

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

**June 23, 2022**

Secretary Fisher called the meeting to order at 9:06 a.m.

Ms. Payne read the notice stating that the meeting was being held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.

Roll call indicated the following:

**Members Present**

Chairman Fisher

Martin Bullock

Pete Johnson

Scott Ellis

Richard Norz

James Waltman

Gina Fischetti

Julie Krause

Renee Jones

Brian Schilling

Denis Germano arrived at 9:10 a.m.

**Members Absent**

None

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Susan E. Payne, Executive Director

Jason Stypinski, Esq., Deputy Attorney General

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**Minutes**

SADC Regular Meeting of May 26, 2022 (Open and Closed Session)

It was moved by Mr. Norz and seconded by Mr. Waltman to approve the Open and Closed Session minutes of the SADC regular meeting of May 26, 2022. Mr. Ellis, Ms. Jones, and Mr. Schilling abstained from the vote. The motion was unanimously approved by the remaining members.

**Report of the Chairman**

**NOTE: Denis Germano arrived during this report.**

Chairman Fisher reported that the Soil Protection Standards (SPS) are at a heightened awareness as they are in the final stages of drafting and will be published for public comment. The State Board of Agriculture spent hours yesterday at its meeting discussing SPS and the SADC looks forward to hearing what discussions unfold. Chairman Fisher stated that there seems to be agreement in the agricultural community that the SPS are in the right place, however, the big issue are farmers who previously enrolled in the Farmland Preservation Program having to deal with the rule changes. Chairman Fisher noted that the Special Occasions Event (SOEs) are moving along in the legislature and should have some answers in a few days.

**Report of the Executive Director**

Ms. Payne reported that every year staff sets the deadlines for County Municipal Incentive Grant Program applications to be considered for the monthly agenda and a copy will be sent to the partners after the meeting.

Ms. Payne stated that there have been several staff vacancies that needed to be filled over the last several years which are now filled, and she asked for those new staff members to be introduced by their managers. Ms. Reynolds introduced Mr. Gregory Keller, a new attorney on staff, who is a practicing attorney and a former member of the Morris County Agriculture Development Board (CADB). Ms. Reynolds welcomed Mr. Keller to the department. Mr. Roohr introduced Mr. Sean Pizzio, agriculture resource specialist, who came to the program from the Monmouth CADB. Mr. Pizzio has over five years of experience performing the exact duties as does SADC stewardship staff. He will be making stewardship presentations before the Committee. Mr. Roohr welcomed Mr. Pizzio to the team. Ms. Winzinger introduced Ms. Katie Chookagian, a Temporary Service Employee intern, who has an associate degree in fine arts and video and will be working with staff for the next year and a half in support of activities related to the SADC's 40<sup>th</sup> anniversary. Ms. Winzinger mentioned that Ms. Anita Munoz, a new IT Specialist, was recently hired and has a corporate background in IT. Ms. Payne thanked everyone and welcomed all the new staff members.

Ms. Payne also reported that the acquisition subcommittee will be meeting in July and discuss strategies for outreach to solicit feedback from partners on future program implementation.

**Public Comment**

Ms. Patricia Springwell, from Readington, NJ commented that the Soil Protection Standards (SPS) need to reduce the total allotment of disturbance from 12% to at least 8% and that there should be restrictions on the size of the houses built on property. She is concerned that food production will be limited in the future and fertile land may be permanently lost. She also voiced concern about farm affordability. She urged the SADC to urgently address this matter. Chairman Fisher thanked Ms. Springwell for her comments.

Mr. Ryck Suydam, President of the NJ Farm Bureau and a farmer in Somerset County,

commented that while the Bureau does not oppose the currently proposed draft SPS, it unanimously opposes the retroactive application of the standards on previously preserved farms. Mr. Suydam informed the committee that Farm Bureau obtained a written opinion from its general counsel which opines that imposing the new standards retroactively is legally impermissible. He read excerpts from this opinion suggesting that the specific terms of the Deed of Easement do not allow for newly adopted rules to apply to previously preserved land. Also reading from the opinion, Mr. Suydam stated “what the SADC is proposing now is fundamentally unfair and is contrary to well established principle that government has overriding obligation to deal forthrightly and fairly with property owners.” After a colloquy with Mr. Waltman and Mr. Norz, Mr. Suydam observed that Mr. Kurt Alstede has suggested the creation of a soil protection AMP for existing farms, which should be considered.

### **New Business**

#### **A. Stewardship - Resolution: Division of Premises**

**Clovervale Dairy Farms, Inc.**

**Block 26, Lot 3 and Block 27, Lots 3, 4, 5 and 6**

**Pilesgrove Township, Salem County**

**SADC ID 17-0001-EP**

**396.57 Acres**

**Gwen L. Pettit**

**Block 26, Lot 6**

**Pilesgrove Township, Salem County**

**SADC ID 17-0006-EP**

**23.88 Acres**

Tim Willmott referred the committee to a draft resolution approving the division of premises for Clovervale Dairy Farms, Inc, a 460-acre farm, in order to convey 397 acres to the Pettit family which runs a large hay, grain, vegetable and livestock operation. At the time of preservation there were three existing single family residential units, three RDSOs, one duplex residence and no exception areas on the property. A portion of this property was the subject of a prior SADC division approval which was not fully effectuated. The draft resolution completes the outstanding division.

The proposal allows for the current owners to retain Parcel A, 93 acres of tillable land, as they scale down their operation and transition into retirement. They propose to sell Parcel B, 397 acres, to ZRH Real Estate, LLC which is owned by Zachary Heiken, the current tenant farmer and who also owns additional farmland in the surrounding area. Included within Parcel B is Block 26, Lot 6, which is a separate preserved farm. In 2008 the SADC approved a division which included Lot 6 and required the lot's consolidation with the Clovervale farm. However, the consolidation did not occur, and the SADCs approval is now conditioned upon Lot 6 being incorporated in Parcel B and conveyed to ZRH, which is currently under contract to purchase Lot 6 along with all the land included in Parcel B.

Mr. Willmott stated that paragraph 15 of the Deed of Easement allows for the division upon the approval from the grantee, Salem County, and the committee. The division request was approved by the Salem CADB at its May meeting. SADC staff recommends final approval be granted.

Mr. William Horner, Esq., Clovervale's attorney addressed the committee. He confirmed that ZRH is under contract with Clovervale to purchase the larger part of the property that is being divided and to purchase Block 26, Lot 6. The sale contract for Block 26, Lot 6 recognizes and acknowledges the need for a simultaneous closing of that parcel with the Clovervale parcel to become a single premises. Mr. Johnson asked to whom the RDSO's would go. Mr. Horner answered that the three RDSOs will go to the buyer, ZRH. Mr. Willmott clarified that none of the RDSOs can be built on Lot 6.

Mr. Germano asked if the resolution requires that at closing the seller's attorney prepare and file a deed consolidating the two parcels into one. Mr. Horner confirmed that it is understood that this would be considered one premises. Ms. Payne stated that the original preserved farms is considered a premises and that it can be divided, but other land may not be brought into what was an original premises configuration. Staff will record a document that provides these two parcels are connected, permanently associated and cannot be sold apart from each other, and that will happen here with this resolution. Mr. Norz asked if there is potential for further division of the premises. Ms. Payne stated that was possible.

It was moved by Mr. Ellis and seconded by Mr. Germano to approve Resolution FY2022R6(1), for a division of premises for Clovervale Dairy Farms, Inc., as presented, subject to any conditions of said resolution.

1. Clovervale Dairy Farms Inc., SADC ID#17-0001-EP, FY2022R6(1), Block 26, Lot 3, and Block 27, Lots 3, 4, 5 and 6, Pilesgrove Township, Salem County, 396.57 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R6(1) is attached to and a part of these minutes.

## **Old Business**

### **A. Soil Protection Standards**

Ms. Payne reminded the committee that at the May meeting it voted to distribute the Soil Protection Standards (SPS) draft proposal for informal public comment. A number of comments have been received in response. Ms. Payne reviewed these comments and noted that two reoccurring issues are retroactivity, which implies that the SPS should only apply going forward, and the concern about the amount of additional work the SPS may create for grantees monitoring preserved farms.

In addition to the comments, the Farm Bureau submitted a letter expressing concerns about retroactivity and the belief that non-continuous parcels should be able to be aggregated in terms of consolidating soil disturbance limits. Farm Bureau further recommends that the seventy percent vegetative cover be a seven-month standard instead of a four-month standard. Ms. Payne stated that the SADC subcommittee met with the State Board of Agriculture subcommittee and had a substantive and cordial discussion. Staff incorporated many of their comments into the draft rules. Ms. Payne suggested that the committee must be comfortable with the proposal in order to prepare a final version to submit for publication in the N.J. Register as a proposed rule. The legal staff will place the rules in the correct format for publication for next month, at the earliest.

Ms. Payne then guided the committee through a marked-up copy of the revisions to the draft proposal which included subchapter 25 concerning soil disturbance on preserved farmland and supplemental soil disturbance standards. Mr. Norz stated Farm Bureau's comments regarding creating an AMP instead of a rule intrigued him. He asked if that might satisfy the court. Ms. Payne stated that the state board is looking for an alternative process for existing preserved farms, so rather than a waiver provision that allows up to 15 percent disturbance with a hard cap, they were advocating that the SADC create a site-specific evaluation for farmers that would exceed that allowance. This suggestion was offered as a method to provide relief for farms currently in the program.

Ms. Payne explained that if the Committee decides to provide any further relief, then the rules must contain the standard upon which relief would be granted. The Farm Bureau's legal opinion was given to staff last night, and any discussions about its merits must take place in closed session as attorney-client advice. Ms. Payne further commented that it was not feasible for the SADC to engage with over 2,700 preserved farms to determine their eligibility for a waiver. Rather, she thought that relief should be given to the approximately 40 farms that are approaching or over 50% of the standard's limit. Mr. Norz expressed concern that certain NRCS projects might count towards the disturbance on a farm and the 15% hard cap. Farmers might not be able to engage in certain agricultural operations because of the limit.

Ms. Payne agreed that the proposed standards may limit some kinds of agriculture and stated that Mr. Norz's concern for conservation practices mirrored comments received from the State Board of Agriculture. Staff's concern is that while projects like lagoons and storm water basins are conservation practices, those areas may never return to agricultural production due to the extent of soil excavation involved. Mr. Norz disagreed, noting the potential for future remediation. Ms. Payne understood that there is remediation potential, but the area may never return to 100% production, nor may remediation be economically feasible.

Ms. Payne further commented that the state board's comment on conservation practices was focused on practices needed to manage water coming on to a farm from an off-farm source. She suggested the rules could be amended to exempt practices for farms where this is happening. Chairman Fisher stated this was a valid point. Mr. Schilling stated that this is a "slippery slope." Conservation practices must address two important issues: the deed of easement that allows for agriculture infrastructure to be built and the protection of natural resources. He believes that water management will be a growing issue based on the projected increase in the number of extreme weather events. Mr. Schilling expressed concern about doing something that jeopardizes the agricultural community's ability to respond to these events. He does not want to disincentivize NRCS' recommended conservation practices because of these rules. Mr. Schilling suggested that the committee view conservation practices differently from other infrastructure projects.

Ms. Payne stated that the draft rules seek to define which NRCS practices would count as disturbance. Mr. Schilling stated that language needs to be included that speaks to the committee's intent and recognition that the conservation practices needed to support farming and the resource protection objectives are perceived as important. Ms. Payne asked if the committee agrees that conservation practices that are in place to manage off-farm water should be exempt. Mr. Bullock thinks any management of water problems should be exempt. Ms. Payne suggested that consideration be given as to who is creating the problem before

exemption is given. Several committee members discussed potential problems which may result from situations where water management conservation practices may unintentionally drain water on to adjoining land.

Ms. Payne next reviewed the proposed changes to the draft SPS with the committee. She noted that there were reorganization and punctuation changes, as well as changes to some definitions. She cited the term “cranberry bog” and stated that the definition was changed as a result of a comment from Burlington County and now will be listed as an exemption. The term “geotextile field” was also amended based on a comment from the state board. The amendment clarifies that where fabric is placed over the soil, it has not undergone soil alteration, soil resurfacing or soil compaction, the use is considered exempt.

The term “temporary tents” was moved to the exemption area of the rule. It will not be considered a soil disturbance and will be an exempt agricultural practice as to the first 2,000 square feet of tent area. Anything over 2,000 square feet that is in place for less than 120 cumulative days in a calendar year will also be exempt. There was also a clarification that the state board requested, that hoop houses placed on geotextile fields without soil alteration, surfacing or compaction are considered exempt.

Conservation practices are also considered exempt when the practice is planned, installed and designed to meet certain criteria. Mr. Norz observed that it appears the committee believes that once soil is moved, it is destroyed. Ms. Payne said it is possible to reclaim land, which is why there is a reclamation chapter in the SPS, but the concern is about scale and there must be a limit on detriment to an agriculture property. Mr. Waltman stated that the principle here is to look towards what the next landowner will have to deal with. Mr. Waltman suggested language changes in the waiver section make the requirements for requesting and receiving a waiver clearer.

Ms. Payne next reviewed section 25.7 which concerns the aggregation and consolidation of soil disturbance. She stated that the draft proposal provides that if there are two adjacent preserved farms owned by the same owner that the landowner can request consolidation of disturbance of one of those parcels, the SADC would record a document so that those two properties can be connected. The state board suggested that if an owner requests to decouple the aggregation they could, if neither of those parcels violate the 12%/4 acre standard.

