212	\$579,820	\$2,735						
	6	162	8,466	\$81,517,403	\$9,629	180	939	1,174	1.0	\$4.70	No Set Amount
	Deerfield-Upper Deerfield North	94	2,982	\$15,843,366	\$5,313						
	Deerfield-Upper Deerfield South	31	1,015	\$5,392,695	\$5,313						
	Downe	8	251	\$878,500	\$3,500						
	Fairfield East	1	181	\$932,150	\$5,150						
	Fairfield-Lawrence	41	2,476	\$12,751,400	\$5,150						
	Fairfield-Millville	7	624	\$3,213,600	\$5,150						
Cumberland	Greenwich	38	1,572	\$6,838,200	\$4,350						
	Hopewell South	40	1,363	\$5,247,550	\$3,850						
	Lawrence Central	2	96	\$369,600	\$3,850						
	Lawrence East	6	211	\$812,350	\$3,850						

Schedule B

2017 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
	Lawrence West	11	319	\$1,228,150	\$3,850						
	Shiloh-Hopewell Central	27	1,426	\$6,345,700	\$4,450						
	Shiloh-Hopewell North	71	2,728	\$16,305,256	\$5,977						
	Stow Creek	85	3,472	\$17,127,376	\$4,933						
	Stow Creek North	7	544	\$2,683,552	\$4,933						
	Vineland	28	501	\$2,994,477	\$5,977						
	16	497	19,761	\$98,963,922	\$5,977	1,986	9,929	19,857	1.0	\$0.90	No Set Amount
Gloucester	Chapel Heights	0	0	\$0	\$12,000						
	Delaware River	76	1,454	\$17,449,920	\$12,000						
	New Brooklyn	2	24	\$288,000	\$12,000						
	Oldmans Creek	144	2,788	\$33,456,000	\$12,000						
	Pinelands North	35	859	\$10,308,000	\$12,000						
	Pinelands South	219	3,406	\$40,872,000	\$12,000						
	Pitman Downer	8	120	\$1,440,000	\$12,000						
	Raccoon Creek	196	4,066	\$48,792,000	\$12,000						
	Repaupo-Mantua Creek	138	2,482	\$29,784,000	\$12,000						
	Still Run	211	4,008	\$48,099,600	\$12,000						
	Washington North	2	16	\$188,520	\$12,000						
	11	1,031	19,223	\$230,678,040	\$12,000	1,000	4,000	8,000	4.0	\$11.00	\$5.00
Hunterdon	Bethlehem East	1	127	\$0	\$15,000						
	Bethlehem West	0	0	\$0							
	Lebanon	0	0	\$0							
	North	3	163	\$3,256,800	\$20,000						
	East	5	573	\$10,306,440	\$18,000						
	South	45	4,484	\$67,263,900	\$15,000						
	West	53	4,447	\$44,470,300	\$10,000						
	7	107	9,794	\$125,297,440	\$12,793	1,000	5,000	10,000	3.0	\$7.00	\$1.50
Mercer	Hamilton	5	124	\$1,016,800	\$8,200						
	Robbinsville/West Windsor	6	223	\$1,648,193	\$7,391						
	Robbinsville/East Windsor	8	424	\$3,858,400	\$9,100						
	Lawrence	3	330	\$2,970,000	\$9,000						
	Hopewell East	4	447	\$3,901,863	\$8,729						

Schedule B

2017 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0_/\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
	Hopewell West	5	462	\$4,032,798	\$8,729						
	Hopewell South	2	453	\$3,954,237	\$8,729						
	7	33	2,463	\$21,382,291	\$8,681	50	250	500	2.5	\$10.80	No Set Amount
Middlesex	Southwestern	26	966	\$27,337,800	\$28,300						
	Southeastern	26	1,070	\$19,795,000	\$18,500						
	Northwestern	39	900	\$31,140,000	\$34,600						
	Northeastern	9	950	\$71,250,000	\$75,000						
	Matchaponix	21	545	\$28,667,000	\$52,600						
	5	121	4,431	\$178,189,800	\$40,214	225	1,125	2,250	3.0	\$29.14	No Set Amount
Monmouth	Colts Neck-Marlboro-Holmdel	17	1,609	\$74,504,745	\$46,305						
	Northern Howell-Eastern Freehold	13	814	\$12,210,000	\$15,000						
	Roosevelt-Northern Millstone	3	271	\$5,420,000	\$20,000						
	Millstone-Manalapan-Freehold	30	2,482	\$49,640,000	\$20,000						
	Upper Freehold-Western Millstone	32	3,374	\$44,172,408	\$13,092						
	Wall	5	217	\$4,340,000	\$20,000						
	6	100	8,767	\$190,287,153	\$21,705	1,200	3,000	6,000	1.5	\$16.92	\$1.10
Morris	Northeast	8	258	\$6,527,400	\$25,300						
	Central	21	862	\$21,808,600	\$25,300						
	West	45	3,271	\$82,756,300	\$25,300						
	3	74	4,391	\$111,092,300	\$25,300	437	2,185	4,391	1.0	\$9.07	\$0.45
	PA 1: Cohansey-Pole Tavern-Pine Hill	172	14,457	\$115,656,000	\$8,000						
Salem	PA2: Mannington Meadows-Seven Stars-Algonkin Lake	108	9,169	\$73,352,000	\$8,000						
	PA 3: Maskells Mill-Hagerville-Mannington Meadows	149	11,605	\$92,840,000	\$8,000						
	3	429	35,231	\$281,848,000	\$8,000	2,600	13,000	26,000	2.0	\$1.05	\$1.05
Somerset	Millstone Valley East	61	1,720	\$27,793,910	\$16,159						
	Millstone Valley West	21	895	\$14,458,489	\$16,159						
	Eastern Montgomery	1	73	\$1,180,272	\$16,159						
	Pike Run	2	211	\$3,402,168	\$16,159						
	Bedens Brook	8	97	\$1,563,084	\$16,159						

Schedule B

2017 COUNTY PLANNING INCENTIVE GRANT
Final Approval Applications

County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0_/\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
	Bedens Brook East	7	219	\$3,539,037	\$16,159						
	Neshanic Valley North	81	4,008	\$64,769,344	\$16,159						
	Neshanic Valley South	12	417	\$6,744,548	\$16,159						
	Upper Raritan East	33	848	\$13,709,831	\$16,159						
	Upper Raritan West	32	5,470	\$88,384,957	\$16,159						
	Warren	2	25	\$411,253	\$16,159						
	Bernards Dead River	7	140	\$2,261,002	\$16,159						
	12	267	14,123	\$228,217,896	\$16,159	1,000	4,000	5,000	3.0	\$17.00	No Set Amount
Sussex	Central Kittatinny Valley	290	10,506	\$60,829,740	\$5,790						
	Eastern Highlands 1	46	2,354	\$7,297,400	\$3,100						
	Eastern Highlands 2	38	1,407	\$10,683,351	\$7,593						
	Kittatinny Valley East	198	5,610	\$29,071,020	\$5,182						
	Kittatinny Valley West 1	127	4,137	\$23,353,365	\$5,645						
	Kittatinny Valley West 2	155	4,919	\$26,488,815	\$5,385						
	Upper Delaware 1	9	501	\$1,039,575	\$2,075						
	Upper Delaware 2	30	822	\$4,443,732	\$5,406						
	Western Highlands 1	72	3,357	\$20,212,497	\$6,021						
	Western Highlands 2	33	1,329	\$7,709,529	\$5,801						
	10	998	34,942	\$191,129,024	\$5,470	2,648	13,240	26,480	0.23	\$0.40	\$0.21
Warren	North	28	2,347	\$12,334,413	\$5,256						
	Northwest	62	4,487	\$23,582,884	\$5,256						
	Northeast	76	4,439	\$23,331,016	\$5,256						
	Central	75	3,707	\$19,481,627	\$5,256						
	West	107	6,101	\$32,067,014	\$5,256						
	Southeast	142	7,872	\$41,377,334	\$5,256						
	South	25	1,684	\$8,850,210	\$5,256						
	7	515	30,636	\$161,024,498	\$5,256	2,000	10,000	20,000	6.0	\$7.40	\$3.71
2017 County PIIG Totals											
14	105	4,545	210,976	\$2,083,014,267	\$9,873	15,356	71,818	139,952		\$138.49	

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R5(2)

FINAL APPROVAL

Of

**MUNICIPAL PLANNING INCENTIVE GRANT ("PIG")
APPLICATIONS
INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLANS AND PROJECT AREA
SUMMARIES**

FY2017 PIG PROGRAM

May 26, 2016

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

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

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agricultural development area ("ADA") authorized pursuant to the Agriculture Retention and Development Act, P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish an agricultural advisory committee composed of at least three, but not more than five, residents with a majority of the members actively engaged in farming and owning a portion of the land they farm;
3. Establish and maintain a dedicated source of funding for farmland preservation pursuant to P.L. 1997, c.24 (C.40:12-15.1 et seq.), or an alternative means of funding for farmland preservation, such as, but not limited to, repeated annual appropriations or repeated issuance of bonded indebtedness, which the SADC deems to be, in effect, a dedicated source of funding; and
4. Prepare a farmland preservation plan element pursuant to paragraph (13) of section 19 of P.L. 1975, c.291 (C.40:55D-28) in consultation with the agricultural advisory committee; and

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

WHEREAS, a municipality applying for a grant to the SADC shall submit a copy of the municipal comprehensive farmland preservation plan and a project area summary for each project area

designated within the plan, pursuant to N.J.A.C. 2:76-17A.6; and

WHEREAS, on May 24, 2007, the SADC adopted *Guidelines for Developing Municipal Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17A and provide uniform, detailed plan standards, update previous planning standards, and incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey, the Planning Incentive Grant Statute (N.J.S.A. 4:1C-43.1) and the New Jersey Department of Agriculture Guidelines for Plan Endorsement under the State Development and Redevelopment Plan; and

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

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

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

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

WHEREAS, to date, 38 of the municipal planning incentive grant applications have received SADC Final Approval; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Municipal Planning Incentive Grant applications submitted under the FY17 program funding round as summarized in the attached Schedule B.

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a), and that the SADC's approval of State funding is subject to Legislative appropriation of funds and the Governor signing the respective appropriation bills; and

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

BE IT FURTHER RESOLVED, that the SADC will continue to assist the remaining 9 municipal planning incentive grant applicants in obtaining SADC Final Approval; and

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

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

Date

5/26/16


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

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COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Atlantic	15	288	9,690	\$43.676	27,724	200	750	1,500	5.0	\$2.100	No Set Amount
Bergen	8	40	525	\$70.454	10,887	30	150	300	0.25	\$4.111	No Set Amount
Burlington	4	171	18,222	\$111,000	113,027	1,000	5,000	10,000	1.5	\$19,000	No Set Amount
Camden	5	57	3,469	\$30.843	15,071	258	1,394	3,147	2.0	\$6,800	No Set Amount
Cape May	6	162	8,466	\$81,517	12,084	180	939	1,174	1.0	\$4,701	No Set Amount
Cumberland	16	501	19,857	\$98,964	65,302	1,386	9,929	19,857	1.0	\$0,898	No Set Amount
Hopewell	1	45	1,576	\$9,420	5,689	158	788	1,576	0.0	\$0,000	No Set Amount
Upper Deerfield	1	51	3,418	\$20,536	9,233	396	1,979	3,958	0.0	\$0,050	\$0,050
Gloucester	11	1031	19,223	\$230,678	89,920	1,000	4,000	8,000	4.0	\$11,000	\$5,000
Elk	2	25	971	\$10,679	4,219	75	377	754	1.00	\$0,038	\$0,038
Franklin	5	125	4,870	\$29,061	10,106	598	1,799	3,290	1.00	\$0,080	No Set Amount
Woolwich	3	72	3,403	\$51,048	5,183	265	1,920	3,984	5.00	\$0,542	No Set Amount
Hunterdon	7	107	9,794	\$125,297	178,126	1,000	5,000	10,000	3.0	\$7,000	\$1,500
Alexandria	4	74	3,821	\$38,195	16,912	524	1,160	2,137	4.00	\$0,328	No Set Amount
Delaware	2	20	1,522	\$19,025	23,707	300	1,500	1,500	6.0	\$0,476	No Set Amount
East Amwell	1	21	1,576	\$24,024	13,515	185	925	1,848	4.0	\$0,267	\$0,267
Franklin	1	16	1,602	\$14,419	10,644	534	1,068	1,602	3.00	\$0,162	No Set Amount
Holland	4	34	2,106	\$21,095	11,335	703	1,700	2,222	2.0	\$0,079	\$0,079
Kingwood	1	21	1,582	\$15,925	12,645	169	679	849	3.00	\$0,184	No Set Amount
Raritan	4	23	1,554	\$31,079	6,111	100	300	600	1.5	\$0,602	No Set Amount
Readington	1	42	2,338	\$42,089	16,774	100	600	1,100	2.0	\$0,569	No Set Amount
Tewksbury	3	3	409	\$9,700	4,557	100	300	1,000	5.0	\$0,425	No Set Amount
Union	3	20	618	\$6,100	4,189	70	325	600	2.0	\$0,137	No Set Amount
West Amwell	1	7	563	\$5,630	10,440	35	329	563	6.00	\$0,305	\$0,250
Mercer	7	33	2,463	\$21,382	13,594	50	250	500	2.5	\$10,795	No Set Amount
Hopewell	1	10	854	\$17,080	10,761	150	500	854	3.00	\$1,109	No Set Amount
Middlesex	5	121	4,431	\$178,190	21,284	225	1,125	2,250	3.0	\$29,145	No Set Amount
Monmouth	6	105	9,109	\$190,287	60,623	1,200	3,000	6,000	1.5	\$16,921	\$1,100
Coits Neck	1	6	321	\$12,562	9,321	41	81	199	1.2	\$0,367	No Set Amount
Holmdel	1	14	587	\$27,182	2,572	10	70	338	2.50	\$0,958	No Set Amount
Howell	3	13	560	\$8,554	12,666	127	370	453	2.00	\$1,396	\$0,700
Manalapan	1	38	1,318	\$26,343	9,223	131	659	1,318	2.00	\$1,234	No Set Amount
Marlboro	3	16	593	\$17,330	19,690	47	216	298	1.00	\$0,709	No Set Amount
Millstone	4	47	2,758	\$55,160	14,359	60	180	300	6.00	\$1,038	No Set Amount
Upper Freehold	1	167	5,042	\$75,630	27,368	550	1,000	1,500	6.0	\$0,715	\$0,477
Morris	3	74	4,391	\$110,561	169,342	437	2,185	4,391	1.0	\$9,07	\$0,45
Ocean	7	152	2,540	\$84,287	21,975	200	901	1,623	1.2	\$10,000	No Set Amount

COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0./\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Passaic	1	10	191	\$5,977	6,415	100	500	1,000	1.0	\$5,000	\$0.750
Salem	3	429	35,378	\$281,848	80,424	2,600	13,000	26,000	2.0	\$1,053	\$1,053
Alloway	1	11	517	\$3,976	5,465	200	400	600	0.05	\$0,014	No Set Amount
Mannington	1	47	1,140	\$6,843	22,627	25	125	250	2.00	\$0,043	\$0,043
Pilesgrove	4	58	4,281	\$39,569	9,305	203	1,304	2,608	3.00	\$0,143	\$0,143
Pilesgrove	2	248	5,091	\$38,181	13,881	255	1,018	3,054	1.0	\$0,067	No Set Amount
Upper Pilesgrove	1	256	11,240	\$84,299	24,167	700	3,500	7,000	2.00	\$0,080	\$0,080
Somerset	12	267	14,123	\$228,218	87,623	1,000	4,000	5,000	3.0	\$17,470	No Set Amount
Bedminster	1	120	5,863	\$175,899	10,111	500	2,706	2,706	2.0	\$0,342	No Set Amount
Bernards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1,500	No Set Amount
Franklin	2	19	855	\$16,584	18,931	508	644	830	5.0	\$4,480	No Set Amount
Hillsborough	3	28	996	\$14,814	3,860	100	500	1,000	2.8	\$1,529	No Set Amount
Montgomery	1	16	776	\$26,722	14,735	50	300	454	4.00	\$1,483	No Set Amount
Peapack & Gladstone	2	11	315	\$9,455	1,932	20	85	160	3.00	\$0,212	\$0,212
Sussex	10	998	34,942	\$191,129	176,195	2,648	13,240	26,480	0.23	\$0,395	\$0,209
Frankford	4	101	4,318	\$25,065	10,142	63	350	700	0.50	\$0,080	\$0,080
Green	3	53	1,831	\$11,908	7,632	150	675	1,300	1.5	\$0,063	\$0,063
Warren	7	515	30,636	\$161,024	155,068	2,000	10,000	20,000	6.0	\$7,400	\$3,707
Blairstown	4	72	2,065	\$14,450	12,307	100	500	1,000	2.0	\$0,144	No Set Amount
Franklin	4	150	5,700	\$37,052	11,542	225	1,000	1,900	39.00	\$0,165	No Set Amount
Freylinghysen	7	76	2,744	\$17,838	11,029	45	220	430	2.00	\$0,055	\$0,055
Greenwich	1	21	1,283	\$14,337	3,453	174	1,092	1,573	4.0	\$0,239	\$0,239
Harmony	3	87	4,097	\$24,580	12,409	220	1,000	1,800	5.00	\$0,196	\$0,196
Hope	4	63	3,189	\$17,541	6,321	65	300	600	2.0	\$0,632	\$0,632
Knowlton	2	32	2,775	\$13,875	13,355	100	500	1,000	2.00	\$0,052	\$0,052
Pohatcong	4	16	1,116	\$8,118	8,156	100	500	1,000	0.5	\$0,174	\$0,174
White	4	106	4,111	\$20,653	13,599	150	700	1,300	2.00	\$0,116	\$0,116
County Totals (18)	133	5,061	227,450	\$2,245	1,304,684	16,114	75,363	147,222		\$162,859	
Municipal Totals (47)	112	2,549	109,550	\$1,290	511,848	9,699	36,676	65,045		\$26,609	