Section 25.9 relates to the soil rehabilitation and certification procedure standards. It contains new text which grants the committee the discretion to reduce and/or determine the non-applicability of rehabilitation plan components the committee finds that it is necessary.

Ms. Payne reviewed section 25.10 concerning baseline mapping and monitoring. The SADC received several comments from county and non-profit partners on this issue. As currently drafted, the rule requires grantees to report on all disturbances annually. The counties have expressed concerns that that is a large and burdensome undertaking. In response to these concerns, staff proposes that any increase in the total soil disturbance of two or more acres be identified in the annual monitoring report submitted to the Committee by the grantee. Staff is working to create a process where the landowner is not taken off-guard and that they are aware of the extent of soil disturbance on their farms consistently and over time. For farms within 75% of the soil disturbance limit, newly identified potential soil disturbances must be reported to the committee within 60 days of identification. For farms within the 50% of the soil

disturbance limit, the grantee shall provide documentation as part of its annual monitoring report. Staff will remap these farms every 3 to 5 years, so that any increase in soil disturbance can be identified.

Ms. Payne informed the committee that section 25.12 regarding requests for a hearing was amended. The time to make a request was increased from 20 days to 45 days of receipt of notice of the committee action.

Mr. Norz expressed concerns with equipment weight and livestock restrictions in the SPS. Mr. Clapp stated that is to allow the committee to have some flexibility on the limitations on a field. Mr. Bullock shared similar concerns. Ms. Payne added that this was intended to provide relief, and language would be added to reflect this intent. Ms. Jones stated that the whole idea for the SPS rules was to prevent future Den Hollander cases and the SPS rules is the way to do that, both for currently preserved farms and future preserved farms. She commended the staff for their efforts.

Ms. Payne stated that if the committee agrees with the changes discussed today and votes to move forward, it could obtain advice on retroactivity in closed session, or if they would like table the matter until next month. Mr. Germano stated that he wanted to go forward with the rules, with a couple of very minor tweaks. He does not think retroactivity is a concern. Mr. Schilling stated that the SADC has an obligation to create standards, but it also has an obligation to explore the retroactivity issue further, as there will be people who are affected immediately. Mr. Norz stated that he cannot vote for the SPS rules to go forward. All questions need to be answered before the rules can proceed. There is still no definitive answer on NRCS projects, and he needs to know what will happen to the farms that are over the proposed disturbance allotment.

Chairman Fisher stated that he thinks the SPS rules can be sent now, as the committee is charged with developing standards. He understands that there is no way to project what will occur in the future, but there must be a statement made that the SADC commits to protecting agricultural activity and natural resources. Mr. Schilling added that the committee must also protect the farmers and their activities, so it is a balancing issue as well.

Mr. Germano stated that there needs to be accommodation for water runoff coming onto the farm. Ms. Payne stated that language can be added to do so. Mr. Schilling asked how water runoff could be distinguished between runoff on a farm or from another source.

Chairman Fisher stated that there are two issues to be discussed in closed session: storm water and retroactivity. Ms. Payne asked if water coming from off the farm should be exempt as it not under one's control. Mr. Shilling stated that despite where the water is coming from, it has to be addressed. Mr. Roohr informed the committee that the concept of "self-imposed hardships" is consistent with other SADC policies, and could be used for this purpose. Mr. Norz stated that the language needs to be clear.

Chairman Fisher asked for a motion to go into closed session to discuss this matter further.

### **CLOSED SESSION**

At 11:17 a.m. Ms. Payne read the following resolution to go into Closed Session:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into executive session to discuss attorney client matters relating to the legal basis regarding soil protection standards. The minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists.

It was moved by and seconded by Mr. Johnson and seconded by Mr. Germano to go into Closed Session. The motion was unanimously approved.

### **ACTION AS A RESULT OF CLOSED SESSION**

Chairman Fisher stated that as a result of the closed session discussion, the committee will be taking no action today.

Ms. Payne stated that the next step is for the staff to take what was discussed and approved today and place the rule into final form. It will be presented at the next available SADC meeting when the committee will formally decide to have it published in the N.J. Register as a proposed rule. The committee will still need to act one more time.

Mr. Germano offered a motion to proceed with the SPS revisions and to include the matters that were discussed, and for which there was a consensus, such as the issue of exempting water projects that are necessitated by off-farm water inundations. The motion was seconded by Mr. Ellis.

Mr. Johnson asked to amend the motion to include water situations or problems that occur on the farm, not just off-farm water. Ms. Payne stated that the discussion was related to language that is not a self-imposed hardship. Mr. Johnson stated that if a field has an erosion problem it could be coming from some both onsite and offsite, and could be caused by something other than landowner development. Mr. Ellis thought those soil and water conservation practices were exempt. Ms. Payne stated that once you start incorporating stone or gravel, even if it's a conservation practice, it counts under the rule. Mr. Johnson said he disagrees with that. Mr. Norz asked Mr. Germano if his motion was for staff to simplify things and bring it back to the committee next month. Mr. Germano answered yes, but stated that it would be helpful to staff to resolve this issue. The thought is that water and soil conservation projects that are not self-imposed hardships should be exempt.

The motion was amended by Mr. Johnson to include water situations or problems that occur on the farm by both onsite and offsite water which are caused by situations other than self-imposed hardships created by the landowner. Mr. Germano and Mr. Ellis consented to the amendment. The motion was unanimously approved.

Ms. Payne informed to committee that next month a draft formal proposed rule would come back to it for publication in the Register. Chairman Fisher stated that while no action was taken as a result of closed session, he implored the committee not to discuss any matter discussed in closed session.

### **B. Resolutions: Final Approval- County PIG Program**

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

It was moved by Mr. Norz and seconded by Mr. Bullock to approve Resolution FY2022R6(2), granting approval to the following application under the County PIG Program, as presented, subject to any conditions of said resolution.

1. Alexander and Ashley Ferri, SADC ID#21-0625-PG, FY2022R6(2), Block 48, Lot 69, Washington Township, Warren County, 67 acres.

Mr. Norz asked about the location of the exception area and if it was suggested it be moved over to match the boundary line of the property. His concern is that the location essentially cuts off a strip of farmable land that will not be farmed any longer. Ms. Miller stated it was discussed, but she will re-address the location with the landowner.

Mr. Norz stated that he wanted to amend his motion to move the exception area, so the boundary is co-existent with the parcel. Mr. Bullock agreed to the amendment. A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R6(2) is attached to and a part of these minutes.

### **C. Resolutions: Final Approval- Municipal PIG Program**

**Note: Mr. Bullock recused from this discussion.**

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

It was moved by Mr. Johnson and seconded by Mr. Germano to approve Resolution FY2022R6(3) granting approval to the following application under the Municipal PIG Program, as presented, subject to any condition of said resolution.

1. John and Sean Linney, SADC ID# 13-0480-PG, FY2022R6(3), Block 170, Lots 12.01, 14, 15 & 16, Howell Township, Monmouth County, 26.9 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R6(3) is attached to and a part of these minutes.

### **D. Resolutions: Direct Easement Purchase Program**

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

It was moved by Mr. Germano and seconded by Mr. Norz to approve Resolution FY2022R6(4), granting approval to the following applications under the Direct Easement Purchase Program, as presented, subject to any condition of said resolution.

1. Country Blues, LLC., SADC ID#01-0046-DE, FY2022R6(4), Block 5504, Lots 13, 22, & 23, Town of Hammonton, Atlantic County, 62.2 gross acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R6(4) is attached to and a part of these minutes.

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

It was moved by Mr. Johnson and seconded by Mr. Waltman to approve Resolutions FY2022R6(5) through FY2022R6(8), granting approval to the following applications under the Direct Easement Purchase Program, as presented, subject to any condition of said resolution.

1. David & Casey Zeck, SADC ID#17-0361-DE, FY2022R6(5), Block 1102, Lot 3, Pittsgrove Township, Salem County, 122.7 gross acres.
2. Paul LaRoy and Loretta Osborn, SADC ID#17-0367-DE, FY2022R6(6), Block 36, Lot 16, Lower Alloways Creek Township, Salem County, 144.5 gross acres.
3. Mecouch Farms, LLC., SADC ID#17-0229-DE, FY2022R6(7), Block 33, Lot 7, & Block 32, Lot 46.01, Quinton Township, Salem County, 144.8 gross acres.
4. R&D Spina Inc., SADC ID#17-0229-DE, FY2022R6(8), Block 1, Lot 7, and Block 25, Lots 5& 6, Mannington Township, Salem County, 172.1 gross acres.

A roll call vote was taken. Ms. Krause was absent for this vote. The motion was unanimously approved by the remaining members. A copy of Resolutions FY2022R6(5) through FY2022R6(8) is attached to and a part of these minutes.

#### **E. Whole Farm Easement Template Approval**

**NOTE: Ms. Payne left the meeting at this time.**

Ms. Reynolds reviewed a new deed of easement template for approval that may be used in acquisitions funded, in part, under the federal Highlands Conservation Act (HCA).

While the HCA recognizes agricultural land as one of the resources in the Highlands region that must be protected, it also recognizes the importance of other natural resources such as water and forestland. This template ensures that agriculture will be the primary use of the land while recognizing the co-benefits that can be achieved for agricultural productivity by including some water quality and woodland protections.

A similar approach was taken with the Windy Acres South farm in Harmony and White Townships in Warren County. On that farm, the location of the exception area and the proposed single-family residential unit within that exception area required a Highlands Resource Area Determination and Highlands Preservation Area Approval from NJ Department

of Environmental Protection (NJDEP). NJDEP determined that this level of disturbance required on-site mitigation and therefore, SADC worked with NJDEP to draft additional deed restrictions requiring the landowner to, among other things, obtain a Woodland Management Plan or Forest Stewardship Plan approved by the NJ State Forester and to manage a pre-defined wooded portion of the property in accordance with said plan. The Committee approved the additional restrictions at its April 26, 2019, meeting.

The result of SADC's negotiations with U.S. Fish and Wildlife Service (USFWS) is a deed template being referred to as a "whole farm easement". The whole farm easement begins with the standard deed of easement provisions which is set forth in regulation; however, there are some additional provisions which is authorized pursuant by N.J.A.C. 2:76-6.15(b), which allows the SADC or landowner to require more stringent deed restrictions consistent with the ARDA. These more stringent provisions are highlighted for ease of review.

Paragraph 26 requires the landowner to obtain a Resourced Management System (RMS) Plan from NRCS, which is a site-specific farm conservation plan with a higher level of conservation protections.

Paragraph 27 addressed any drainage ditches on the property and requires the landowner to establish 35-foot herbaceous buffer strips along both sides of the drainage ditch. The area would need to be maintained in accordance with the NRCS Field Office Technical Guide (FOTOG) and prevents a number of activities unless cited in the RMS plan. This provision will only be included in the deed of easement for those farms that have drainage ditches on the property.

If there is a riparian area on the farm, paragraph 28 will be included in the DOE and the landowner will be required to establish a 35-50ft riparian buffer within two years of the date of the deed of easement. This area would have to be established in accordance with NRCS's FOTOG for riparian forest buffers.

If there is a woodland area on the farm, defined by a wooded area of at least an acre in size and at least 10 percent of current or past canopy cover, would contain paragraph 29 in the deed of easement. This provision requires the landowner to obtain a forest stewardship plan and manage the area in accordance with the plan. This plan is also required to be updated every ten years and conversion of woodlands to non-woodlands in the woodland areas is prohibited.

Finally, there are a few additional restrictions that are required by USFWS. First, at paragraph 15, future divisions of farms preserved with this deed are prohibited. In paragraph 22, which permits the conveyance of development rights and credits in the event the law authorizes such transfers, new paragraph is added requiring the approval of the USFWS regional director prior to such conveyance. Also, in paragraph 23, additional provisions are included providing procedural requirements in the event of a condemnation. Those provisions merely memorialize the procedures the SADC follows in the event of a condemnation. And finally, new paragraph 25 included in the attached deed references a notice of federal participation, which is to be recorded contemporaneously with the deed of easement.

Although there are no ARDA program farms currently pending in the HOSP program, having the whole farm easement deed template in place will allow our partners to leverage other funding sources through the HOSP program. Additionally, outside of the HOSP program, the

whole farm easement, without the USFWS-required provisions, has the potential to be used on farms where landowners would like to include natural resource-related restrictions.

Ms. Reynolds stated that there are currently no farms seeking to use the Highlands Open Space program, but staff wanted to have a deed on file to comport with the SADC Program as well as the US Fishing and Wildlife Program which would provide flexibility for partners in the future if they do want to seek this as a funding source.

Chairman Fisher asked if these standards must be used or if it is just to avail oneself of these resources. Ms. Reynolds stated that these are requirements if a landowner wanted to use the federal Fish and Wildlife funding. Mr. Schilling stated that this is opening up a funding source for the acquisition and asked what the incentive would be for the landowner to take on these additional requirements. Ms. Reynolds stated that it depends on the landowners' goals and the availability of traditional preservation funds. Chairman Fisher observed this subjects landowners o greater obligations.

It was moved by Mr. Germano and seconded by Ms. Jones to approve the whole farm easement template. The motion was unanimously approved.