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

Date: 5/1/16

2017 MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Applications

Municipality	County	Project Area	# of Targeted Farms	Targeted Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions	
Upper Deerfield	Cumberland	Upper Deerfield PA	51	3,418	\$20,535,644	\$6,008	396	1,979	3,958	0.0	\$0,050	\$0,050	
Total		1	51	3,418	\$20,535,644	\$6,008	396	1,979	3,958	0.0	\$0,050	\$0,050	
Elk	Gloucester	Project Area 1	14	532	\$5,848,480	\$11,000							
		Project Area 2	11	439	\$4,830,430	\$11,000							
		Total	2	25	971	\$10,678,910	\$11,000	75	377	754	1.0	\$0,038	\$0,038
Franklin	Gloucester	Northern	17	930	\$6,975,000	\$7,500							
		Central	29	800	\$6,000,000	\$7,500							
		Forest Grove	23	652	\$4,890,000	\$7,500							
		Janvier	1	297	\$1,336,500	\$4,500							
		Main Rd-Piney Hollow	55	2,191	\$9,859,500	\$4,500							
Total		5	125	4870	\$29,061,000	\$5,967	598	1,799	3,290	1.0	\$0,080	No Set Amount	
Woolwich	Gloucester	North	22	976	\$14,642,850	\$15,000							
		East	37	1,309	\$19,635,000	\$15,000							
		Southwest	13	1,118	\$16,770,000	\$15,000							
Total		3	72	3,403	\$51,047,850	\$15,000	285	1,920	3,984	5.0	\$0,542	No Set Amount	
Alexandria	Huntdon	Sweet Hollow	6	393	\$3,927,500	\$10,000							
		The Hickory	12	494	\$4,944,800	\$10,000							
		Pittstown	32	1,970	\$19,704,600	\$10,000							
		Delaware River	18	962	\$9,617,600	\$10,000							
Total		4	68	3,819	\$38,194,500	\$10,000	524	1,160	2,137	4.0	\$0,528	No Set Amount	
Delaware	Huntdon	PIG I: Sandbrook Headquarters / Locklow	8	737	\$9,212,500	\$12,500							
		PIG II: Covered Bridge / Dills Park	12	785	\$9,812,500	\$12,500							
		Total	2	20	1,522	\$19,025,000	\$12,500	300	1,500	1,500	6.0	\$0,475	No Set Amount
East Amwell	Huntdon	East Amwell	21	1,576	\$24,024,000	\$13,000							
		Total	1	21	1,576	\$24,024,000	\$13,000	185	925	1,848	4.0	\$0,267	\$0,267
Franklin	Huntdon	Franklin Project Area	16	1,602	\$14,419,107	\$9,000							
		Total	1	16	1,602	\$14,419,107	\$9,000	534	1,068	1,602	3.0	\$0,162	No Set Amount
Holland	Huntdon	Musconetcong	5	350	\$3,540,000	\$10,000							
		Hawks Schoolhouse	3	250	\$2,497,200	\$10,000							
		Bun Valley	17	1,282	\$12,820,900	\$10,000							
		Holland Station	9	224	\$2,236,900	\$10,000							
Total		4	34	2,106	\$21,095,000	\$10,017	703	1,700	2,222	2.0	\$0,079	No Set Amount	
Kingwood	Huntdon	Kingwood	21	1,592	\$15,924,500	\$10,000							
		Total	1	21	1,592	\$15,924,500	\$10,000	170	679	849	3.0	\$0,184	No Set Amount

2017 MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Applications

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
Readington	Hunterdon	Primary	42	2,338	\$42,088,500	\$18,000	100	600	1,100	2.0	\$0.589	No Set Amount
Total		1	42	2,338	\$42,088,500	\$18,000	100	600	1,100	2.0	\$0.589	No Set Amount
Union	Hunterdon	Holman	1	68	\$680,000	\$10,000						
		Pattenburg	3	80	\$800,000	\$10,000						
		Pittstown	16	470	\$4,700,000	\$10,000						
Total		3	20	618	\$6,180,000	\$10,000	70	325	600	2.0	\$0.137	No Set Amount
West Amwell	Hunterdon	West Amwell	7	563	\$5,630,000	\$10,000						
Total		1	7	563	\$5,630,000	\$10,000	35	329	563	6.0	\$0.305	\$0.250
Hopewell	Mercer	Central Project Area	10	854	\$17,080,000	\$20,000						
Total		1	10	854	\$17,080,000	\$20,000	150	500	854	3.0	\$1.109	No Set Amount
Colts Neck	Monmouth	Colts Neck Project Area	6	321	\$11,220,300	\$35,000						
Total		1	6	321	\$11,220,300	\$35,000	41	81	198	1.2	\$0.367	No Set Amount
Holmdel	Monmouth	Holmdel Project Area	14	587	\$27,182,209	\$46,307						
Total		1	14	587	\$27,182,209	\$46,307	10	70	338	2.5	\$0.958	No Set Amount
Howell	Monmouth	North Central	7	264	\$5,280,000	\$20,000						
		Manasquan Reservoir South	3	138	\$1,791,516	\$12,982						
		Manasquan Reservoir West	2	114	\$1,482,000	\$13,000						
Total		3	12	516	\$8,553,516	\$16,577	127	370	452	2.0	\$1.386	\$0.700
Manalapan	Monmouth	Manalapan Project Area	38	1,318	\$26,342,650	\$19,986						
Total		1	38	1,318	\$26,342,650	\$19,987	131	659	1,318	2.0	\$1.234	No Set Amount
Marlboro	Monmouth	North	1	84	\$4,200,000	\$50,000						
		Central	9	352	\$5,280,000	\$15,000						
		Southeast	6	157	\$7,850,000	\$50,000						
Total		3	16	593	\$17,330,000	\$29,224	47	216	298	1.0	\$0.709	No Set Amount
Millstone	Monmouth	Pennville East	18	786	\$15,720,000	\$20,000						
		Pennville West	12	885	\$17,700,000	\$20,000						
		Clarksburg East	11	687	\$13,740,000	\$20,000						
		Clarksburg West	6	400	\$8,000,000	\$20,000						
Total		4	47	2,758	\$55,160,000	\$20,000	60	180	300	6.0	\$1.038	No Set Amount
Upper Freehold	Monmouth	Upper Freehold Project Area	167	5,042	\$75,630,000	\$15,000						
Total		1	167	5,042	\$75,630,000	\$15,000	550	1,000	1,500	6.0	\$0.715	\$0.477
Alloway	Salem	North-Central	11	517	\$5,339,472	\$10,327						
Total		1	11	517	\$5,339,472	\$10,327	200	400	600	0.5	\$0.014	No Set Amount

2017 MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Applications

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
Pilesgrove	Salem	Northern Pilesgrove	35	2,764	\$29,022,000	\$10,500						
		U.S. Route 40	10	895	\$8,497,750	\$9,500						
		Commissioners Pike	4	241	\$2,049,350	\$8,500						
		Woodstown-Dartmouth Road	9	381	\$2,859,000	\$7,500						
Total		4	58	4,281	\$39,569,100	\$9,243	203	1,304	2,608	3.0	\$0.143	\$0.143
Pilesgrove	Salem	North	130	2,830	\$21,224,325	\$7,500						
		East	118	2,246	\$16,843,275	\$7,500						
Total		2	248	5,076	\$38,067,600	\$7,500	255	1,018	3,054	1.0	\$0.061	No Set Amount
Upper Pittsgrove	Salem	UP Project Area	256	11,240	\$84,299,400	\$7,500	700	3,500	7,000	2.0	\$0.080	\$80,000,000
Total		1	256	11,240	\$84,299,400	\$7,500	700	3,500	7,000	2.0	\$0.080	\$80,000,000
Bedminster	Somerset	Bedminster PA	120	5,863	\$175,898,700	\$30,000	500	2,706	2,706	1.5	\$0.342	No Set Amount
Total		1	120	5,863	\$175,898,700	\$30,000	500	2,706	2,706	1.5	\$0.342	No Set Amount
Hillsborough	Somerset	Amwell Valley	22	794	\$11,908,050	\$15,000						
		Mill Lane	3	170	\$2,556,150	\$15,000						
		South	3	32	\$478,650	\$15,000						
Total		3	28	996	\$14,942,850	\$15,000	100	500	1,000	2.8	\$1,529	No Set Amount
Montgomery	Somerset	Montgomery Twp. PA	16	776	\$26,722,336	\$34,436	50	300	454	4.0	\$1,483	No Set Amount
Total		1	16	776	\$26,722,336	\$34,436	50	300	454	4.0	\$1,483	No Set Amount
Peapack/Gladstone	Somerset	Essex Hunt Club	3	119	\$3,570,000	\$30,000						
		Raritan Valley	8	196	\$5,885,400	\$30,000						
Total		2	11	315	\$9,455,400	\$30,000	20	85	160	3.0	\$0.212	\$0.212
Blairstown	Warren	North	10	127	\$889,000	\$7,000						
		Route 94 North	12	209	\$1,463,000	\$7,000						
		Central	11	494	\$3,458,000	\$7,000						
		South	39	1,235	\$8,645,000	\$7,000						
Total		4	72	2,065	\$14,455,000	\$7,000	100	500	1,000	2.0	\$0.144	Undetermined
Franklin	Warren	Musconcong Valley	54	1,960	\$12,740,000	\$6,500						
		Pohatcong Ridge	25	1,027	\$6,675,500	\$6,500						
		Pohatcong Valley East	47	1,738	\$11,297,000	\$6,500						
		Pohatcong Valley West	24	975	\$6,337,500	\$6,500						
Total		4	150	5,700	\$37,050,000	\$6,500	225	1,000	1,900	3.9	\$0.165	Undetermined
Freylinghysen	Warren	Paulins Kill Valley	5	134	\$70,285	\$6,500						
		Marlinsburg Ridge	39	1,704	\$11,079,120	\$6,500						
		Hope Preservation Area	5	91	\$590,980	\$6,500						
		Limestone Valley Trout Brook	8	249	\$1,617,330	\$6,500						

2017 MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Applications

Municipality	County	Project Area	# of Targeted Farms	Targeted Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
		Allamuchy Farmland Belt	13	373	2,425,930	\$6,500						
		Limestone Valley Bear Brook	6	193	1,254,500	\$6,500						
		Johnsontown Center	0	0	0	\$6,500						
		Total	7	76	2,744	17,838,145	\$6,500	45	220	430	2.0	\$0.055
Greenwich	Warren	Greenwich Project Area	21	1,283	10,264,000	\$8,000						
Total		1	21	1,283	10,264,000	\$8,000	174	1,092	1,573	4.0	\$0.239	\$0.239
Harmony	Warren	Project Area 1	22	1,190	\$7,141,500	\$6,000						
		Project Area 2	35	1,765	\$10,590,240	\$6,000						
		Project Area 3	30	1,141	\$6,846,000	\$6,000						
Total		3	87	4,096	24,577,740	\$6,000	220	1,000	1,800	5.0	\$0.239	\$0.241
Hope	Warren	Project Area 1	39	1,838	\$10,108,560	\$5,500						
		Project Area 2	8	577	\$3,173,280	\$5,500						
		Project Area 3	9	334	\$1,839,420	\$5,500						
Total		Project Area 4	7	440	\$2,419,505	\$5,500						
		4	63	3,189	\$17,540,765	\$5,500	65	300	600	2.0	\$0.632	\$0.632
Knowlton	Warren	Project Area 1	9	786	\$3,930,000	\$5,000						
		Project Area 2	23	1,939	\$9,696,950	\$5,000						
Total		2	32	2,725	\$13,626,950	\$5,000	100	500	1,000	2.0	\$0.052	\$0.052
Pohatcong	Warren	Pohatcong Grasslands	4	471	\$3,720,900	\$7,900						
		Valleys & Ridges	6	212	\$1,672,430	\$7,900		7,900				
		Still Valley	5	307	\$2,422,930	\$7,900						
		Silver Hill	1	127	\$1,003,300	\$7,900						
Total		4	16	1,116	\$8,819,560	\$7,900	100	500	1,000	5.0	\$0.175	\$0.175
White	Warren	North	35	1,011	\$5,079,264	\$5,024						
		South	14	434	\$2,180,416	\$5,024						
		East	6	100	\$502,400	\$5,024						
		West	50	2,566	\$12,891,584	\$5,024						
Total		4	105	4,111	\$20,653,664	\$5,024	150	700	1,300	2.0	\$0.116	\$0.116
2017 MUN. PIG FINAL APPROVAL TOTALS												
38	9	91	2,196	96,162	\$1,084,303,068	\$11,276	8,237	32,982	57,652		\$16,255	

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R5(3)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

ALEXANDRIA TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Peter and Ellen Kluber ("Owner")

Alexandria Township, Hunterdon County

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

SADC ID# 10-0371-PG

MAY 26, 2016

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

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

WHEREAS, on May 15, 2015 the SADC received an application for the sale of a development easement from Alexandria Township for the subject farm identified as Block 20.01, Lot 9, Alexandria Township, Hunterdon County, totaling approximately 56.6 gross acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 4-acre non-severable exception area for and limited to one (1) existing single family residential unit and for future flexibility of use resulting in approximately 52.6 net acres to be preserved; and

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

WHEREAS, at the time of application the Property was in corn 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, pursuant to N.J.A.C. 2:76-17.9A(b) on June 25, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on February 25, 2016 the SADC certified a development easement value of \$9,700 per acre based on January 1, 2004 zoning and environmental regulations and \$8,100 per acre based on current zoning and environmental regulations in place as of November 2015; and

WHEREAS, the Owner accepted the Township's offer of \$9,700 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on April 13, 2016 the Alexandria Township Committee approved the application and a funding commitment for an estimated \$1,940 per acre; and

WHEREAS, the Hunterdon County Agriculture Development Board approved the application on May 12, 2016 and secured a commitment of funding from the Hunterdon County Board of Chosen Freeholders for the \$1,940 required local match on May 17, 2016; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 52.6 net easement acres):

	<u>Total</u>	
SADC	\$306,132	(\$5,820 per acre)
Hunterdon County	\$102,044	(\$1,940 per acre)
<u>Alexandria Twp.</u>	<u>\$102,044</u>	<u>(\$1,940 per acre)</u>
Total Easement Purchase	\$510,220	(\$9,700 per acre)

WHEREAS, Alexandria Township is requesting \$306,132 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Alexandria Township for the purchase of a development easement on the Property, comprising approximately 52.6 net easement acres, at a State cost share of \$5,820 per acre, (60% of certified easement value and purchase price), for a total grant need of \$306,132 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 4-acre non-severable exception area for and limited to one (1) existing single family residential unit and for future flexibility of use; and

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

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

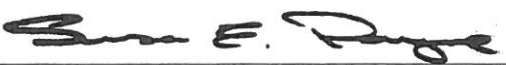
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way,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

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

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

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

5/26/16
Date

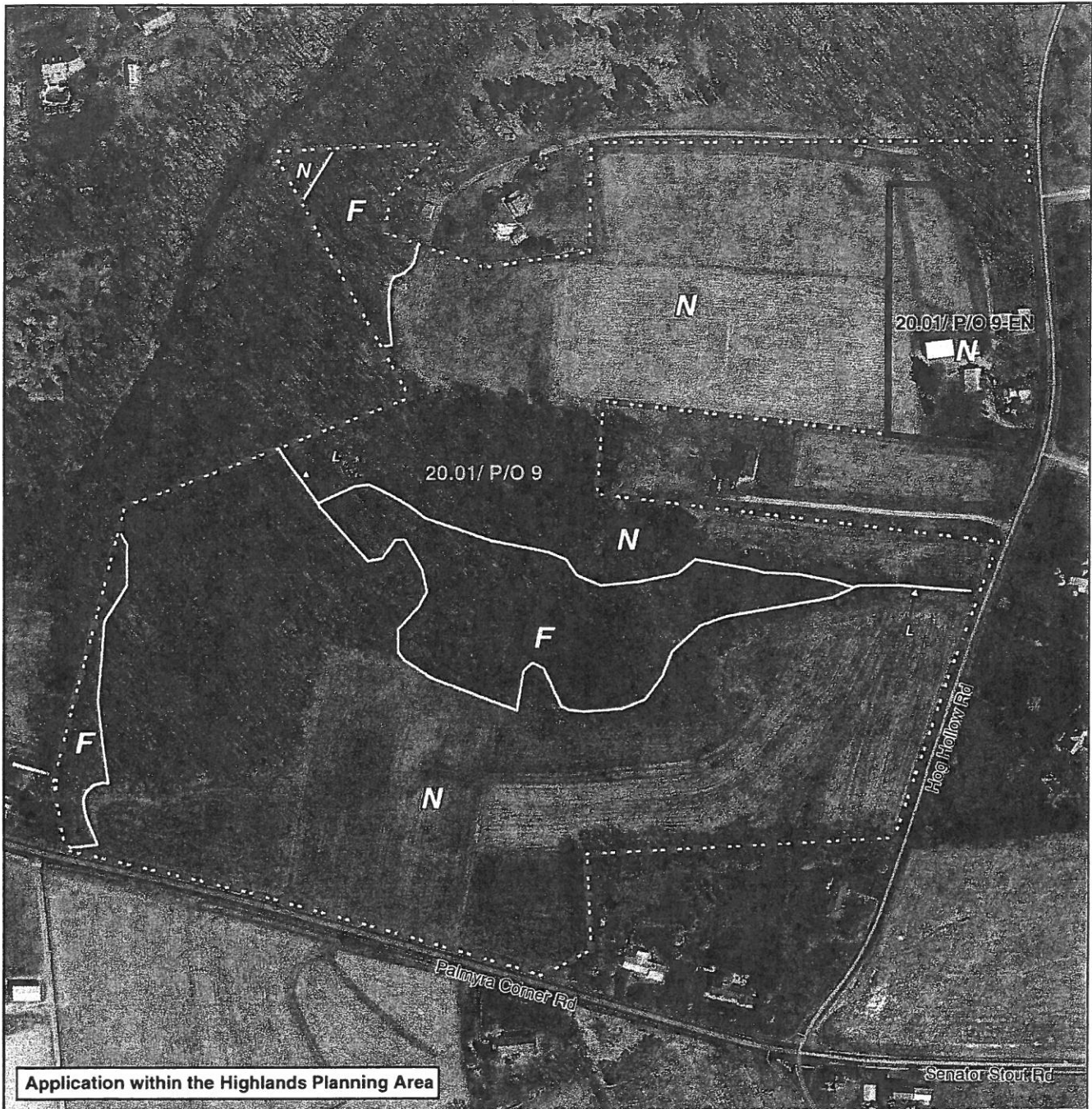

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

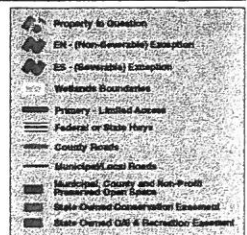
Schedule A

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Peter and Ellen Kluber
Block 20.01 Lots P/O 9 (50.4 ac)
& P/O 9-EN (non-severable exception - 4.0 ac)
Gross Total = 54.4 ac
Alexandria Twp., Hunterdon County



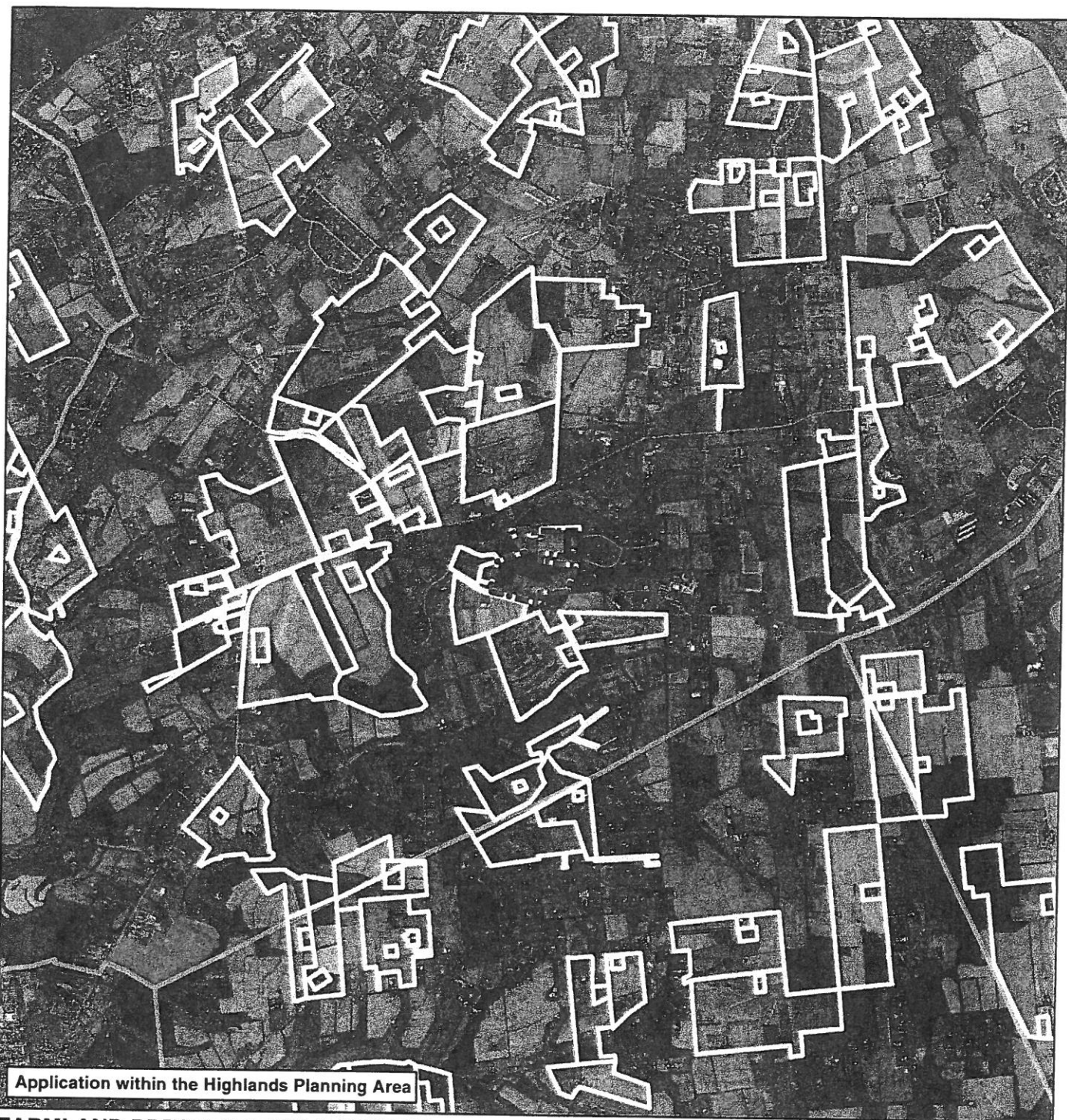
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

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

November 23, 2015

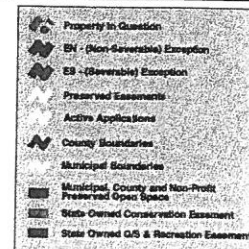
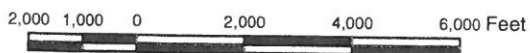
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision 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.

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

Peter and Ellen Kluber
 Block 20.01 Lots P/O 9 (50.4 ac)
 & P/O 9-EN (non-severable exception - 4.0 ac)
 Gross Total = 54.4 ac
 Alexandria Twp., Hunterdon County



Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 NJ Highlands Council Data
 NJ/IT/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

Schedule B

Municipal Planning Incentive Grant
Alexandria Township, Hunterdon County

Schedule B

Farm	SADC ID#	Acres	Pay Acres	SADC Certified Per Acre	SADC Grant Per Acre	SADC			Encumbered	Expended	Balance
						Cost Basis	Cost Share				
Rosenfield	10-0275-PG	26.239	25.157	9,400.00	5,640.00	236,475.80	141,885.48			141,885.48	1,750,000.00
Kappus	10-0332-PG	17.985	17.985	7,650.00	4,725.00	137,585.25	84,979.130			84,979.130	1,608,114.52
Hahola North	10-0343-PG	42.315	42.315	8,300.00	5,050.00	351,214.50	213,690.75		213,690.75	213,690.75	1,523,135.39
Hahola South	10-0347-PG	14.288	13.965	9,300.00	5,580.00	129,874.50	77,924.70		77,924.70	77,924.70	1,309,444.64
Jacobson	10-0352-PG	29.448	28.678	11,500.00	6,900.00	329,797.00	197,878.20		203,191.20	197,878.20	1,231,519.94
Kluber, Peter & Ellen	10-0371-PG	52.600	52.600	9,700.00	5,820.00	510,220.00	306,132.00		306,132.00		1,033,641.74
											727,509.74
Total Pending	5	243.500									
Total Encumbered	1	52.600						306,132.00			
Closed/Expended	5	130.275	128.100			1,184,947.05	716,358.26	0.00		716,358.26	
Total											727,509.74

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase
May 26, 2016

Kluber, Peter & Ellen
10- 0371-PG
PIG EP - Municipal 2007 Rule
53 Acres

Block 20.01	Lot 9	Alexandria Twp.	Hunterdon County
SOILS:			
		Other	47% * 0 = .00
		Prime	37% * .15 = 5.55
		Statewide	16% * .1 = 1.60
			SOIL SCORE: 7.15
TILLABLE SOILS:			
		Cropland Harvested	57% * .15 = 8.55
		Wetlands	14% * 0 = .00
		Woodlands	29% * 0 = .00
			TILLABLE SOILS SCORE: 8.55
FARM USE:			
		Corn-Cash Grain	20 acres
		Hay	10 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st four (4) acres for Around existing Single family residential unit
 - Exception is not to be severed from Premises
 - Exception is to be limited to one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - No 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 FY2016R5(4)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

FRELINGHUYSEN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Bonnie Post ("Owner")

Frelinghuysen Township, Warren County

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

SADC ID# 21-0584-PG

MAY 26, 2016

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

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

WHEREAS, on April 1, 2015 the SADC received an application for the sale of a development easement from Frelinghuysen Township for the subject farm identified as Block 1101, Lot 3.01, Frelinghuysen Township, Warren County, totaling approximately 41.70 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Frelinghuysen Township's Martinsburg Ridge Project Area and the Highlands Planning 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 for future flexibility of use resulting in approximately 40.7 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area to be preserved includes zero (0) housing opportunities, zero (0) agricultural labor units and 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, pursuant to N.J.A.C. 2:76-17.9A(b) on May 18, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 12, 2015 the SADC certified a development easement value of \$4,900 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$3,900 per acre based on zoning and environmental regulations in place as of the current valuation date April 2015; and

WHEREAS, the Owner accepted the Township's offer of \$4,400 per acre (less than current certified easement value) for the development easement for the Property; and

WHEREAS, Frelinghuysen Township is requesting \$123,728 and sufficient funds are available (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on May 18, 2016 the Frelinghuysen Township Committee approved the application and a funding commitment for an estimated \$680 per acre; and

WHEREAS, the Warren County Agriculture Development Board approved the application on May 19, 2016 and secured a commitment of funding from the Warren County Board of Chosen Freeholders for the \$680 per acre required local match on May 25, 2016; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 40.7 net easement acres):

	<u>Total</u>	
SADC	\$123,728	(\$3,040 per acre)
Warren County	\$ 27,676	(\$ 680 per acre)
<u>Frelinghuysen Twp.</u>	<u>\$ 27,676</u>	<u>(\$ 680 per acre)</u>
Total Easement Purchase	\$179,080	(\$4,400 per acre)

WHEREAS, Frelinghuysen Township is requesting \$123,728 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Frelinghuysen Township for the purchase of a development easement on the Property, comprising approximately 40.7 net easement acres, at a State cost share of \$3,040 per acre, (62.04% of certified easement value and 69.09% purchase price), for a total grant need of \$123,728 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-acre non-severable exception area for and limited to one (1) future single family residential unit and for future flexibility of use; and

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

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

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

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

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

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

5/26/16

Date

Susan E. Payne

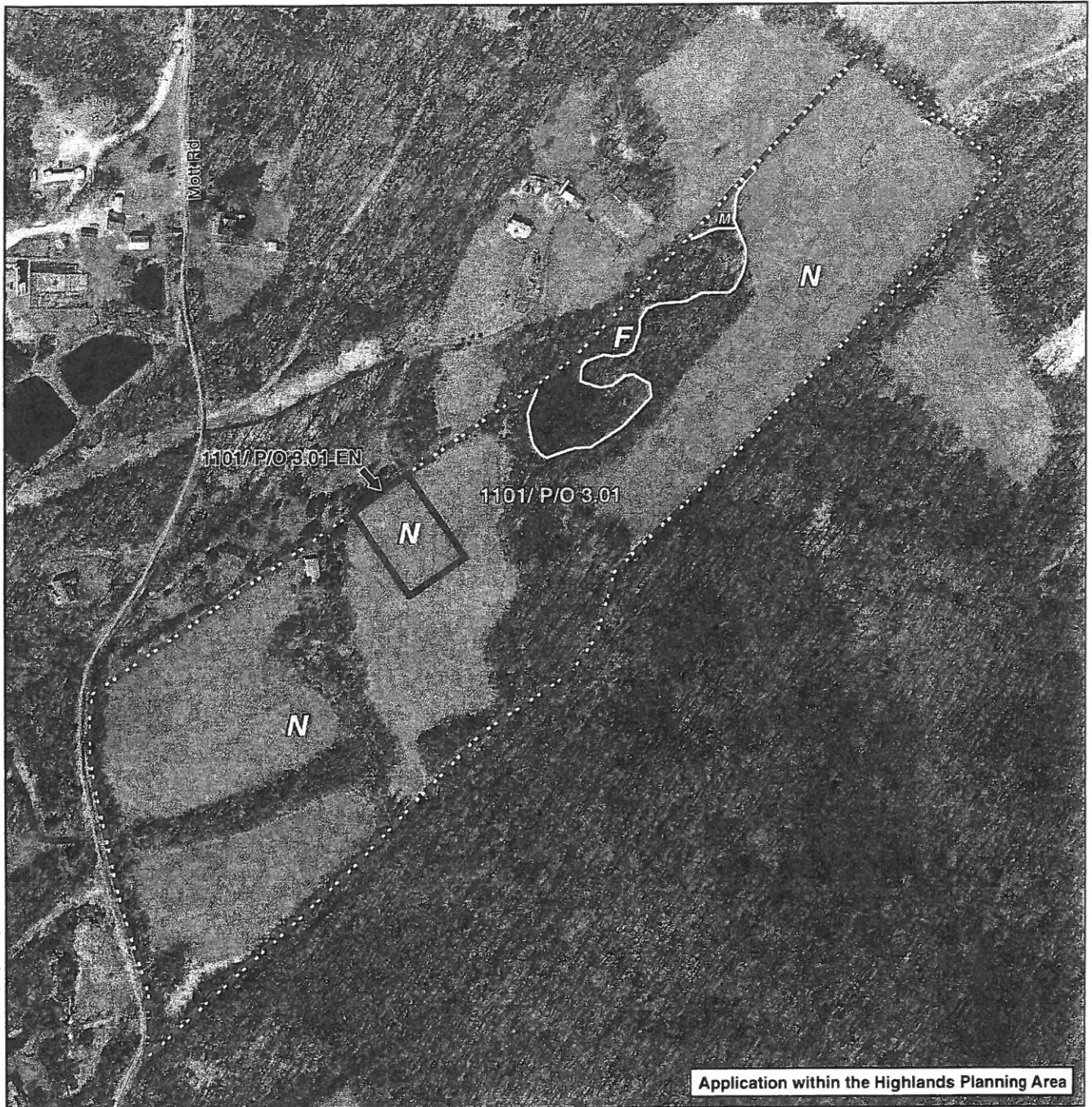
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Bonnie Post
Block 1101 Lots P/O 3.01 (37.2 ac)
& P/O 3.01-EN (non-severable exception - 1.0 ac)
Gross Total = 38.2 ac
Frelinghuysen Twp., Warren County



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

Application within the Highlands Planning Area



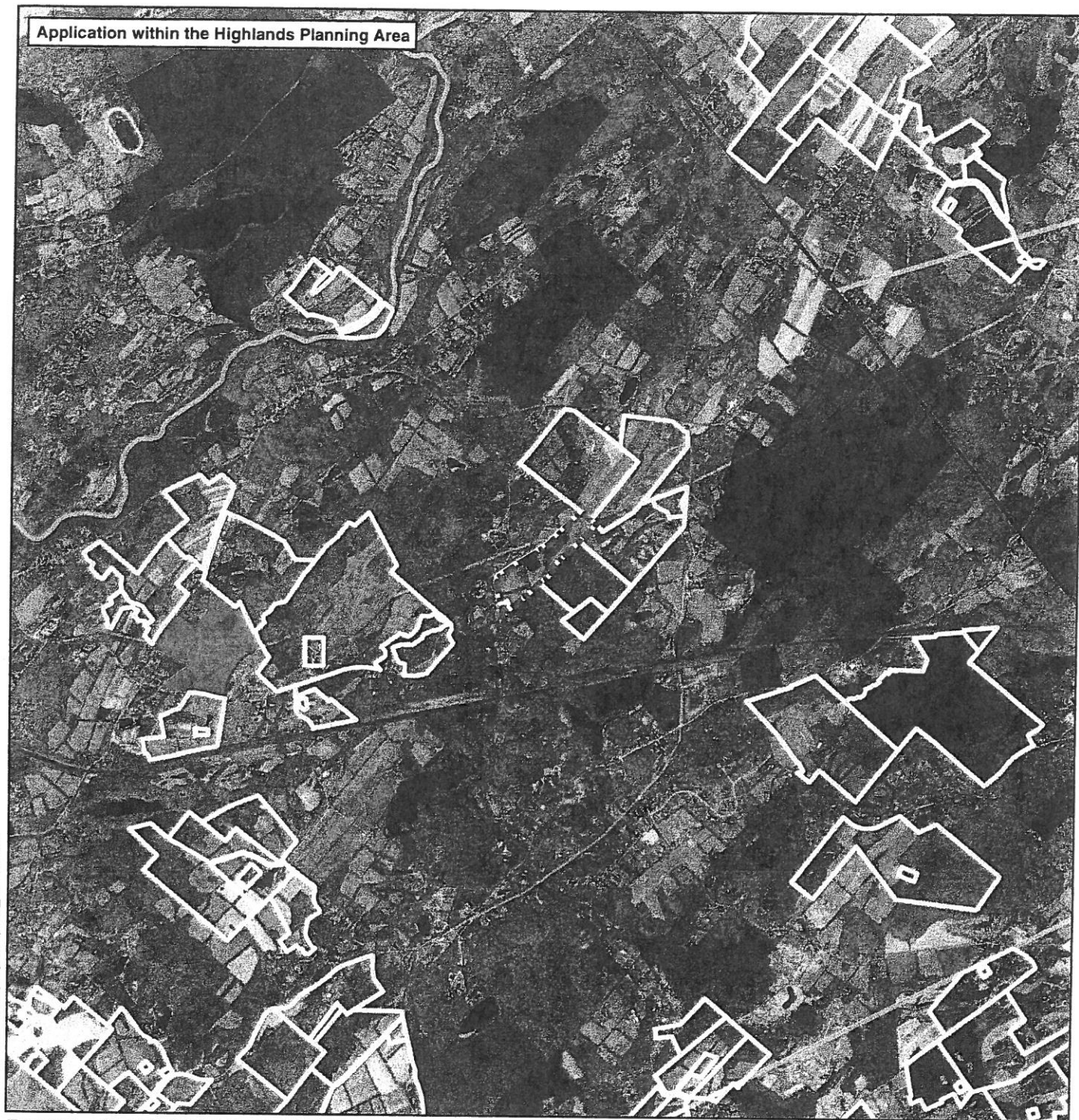
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