### **Public Comment**

**NOTE: Ms. Jones left the meeting at this time.**

Ms. Patricia Springwell, offered comments concerning SPS retroactivity. She stated that opponents of retroactivity ignore the importance of preserving fertile soil. She further suggested creating ways to make it more attractive to farmers to enroll in the program by offering higher per acre values or conservation subsidies.

Ms. Uttal read a comment from "Jean Public" which stated "as to the soil standards we have much more information in 2022 on what is in the soil and how essential it is to preserve the biome. We cannot allow any farm to continue the use of massive numbers of toxic chemicals, herbicides, and pesticides that they are using to kill life on earth. We simply cannot allow that because this use is in fact hurting everybody else on this planet so we need to make changes and cannot allow farmers to stop progress because they love to use toxic chemicals to kill. I am totally in favor of the rules to preserve the soil biome in full, at all times and immediately."

### **CLOSED SESSION**

At 12:21 p.m. Ms. Uttal read the following resolution to go into Closed Session:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into executive session to discuss certain matters including the certification of values for property acquisition under the Farmland Preservation Program, any pending or anticipating litigation or any matters falling within attorney client privilege. The minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists.

It was moved by Mr. Germano and seconded by Mr. Norz to go into Closed Session. The motion was unanimously approved.

**ACTION AS A RESULT OF CLOSED SESSION**

It was moved by Mr. Germano and seconded by Mr. Bullock that the value be established by the appraiser. A roll call vote was taken. Mr. Norz voted against the motion. The motion was approved.

**TIME AND PLACE OF NEXT MEETING**

**SADC Regular Meeting:** 9 A.M., July 28, 2022

Location: 200 Riverview Plaza, Trenton, NJ

**ADJOURNMENT**

The meeting was adjourned at 12:26 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Susan E. Payne".

Susan E. Payne, Executive Director  
State Agriculture Development Committee

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION #FY2022R6(1)**

**Request for Division of Premises  
Cloverdale Dairy Farms, Inc.**

**June 23, 2022**

**Subject Properties:**

**Cloverdale Dairy Farms, Inc.  
Block 26, Lots 3  
Block 27, Lots 3, 4, 5 and 6  
Pilesgrove Township, Salem County  
SADC ID 17-0001-EP  
396.57 Acres**

**Gwen L. Pettit  
Block 26, Lot 6  
Pilesgrove Township, Salem County  
SADC ID 17-0163-EP  
23.88 Acres**

**I. FACTUAL BACKGROUND**

**A. Cloverdale Dairy Farms, Inc.**

WHEREAS, Cloverdale Dairy Farms, Inc., hereinafter “Owner”, is the record owner of Block 26, Lot 3 and Block 27, Lots 3, 4, 5 and 6, Pilesgrove Township, Salem County, hereinafter referred to as the “Cloverdale Farm”, by deed dated February 15, 1980, and recorded in the Salem County Clerk’s office on February 19, 1980, in Deed Book 616, Page 143; and

WHEREAS, the development easement on the Cloverdale Farm was conveyed to Salem County by the Owner pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq. (“ARDA”), by Deed of Easement dated May 6, 1992, and recorded in the Salem County Clerk’s Office on May 7, 1992, in Deed Book 825, Page 60;and

WHEREAS, the Deed of Easement for the Cloverdale Farm identifies three (3) existing single-family residences, one (1) duplex residence, zero (0) existing agricultural labor units, three (3) RDSO’s, and no exception areas; and

WHEREAS, paragraph 15 of the Deed of Easement states that no division of the Cloverdale Farm shall be permitted without the approval in writing of the Grantee (Salem County ) and (SADC).

B. Pettit Farm

WHEREAS, on November 6, 2008, the State Agriculture Development Committee (SADC) approved the division of an adjacent preserved farm, owned at the time by Elmer and Vera Pettit, Block 26, Lot 6 and Block 27, Lot 7, Pilesgrove Township, Salem County, by resolution FY09R11(2); and

WHEREAS, a requirement of the Elmer and Vera Pettit division approval was that Block 26, Lot 6, at 23.88 acres, was to be consolidated with the Clovervale Farm; and

WHEREAS, Block 26, Lot 6 was never consolidated with the Clovervale Farm as required by the aforesaid resolution; and

WHEREAS, Gwen L. Pettit is the current record owner of Block 26, Lot 6, by deed dated June 20, 2014, and recorded in the Salem County Clerk's office on July 7, 2014, in Deed Book 3792, Page 847.

**II. APPLICATION FOR DIVISION OF PREMISES – CLOVERVALE DAIRY FARMS, INC.**

A. Salem County Agriculture Development Board proceedings:

WHEREAS, on May 6, 2022, the SADC received a request for the division of Clovervale Dairy Farms Inc., from the Salem County Agriculture Development Board (SCADB) on behalf of the Owner; and

WHEREAS, the Owner proposed to sell a portion of its property consisting of Block 26, Lot 3 and Block 27, Lots 3, 5 and 6 to ZRH Real Estate, LLC., hereinafter the "Purchaser"; and

WHEREAS, the SCADB approved the Owner's division request at its May 25, 2022, meeting.

B. SADC findings related to the application for division of Clovervale Dairy Farms, Inc.:

WHEREAS, as a preliminary matter, in order to satisfy the condition in resolution FY09R11(2) that Block 26, Lot 6 be consolidated with the Clovervale Farm, and in order for the SADC to decide whether to approve Clovervale's application for a division of Premises, the SADC will require that Block 26, Lot 6, be transferred to the Purchaser as set forth in more detail below; and

WHEREAS, for the limited purpose of this Resolution, the SADC shall consider the entire Clovervale Farm property (hereinafter the "Clovervale Premises") to be approximately 420.45 acres as shown on Schedule "A", constituting the Clovervale Dairy Farms, Inc. parcels (396.57 acres), and the Gwen L. Pettit parcel (23.88 acres); and

WHEREAS, the Owner, through Owner's attorney, has agreed to the transfer of Block 26, Lot 6, to the Purchaser and consents to modification of its division application so as to incorporate Block 26, Lot 6 as part of the Clovervale Premises; and

WHEREAS, as part of this transfer Block 26, Lot 6 shall become part of, and permanently associated with, the farm parcels being purchased by the Purchaser; and

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

WHEREAS, the Owner proposes to divide the Cloverdale Premises along existing lot lines, as shown on Schedule "A", creating an approximately 93-acre parcel (Parcel-A) and a 327.45-acre parcel (Parcel-B); and

WHEREAS, the Owner intends to retain ownership of Parcel-A and to transfer Parcel-B to the Purchaser; and

WHEREAS, the Owner plans to scale down the acres that they farm as they transition into partial retirement; and

WHEREAS, according to the application, ZRH Real Estate, LLC, is owned by Zachary Heiken, the current tenant farmer of a majority of the Cloverdale Farm ; and

WHEREAS, the Purchaser is a local farmer who owns approximately 2,000 acres of farmland, some of which is adjacent to the Cloverdale Premises, and rents an additional approximately 1,500 acres; and

WHEREAS, the Cloverdale Premises is currently in grain, hay, vegetable, and livestock (goats & cattle) production; and

WHEREAS, the Purchaser has been farming the Cloverdale Premises for the past two years and has installed a center pivot irrigation system on Parcel-A; and

WHEREAS, the acquisition of Parcel-B will increase the Purchaser's landholdings through the addition of approximately 327.45-acres on which he intends to continue farming in vegetable, hay, & grain production; and

WHEREAS, the resulting Parcel-A is an approximately 93-acre property that is 92% (86 acres) tillable with 48.7% (45.29 acres) prime soils, 51.05% (47.48 acres) statewide important soils, as defined by the NJ Natural Resources Conservation Service; and

WHEREAS, the resulting Parcel-A contains the one (1) duplex residence and zero (0) RDSOs; and

WHEREAS, the resulting Parcel-B is an approximately 327.45-acre property that is 81% (266 acres) tillable with 58.32% (190.98 acres) prime and 32.47% (106.32 acres) statewide important soils, as defined by the NJ Natural Resources Conservation Service; and

WHEREAS, the resulting Parcel-B is improved with numerous agricultural buildings and three (3) existing single-family residences; and

WHEREAS, the three (3) RDSOs will be allocated to Parcel-B; and

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

Parcel-A contains significant acreage of tillable, quality soils (48.7% prime soils, 51.05% statewide important consisting of 86-acres (92%) of tillable ground, a center pivot irrigation system, and an existing duplex residence; and

Parcel-B, contains significant acreage of tillable, quality soils (58.32% prime, 32.47% statewide important soils, consisting of approximately 266-acres (81%) tillable ground with three (3) existing single-family residences and three (3) RSDO's; and

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

- 1) The sale of Parcel-B, allows the adjacent farm owner and current tenant farmer to expand his farming operation and own the land that he is farming; and
- 2) The acquisition of Parcel-B by the Purchaser allows it to make long term investments and improvements necessary to increase the efficiency and production of this parcel.

NOW, THEREFORE, BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC finds that the division, as described herein, for the purpose of selling Parcel-B to the current tenant farmer (the Purchaser), so he can own and make long term investments in the farmland that he has been farming is for an agricultural purpose.
3. The SADC finds that Parcel-A and Parcel-B are agriculturally viable parcels capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions.
4. The SADC approves the division of the Clovervale Premises as follows:

Parcel-A – Block 27, Lot 4 (approximately 93 acres) with one existing duplex as shown on Schedule “B”.

Parcel-B – Block 26, Lots 3 and 6 and Block 27 Lots 3, 5, and 6 (approximately 327.45 acres) with numerous agricultural buildings, three (3) existing single-family residences, and three (3) RDSOs, as shown on Schedule “C”.

5. This approval is not valid and shall not occur until the following is completed to the SADC's satisfaction:
  - 1) the Purchaser's or Owner's submission to the SADC of a signed contract for the purchase of Parcel B; and

- 2) the Purchaser's or Owner's submission to the SADC of draft deed(s) transferring Parcel B to ZRH Real Estate, LLC, in accordance with the conditions and restrictions contained in this Resolution, and the SADC's advance review and written approval of those documents; and
6. This approval shall not be valid until the SADC's resolution of approval is recorded with the Salem County Clerk's office.
7. This approval is conditioned on the recording of all conveyance deeds as approved by the SADC and as set forth above.
8. This approval is valid for a period of three years from the date of this resolution, during which the Owner shall initiate the requested action; for the purpose of this provision "initiate" means applying for applicable local, state or federal approvals necessary to effectuate the approved SADC action; and.
9. Eligible funding for state soil and water conservation cost share practices shall be reallocated to the respective parcels.
10. This approval is non-transferable.
11. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
12. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

6/23/2022  
Date

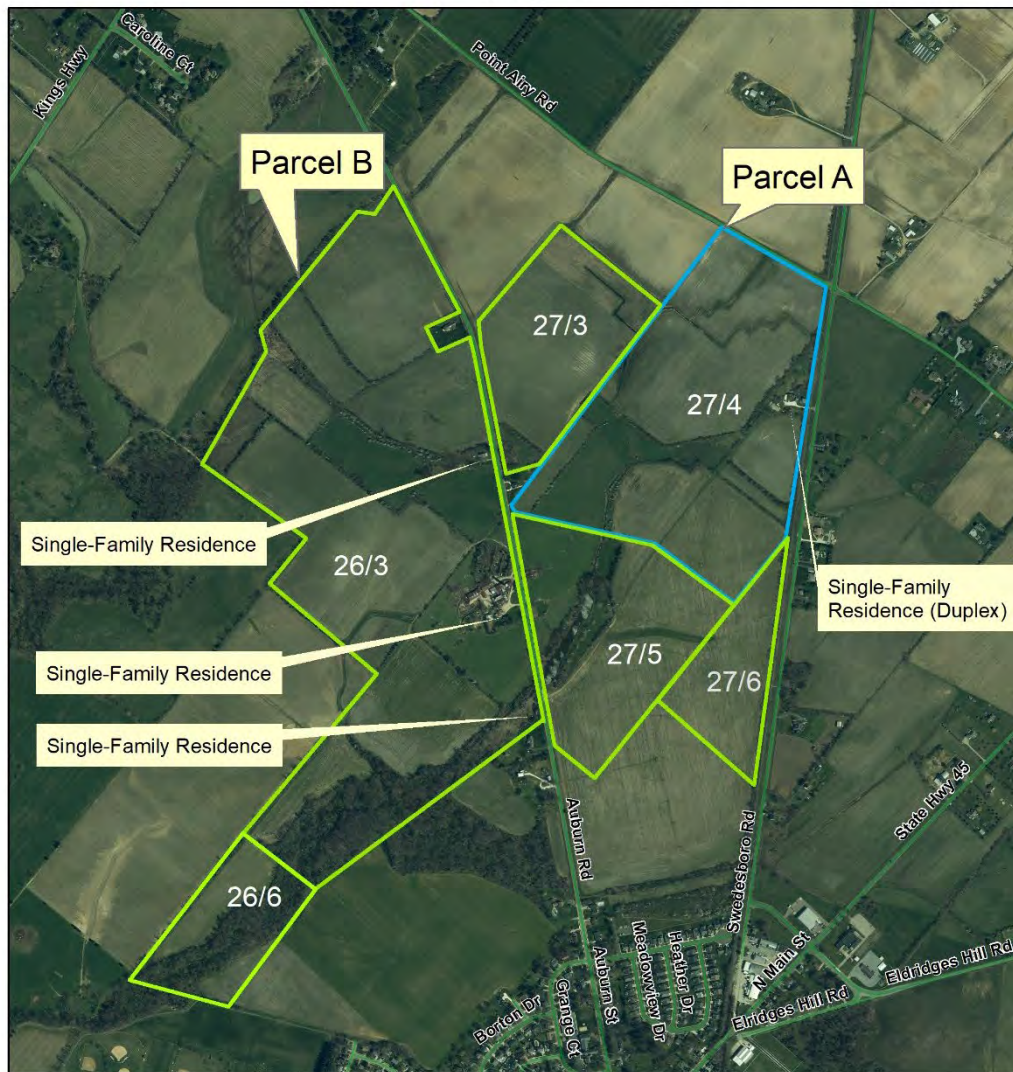
  
\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

|                                                |     |
|------------------------------------------------|-----|
| Martin Bullock                                 | YES |
| Gina Fischetti (rep. DCA Commissioner Oliver)  | YES |
| Denis C. Germano, Esq.                         | YES |
| Pete Johnson                                   | YES |
| Renee Jones (rep. DEP Commissioner LaTourette) | YES |
| Scott Ellis                                    | YES |
| Brian Schilling (rep. Executive Dean Lawson)   | YES |
| Julie Krause (rep. State Treasurer Muoio)      | YES |
| James Waltman                                  | YES |
| Richard Norz                                   | YES |
| Douglas Fisher, Chairperson                    | YES |

# Schedule A

## (Premises)



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

Clovervale Dairy Farms, Inc.  
 Block 26, Lots 3 & 6  
 Block 27, Lots 3,4,5 & 6  
 Pilesgrove Twp., Salem County  
 420.45 Acres



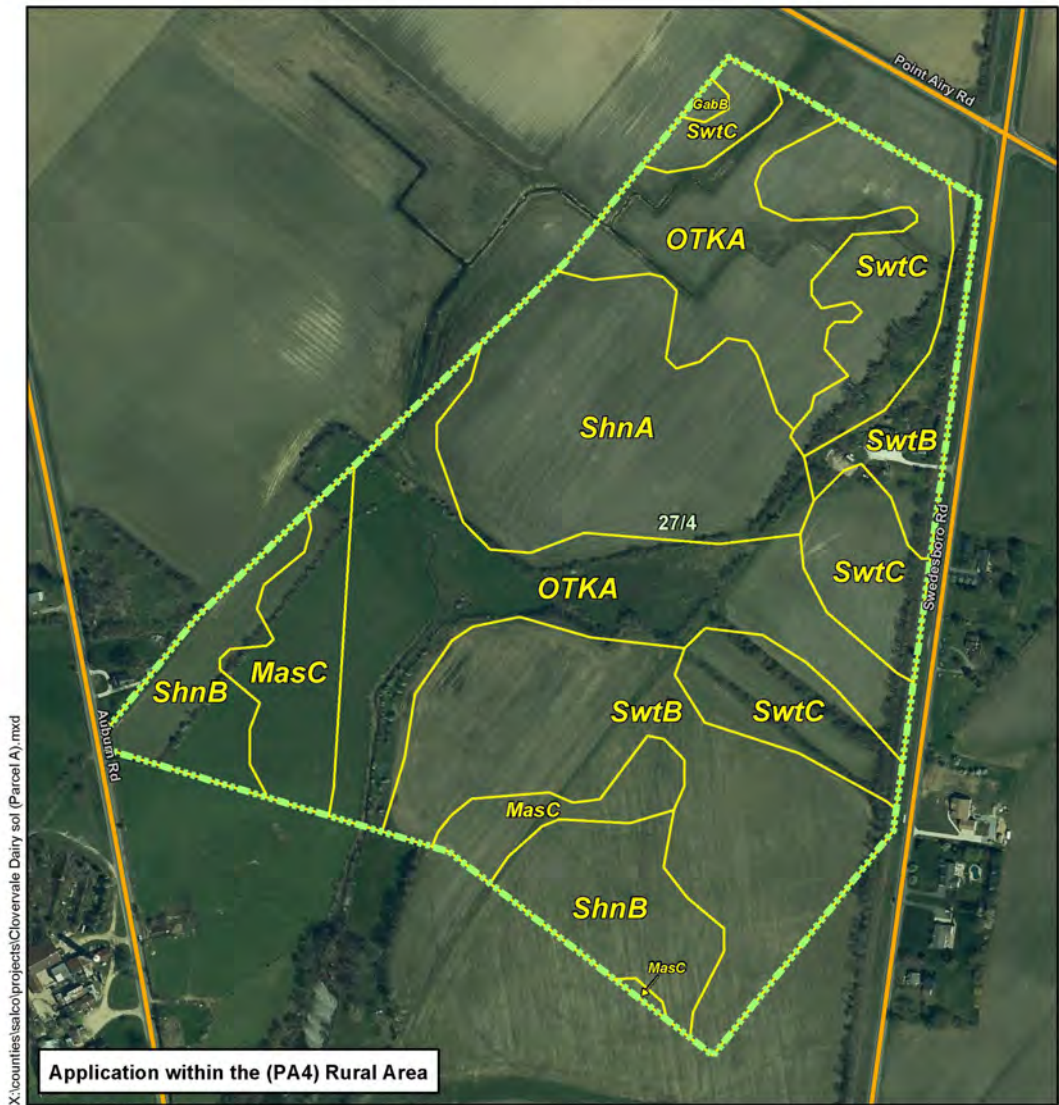
1,000 500 0 1,000 2,000 Feet

6/7/2022

# Schedule B

(Parcel A)

## Soils



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

Clovervale Dairy (Parcel A)  
Block 27 Lot (92.99 ac)  
Gross Total = 92.99 ac  
Pilesgrove Twp., Salem County

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



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:**  
NJ Farmland Preservation Program  
Parcel In from survey data  
NRCS - SSURGO 2021 Soil Data  
Green Acres Conservation Easement Data  
NJDEP Conservation/Open Space Data  
NJDOT Road Data  
NJDOTGIS 2020 Digital Aerial Image

June 6, 2022

# Schedule C

(Parcel B)

## Soils

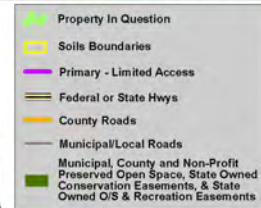


### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Cloverdale Dairy (Parcel B)  
Block 26 Lots 3 (197.50 ac) & 6 (23.88 ac);  
Block 27 Lots 3 (35.66 ac); 5 (50.67 ac) & 6 (19.72 ac)  
Gross Total = 327.43 ac  
Pilesgrove Twp., Salem County

1,000 500 0 1,000 2,000 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 geospatial accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Sources:  
NJ Farmland Preservation Program  
Parcels from survey  
NRCS - SSURGO 2011 Soil Data  
Green Acres Conservation Easement Data  
NJDEP Conservation/Open Space Data  
NJDOT Road Data  
NJOTISGIS 2020 Digital Aerial Image

June 6, 2022

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**  
**RESOLUTION FY2022R6(2)**  
**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**  
**WARREN COUNTY**  
**for the**  
**PURCHASE OF A DEVELOPMENT EASEMENT**  
**On the Property of Ferri, Alexander & Ashley ("Owners")**  
**SADC ID# 21-0625-PG**  
**Washington Township, Warren County**  
**N.J.A.C. 2:76-17 et seq.**

**JUNE 23, 2022**

WHEREAS, on January 4, 2021, it was determined that the application for the sale of a development easement for the subject farm identified as Block 48, Lot 69, Washington Township, Warren County, totaling approximately 67 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

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

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

WHEREAS, the Property includes one (1) approximately 2-acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 65 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 2-acre non-severable exception area:

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

WHEREAS, the Premises includes:

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

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

WHEREAS, SADC staff inspected the farm on May 19, 2022 and noted soil and water conservation concerns, which the landowner is attempting to remediate with a water channel; and

WHEREAS, this final approval and closing on the easement purchase are conditioned on the landowner entering into a contract with the Natural Resources Conservation Service, Farm Service Agency or otherwise developing and implementing, to the County's and SADC's satisfaction, a farm conservation plan within two (2) years of the preservation of the Premises to remediate soil and water conservation concerns; and

WHEREAS, the Property has a quality score of 66.22 which exceeds 44, which is 70% of the County's average quality score, as determined by the SADC, at the time the application was submitted by the County; and

WHEREAS, the Owner purchased the property on April 14, 2021; therefore, the property is not eligible to be appraised under zoning and environmental conditions in place as of 01/01/2004, which is a provision available for some farms in the Highlands region pursuant to N.J.S.A. 13:8B, as amended by the "Preserve New Jersey Act," P.L.2015, c.5; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 10, 2021, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$4,200 per acre based on zoning and environmental regulations in place as of the current valuation date November 15, 2021; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,200 per acre for the purchase of the development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on March 15, 2022, the Washington Township Committee approved the 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 March 17, 2022, the Warren County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 23, 2022, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$1,280 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, 66.95 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 66.95 acres):

|                         | Total            | Per/acre              |
|-------------------------|------------------|-----------------------|
| SADC                    | \$195,494        | (\$2,920/acre)        |
| <u>Warren County</u>    | <u>\$ 85,696</u> | <u>(\$1,280/acre)</u> |
| Total Easement Purchase | \$281,190        | (\$4,200/acre)        |

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$195,494 in base grant grant funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. This final approval and closing on the easement purchase are conditioned on the landowner entering into a contract with the Natural Resources Conservation Service, Farm Service Agency or otherwise developing and implementing, to the County's and SADC's satisfaction, a farm conservation plan within two (2) years of the preservation of the Premises to remediate soil and water conservation concerns.
3. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Premises, comprising approximately 66.95 net easement acres, at a State cost share of \$2,920 per acre, (69.52% of certified easement value and purchase price), for a total grant of approximately \$195,494 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
4. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC's cost share grant to the county for the development easement purchase on the Premises shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or

otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.

7. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18.
8. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
11. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

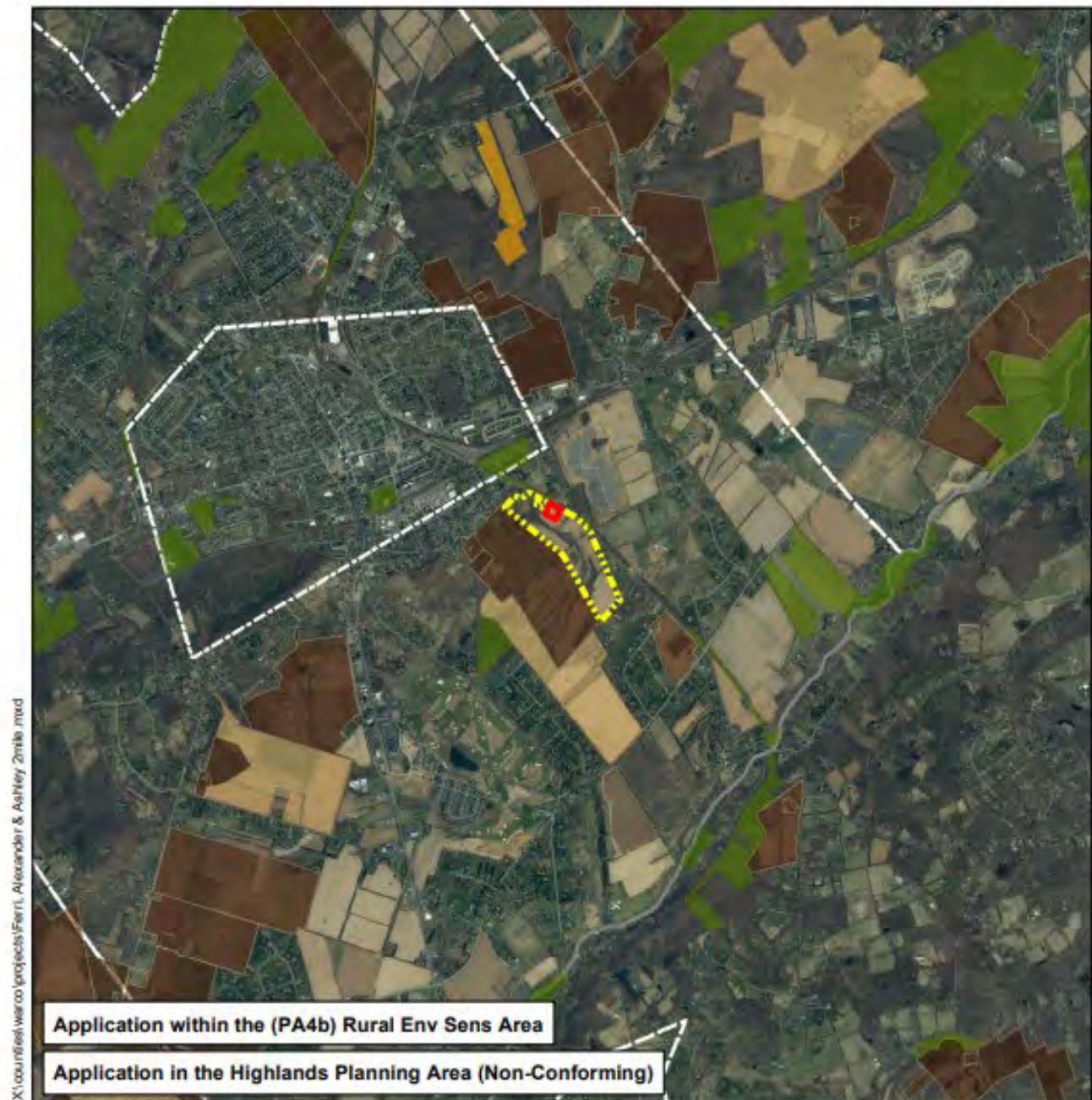
\_\_\_\_6/23/2022\_\_\_\_\_  
Date

\_\_\_\_\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

|                                                |     |
|------------------------------------------------|-----|
| Martin Bullock                                 | YES |
| Gina Fischetti (rep. DCA Commissioner Oliver)  | YES |
| Denis C. Germano, Esq.                         | YES |
| Pete Johnson                                   | YES |
| Renee Jones (rep. DEP Commissioner LaTourette) | YES |
| Scott Ellis                                    | YES |
| Brian Schilling (rep. Executive Dean Lawson)   | YES |
| Julie Krause (rep. State Treasurer Muoio)      | YES |
| James Waltman                                  | YES |
| Richard Norz                                   | YES |
| Douglas Fisher, Chairperson                    | YES |