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

April 21, 2015

Application within the Highlands Planning Area

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Bonnie Post
Block 1101 Lots P/O 3.01 (37.2 ac)
& P/O 3.01-EN (non-severable exception - 1.0 ac)
Gross Total = 38.2 ac
Frelinghuysen Twp., Warren County

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



NOTE:

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

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

April 22, 2015

**Municipal Planning Incentive Grant
Frelinghuysen Township, Warren County**

Schedule B

Farm	SADC ID#	Acres	Pay Acres	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	SADC			Federal Grant			
							Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	Expended	Balance
Linz	21-0486-PG	122.847	122.808	3,500.00	2,500.00	429,828.00	429,964.50	307,020.00				307,020.00	1,750,000.00
Berry / Shiloh Hill	21-0569-PG	95.760	95.760	5,750.00	3,775.00	550,620.00	598,500.00	550,620.00				361,494.00	1,442,980.00
Post	21-0584-PG	40.700	40.700	4,400.00	3,040.00	179,080.00	179,080.00	123,728.00				123,728.00	1,081,486.00
Total Pending	1	206.000											957,758.00
Total Encumbered	1	40.700									123,728.00		
Closed/Expended	2	218.607	218.568			980,448.00	1,028,464.50	857,640.00	0.00			668,514.00	
Total													957,758.00

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Post, Bonnie
21- 0584-PG
PIG EP - Municipal 2007 Rule
40 Acres

Block 1101	Lot 3.01	Frelinghuysen Twp.	Warren County
SOILS:		Other	100% * 0 = .00
			SOIL SCORE: .00
TILLABLE SOILS:		Cropland Harvested	70% * .15 = 10.50
		Wetlands	6% * 0 = .00
		Woodlands	24% * 0 = .00
			TILLABLE SOILS SCORE: 10.50
FARM USE:		Hay	30 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for possible dwelling site
 - 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 FY2016R5(5)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

BLAIRSTOWN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

**On the Property of
Anita Ardia ("Owner")
High Acres Farm ("Farm name")
Blairstown Township, Warren County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 21-0589-PG**

May 26, 2016

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

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

WHEREAS, on October 30, 2015 the SADC received an application for the sale of a development easement from Blairstown Township for the subject farm identified as Block 1803, Lot 10 and Block 1901, Lot 34, Blairstown Township, Warren County, totaling approximately 135 gross acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 3-acre non-severable exception area for and limited to one (1) existing single family residential unit and one (1), approximately 10-acre severable exception area for and limited to one (1) future single family residential unit and for future flexibility of use leaving approximately 122 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area to be preserved includes one (1) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

WHEREAS, at the time of application the Property was in 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, pursuant to N.J.A.C. 2:76-17.9A(b) on December 15, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on April 22, 2016 the SADC certified a development easement value of \$4,800 based on current zoning and environmental regulations in place as of February 2016 ; and

WHEREAS, the Owner accepted the Township's offer of \$4,800 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on May 12, 2016 the Blairstown Township Committee approved the application and a funding commitment for an estimated \$760 per acre; and

WHEREAS, the Warren County Agriculture Development Board approved the application on May 19, 2016 and secured a commitment of funding from the Warren County Board of Chosen Freeholders for the \$760 per acre required local match on May 25, 2016; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 122 net easement acres):

	<u>Total</u>	
SADC	\$400,160	(\$3,280 per acre)
Warren County	\$ 92,720	(\$ 760 per acre)
<u>Blairstown Twp.</u>	<u>\$ 92,720</u>	<u>(\$ 760 per acre)</u>
Total Easement Purchase	\$585,600	(\$4,800 per acre)

WHEREAS, Blairstown Township is requesting \$400,160 and sufficient funds are available (Schedule B); an

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

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Blairstown Township for the purchase of a development easement on the Property, comprising approximately 122 net easement acres, at a State cost share of \$3,280 per acre, (68.33% of certified easement value and purchase price), for a total grant need of \$400,160 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 3-acre non-severable exception area for and limited to one (1) existing single family residential unit and one (1), approximately 10-acre severable exception area for and limited to one (1) future single family residential unit and for future flexibility of use; and

BE IT FURTHER RESOLVED, the portion of the Property outside the exception area to be preserved includes one (1) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-B; and

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

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

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

5/26/16
Date

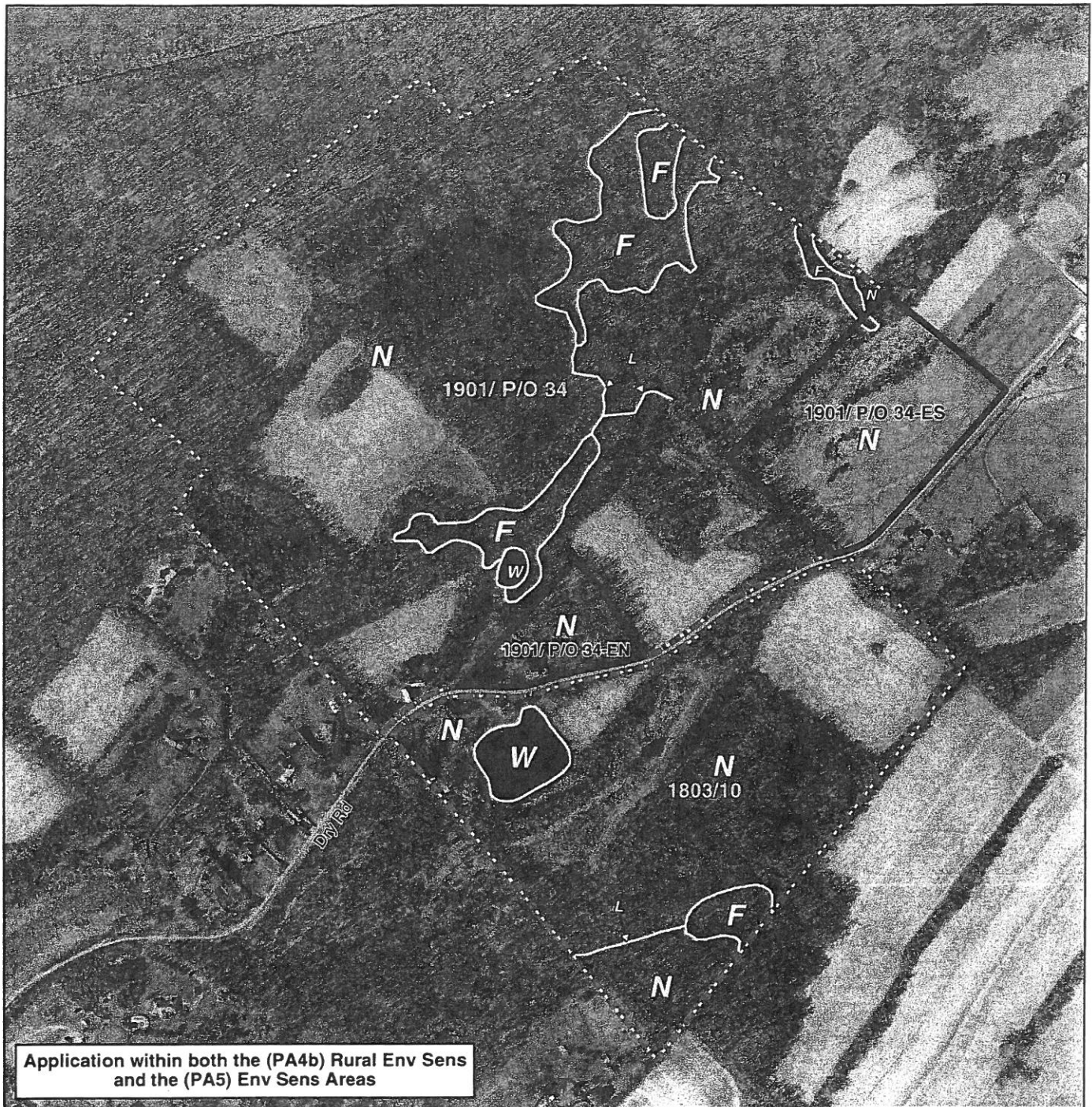


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Anita Ardia/High Acres Farm
Block 1803 Lot 10 (36.5 ac); Block 1901 Lots P/O 34 (85.1 ac);
& P/O 34-ES (severable exception - 10.0 ac);
& P/O 34-EN (non-severable exception - 3.0 ac)
Gross Total = 134.7 ac
Blairstown Twp., Warren County

500 250 0 500 1,000 Feet



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

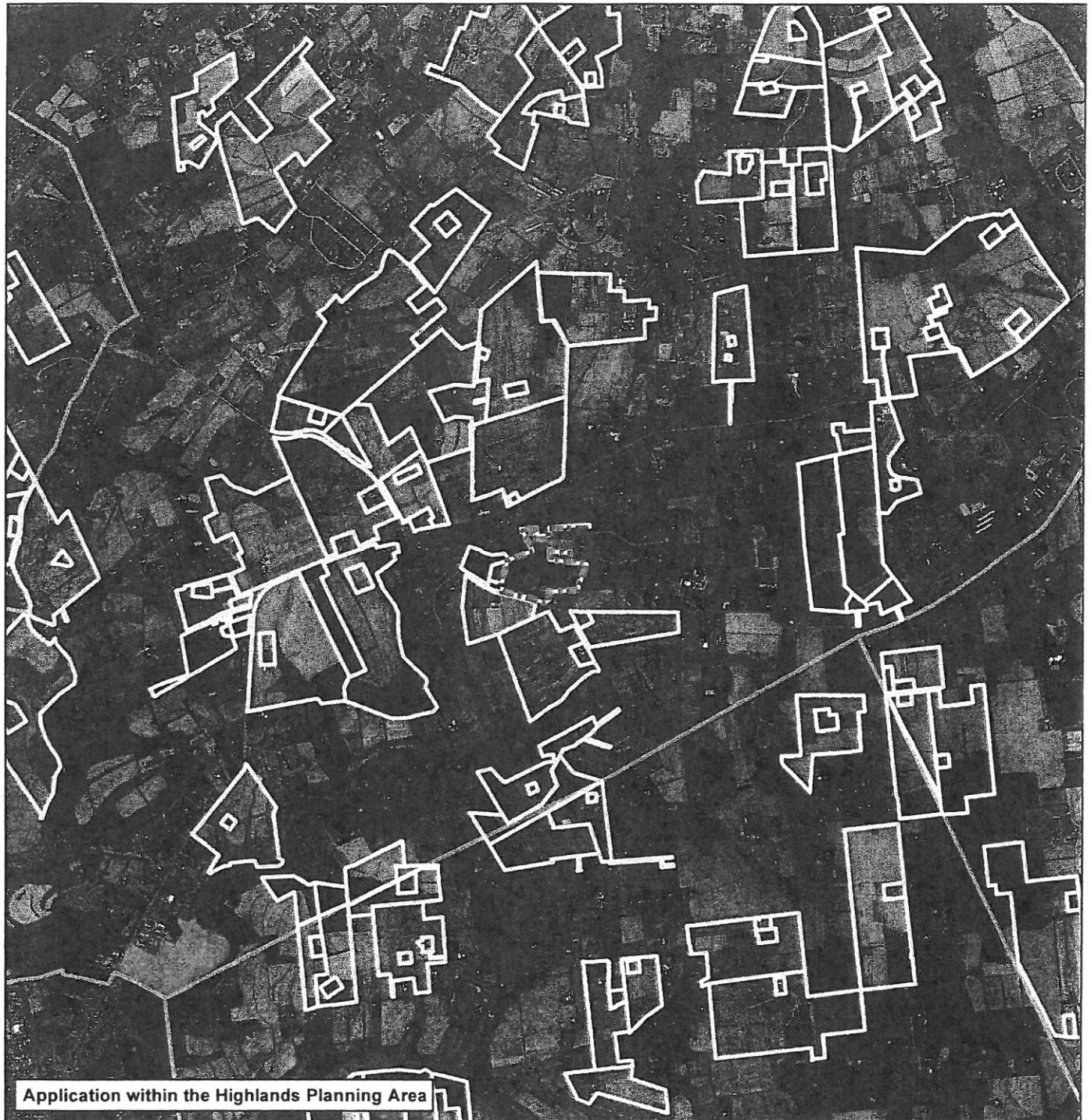
Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJ01T/OGIS 2012 Digital Aerial Image

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.

November 9, 2015

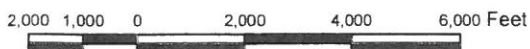
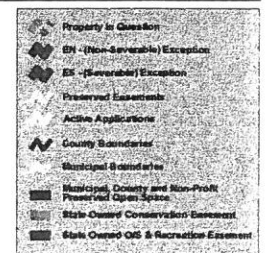
Schedule A (continued)

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Peter and Ellen Kluber
Block 20.01 Lots P/O 9 (50.4 ac)
& P/O 9-EN (non-severable exception - 4.0 ac)
Gross Total = 54.4 ac
Alexandria Twp., Hunterdon County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJ Highlands Council 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

November 23, 2015

SADC Municipal Pig Financial Status
Schedule B

Blairstown Township, Warren County

Farm	SADC ID#	Acres	Pay Acres	SADC		SADC Grant Per Acre	SADC		Balance
				Cost Basis	Cost Share		Encumbered	Expended	
C&J Race	21-0502-PG	44.444	44.196	7,700.00	4,750.00	340,309.20	209,931.00		1,250,000.00
D Race (LLC)	21-0511-PG	30.033	30.033	6,700.00	4,250.00	201,221.10	127,640.25		1,040,069.00
Ancillary Costs - D Race & C&J Race						16,850.00	8,425.00		912,428.75
Croucher	21-0585-PG	85.000	85.000	4,100.00	2,860.00	348,500.00	243,100.00	243,100.00	904,003.75
Ardia (High Acres)	21-0589-PG	122.000	122.000	4,800.00	3,280.00	585,600.00	400,160.00	400,160.00	660,903.75
									260,743.75
Total Pending	2								
Total Encumbered	2							643,260.00	
Closed/Expended	2	74.477	74.229			558,380.30	345,996.25	345,996.25	
Total									260,743.75
Reprogram Out									

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Ardia, Anita (High Acres Farm)
21- 0589-PG
PIG EP - Municipal 2007 Rule
122 Acres

Block 1901	Lot 34	Blairstown Twp.	Warren County
Block 1803	Lot 10	Blairstown Twp.	Warren County

SOILS:	Other	100% * 0	=	.00
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SOIL SCORE: .00

TILLABLE SOILS:	Cropland Harvested	25% * .15	=	3.75
	Other	3% * 0	=	.00
	Wetlands	7% * 0	=	.00
	Woodlands	65% * 0	=	.00

TILLABLE SOILS SCORE: 3.75

FARM USE:	Corn-Cash Grain	20 acres
	Hay	11 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st three (3) acres for Existing farmhouse (SFR) and misc. bldgs
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s)
 - 2nd ten (10) acres for Potential future single family residential unit for son.
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
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:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R5(6)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

UPPER PITTSBURGH TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Philip and Dawn Jasper ("Owner")
Holly View Farm
Upper Pittsburgh Township, Salem County

N.J.A.C. 2:76-17A. et seq.
SADC ID# 17-0136-PG

May 26, 2016

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

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

WHEREAS, on June 25, 2014 the SADC received an application for the sale of a development easement from Upper Pittsburgh Township for the subject farm identified as Block 4, Lots 8, p/o 50, Upper Pittsburgh Township, Salem County, totaling approximately 96.3 gross acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 3-acre severable exception area for and limited to one (1) future single family residential unit and for future flexibility of use, resulting in approximately 93.3 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area to be preserved includes one (1) existing single family residential unit, one (1) apartment attached to a barn (Schedule B) and zero (0) agricultural labor units;

WHEREAS, there is an approximately 0.5 acre "borrow pit" located on a portion of the Property inside of the racetrack where the Owner borrows soil material for maintaining roads on the subject Property (Schedule B); 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 is currently an equine operation, with approximately 32.4 acres of pasture considered equine production (Schedule B); and

WHEREAS, approximately 3.8 acres of the Property, is devoted to equine service (boarding and riding lessons); and

WHEREAS, the Property also includes other equine production activities including breeding and training horses for sale; and

WHEREAS, the equine map (Schedule B) and specialized "*Equine Schedule B*" (Schedule C) will be recorded with the Deed of Easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on March 17, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on August 27, 2015 the SADC certified a development easement value of \$5,300 per acre based on current zoning and environmental regulations in place as of June 5, 2015 ; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.12, the Owner accepted the Township's offer of \$5,300 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on March 9, 2016 the Upper Pittsgrove Township Committee approved the application and a funding commitment for an estimated \$875 per acre; and

WHEREAS, the Salem County Agriculture Development Board approved the application on March 23, 2016 and secured a commitment of funding from the Salem County Board of Chosen Freeholders for the \$875 required local match on April 6, 2016; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 93.3 net easement acres):

	<u>Total</u>	
SADC	\$331,215.00	(\$3,550 per acre)
Salem County	\$ 81,637.50	(\$ 875 per acre)
<u>Upper Pittsgrove Twp.</u>	<u>\$ 81,637.50</u>	<u>(\$ 875 per acre)</u>
Total Easement Purchase	\$494,490.00	(\$5,300 per acre)

WHEREAS, Upper Pittsgrove Township is requesting \$331,215.00 and sufficient funds are available (Schedule D); and

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

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 93.3 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 need of \$331,215.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule E);

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 3-acre severable exception area for and limited to one (1) future single family residential unit and for future flexibility of use; and

BE IT FURTHER RESOLVED, the portion of the Property outside the exception area to be preserved includes one (1) existing single family residential unit, one (1) apartment attached to a barn, zero (0) agricultural labor; and

BE IT FURTHER RESOLVED, the equine map (Schedule B) and specialized "*Equine Schedule B*" (Schedule C) will be recorded with the Deed of Easement; and