# Preserved Farms and Active Applications Within Two Miles



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ferri, Alexander & Ashley  
Block 48 Lots P/O 69 (65.0 ac) &  
P/O 69-EN (non-severable exception - 2.0 ac)  
Gross Total = 67.0 ac  
Washington Twp., Warren County

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

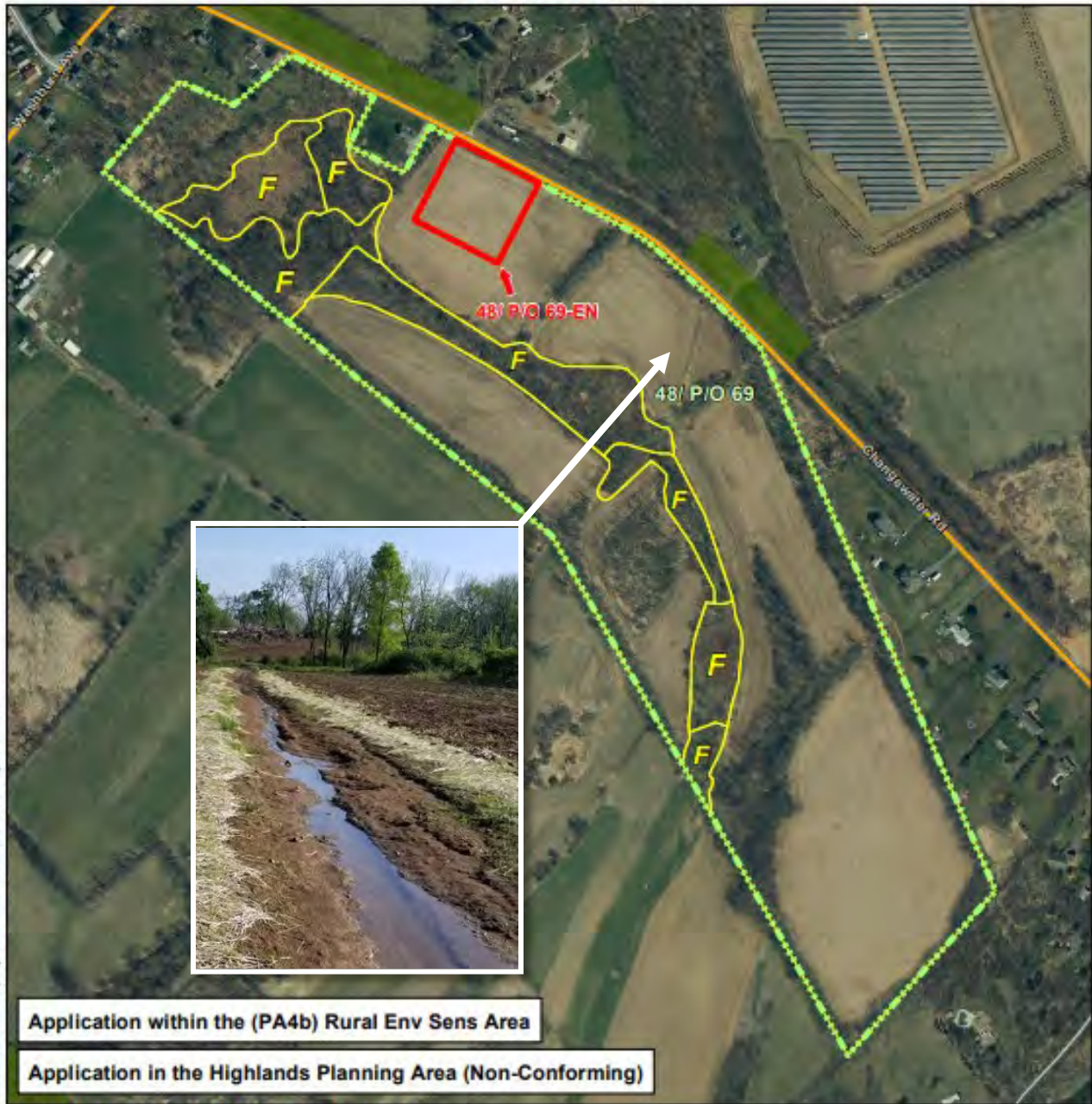
**NOTE:**  
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NADITIGIS 2020 Digital Aerial Image

November 23, 2021

# Wetlands

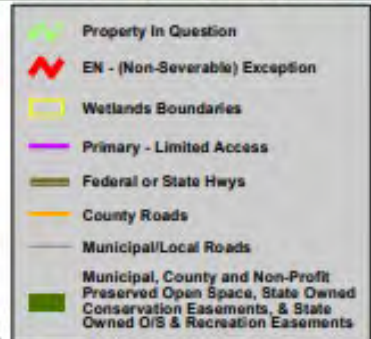


## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ferri, Alexander & Ashley  
Block 48 Lots P/O 69 (65.0 ac) &  
P/O 69-EN (non-severable exception - 2.0 ac)  
Gross Total = 67.0 ac  
Washington Twp., Warren County

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJ Highlands Council Data  
NAD83/IGIS 2020 Digital Aerial Image

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



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

November 23, 2021

SADC County PIG Financial  
Status Schedule B  
Warren County

| SADC ID#       | Farm                                   | Municipality            | Acres         | Pay Acres  | SADC Certified or Negotiated Per Acre | SADC Grant Per Acre | SADC          |              | Federal Grant       |                        | Base Grant |            |              |              | Competitive Funds |              |                |              |              |              |              |              |              |
|----------------|----------------------------------------|-------------------------|---------------|------------|---------------------------------------|---------------------|---------------|--------------|---------------------|------------------------|------------|------------|--------------|--------------|-------------------|--------------|----------------|--------------|--------------|--------------|--------------|--------------|--------------|
|                |                                        |                         |               |            |                                       |                     | Cost Basis    | Cost Share   | Total Federal Grant | SADC Federal Grant     | Encumbered | PV         | Expended     | Balance      | Maximum Grant     |              |                | Fund Balance |              |              |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     |                        |            |            |              |              | Fiscal Year 11    | 1,500,000.00 | Fiscal Year 11 | 0.00         | FY11 Balance | FY13 Balance | FY17 Balance | FY18 Balance | FY20 Balance |
|                |                                        |                         |               |            |                                       |                     |               |              |                     |                        |            |            |              |              | Fiscal Year 13    | 1,000,000.00 | Fiscal Year 13 | 0.00         |              |              |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     |                        |            |            |              |              | Fiscal Year 17    | 1,000,000.00 | Fiscal Year 17 | 67,967.83    |              |              |              |              |              |
| -              | -                                      | Fiscal Year 18          | 6,864,256.42  |            |                                       |                     |               |              |                     |                        |            |            |              |              |                   |              |                |              |              |              |              |              |              |
| Fiscal Year 20 | -                                      | Fiscal Year 20          | 10,000,000.00 |            |                                       |                     |               |              |                     |                        |            |            |              |              |                   |              |                |              |              |              |              |              |              |
| Fiscal Year 21 | -                                      | Fiscal Year 21          | -             |            |                                       |                     |               |              |                     |                        |            |            |              |              |                   |              |                |              |              |              |              |              |              |
| Fiscal Year 22 | 1,000,000.00                           | Fiscal Year 22          | -             |            |                                       |                     |               |              |                     |                        |            |            |              |              |                   |              |                |              |              |              |              |              |              |
| 4,500,000.00   |                                        |                         |               |            |                                       |                     |               |              |                     |                        |            |            |              |              |                   |              |                |              |              |              |              |              |              |
| 21-0530-PG     | JJ Smith North                         | Harmony                 | 78.9860       | 78.9860    | 4,600.00                              | 3,160.00            | 363,335.60    | 249,595.76   |                     |                        |            |            |              |              | 260,384.00        | 249,595.76   | 249,595.76     |              | 3,448,369.54 |              |              |              |              |
| 21-0558-PG     | JJ Smith South                         | Harmony                 | 42.3440       | 42.3440    | 6,000.00                              | 3,900.00            | 254,064.00    | 165,141.60   |                     |                        |            |            |              |              | 170,235.00        | 165,141.60   | 165,141.60     |              | 3,283,227.94 |              |              |              |              |
| 21-0543-PG     | Klimas                                 | Mansfield/Independence  | 197.4750      | 197.1190   | 3,700.00                              | 2,620.00            | 729,340.30    | 516,451.78   |                     |                        |            |            |              |              | 512,734.00        | 516,451.78   | 516,451.78     |              | 2,766,776.16 |              |              |              |              |
| 21-0559-PG     | Thompson                               | White                   | 34.6210       | 34.6210    | 3,600.00                              | 2,560.00            | 124,635.60    | 88,629.76    |                     |                        |            |            |              |              | 95,462.40         | 88,629.76    | 88,629.76      |              | 2,678,146.40 |              |              |              |              |
| 21-0572-PG     | RLL Enterprises                        | Franklin                | 47.7350       | 47.7350    | 7,600.00                              | 4,700.00            | 362,786.00    | 224,354.50   |                     |                        |            |            |              |              | 230,441.00        | 224,354.50   | 224,354.50     | 2,716,111.98 | 2,662,173.25 |              |              |              |              |
| 21-0560-PG     | Burke & Dinsmore (51.01)               | Harmony                 | 78.735        | 78.7330    | 3,500.00                              | 2,500.00            | 275,565.50    | 196,832.50   |                     |                        |            |            |              |              | 206,000.00        | 196,832.50   | 196,832.50     |              | 2,465,340.75 |              |              |              |              |
| 21-0561-PG     | Burke & Dinsmore (51.02)               | Harmony                 | 18.106        | 18.1060    | 7,800.00                              | 4,800.00            | 141,226.80    | 86,908.80    |                     |                        |            |            |              |              | 92,448.00         | 86,908.80    | 86,908.80      |              | 2,378,431.95 |              |              |              |              |
| 21-0570-PG     | Race                                   | White                   | 85.566        | 85.5660    | 5,700.00                              | 3,750.00            | 487,726.20    | 320,872.50   |                     |                        |            |            |              |              | 333,742.50        | 320,872.50   | 320,872.50     |              | 2,057,559.45 |              |              |              |              |
| 21-0574-PG     | Unangst                                | White                   | 84.0410       | 84.0410    | 3,625.00                              | 2,575.00            | 304,648.63    | 216,405.58   |                     |                        |            |            |              |              | 229,149.25        | 216,405.58   | 216,405.58     | 2,709,245.56 | 1,848,020.29 |              |              |              |              |
| 21-0568-PG     | Barton #1                              | Mansfield/Indep/Liberty | 34.5188       | 33.9604    | 4,500.00                              | 2,952.27            | 152,821.80    | 100,260.20   |                     |                        |            |            |              |              | 100,260.20        | 100,260.20   | 100,260.20     |              | 1,747,760.09 |              |              |              |              |
| 21-0564-PG     | Barton #2                              | Mansfield/Liberty       | 69.8326       | 69.8326    | 4,800.00                              | 3,266.02            | 335,196.48    | 228,074.80   |                     |                        |            |            |              |              | 228,074.80        | 228,074.80   | 228,074.80     |              | 1,519,685.29 |              |              |              |              |
| 21-0565-PG     | Barton #3                              | Mansfield/Liberty       | 26.6195       | 26.6195    | 5,800.00                              | 3,800.00            | 154,393.10    | 101,154.10   |                     |                        |            |            |              |              | 103,918.60        | 101,154.16   | 101,154.16     |              | 1,418,531.13 |              |              |              |              |
| 21-0557-PG     | O'Dowd East                            | Greenwich/Franklin      | 91.7830       | 91.7830    | 6,300.00                              | 4,050.00            | 578,232.90    | 371,721.15   |                     |                        |            |            |              |              | 401,213.25        | 371,721.15   | 371,721.15     |              | 1,046,809.98 |              |              |              |              |
| 21-0554-PG     | O'Dowd West                            | Greenwich               | 104.7370      | 104.7370   | 5,600.00                              | 3,700.00            | 586,527.20    | 387,526.90   |                     |                        |            |            |              |              | 402,234.40        | 387,526.90   | 387,526.90     |              | 659,283.08   |              |              |              |              |
| 21-0553-PG     | Bartha                                 | White/Oxford            | 40.5150       | 40.5150    | 4,500.00                              | 3,100.00            | 182,317.50    | 125,596.50   |                     |                        |            |            |              |              | 130,913.00        | 125,596.50   | 125,596.50     |              | 533,686.58   |              |              |              |              |
| 21-0602-PG     | Shandor, Riddle, West, Spade           | Harmony                 | 100.1900      | 100.1900   | 3,100.00                              | 2,260.00            | 310,589.00    | 226,429.40   |                     |                        | 243,628.00 | 226,427.14 | 226,429.40   | 1,773,570.60 |                   |              |                |              |              |              |              |              |              |
| 21-0609-PG     | Haydu, S & J, and Potter, D            | Harmony                 | 43.9860       | 42.9330    | 4,900.00                              | 3,340.00            | 210,371.70    | 143,396.22   |                     |                        | 146,208.50 | 143,396.22 | 143,396.22   | 1,630,174.38 |                   |              |                |              |              |              |              |              |              |
| 21-0605-PG     | LaBarre Family LMTD Partnership        | Hope/Knowlton           | 101.4830      | 100.5600   | 3,200.00                              | 2,320.00            | 324,745.60    | 233,299.20   |                     |                        | 233,299.20 | 233,299.20 | 233,299.20   | 1,396,875.18 |                   |              |                |              |              |              |              |              |              |
| 21-0604-PG     | Hoffmann-LaRoche Inc.                  | White                   | 92.7160       | 92.7160    | 5,100.00                              | 3,450.00            | 472,851.60    | 319,870.20   |                     |                        | 333,063.00 | 319,870.20 | 319,870.20   | 1,077,004.98 |                   |              |                |              |              |              |              |              |              |
| 21-0612-PG     | Anema, Kristopher                      | Washington              | 19.6560       | 18.8700    | 4,000.00                              | 2,800.00            | 75,480.00     | 52,836.00    |                     |                        | 43,801.30  | 43,801.30  | 43,801.30    | 1,033,203.68 | 13,598.70         | 9,034.70     | 9,034.70       |              | 4,990,965.30 |              |              |              |              |
| 21-0613-PG     | Route 57 Partnership                   | Franklin                | 69.5790       | 69.5730    | 3,200.00                              | 2,320.00            | 222,633.60    | 161,409.36   |                     |                        |            |            |              |              | 165,121.36        | 161,409.36   | 161,409.36     |              | 4,829,555.94 |              |              |              |              |
| 21-0370-PG     | CDEK LLC & Stampone, Edward            | Knowlton                | 32.7640       | 32.7300    | 4,650.00                              | 3,190.00            | 152,194.50    | 104,156.69   |                     |                        |            |            |              |              | 104,156.69        | 104,156.69   | 104,156.69     |              | 4,725,399.25 |              |              |              |              |
| 21-0615-PG     | Beatty, Carol A. (South)               | Greenwich               | 50.5000       | 52.0200    | 9,500.00                              | 5,700.00            | 494,190.00    | 296,514.00   |                     |                        |            |            |              |              | 296,514.00        |              |                |              | 4,428,885.25 |              |              |              |              |
| 21-0614-PG     | Beatty, Carol A. (North)               | Greenwich               | 84.0000       | 86.5200    | 8,800.00                              | 5,300.00            | 761,376.00    | 458,556.00   |                     |                        | 30,391.40  |            |              |              | 428,164.60        |              |                |              | 4,000,720.65 |              |              |              |              |
| 21-0608-PG     | Dykstra Properties, LLC                | Mansfield               | 286.3810      | 286.3810   | 3,900.00                              | 2,740.00            | 1,116,885.90  | 784,683.94   |                     |                        |            |            |              |              | 815,333.58        | 784,683.94   |                |              | 3,216,036.71 |              |              |              |              |
| 21-0619-PG     | 7 Old Orchard Rd, LLC                  | Hardwick                | 74.2190       | 70.3360    | 4,000.00                              | 2,440.00            | 281,344.00    | 171,619.84   |                     |                        |            |            |              |              | 189,243.96        | 171,619.84   |                |              | 3,044,416.87 | 2,000,000.00 |              |              |              |
| 21-0625-PG     | Anema, Brenda                          | Washington              | 122.0600      | 125.7210   | 4,300.00                              | 2,980.00            | 540,600.30    | 374,648.58   |                     |                        |            |            |              |              | 374,648.58        |              |                | 517,804.94   | 2,824,320.28 | 1,861,329.65 |              |              |              |
| 21-0624-PG     | McEvoy, Gerard & Janet ( Lot 11.01 #2) | White                   | 20.6000       | 21.2200    | 5,200.00                              | 3,500.00            | 110,344.00    | 74,270.00    |                     |                        | 2,812.28   |            |              | 1,000,000.00 | 71,457.72         |              |                |              | 2,804,450.68 | 1,809,741.53 |              |              |              |
| 21-0625-PG     | Ferri, Alexander & Ashley              | Washington              | 65.0000       | 66.9500    | 4,200.00                              | 2,920.00            | 281,190.00    | 195,494.00   |                     |                        | 195,494.00 |            |              | 804,506.00   |                   |              |                |              |              |              |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     |                        |            |            |              |              |                   |              |                |              |              |              |              |              |              |
| Closed         | 36                                     |                         | 2,670.6709    | 2,661.9075 |                                       |                     | 12,663,233.33 | 8,545,282.42 | 89,686.77           | 38,717.25              |            |            |              |              |                   |              |                |              |              |              |              |              |              |
| Encumbered     | 7                                      |                         | 702.7600      | 709.1480   |                                       |                     | 3,585,930.20  | 2,355,786.36 |                     |                        |            |            |              |              |                   |              |                |              |              |              |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     | Encumber/Expended FY09 | -          | -          | -            | -            |                   | -            | -              | 290,754.44   | 2,709,245.56 |              |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     | Encumber/Expended FY11 | -          | -          | 1,500,000.00 | -            |                   | -            | -              |              |              |              |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     | Encumber/Expended FY13 | -          | -          | 1,000,000.00 | -            |                   | 15,881.64    | -              | 4,466,313.42 |              | 517,804.94   |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     | Encumber/Expended FY17 | 33,203.68  | -          | 966,796.32   | -            |                   | 964,644.79   | 956,303.78     | 274,600.75   |              | 2,804,450.68 |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     | Encumber/Expended FY18 |            |            |              |              |                   | 190,258.47   | -              | -            |              |              |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     | Encumber/Expended FY20 | -          | -          | -            | -            |                   | -            | -              | -            |              |              |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     | Encumber/Expended FY21 |            | -          | -            | -            |                   |              |                |              |              |              | 2,000,000.00 |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     | Encumber/Expended FY22 | 195,494.00 | -          | -            | -            |                   |              |                |              |              |              |              |              |              |
|                |                                        |                         |               |            |                                       |                     |               |              |                     | Total                  |            |            |              | 804,506.00   |                   |              |                |              | 2,709,245.56 | 517,804.94   | 2,804,450.68 | 1,809,741.53 | 2,000,000.00 |