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

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

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

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

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

5/26/16

Date



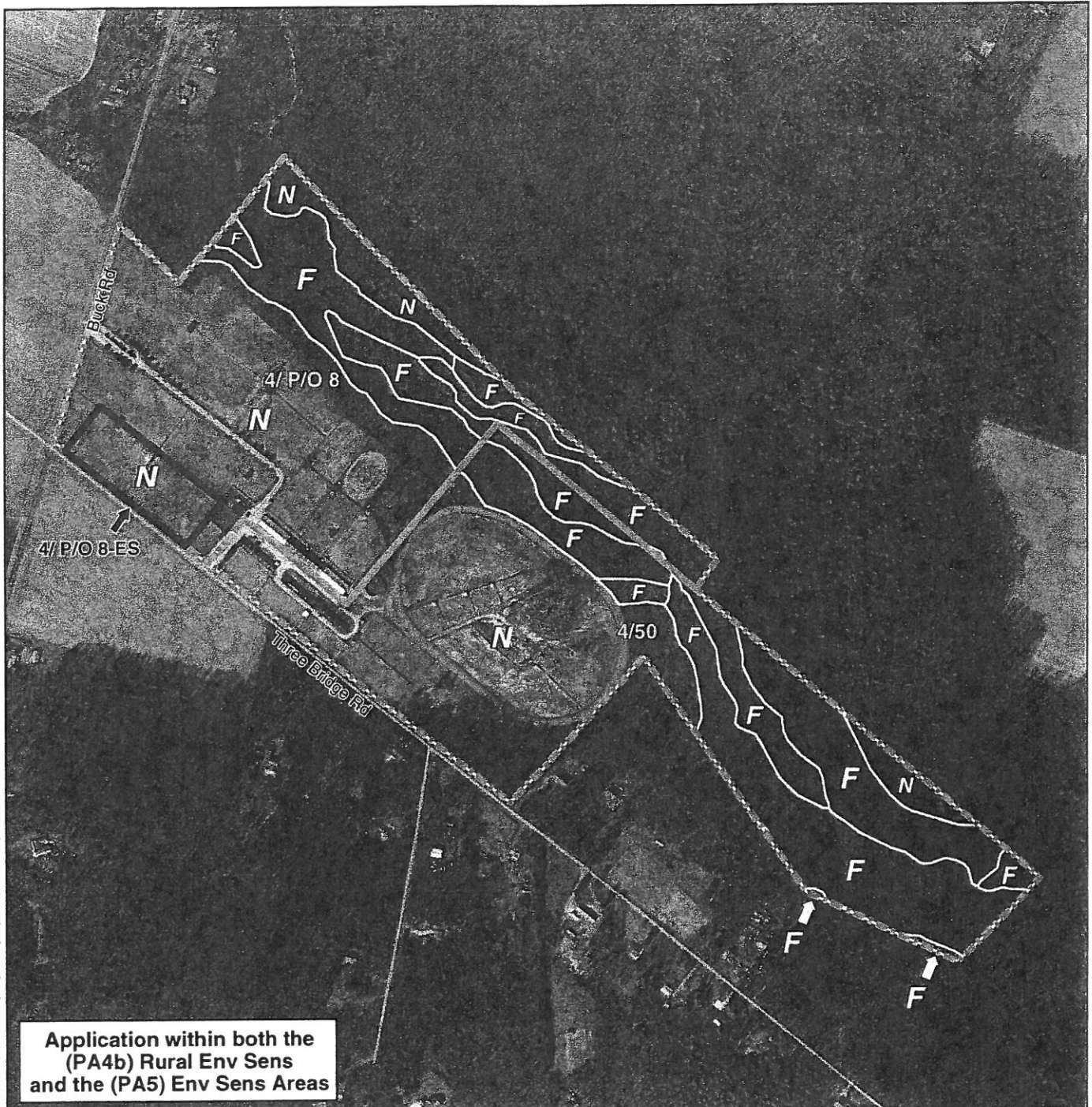
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

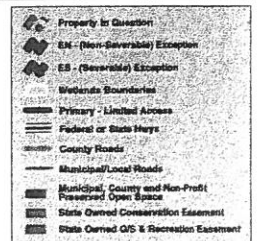
Schedule A

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jasper, Philip and Dawn/Holly View Farm
Block 4 Lots P/O 8 (39.7 ac);
P/O 8-ES (severable exception - 3.0 ac) & 50 (47.6 ac)
Gross Total = 90.3 ac
Upper Pittsgrove Twp., Salem County



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

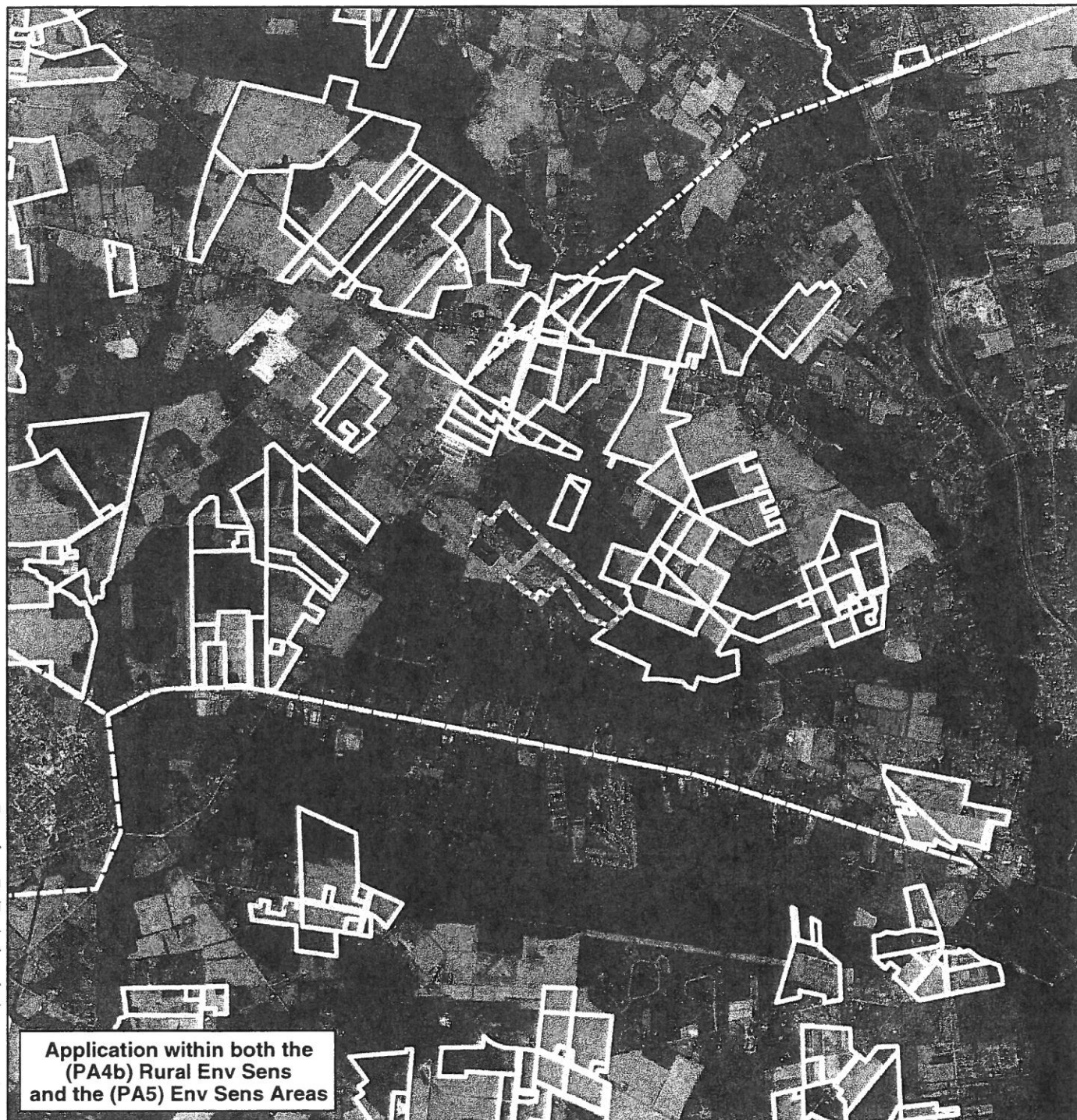
Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJOT/OGIS 2012 Digital Aerial Image

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.

May 3, 2016

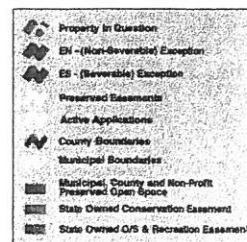
Schedule A (continued)

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jasper, Philip and Dawn/Holly View Farm
Block 4 Lots P/O 8 (39.7 ac);
P/O 8-ES (severable exception - 3.0 ac) & 50 (47.6 ac)
Gross Total = 90.3 ac
Upper Pittsgrove Twp., Salem County



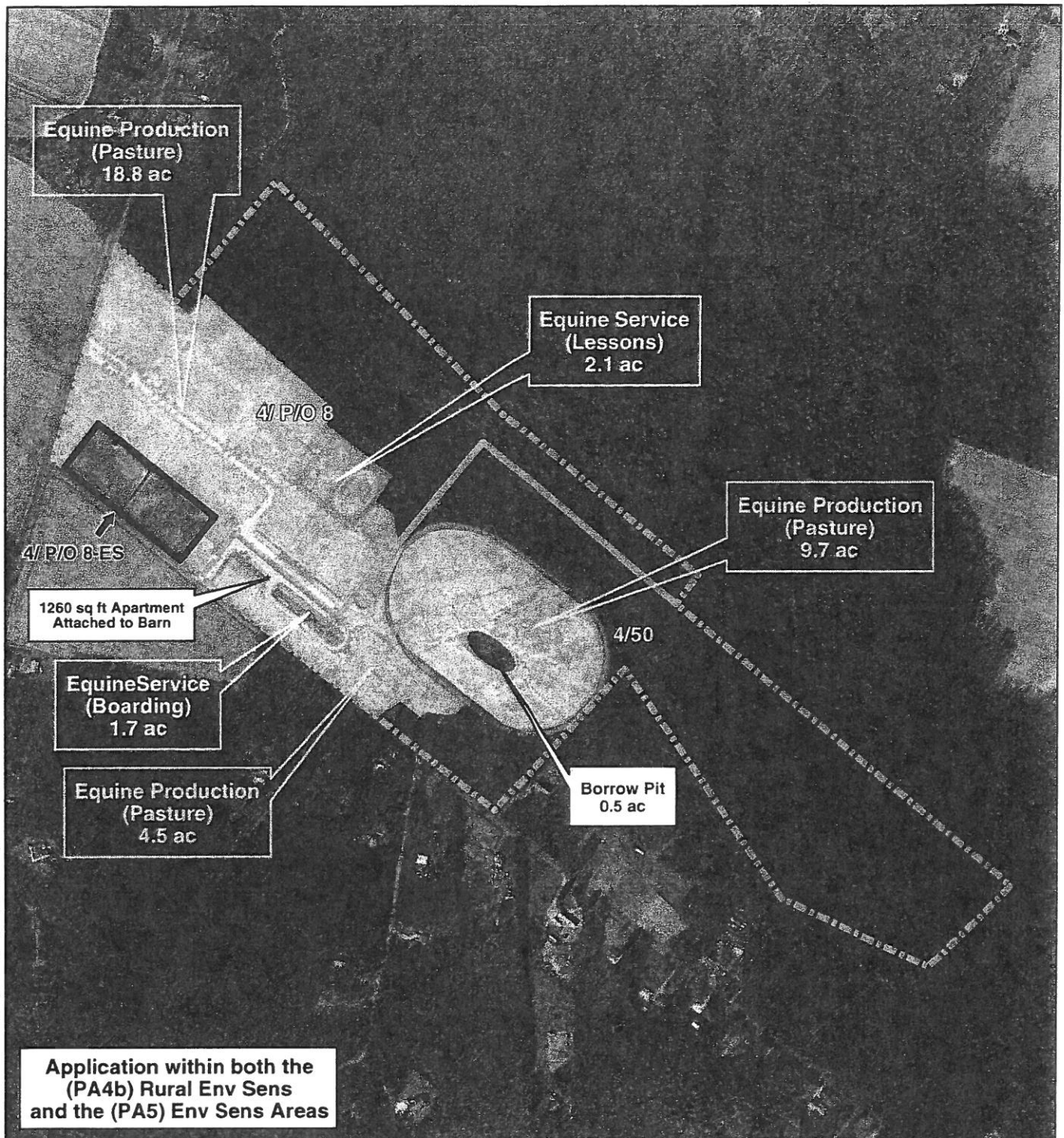
Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJ/OIT/OGIS 2012 Digital Aerial Image

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

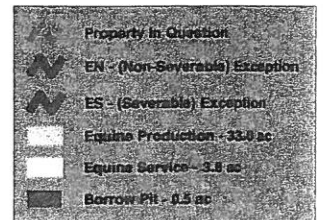
Schedule B

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jasper, Philip and Dawn/Holly View Farm
Block 4 Lots P/O 8 (39.7 ac);
P/O 8-ES (severable exception - 3.0 ac) & 50 (47.6 ac)
Gross Total = 90.3 ac
Upper Pittsgrove Twp., Salem County



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:
NJGIT/OGIS 2012 Digital Aerial Image

May 3, 2016

SCHEDULE B

Grantor certifies that at the time of the application to sell the development easement to the Grantee no non-agricultural uses existed. Grantor further certifies that at the time of the execution of this Deed of Easement no non-agricultural uses exist.

Grantor certifies that at the time of the application to sell the development easement to the Grantee and at the time of the execution of this Deed of Easement the following uses occur on the Premises:

Horseback riding lessons, boarding, training and schooling horses, in an outdoor ring and paddock area and stalls, as depicted on the survey dated _____, prepared by _____.

Grantor further certifies that the above uses (hereinafter "equine service activities") are currently ancillary to equine-related production, including pasturing, horse breeding and hay production. "Ancillary" means that the area of land on which equine service activities are conducted is subordinate, secondary and auxiliary in comparison to the area of the farm devoted to equine production activities. Grantor understands and agrees that because the equine service activities are ancillary to equine-related production, the said equine service activities are deemed agricultural uses and are not currently subject to the restrictions placed on non-agricultural uses in Paragraphs 3 and 4 of the Deed of Easement. The areas occupied by equine service activities and equine production activities are depicted on the attached aerial photograph identified as Schedule B.

Grantor also understands and agrees that if, in the future, equine service activities are no longer "ancillary" as defined above, then the equine service activities will be deemed non-agricultural and will be subject to the restrictions contained in Paragraphs 3 and 4 of the Deed of Easement.

**Municipal Planning Incentive Grant
Upper Pittsgrove Township, Salem County**

Schedule D

Farm	SADC ID#	Acres	Pay Acres	SADC Certified Per Acre	SADC Grant Per Acre	SADC		Federal Grant				
						Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	Expended	Balance	
Kernan	17-0096-PG	75.305	75.305	4,200.00	2,920.00	219,890.60			221,920.00	219,890.60	1,750,000.00	
Newkirk	17-0097-PG	59.622	59.048	6,500.00	4,150.00	245,049.20	191,906.00	53,143.20	191,906.00	191,906.00	1,530,109.40	
Schmid	17-0108-PG	22.845	22.179	6,000.00	3,900.00	86,498.10			86,498.10	86,498.10	1,338,203.40	
Lewis	17-0111-PG	19.116	18.542	6,050.00	3,925.00	72,777.35			72,777.35	72,777.35	1,122,042.90	
Madosky	17-0112-PG	16.000	16.000	6,000.00	3,900.00	62,400.00			62,400.00		1,049,265.55	
Kramme	17-0113-PG	30.872	30.872	6,600.00	4,200.00	129,662.40			129,662.40	129,662.40	986,865.55	
Sottile	17-0120-PG	57.534	57.534	4,800.00	3,280.00	188,711.52	166,648.60	79,396.92	109,314.60	109,314.60	1,208,541.00	
Newkirk/Kernan ancilcost						10,737.50					877,550.95	
Jasper	17-0136-PG	93.300	93.300	5,300.00	3,550.00	331,215.00			331,215.00	10,737.50	866,813.45	
											535,598.45	
Total Pending	7	254.900										
Total Encumbered	2	109.300							393,615.00			
Closed/Expended	6	265.294	263.480			953,326.67	358,554.60	132,540.12		820,786.55		
Total											535,598.45	
Reprogram Out												

Schedule L
State Agriculture Development Committee
SADC Final Review: Development Easement Purchase
May 26, 2016

Jasper, Philip & Dawn (Holly View Farm)
17- 0136-PG
PIG EP - Municipal 2007 Rule
93 Acres

Block 4 Lot 8 Upper Pittsgrove Twp. Salem County
Block 4 Lot 50 Upper Pittsgrove Twp. Salem County

SOILS:	Other	11% *	0	=	.00
	Prime	47% *	.15	=	7.05
	Statewide	2% *	.1	=	.20
	Unique .125	1% *	.125	=	.13
	Unique zero	39% *	0	=	.00

SOIL SCORE: 7.38

TILLABLE SOILS:	Cropland Pastured	36% *	.15	=	5.40
	Wetlands	40% *	0	=	.00
	Woodlands	24% *	0	=	.00

TILLABLE SOILS SCORE: 5.40

FARM USE: Horse & Other Equine 40 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st three (3) acres for future single family residential unit
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. The Equine map and a specialized "Equine Schedule B" will be recorded with the deed of Easement. Equine service activities must be ancillary to Equine production.
 2. NOTE: There is a .5 acre "borrow pit" located in the NE corner of the racetrack where the Owner borrows soil materials for maintaining their farm roads and the track on their farm management unit, which only includes this Property.
 - e. Dwelling Units on Premises:
Standard Single Family
Apartment - 1-bedroom attached to one of barns (approx. 1,260 sq ft.)
 - 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 #FY2016R5(7)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SALEM COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Betty Ann Davis ("Owner")

Upper Pittsgrove Township, Salem County

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

SADC ID# 17-0151-PG

May 26, 2016

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

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

WHEREAS, on August 13, 2015 the SADC received an application for the sale of a development easement from Salem County for the subject farm identified as Block 47, Lot 5, Upper Pittsgrove Township, Salem County, totaling approximately 44 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Salem County's Cohansey-Pole Tavern-Pine Tavern (1) Project Area; and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area limited to one (1) existing single family residential unit and for future flexibility of use resulting in approximately 42 net acres to be preserved; and

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

WHEREAS, at the time of application the Property was in soybean 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 59.94 which exceeds 47, which is 70% of the County's average quality score as determined by the SADC July 24, 2014; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on October 15, 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 January 28, 2016 the SADC certified a development easement value of \$5,100 per acre based on zoning and environmental regulations in place as of the current valuation date November 25, 2015;

WHEREAS, the Owner accepted the County's offer of \$5,100 per acre for the development easement for the Property; and

WHEREAS, on March 17, 2016 the County submitted its 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 March 9, 2016 the Upper Pittsgrove Township Committee approved the Owner's application for the sale of development easement and a commitment of funding for \$825 per acre to cover the municipal cost share; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 24, 2016 the Salem CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 2, 2016, the Board of Chosen Freeholders of the County of Salem passed a resolution granting final approval and a commitment of funding for \$825 per acre to cover the county cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 43.26 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 43.26 acres); and

SADC	\$149,247.00	(\$3,450/acre)
Upper Pittsgrove	\$ 35,689.50	(\$ 825/acre)
County	\$ 35,689.50	(\$ 825/acre)
Total Easement Purchase	\$220,626.00	(\$5,100/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Salem County Agriculture Development Board is requesting \$149,247 in base grant funding which is available at this time (Schedule B); and

WHEREAS, the Salem County Agriculture Development Board is requesting \$149,247.00, of which they will expend the remainder of funds in their base grant (\$58,149.38) and the balance from competitive funding, approximately (\$91,097.62) and sufficient funds are available ; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising approximately 43.26 net easement acres, at a State cost share of \$3,450 per acre, (67.65% of certified easement value and purchase price), for a total grant need of \$149,247.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 2-acre non-severable exception area limited to one (1) existing single family residential unit and for future flexibility of use; and

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

BE IT FURTHER RESOLVED, any unused funds including the 3% buffer, if utilized, encumbered from either the base or competitive grants shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; 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, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-B Supplement; and

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

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

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

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

5/26/16
Date



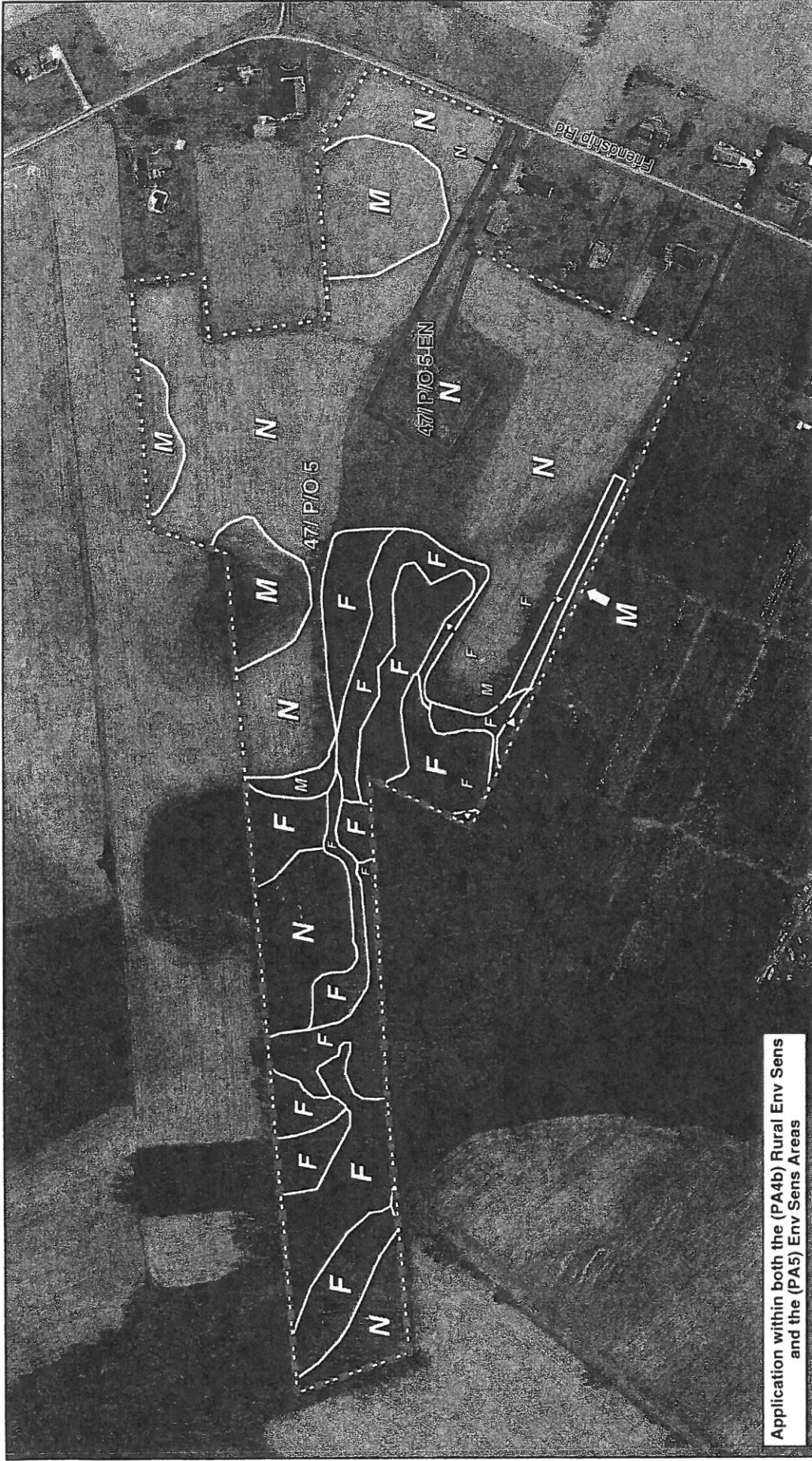
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A

Schedule A



Property in Question	ET - (Non-Severable) Exception
ET - (Severable) Exception	Wetlands Boundary
Wetlands Boundary	Feasibility - Limited Access
Feasibility - Limited Access	County Roads
County Roads	Wetlands and Rocks
Wetlands and Rocks	Wetlands and Non-Point
Wetlands and Non-Point	Wetlands and Open Space
Wetlands and Open Space	State Owned Conservation Easement
State Owned Conservation Easement	State Owned DWS & Recreation Easement

Wetlands Legend:
 F - Farmland
 N - Natural Resources
 M - Wetlands Modified for Agriculture
 W - Wetlands
 B - 300' Buffer
 W - Water

Source:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 NJ State Wetlands Data
 NJDOT/2012 Digital Aerial Image
 September 14, 2015

Application within both the (PA4b) Rural Env Sens and the (PA5) Env Sens Areas

FARMLAND PRESERVATION PROGRAM
 NJ State Agriculture Development Committee

Betty Ann Davis
 Block 47 Lots P/O 5 (42.1 ac);
 & P/O 5-EN (non-severable exception - 2.0 ac)
 Gross Total = 44.1 ac
 Upper Pittsgrove Twp., Salem County



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 conditions. Data and/or information would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

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Schedule A (continued)

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Betty Ann Davis
Block 47 Lots P/O 5 (42.1 ac);
& P/O 5-EN (non-severable exception - 2.0 ac)
Gross Total = 44.1 ac
Upper Pittsgrove Twp., Salem County

2,500 1,250 0 2,500 5,000 7,500 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

September 14, 2015

SADC County Pig Financial Status
Schedule B

Salem County

SADC ID#	Farm	Municipality	Acres	Pw Acres	SADC Certified or Revalued Per Acre	SADC Grant Per Acre	SADC		Federal Grant	Base Grant		Competitive Funds											
							Cost Basis	Cost Share		Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 15	Encumbered	PV	Expended	Balance	Encumbered	PV	Expended	Fund Balance		
17-0131-PG	Greco	Pittsgrove	313.4310	313.3270	5,100.00	3,450.00	1,697,337.10	1,080,987.45		1,122,506.00	1,080,987.45	1,080,987.45						17,339.97	3,000,000.00	2,637,170.07	0.00		
17-0131-PG	Prestige World Wide	Alloway	51.3530	51.3172	7,100.00	4,850.00	384,352.12	228,361.54		242,935.50	228,361.54	228,361.54						1,500,000.00	5,000,000.00				
17-0131-PG	Norham	Hammon	28.8920	28.8910	5,300.00	3,450.00	162,065.30	101,884.10		106,030.60	101,883.05	101,883.05						500,000.00					
17-0131-PG	Moore	Manning	149.7460	149.7460	5,050.00	3,425.00	766,217.30	512,880.05	498,232.84	511,523.75	257,924.76	257,924.76											
17-0131-PG	Dubois Pross, LLC	Pittsgrove	31.2230	31.2230	7,900.00	4,850.00	246,661.70	161,431.55		149,866.00	151,431.55	151,431.55											
17-0131-PG	Brown	Upper Pittsgrove	68.2680	68.2680	5,350.00	3,475.00	311,680.30	208,272.35		213,570.50	208,272.35	208,272.35											
17-0131-PG	Good, Harris, Allen	Quinton	44.5520	44.5520	5,350.00	3,475.00	177,526.50	93,947.50		71,553.06	73,153.06	73,153.06											
17-0131-PG	Ernst, Herbert & Rowena	Quinton	48.3170	48.3170	2,500.00	2,500.00	172,609.50	123,292.50		123,292.50	123,292.50	123,292.50											
17-0146-PG	Basile	Upper Pittsgrove	25.0000	25.7600	6,400.00	4,150.00	167,375.00	106,862.50		106,862.50													
17-0151-PG	Davis, Betty	Upper Pittsgrove	42.0000	43.2600	6,100.00	3,450.00	220,626.00	149,247.00		58,139.98													
Totals Encumbered							4,034,443.52	2,702,283.38		4,034,443.52	254,955.29											4,908,892.06	
Totals Expended							388,001.00	256,109.50	0.00														
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State Agriculture Development Committee
SADC Final Review: Development Easement Purchase
May 26, 2016

Davis, Betty Ann
17- 0151-PG
County PIG Program
42 Acres

Block 47 Lot 5 Upper Pittsgrove Twp. Salem County

SOILS:	Other	60% *	0	=	.00	
	Prime	40% *	.15	=	6.00	
						SOIL SCORE: 6.00
TILLABLE SOILS:	Cropland Harvested	61% *	.15	=	9.15	
	Wetlands	31% *	0	=	.00	
	Woodlands	8% *	0	=	.00	
						TILLABLE SOILS SCORE: 9.15
FARM USE:	Soybeans-Cash Grain					26 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st two (2) acres for Possible expansion of Single Family Residential unit and flexibility of use of other outbuildings
 - 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)
 - 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 FY2016R5(8)

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

On the Property of
Clara Molski ("Owner")
Upper Freehold Township, Monmouth County

N.J.A.C. 2:76-17 et seq.
SADC ID# 13-0451-PG

May 26, 2016

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Monmouth 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, Monmouth County received SADC approval of its FY2017 PIG Plan application annual update on May 22, 2016; and

WHEREAS, on March 9, 2015 the SADC received an application for the sale of a development easement from Monmouth County for the subject farm identified as Block 38, Lots 2, 2.01, 2.02, and 3, Upper Freehold Township, Monmouth County, totaling approximately 108.3 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Monmouth County's Upper Freehold - Western Millstone Project Area; and

WHEREAS, the Property includes one (1), approximately 4.6-acre non-severable exception area limited to two (2) existing single family residential units and two (2) existing apartments, for future flexibility of use resulting in approximately 103.7 net acres to be preserved; and

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

WHEREAS, there is an existing 20 foot wide recorded easement from Burlington Path Road, along the northwest boundary of Lot 2, providing access to adjacent Lot 14 for residential purposes, which is not owned by the Applicant, (Schedule A). According to tax map the easement extends beyond Lot 14; and

WHEREAS, staff sees no reason for the easement to extend beyond Lot 14 and recommends that final approval be conditioned upon the termination of the access easement at the end of Lot 14; and

WHEREAS, the Property is currently an equine operation with approximately 83.1 acres in equine hay production and pasture (Schedule B); and

WHEREAS, the only equine service (boarding services, lessons and riding ring) takes place within the 4.6 acre non-severable exception ; and

WHEREAS, the equine map (Schedule B) and specialized "*Equine Schedule B*" (Schedule C) will be recorded with the Deed of Easement; 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 77.41 which exceeds 53, which is 70% of the County's average quality score as determined by the SADC July 24, 2014; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 27, 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 January 28, 2016 the SADC certified a development easement value of \$21,900 per acre based on zoning and environmental regulations in place as of the current valuation date August 11, 2015;

WHEREAS, the Owner accepted the County's offer of \$21,900 per acre for the development easement for the Property; and

WHEREAS, on March 24, 2016 the County submitted its 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 March 3, 2016 the Upper Freehold Township Committee approved the Owner's application for the sale of development easement and a commitment of funding for \$3,504 per acre to cover the municipal cost share; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 1, 2016 the Monmouth CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 24, 2016, the Board of Chosen Freeholders of the County of Monmouth passed a resolution granting final approval and a commitment of funding for \$5,256 per acre to cover the county cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 106.81 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 106.81 acres); and

SADC	\$1,403,483.40	(\$13,140/acre)
Upper Freehold	\$ 374,262.24	(\$ 3,504/acre)
County	\$ 561,393.36	(\$ 5,256/acre)
Total Easement Purchase	\$2,339,139.00	(\$21,900/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Monmouth County Agriculture Development Board is requesting a total of \$1,403,483.40; \$1,006,454.50 using the remainder of their base grant funding; and \$397,028.90 in competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Monmouth County for the purchase of a development easement on the Property, comprising approximately 106.81 net easement acres, at a State cost share of \$13,140 per acre, (60% of certified easement value and purchase price), for a total grant need of \$1,403,483.40 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 4.6-acre non-severable exception area limited to two (2) existing single family residential housing opportunities and two (2) existing apartments for future flexibility of uses; and

BE IT FURTHER RESOLVED that this approval is conditioned upon the 20 foot wide access easement to Lot 14 not extending beyond Lot 14; and

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

BE IT FURTHER RESOLVED that, the equine map (Schedule B) and specialized "*Equine Schedule B*" (draft shown in Schedule C) will be recorded with the Deed of Easement; and

BE IT FURTHER RESOLVED, any unused funds including the 3% buffer, if utilized, encumbered from either the base or competitive grants shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; 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, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-B Supplement; and

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

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

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

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

5/26/16
Date

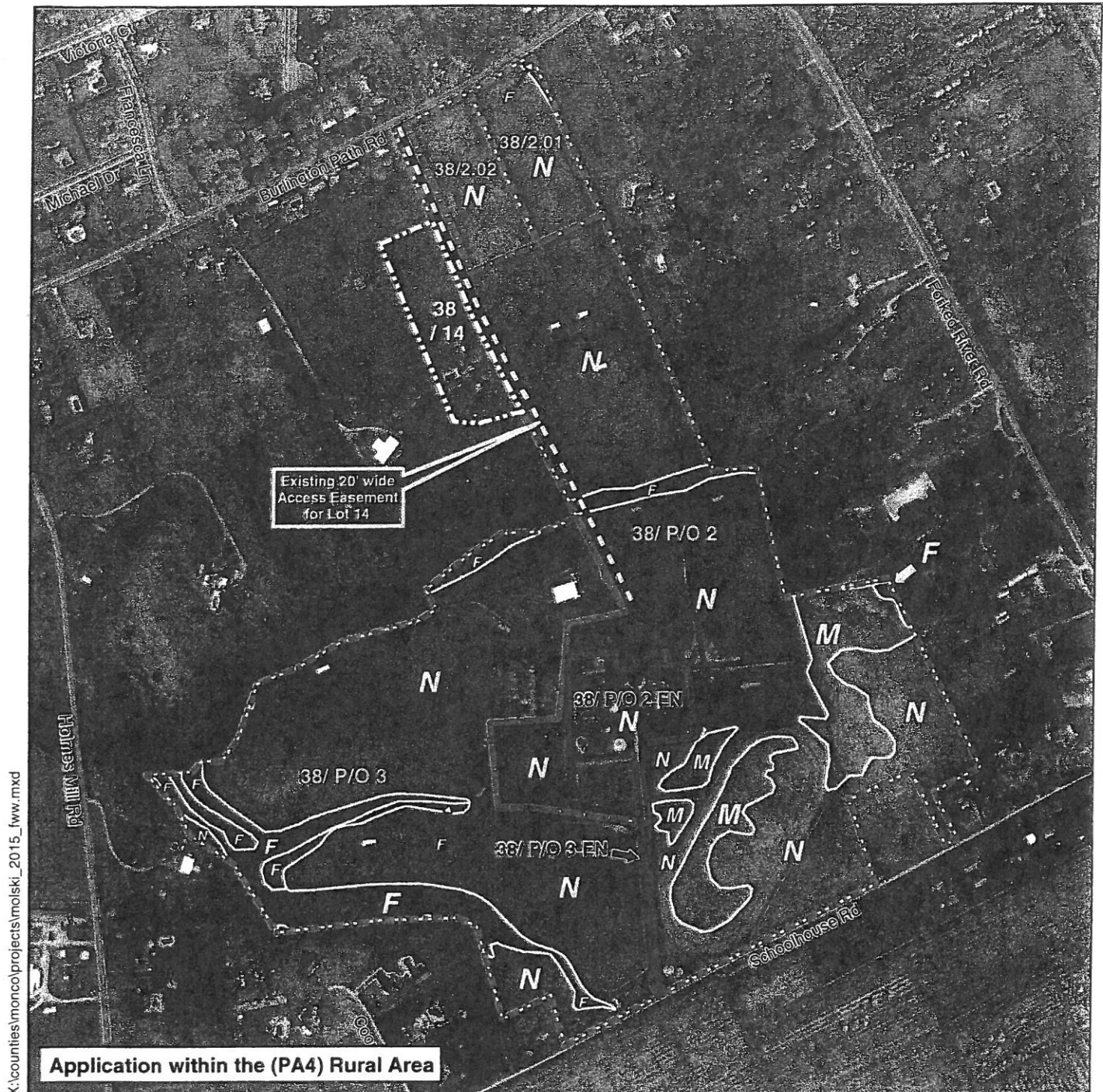


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A



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Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Clara Moliski/Dreamland Farms
Block 38 Lots P/O 2 (54.3 ac); P/O 2-EN (non-severable exception - 4.3 ac);
P/O 3 (41.9 ac); P/O 3-EN (non-severable exception - 0.3 ac);
2.01 (3.8 ac) & 2.02 (3.7 ac)
Gross Total = 108.3 ac
Upper Freehold Twp., Monmouth County