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Ferri, Alexander & Ashley  
21-0625-PG  
County PIG Program  
65 Acres

|                        |                 |                    |                                   |
|------------------------|-----------------|--------------------|-----------------------------------|
| Block 48               | Lot 69          | Washington Twp.    | Warren County                     |
| <b>SOILS:</b>          |                 | Other              | 10% * 0 - .00                     |
|                        |                 | Prime              | 83% * .15 - 12.45                 |
|                        |                 | Statewide          | 7% * .1 - .70                     |
|                        |                 |                    | <b>SOIL SCORE: 13.15</b>          |
| <b>TILLABLE SOILS:</b> |                 | Cropland Harvested | 66% * .15 - 9.90                  |
|                        |                 | Wetlands/Water     | 20% * 0 - .00                     |
|                        |                 | Woodlands          | 14% * 0 - .00                     |
|                        |                 |                    | <b>TILLABLE SOILS SCORE: 9.90</b> |
| <b>FARM USE:</b>       | Corn-Cash Grain | 43 acres           |                                   |

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions:
    - 1st two (2) acres for Future SFR
    - Exception is not to be severed from Premises
    - Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
  - 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. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION FY2022R6(3)  
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO  
HOWELL TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT  
On the Property of Linney, John & Sean ("Owners")  
SADC ID# 13-0480-PG  
Howell Township, Monmouth County  
N.J.A.C. 2:76-17A.1, et seq.**

**JUNE 23, 2022**

WHEREAS, on May 14, 2021 it was determined that the application for the sale of a development easement for the subject farm identified as Block 170, Lots 12.01, 14, 15 & 16, Howell Township, Monmouth County, totaling approximately 26.9 gross acres, hereinafter referred to as "the Property" (Schedule A), was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a) and the Township has met the Municipal Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 and 17A.7; and

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

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

WHEREAS, the SADC's Green Light Approval and the certification of easement value is requiring that the four (4) lots associated with the property be consolidated simultaneously with closing on the easement; and

WHEREAS, the SADC's Green Light Approval and the certification of easement noted a possible area of encroachment on Lot 12.01 from the adjacent Block 170, Lot 9.01. If deemed an encroachment, this area will need to be addressed to the SADC's satisfaction prior to closing; and

WHEREAS, the SADC's Green Light Approval and the certification of easement noted that Howell Township holds a deed of drainage and access easement affecting a portion of the property. Since there are restrictions contained within the drainage and access easement which are inconsistent with the Deed of Easement, the SADC will not be able to cost share on this area; and

WHEREAS, the SADC's Green Light Approval and the certification of easement value noted that access to the barn on adjacent Lot 18.02 might be over Lot 12.01. If this is confirmed during the closing process, an access easement may need to be prepared, reviewed by the SADC and recorded prior to preservation; and

WHEREAS, the SADC's Green Light Approval and the certification of easement value identified possible areas of erosion on the farm; however, County staff noted a drainage ditch located within an area subject to the deed of drainage and access easement that appeared to be well vegetated and stable. As such, no areas of concern were observed on the farm

fields that appear at this time to be in violation of the Deed of Easement; and

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 25.9 net acres to be preserved, hereinafter referred to as “the Premises”; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 1-acre non-severable exception area:

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

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on February 23, 2022, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$25,000 per acre based on zoning and environmental regulations in place as of the current valuation date September 17, 2021; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.12, the Owner accepted the Township’s offer of \$25,000 per acre for the purchase of the development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on March 15, 2022, the Howell Township Committee approved the application for the sale of development easement and a funding commitment of \$4,000 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on April 5, 2022, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on April 25, 2022, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$6,000 per acre to cover the local cost share; and

WHEREAS, the Municipality has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 26.677 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 26.677 acres):

|                         | Total            | Per/acre              |
|-------------------------|------------------|-----------------------|
| SADC                    | \$400,155        | (\$15,000/acre)       |
| Howell Township         | \$106,708        | (\$4,000/acre)        |
| <u>Monmouth County</u>  | <u>\$160,062</u> | <u>(\$6,000/acre)</u> |
| Total Easement Purchase | \$666,925        | (\$25,000/acre)       |

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the Township is requesting \$400,155 in base grant funding which is available at this time (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Premises, comprising approximately 26.677 net easement acres, at a State cost share of \$15,000 per acre, (60% of certified easement value and purchase price), for a total grant of approximately \$400,155 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).

3. This final approval is conditioned upon:
  - a. the SADC counsel reviewing and approving the proposed lot consolidation deed(s) prior to closing.
  - b. any areas of encroachment or access easements being addressed to the satisfaction of the SADC prior to closing.
4. The possible erosion areas appear to have been resolved to the SADC's satisfaction at this time .
5. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).
6. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
7. The SADC will be providing its grant directly to the County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
8. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
9. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
10. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
11. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

\_\_\_\_6/23/2022\_\_\_\_\_  
Date

\_\_\_\_\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

|                                                |         |
|------------------------------------------------|---------|
| Martin Bullock                                 | RECUSED |
| Gina Fischetti (rep. DCA Commissioner Oliver)  | YES     |
| Denis C. Germano, Esq.                         | YES     |
| Pete Johnson                                   | YES     |
| Renee Jones (rep. DEP Commissioner LaTourette) | YES     |
| Scott Ellis                                    | YES     |
| Brian Schilling (rep. Executive Dean Lawson)   | YES     |
| Julie Krause (rep. State Treasurer Muoio)      | YES     |
| James Waltman                                  | YES     |
| Richard Norz                                   | YES     |
| Douglas Fisher, Chairperson                    | YES     |

[https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm Documents/13-0480-PG/Acquisition/Final Approval & ROW draft/Linney\\_SADC Municipal PIG Final Approval.docx](https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm Documents/13-0480-PG/Acquisition/Final Approval & ROW draft/Linney_SADC Municipal PIG Final Approval.docx)

## Preserved Farms and Active Applications Within Two Miles



### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Linney, John & Sean  
Block 170 Lots 14 (4.6 ac); 15 (5.7 ac);  
16 (9.6 ac); P/O 12.01 (6.0 ac);  
& P/O 12.01-EN (non-severable exception - 1.0 ac)  
Gross Total = 26.9 ac  
Howell Twp., Monmouth County

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



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

**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

April 21, 2021

# Wetlands

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Linney, John & Sean  
Block 170 Lots 14 (4.6 ac); 15 (5.7 ac);  
16 (9.6 ac); P/O 12.01 (6.0 ac);  
& P/O 12.01-EN (non-severable exception - 1.0 ac)  
Gross Total = 26.9 ac  
Howell Twp., Monmouth County