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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJDOT Road Data
NJOTIS/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

March 17, 2015

Preserved Farms and Active Applications Within Two Miles

X:\counties\monco\projects\molksi_2012_2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Clara Molski/Dreamland Farms

Block 38 Lots P/O 2 (54.3 ac); P/O 2-EN (non-severable exception - 4.3 ac);

P/O 3 (41.9 ac); P/O 3-EN (non-severable exception - 0.3 ac);

2.01 (3.8 ac) & 2.02 (3.7 ac)

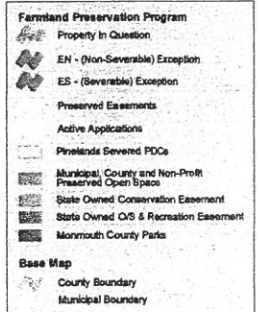
Gross Total = 108.3 ac

Upper Freehold Twp., Monmouth County

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

NOTE:

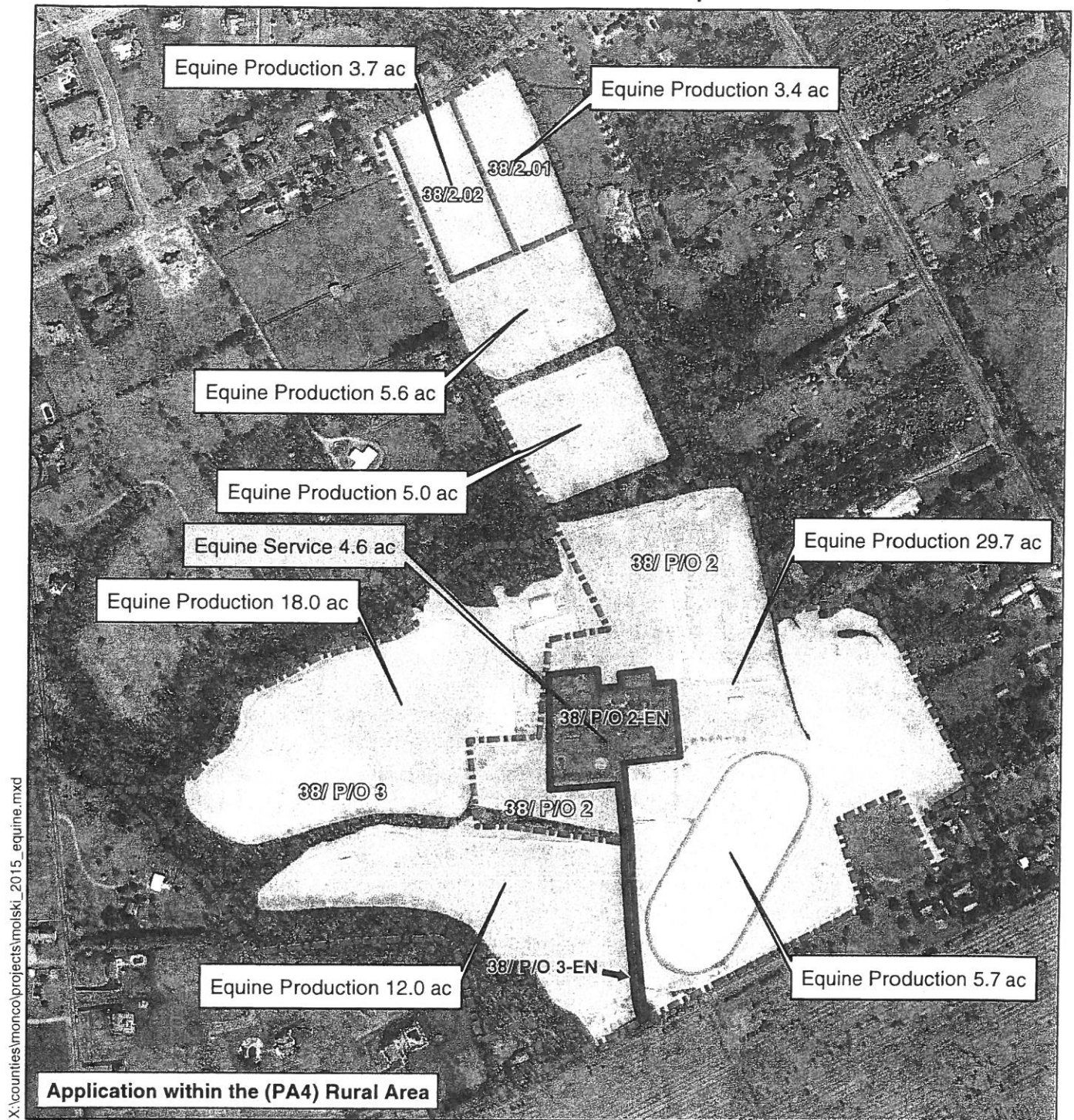
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors



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

March 17, 2015

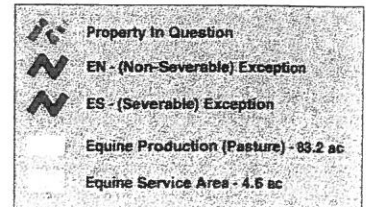
Molski/Dreamland Farm - Equine Areas



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Clara Molski/Dreamland Farms
Block 38 Lots P/O 2 (54.3 ac); P/O 2-EN (non-severable exception - 4.3 ac);
P/O 3 (41.9 ac); P/O 3-EN (non-severable exception - 0.3 ac);
2.01 (3.8 ac) & 2.02 (3.7 ac)
Gross Total = 108.3 ac
Upper Freehold Twp., Monmouth 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:
NJDOT Road Data
NJGIT/OGIS 2012 Digital Aerial Image

May 2, 2016

SCHEDULE B

Grantor certifies that at the time of the application to sell the development easement to the Grantee no non-agricultural uses existed. Grantor further certifies that at the time of the execution of this Deed of Easement no non-agricultural uses exist.

Grantor certifies that at the time of the application to sell the development easement to the Grantee and at the time of the execution of this Deed of Easement the following uses occur on the Premises:

Horseback riding lessons, boarding, training and schooling horses, occur within the 4.6 acre exception area, as depicted on the survey dated _____, prepared by _____.

Grantor further certifies that the above uses (hereinafter "equine service activities") are currently ancillary to equine-related production, including pasturing, horse breeding and hay production. "Ancillary" means that the area of land on which equine service activities are conducted is subordinate, secondary and auxiliary in comparison to the area of the farm devoted to equine production activities. Grantor understands and agrees that because the equine service activities are ancillary to equine-related production, the said equine service activities are deemed agricultural uses and are not currently subject to the restrictions placed on non-agricultural uses in Paragraphs 3 and 4 of the Deed of Easement. The areas occupied by equine service activities and equine production activities are depicted on the attached aerial photograph identified as Schedule B1.

Grantor also understands and agrees that if, in the future, equine service activities are no longer "ancillary" as defined above, then the equine service activities will be deemed non-agricultural and will be subject to the restrictions contained in Paragraphs 3 and 4 of the Deed of Easement.

SADC County Pig Financial Status
Schedule D

Monmouth County

SADC ID#	Farm	Municipality	Acres	Priv Acres	SADC Certified or Notified Per Acre	SADC Grant Per Acre	SADC		Federal Grant	Base Grant		Competitive Funds		Fund Balance
							Cost	Share	Total	Fiscal Year 10	Fiscal Year 11	Fiscal Year 12	Fiscal Year 13	Fiscal Year 14
13-0429-PG	Luxhampton, Monmouth IV	Upper Freehold	86.2350	86.2350	14,000.00	8,400.00	1,207,280.00	724,374.00	724,374.00	724,374.00	724,374.00	724,374.00	724,374.00	724,374.00
13-0438-PG	Luxhampton #1 (Lot 6A)	Upper Freehold	81.2500	81.2500	14,000.00	8,400.00	1,207,280.00	724,374.00	724,374.00	724,374.00	724,374.00	724,374.00	724,374.00	724,374.00
13-0440-PG	Luxhampton #4 (Lot 6B)	Upper Freehold	69.9470	69.9470	14,000.00	8,400.00	1,207,280.00	724,374.00	724,374.00	724,374.00	724,374.00	724,374.00	724,374.00	724,374.00
13-0427-PG	Diamond Developers/ Burke	Mansfield	87.2220	86.5020	12,000.00	7,200.00	1,168,024.00	684,814.40	684,814.40	684,814.40	684,814.40	684,814.40	684,814.40	684,814.40
13-0451-PG	Molokai, Calif	Upper Freehold	103.7000	106.8100	21,900.00	13,140.00	2,335,130.00	1,402,483.40	1,402,483.40	1,402,483.40	1,402,483.40	1,402,483.40	1,402,483.40	1,402,483.40
Totals Closed	5		428.2700	430.5590			6,786,768.00	4,072,061.10	0.00	0.00	0.00	0.00	0.00	0.00
Totals Encumbered	1		103.7000	106.8100			2,335,130.00	1,402,483.40	0.00	0.00	0.00	0.00	0.00	0.00
									Encumbered/Expended FY10	Encumbered/Expended FY11	Encumbered/Expended FY12	Encumbered/Expended FY13	Encumbered/Expended FY14	Encumbered/Expended FY15
									8,444.40	1,493,548.50	1,176,032.20	1,176,032.20	1,176,032.20	1,176,032.20
									Total					
									1,824,987.80	4,602,971.10	4,602,971.10	4,602,971.10	4,602,971.10	4,602,971.10

Schedule C
State Agriculture Development Committee
SADC Final Review: Development Easement Purchase
May 26, 2016

Molski, Clara D. (Dreamland Farm)
13- 0451-PG
County PIG Program
104 Acres

Block 38	Lot 2	Upper Freehold Twp.	Monmouth County
Block 38	Lot 2.01	Upper Freehold Twp.	Monmouth County
Block 38	Lot 2.02	Upper Freehold Twp.	Monmouth County
Block 38	Lot 3	Upper Freehold Twp.	Monmouth County

SOILS:	Other	9% *	0	=	.00
	Prime	56% *	.15	=	8.40
	Statewide	35% *	.1	=	3.50

SOIL SCORE: 11.90

TILLABLE SOILS:	Cropland Harvested	80% *	.15	=	12.00
	Wetlands	8% *	0	=	.00
	Woodlands	12% *	0	=	.00

TILLABLE SOILS SCORE: 12.00

FARM USE:	Horse & Other Equine	83 acres	pasture
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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 (4.6) acres for flexibility around 2 SFR, 2 apts and other bldgs
 - Exception is not to be severed from Premises
 - c. Additional Restrictions:
 1. The Equine map and a specialized "Equine Schedule B" will be recorded with the deed of Easement. Equine service activities must be ancillary to Equine production.
 - d. Additional Conditions:
 1. Existing 20' wide access easement from Burlington Path along subject property's NW boundary of Lot 2 to landlocked Block 38, Lot 14 not owned by applicant..
 - 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 FY2016R5(9)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

MORRIS COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Konkus Farm, LLC ("Owners")

Chester Township, Morris County

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

SADC ID# 14-0115-PG

May 26, 2016

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 FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on May 30, 2014 the SADC received an application for the sale of a development easement from Morris County for the subject farm identified as Block 7, Lot 14.03, Chester Township, Morris County, totaling approximately 24.6 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 1-acre non-severable exception area for two (2) existing single family residential units resulting in approximately 23.6 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area to be preserved includes zero (0) housing opportunities and zero (0) agricultural labor units; and

WHEREAS, there is an existing +/- 11.1 acre conservation easement on the Premises held by Chester Township that contains restrictions that are inconsistent with the Farmland Preservation Program Deed of Easement; and

WHEREAS, the Property includes an existing 20 foot wide trail easement (approximately 0.2 acres), along a segment of the Morris County Park Systems' Patriot's Path (Schedule A); and

WHEREAS, the standard trail easement Morris County uses for Patriot's Path contains indemnification language requiring the Morris County Park Commission to indemnify the Owners from any and all suits, claims, demands, other actions, and damages and expenses resulting from property damage and/or personal injuries associated with the Morris County Park Commission's development, installation or maintenance of Patriot's Path or the public's use of Patriot's Path for recreational trail purposes; and

WHEREAS, the farmland preservation easement traditionally covers any conservation and trail easement areas, however, the SADC does not cost share on these areas; and

WHEREAS, State of New Jersey, Department of Environmental Protection-Green Acres Program staff have raised a concern about the Farmland Preservation Program Deed of Easement covering portions of the Property already subject to a conservation or trail easement; therefore, this final approval will be conditioned on this issue being resolved between the SADC, the County and Green Acres staff prior to closing; and

WHEREAS, the total area of the Property subject to a conservation easement and Patriot's Path trail is approximately 11.3 acres which will not be included in paid acreage; and

WHEREAS, there is a pre-existing non-agricultural use, on a portion of the Property outside the exception area, which includes storage of commercial vehicles and equipment in a barn and adjacent parking area, which will be delineated on the survey and restricted by the terms of the Deed of Easement (Schedule A); and

WHEREAS, at the time of application the Property was in hay and equine production with approximately 17.7 acres utilized for pasturing and hay production (Schedule B); and

WHEREAS, approximately 0.6 acres, is devoted to equine service (boarding services, riding lessons, training) outside the exception areas; and

WHEREAS, the equine map (Schedule B) and specialized "*Equine Schedule B*" (Schedule C) will be recorded with the Deed of Easement; 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 66.37 which exceeds 42, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on February 4, 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 September 24, 2015 the SADC certified a development easement value of \$23,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,000 per acre based on zoning and environmental regulations in place as of the current valuation date June 30, 2014; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owners accepted the County's offer of \$23,000 per acre for the development easement for the Property; and

WHEREAS, on January 15, 2016 the County submitted its 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 April 22, 2014 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 January 14, 2016 the Morris CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on December 21, 2015, the Board of Chosen Freeholders of the County of Morris passed a resolution granting final approval and a commitment of funding for \$9,200 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, 12.67 of payable acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 12.67 acres); and

SADC	\$174,846	(\$13,800/acre)
<u>Morris County</u>	<u>\$116,564</u>	<u>(\$ 9,200/acre)</u>
Total Easement Purchase	\$291,410	(\$23,000/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Morris County Agriculture Development Board is requesting \$174,846 in competitive grant funding which is available at this time (Schedule D); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Morris County for the purchase of a development easement on the Property, comprising approximately 23.6 net easement acres, at a State cost share of \$13,800 per acre (payment based on 12.67 acres), (60% of certified easement value and purchase price), for a total grant need of \$174,846 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule E); and

BE IT FURTHER RESOLVED, as State of New Jersey, Department of Environmental Protection-Green Acres Program staff have raised a concern about the farmland preservation Deed of Easement covering portions of the Property already subject to conservation or trail easements, this final approval is conditioned on this issue being resolved between the SADC, the County and Green Acres staff prior to closing; and

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 1-acre non-severable exception area for the two (2) existing single family residential units; and

BE IT FURTHER RESOLVED, the portion of the Property outside the exception area includes zero (0) housing opportunities and zero (0) agricultural labor units; and

BE IT FURTHER RESOLVED, there is a pre-existing non-agricultural use, on a portion of the Property outside the exception area, which includes storage of commercial vehicles and equipment in a barn and adjacent parking area, which will be delineated on the survey and restricted by the terms of the Deed of Easement ; and

BE IT FURTHER RESOLVED, the equine map (Schedule B) and specialized "*Equine Schedule B*" (Schedule C) will be recorded with the Deed of Easement; and

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

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

BE IT FURTHER RESOLVED, should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds; and