250 125 0 250 500 Feet

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

**DISCLAIMER:** Any use of this product with regard to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and precision of the GIS data contained in this file and map shall not be relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



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

**Wetlands Legend:**  
P - Freshwater Wetlands  
L - Lentic Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
S - Soil  
W - Water

April 21, 2021

SADC Municipal Pig Financial Status  
Schedule B  
Howell Township, Monmouth County

| SADC ID#     | Farm                | Acres   | Pay Acres | SADC Certified<br>or Negotiated<br>Per Acre | SADC Grant<br>Per Acre | SADC           |            | Federal Grant       |                    | Grant          |            |            |              |
|--------------|---------------------|---------|-----------|---------------------------------------------|------------------------|----------------|------------|---------------------|--------------------|----------------|------------|------------|--------------|
|              |                     |         |           |                                             |                        |                |            |                     |                    | Fiscal Year 09 |            |            | 750,000.00   |
|              |                     |         |           |                                             |                        |                |            |                     |                    | Fiscal Year 11 |            |            | 500,000.00   |
|              |                     |         |           |                                             |                        |                |            |                     |                    | Fiscal Year 13 |            |            | 500,000.00   |
|              |                     |         |           |                                             |                        |                |            |                     |                    | Fiscal Year 17 |            |            | 500,000.00   |
|              |                     |         |           |                                             |                        |                |            |                     |                    | Fiscal Year 19 |            |            | -            |
|              |                     |         |           |                                             |                        | Fiscal Year 21 |            |                     | -                  |                |            |            |              |
| SADC ID#     | Farm                | Acres   | Pay Acres | SADC Certified<br>or Negotiated<br>Per Acre | SADC Grant<br>Per Acre | Cost Basis     | Cost Share | Total Federal Grant | SADC Federal Grant | Encumbered     | PV         | Expended   | Balance      |
| 2,250,000.00 |                     |         |           |                                             |                        |                |            |                     |                    |                |            |            |              |
| 13-0408-PG   | Clayton             | 26.4960 | 26.4700   | 37,500.00                                   | 22,500.00              | 992,625.00     | 595,575.00 |                     |                    | 595,575.00     | 595,575.00 | 595,575.00 | 1,654,425.00 |
| 13-0448-PG   | Thompson            | 67.9529 | 67.7350   | 17,100.00                                   | 10,260.00              | 1,158,268.50   | 694,961.10 |                     |                    | 694,961.10     | 694,961.10 | 694,961.10 | 959,463.90   |
|              | Thompson ancillary  |         |           |                                             |                        |                | 4,600.00   |                     |                    |                |            | 4,600.00   | 954,863.90   |
| 13-0480-PG   | Linney, John & Sean | 25.9000 | 26.6770   | 25,000.00                                   | 15,000.00              | 666,925.00     | 400,155.00 |                     |                    | 400,155.00     |            |            | 554,708.90   |
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State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Linney, John & Sean  
13-0480-PG  
PIG EP - Municipal 2007 Rule  
26 Acres

|                        |           |                    |                                    |
|------------------------|-----------|--------------------|------------------------------------|
| Block 170              | Lot 12.01 | Howell Twp.        | Monmouth County                    |
| Block 170              | Lot 16    | Howell Twp.        | Monmouth County                    |
| Block 170              | Lot 15    | Howell Twp.        | Monmouth County                    |
| Block 170              | Lot 14    | Howell Twp.        | Monmouth County                    |
| <b>SOILS:</b>          |           | Other              | 7% * 0 = .00                       |
|                        |           | Prime              | 35% * .15 = 5.25                   |
|                        |           | Statewide          | 58% * .1 = 5.80                    |
|                        |           |                    | <b>SOIL SCORE: 11.05</b>           |
| <b>TILLABLE SOILS:</b> |           | Cropland Harvested | 90% * .15 = 13.50                  |
|                        |           | Wetlands/Water     | 1% * 0 = .00                       |
|                        |           | Woodlands          | 9% * 0 = .00                       |
|                        |           |                    | <b>TILLABLE SOILS SCORE: 13.50</b> |
| <b>FARM USE:</b>       |           | Cash Grains        | 21 acres                           |
|                        |           | Corn-Cash Grain    | 5 acres                            |
|                        |           |                    | <b>Bye</b>                         |

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
  - a. Pre-existing Nonagricultural Use:
  - b. Exceptions:
    - 1st one (1) acres for Existing SFR
    - Exception is not to be severed from Premises
    - Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions:
    1. To facilitate potential ease of taxation and to assist in monitoring, the multiple lots in Block 170 will need to be consolidated. The lot consolidation should occur simultaneously with closing on the easement. SADC staff can help coordinate this effort.
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION #FY2022R6(4)  
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

**On the Property of Country Blues, LLC**

**JUNE 23, 2022**

Subject Property: **Country Blues, LLC**  
Block 5504, Lots 13, 22 & 23 - Town of Hammonton, Atlantic County  
SADC ID#: 01-0046-DE

WHEREAS, on September 15, 2021, the State Agriculture Development Committee ("SADC") received a development easement sale application from Country Blues, LLC, hereinafter "Owner," identified as Block 5504, Lots 13, 22 & 23, Town of Hammonton, Atlantic County, hereinafter "the Property," totaling approximately 62.2 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes one (1), approximately 1.2-acre non-severable exception area for future flexibility for nonagricultural uses limited to zero (0) single-family residences resulting in approximately 61.0 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 1.2-acre non-severable exception area:

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

WHEREAS, the Premises outside the exception area includes:

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

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on September 9, 2020, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property meets the SADC's Atlantic County minimum criteria for acreage in the "Priority" category which requires at least 48 acres, but because Atlantic County did not submit individual farm applications within the previous three funding cycles, there is no average quality score for Atlantic County, resulting in the need for SADC preliminary approval; and

WHEREAS, on October 28, 2021 the SADC authorized Preliminary Approval to proceed with the selection and processing of the application; and

WHEREAS, the New Jersey Pinelands Commission Letter of Interpretation #2205 allocated 3.0 Pinelands Development Credits (PDCs) to Block 5504, Lots 13, 22, and 23; and

WHEREAS, as a result of the conveyance of the deed of easement to the SADC, the 3.0 PDCs will be retired; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on May 13, 2022, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$6,200 per acre based on zoning and environmental regulations in place as of the current valuation date February 28, 2022; and

WHEREAS, as per N.J.A.C. 2:76-19.3, landowners shall have a choice of having their development easement appraised as per the Pinelands Valuation Formula (Formula) or pursuant to N.J.S.A. 4:1C-31; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.3, on May 13, 2022 the SADC issued a Pinelands Formula Valuation Certification of \$3,441 per acre without the impervious cover option and \$3,871 with the 10% impervious cover option; and

WHEREAS, the Formula takes into consideration the PDCs for a particular parcel and the presence of important agricultural and environmental features. The Formula provides for certain base values to be adjusted upward in varying percentages depending on factors such as site-specific environmental quality, access to highways, septic suitability and agricultural viability; and

WHEREAS, N.J.A.C. 2:76-19.4 provides that the development easement value shall not exceed 80 percent of the fee simple market value as determined by the Committee, which is \$23,400 per acre; and

WHEREAS, the option agreement and certification of easement value was and this Final Approval is conditioned on extinguishing the existing lot lines and consolidating all acreage into a single tax lot simultaneously with closing for ease of future taxation and monitoring; and

WHEREAS, the option agreement and offer letter was conditioned on the landowner providing a true and complete copy of the certificate of formation and a revised operating agreement for Country Blues, LLC prior to receiving SADC approval in order to properly to verify its member(s) and the person(s) with authority to accept the offer and sell the development rights on behalf of the LLC; and

WHEREAS, SADC staff received a true and complete copy of the certificate of formation and an amended operating agreement for Country Blues, LLC and determined that it adequately verified its member(s) and the person(s) with authority to accept the offer and sell the development rights on behalf of the LLC, and the condition has been resolved; and

WHEREAS, the Owners accepted the SADC's offer of \$6,200 acre for the purchase of the development easement on the Premises; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$6,200 per acre for a total of approximately \$378,200 subject to the conditions contained in (Schedule B).
3. This Final Approval is conditioned on extinguishing the existing lot lines and consolidating all acreage into a single tax lot simultaneously with closing for ease of future taxation and monitoring.
4. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or

water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.

5. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
6. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
7. 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.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

\_\_\_6/23/2022\_\_\_  
Date

\_\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

|                                                |     |
|------------------------------------------------|-----|
| Martin Bullock                                 | YES |
| Gina Fischetti (rep. DCA Commissioner Oliver)  | YES |
| Denis C. Germano, Esq.                         | YES |
| Pete Johnson                                   | YES |
| Renee Jones (rep. DEP Commissioner LaTourette) | YES |
| Scott Ellis                                    | YES |
| Brian Schilling (rep. Executive Dean Lawson)   | YES |
| Julie Krause (rep. State Treasurer Muoio)      | YES |
| James Waltman                                  | YES |
| Richard Norz                                   | YES |
| Douglas Fisher, Chairperson                    | YES |

## Preserved Farms and Active Applications Within Two Miles



X:\counties\atlco\projects\Country Blues, LLC 2mile 2.mxd

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

Country Blues, LLC  
 Block 5504 Lots P/O 13 (48.5 ac);  
 P/O 13-EN (non-severable exception - 1.2 ac);  
 22 (8.7 ac); & 23 (3.8 ac)  
 Gross Total = 62.2 ac  
 Hammononton Town, Atlantic County

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

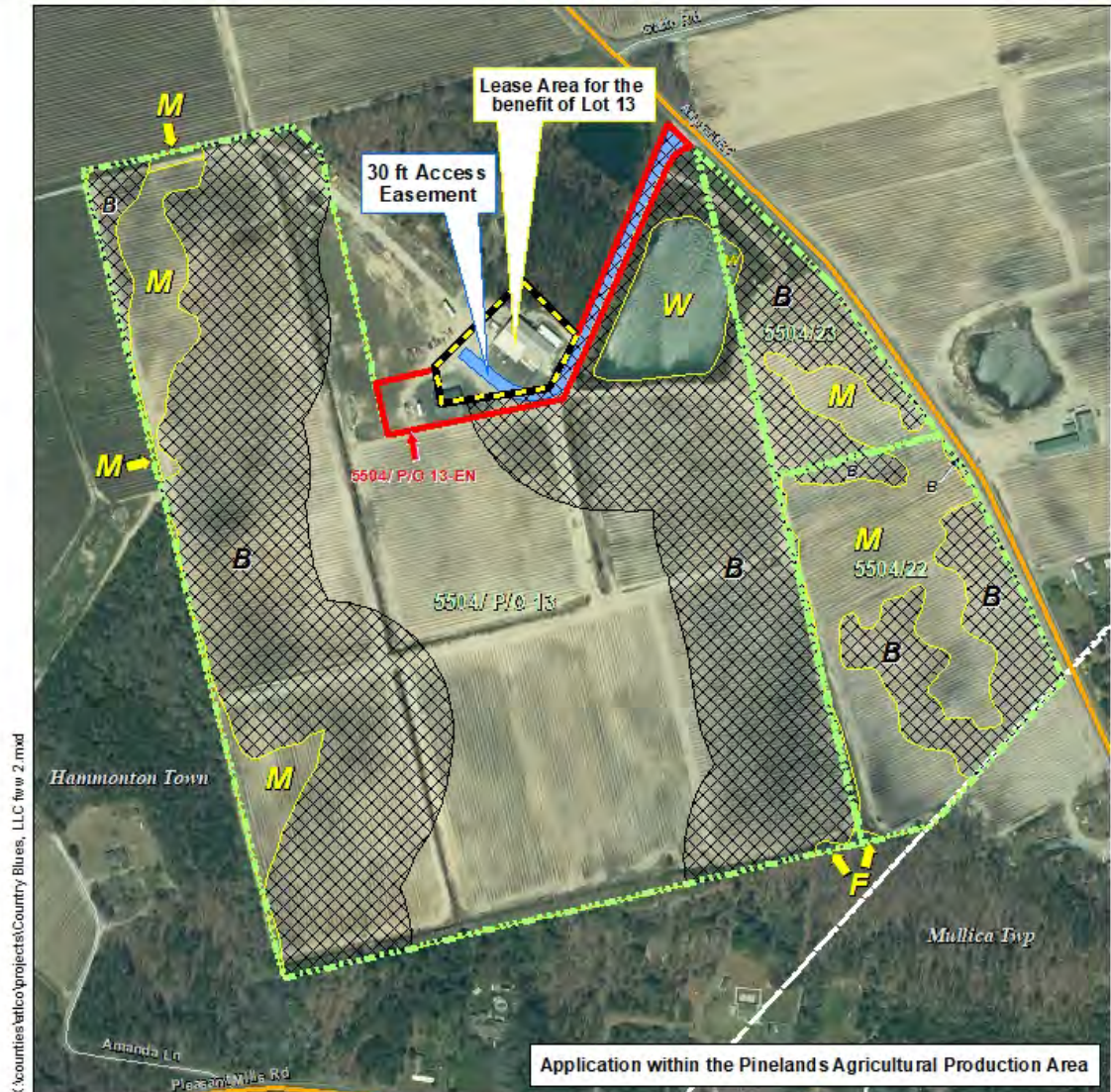
**NOTE:**  
 The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors