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

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

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

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

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

5/26/16

Date

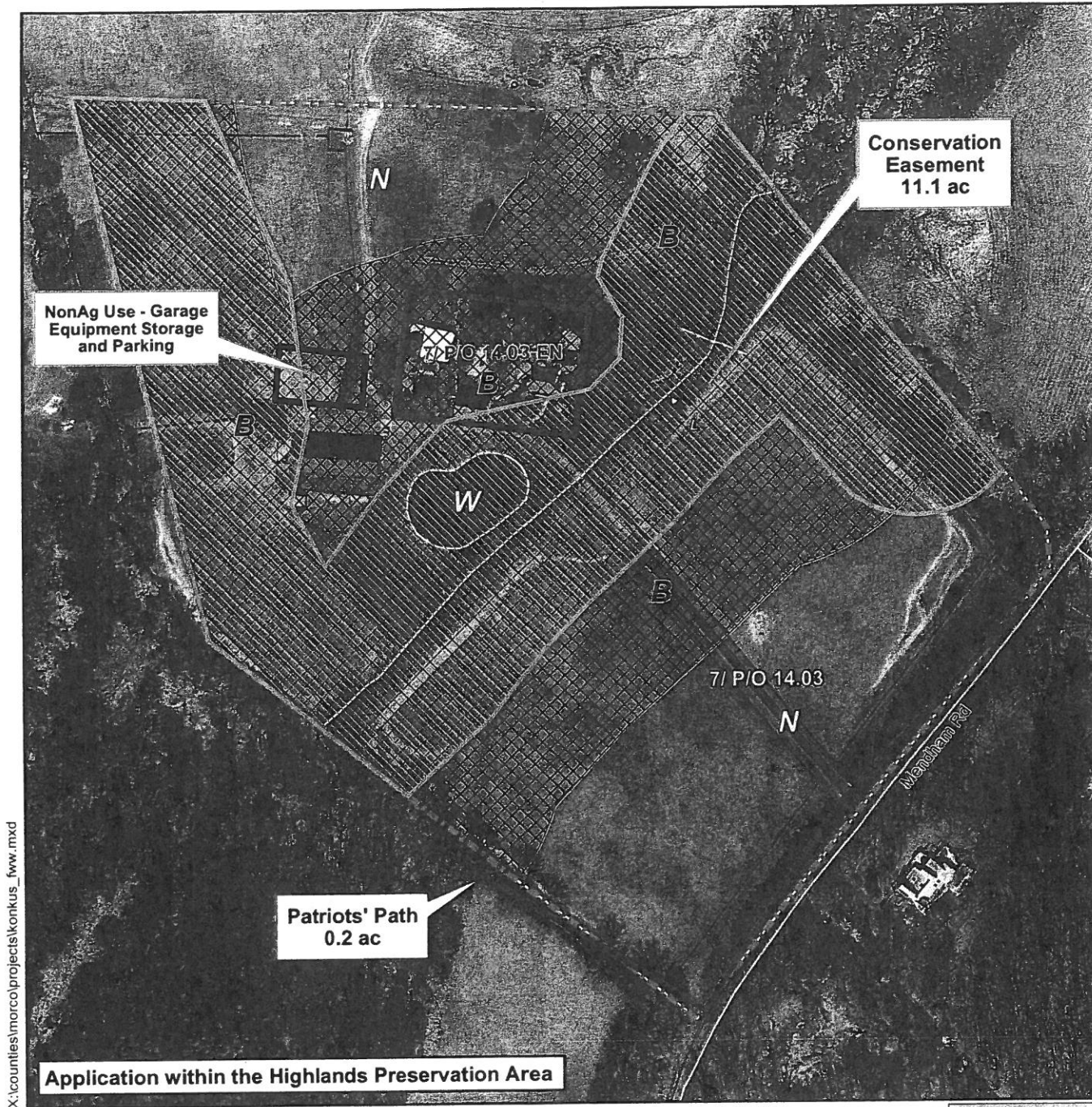


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Keith and Alexis Konkus (Konkus Farm, LLC)
Block 7 Lots P/O 14.03 (23.6 ac)
& P/O 14.03-EN (non-severable exception - 1.0 ac)
Gross Total = 24.6 ac
Chester Twp., Morris County



Wetlands Legend:

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

Sources:

- NJDEP Freshwater Wetlands Data
- NJDEP Trail Data
- Green Acres Conservation Easement Data
- NJDOT Road Data
- NJOIT/IGIS 2012 Digital Aerial Image

June 13, 2014

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

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Application within the Highlands Preservation Area

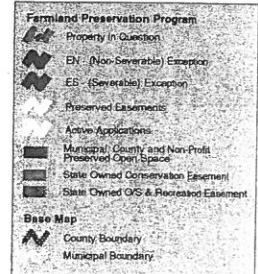
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Keith and Alexis Konkus (Konkus Farm, LLC)
Block 7 Lots P/O 14.03 (23.6 ac)
& P/O 14.03-EN (non-severable exception - 1.0 ac)
Gross Total = 24.6 ac
Chester Twp., Morris County

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

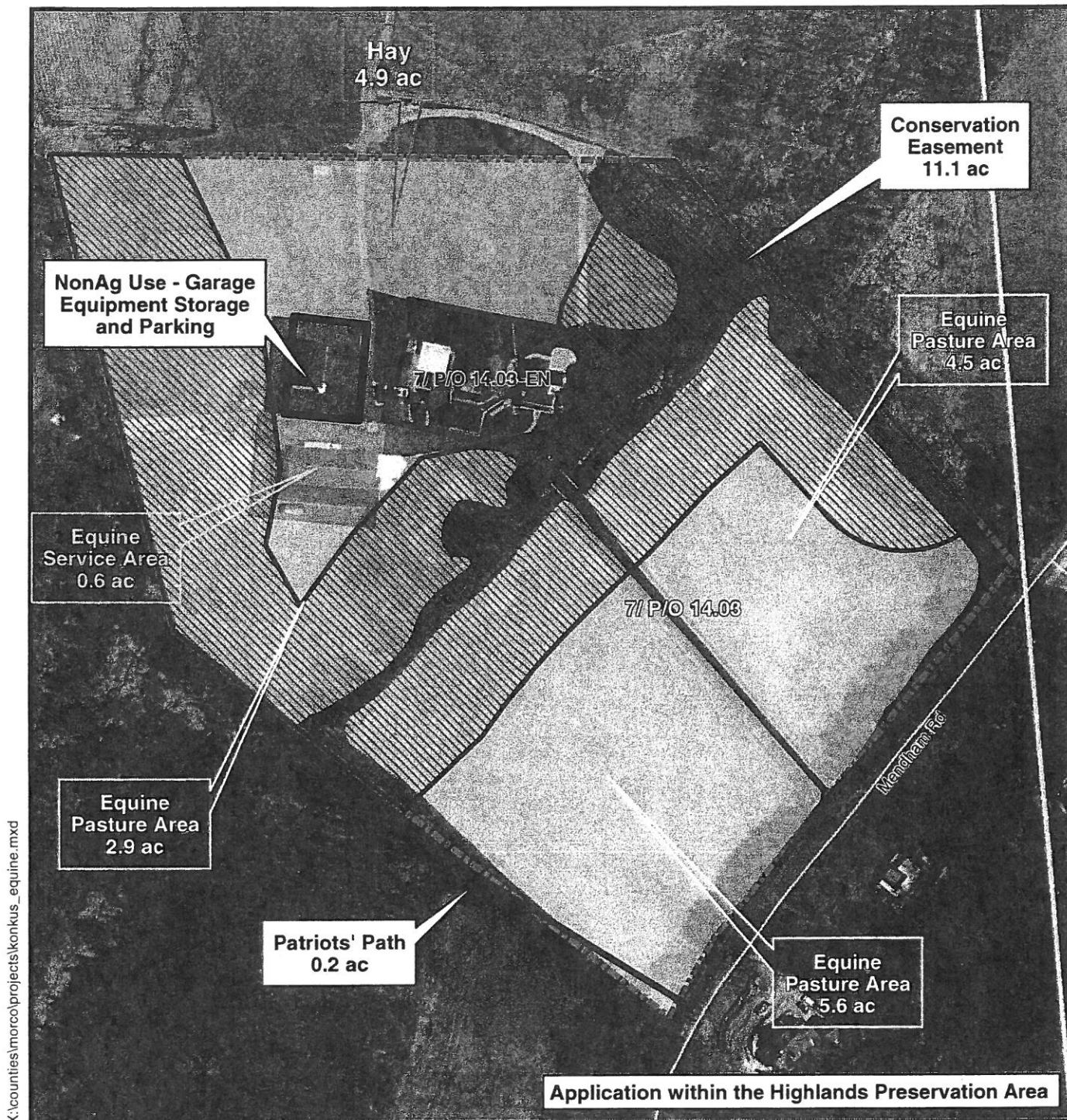
NOTE:

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
NJIT/OGIS 2012 Digital Aerial Image

Schedule B



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Keith and Alexis Konkus (Konkus Farm, LLC)
Block 7 Lots P/O 14.03 (22.69 ac)
& P/O 14.03-EN (non-severable exception - 1.0 ac)
Gross Total = 23.69 ac
Chester Twp., Morris County

	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Equine Service Area - 0.6 ac
	Equine Pasture Area - 19.4 ac
	Patriot's Path

Sources:
NJDOT Road Data
NJDEP Existing Trails
NJOIT/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

Date: 5/12/2016

SCHEDULE B

Grantor certifies that at the time of the application to sell the development easement to the Grantee and at the time of the execution of this Deed of Easement the following uses occur on the Premises:

1. Storage of commercial vehicles and equipment in a barn and parking area as depicted on the survey dated _____, prepared by _____.
2. Horseback riding lessons, boarding, training and schooling horses, in an arena and stalls, as depicted on the survey dated _____, prepared by _____.

Grantor further certifies that the above uses (hereinafter "equine service activities") are currently ancillary to equine-related production, including pasturing, horse breeding and hay production. "Ancillary" means that the area of land on which equine service activities are conducted is subordinate, secondary and auxiliary in comparison to the area of the farm devoted to equine production activities. Grantor understands and agrees that because the equine service activities are ancillary to equine-related production, the said equine service activities are deemed agricultural uses and are not currently subject to the restrictions placed on non-agricultural uses in Paragraphs 3 and 4 of the Deed of Easement. The areas occupied by equine service activities and equine production activities are depicted on the attached aerial photograph identified as Schedule B1.

Grantor also understands and agrees that if, in the future, equine service activities are no longer "ancillary" as defined above, then the equine service activities will be deemed non-agricultural and will be subject to the restrictions contained in Paragraphs 3 and 4 of the Deed of Easement.

Morris County

\\aq.state.nj.us\AgrData\SADC\Planning Incentive Grant -2007 rules County\Fund tracking\2013ctypigfinancialstatus.xls

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase
May 26, 2016

Konkus Farm, LLC
14- 0115-PG
County PIG Program
24 Acres

Block 7	Lot 14.03	Chester Twp.	Morris County
SOILS:		Other	24% * 0 = .00
		Prime	42% * .15 = 6.30
		Statewide	34% * .1 = 3.40
			SOIL SCORE: 9.70
TILLABLE SOILS:		Cropland Harvested	85% * .15 = 12.75
		Other	1% * 0 = .00
		Woodlands	14% * 0 = .00
			TILLABLE SOILS SCORE: 12.75
FARM USE:	Hay		19 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:

Storage and parking of commercial vehicles and equipment in barn and parking area.
Exact dimensions to be shown on survey.
 - b. Exceptions:

1st one (1) acres for Two existing single family residential units and other buildings
Exception is not to be severed from Premises
Exception is to be limited to two existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. Chester Township has a +/- 11.1 acres conservation easement on the Premises that contains restrictions which are inconsistent with the Farmland Preservation Program Deed of Easement. Additionally, the previously restricted Patriot's Path runs along the boundary is .2 acres in size. The SADC will not cost share on the 11.3 acres subject to the conservation easements.
 2. This Final Approval is conditioned on the SADC, Morris County and NJDEP-Green Acres coming to an agreement as to whether the SADC DOE can go on top of the pre-existing Conservation and trail easements.
 - 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 #FY2016R5(10)

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

On the Property of
Catherine Licciardello, Trustee ("Owner")

May 26, 2016

Subject Property: Catherine Licciardello, individually as Executrix and Trustee under the Last Will and Testament of Sebastiano A. Licciardello ("Owner")
Block 12, Lot 1, Block 10, Lot 1, Block 9, Lot 3 (the "Property")
Pilesgrove Township, Salem County
SADC ID# 17-0295-DE
Approximately 130.40 Net Easement Acres

WHEREAS, on July 26, 2015, the State Agriculture Development Committee ("SADC") received a development easement sale application from Catherine Licciardello, hereinafter "Owner," identified as Block 12, Lot 1; Block 10, Lot 1 and Block 9, Lot 3, Pilesgrove Township, Salem County, hereinafter "the Property," totaling approximately 130.40 net easement acres, identified in (Schedule A); and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 24, 2014, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Salem County (minimum acreage of 92 and minimum quality score of 60) because it is approximately 130.4 easement acres and has a quality score of 65.57; and

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

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

WHEREAS, at the time of application, the Property was devoted to grain, vegetable and melon production; and

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

WHEREAS, on March 24, 2016, the SADC certified the development easement value at \$6,700 per acre based on current zoning and environmental conditions as of December 20, 2015; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement for \$6,700 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval for its acquisition of the development easement at a value of \$6,700 per acre for a total of approximately \$873,680 subject to the conditions contained in (Schedule B); and

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

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

BE IT FURTHER RESOLVED, that the SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-B Supplement; and

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

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement; and

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

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

5/26/16
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

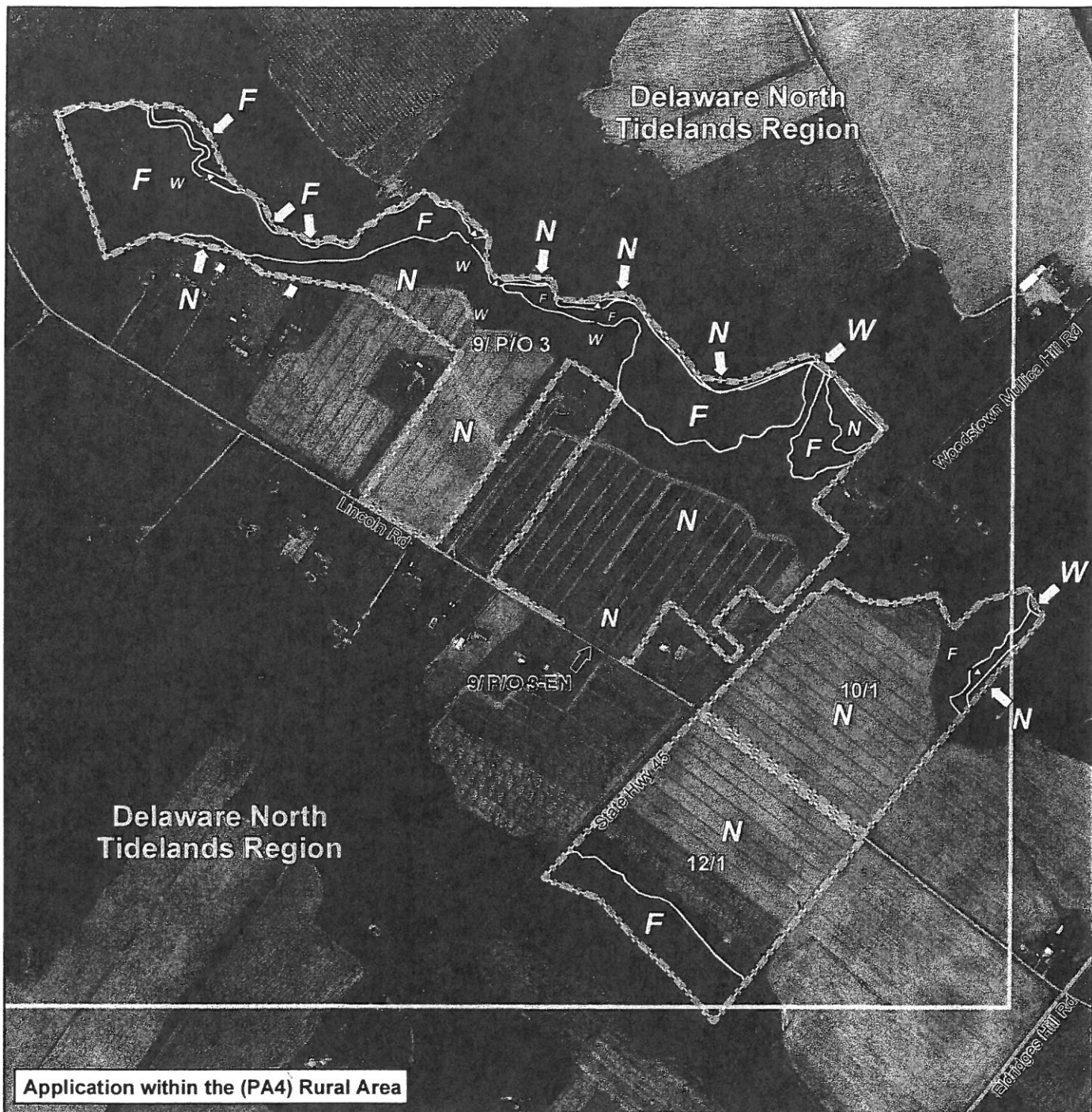
VOTE WAS RECORDED AS FOLLOWS:

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

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Schedule A

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Application within the (PA4) Rural Area

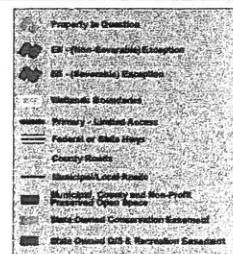
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Catherine Licciardello
Block 9 Lots P/O 3 (78.8 ac);
P/O 3-EN (non-severable exception - 2.0 ac)
Block 10 Lot 1 (25.3 ac) & Block 12 Lot 1 (26.4 ac)
Pilesgrove Twp., Salem County
Gross Total = 132.4 ac



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

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



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

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

January 11, 2016

Schedule A (continued)

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

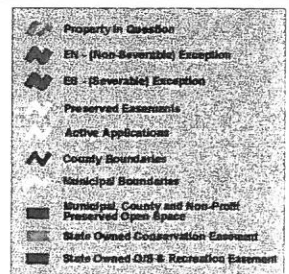
Catherine Licciardello
Block 9 Lots P/O 3 (78.8 ac);
P/O 3-EN (non-severable exception - 2.0 ac)
Block 10 Lot 1 (25.3 ac) & Block 12 Lot 1 (26.4 ac)
Pilesgrove Twp., Salem County
Gross Total = 132.4 ac

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

January 11, 2016

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Catherine Licciardello Trustee
State Acquisition
Easement Purchase - SADC
130 Acres

Block 9	Lot 3	Pilesgrove Twp.	Salem County
Block 10	Lot 1	Pilesgrove Twp.	Salem County
Block 12	Lot 1	Pilesgrove Twp.	Salem County

SOILS:	Other	34% *	0	=	.00
	Prime	3% *	.15	=	.45
	Statewide	35% *	.1	=	3.50
	Unique .125	28% *	.125	=	3.50

SOIL SCORE: 7.45

TILLABLE SOILS:	Cropland Harvested	57% *	.15	=	8.55
	Other	3% *	0	=	.00
	Wetlands	25% *	0	=	.00
	Woodlands	15% *	0	=	.00

TILLABLE SOILS SCORE: 8.55

FARM USE:	Wheat-Cash Grain	75 acres
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This final approval is subject to the following:

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