Sources:  
 NJ Farmland Preservation Program  
 Green Acres Conservation Easement Data  
 Protected Areas Database of the United States (PAD-US)  
 NJOTD/GIS 2020 Digital Aerial Image

January 18, 2022

# Wetlands



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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Country Blues, LLC  
Block 5504 Lots P/O 13 (48.5 ac);  
P/O 13-EN (non-severable exception - 1.2 ac);  
22 (8.7 ac); & 23 (3.8 ac)  
Gross Total = 62.2 ac  
Hammonton Town, Atlantic County

250 125 0 250 500 Feet

Sources:  
NJ Farmland Preservation Program  
NJ Pinelands Commission POC Data  
NJ On/OGIS 2020 Digital Aerial Image

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

Application within the Pinelands Agricultural Production Area



**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
N - Barren Wetlands  
B - Barren Wetlands  
G - 300' Buffer  
W - Water

January 18, 2022

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Country Blues, LLC  
Easement Purchase - SADC  
61 Acres

|                        |                    |                                    |                 |
|------------------------|--------------------|------------------------------------|-----------------|
| Block 5504             | Lot 13             | Hammonton Town                     | Atlantic County |
| Block 5504             | Lot 23             | Hammonton Town                     | Atlantic County |
| Block 5504             | Lot 22             | Hammonton Town                     | Atlantic County |
| <b>SOILS:</b>          |                    |                                    |                 |
|                        | Local              | 9% * .05                           | = .45           |
|                        | Prime              | 80% * .15                          | = 12.00         |
|                        | Statewide          | 11% * .1                           | = 1.10          |
|                        |                    | <b>SOIL SCORE: 13.55</b>           |                 |
| <b>TILLABLE SOILS:</b> |                    |                                    |                 |
|                        | Cropland Harvested | 89% * .15                          | = 13.35         |
|                        | Other              | 8% * 0                             | = .00           |
|                        | Wetlands/Water     | 3% * 0                             | = .00           |
|                        |                    | <b>TILLABLE SOILS SCORE: 13.35</b> |                 |
| <b>FARM USE:</b>       | Berry              | 73 acres                           | blueberries     |

**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 (1.2) acres for For future flexibility  
Exception is not to be severable from Premises  
Exception is to be limited to zero existing single family residential unit(s) and zero future single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions:
    1. The multiple lots in Block 5504 (Lots 13, 22 & 23) will need to be consolidated to facilitate potential ease of taxation, and to assist in monitoring. The lot consolidation will occur simultaneously with closing on the easement.
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION #FY2022R6(5)  
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

**On the Property of Zeck, David Jr. & Casey**

**JUNE 23, 2022**

Subject Property:   **Zeck, David Jr. & Casey**  
Block 1101, Lot 1.01 & 3; Block 1102, Lot 3  
Pittsgrove Township, Salem County  
SADC ID#:17-0361-DE

WHEREAS, on June 28, 2021, the State Agriculture Development Committee ("SADC") received a development easement sale application from David Zeck Jr. & Casey Zeck, hereinafter "Owners," identified as Block 1101, Lot 1.01 & 3; Block 1102, Lot 3 in Pittsgrove Township, Salem County, hereinafter "the Property," totaling approximately 122.7 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes one (1), approximately 2-acre severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses and one (1) approximately 3-acre severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 117.7 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 2-acre severable exception area:

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

WHEREAS, the 3-acre severable exception area:

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

WHEREAS, the Premises outside the exception area includes:

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

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on September 9, 2020, 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 94 and minimum quality score of 62) because it is approximately 122.7 acres and has a quality score of 66.15; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on May 13, 2022, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$4,900 per acre based on zoning and environmental regulations in place as of the current valuation date March 11, 2022; and

WHEREAS, the Owners accepted the SADC's offer of \$4,900 acre for the purchase of the development easement on the Premises; and

WHEREAS, the certification of easement value and this final approval are conditioned on Block 1101, Lot 1.01 and Lot 3 being consolidated simultaneously or immediately after the easement closing; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$4,900 per acre for a total of approximately \$576,730 subject to the conditions contained in (Schedule B).
3. The certification of easement value was, and this final approval is, conditioned on Block 1101, Lot 1.01 and Lot 3 being consolidated simultaneously or immediately after the easement closing.
4. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
5. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
6. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
7. 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.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

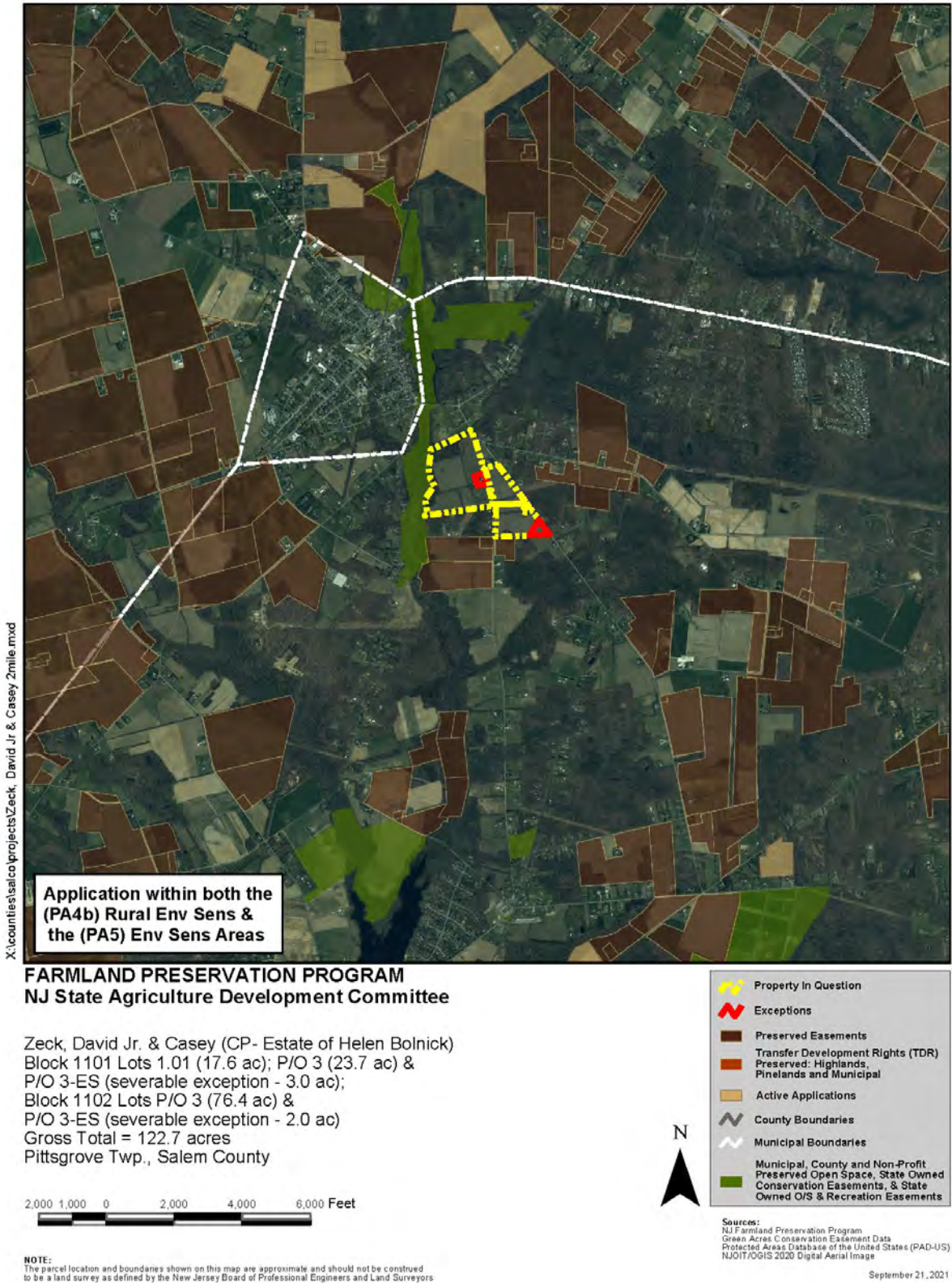
\_\_\_\_6/23/2022\_\_\_\_\_  
Date

\_\_\_\_\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

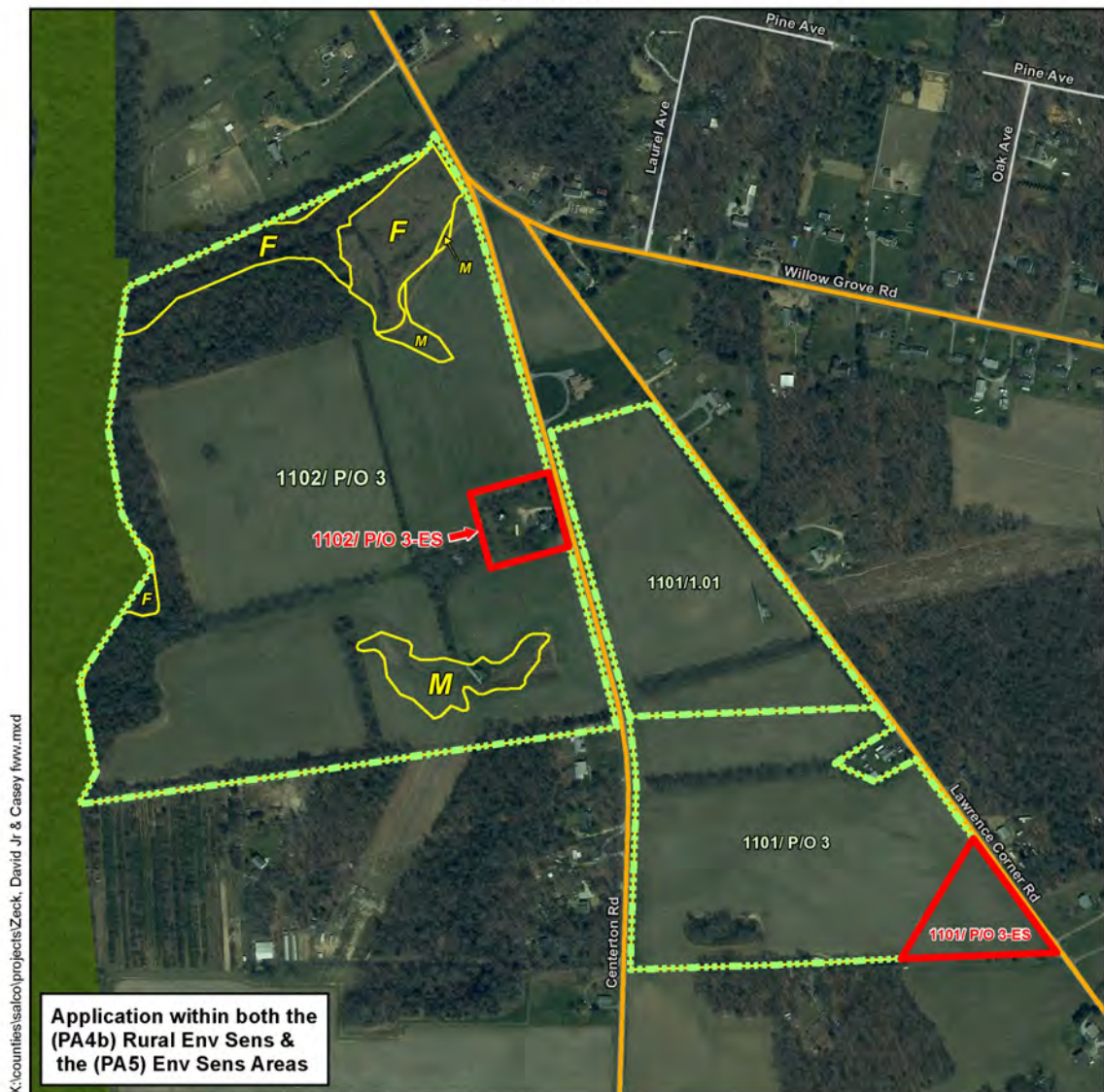
**VOTE WAS RECORDED AS FOLLOWS:**

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

Preserved Farms and Active Applications Within Two Miles



# Wetlands



X:\counties\sai\co\projects\Zeck, David Jr & Casey fvw.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Zeck, David Jr. & Casey (CP- Estate of Helen Bolnick)  
Block 1101 Lots 1.01 (17.6 ac); P/O 3 (23.7 ac) &  
P/O 3-ES (severable exception - 3.0 ac);  
Block 1102 Lots P/O 3 (76.4 ac) &  
P/O 3-ES (severable exception - 2.0 ac)  
Gross Total = 122.7 acres  
Pittsgrove Twp., Salem County



Sources:  
Protected Areas Database of the United States (PAD-US)  
NJDOT Road Data  
NJOT/OGIS 2020 Digital Aerial Image

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



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

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

September 21, 2021

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Zeck, David Jr. & Casey  
Easement Purchase - SADC  
118 Acres

|                        |                     |                    |                                    |
|------------------------|---------------------|--------------------|------------------------------------|
| Block 1101             | Lot 1.01            | Pittsgrove Twp.    | Salem County                       |
| Block 1102             | Lot 3               | Pittsgrove Twp.    | Salem County                       |
| Block 1101             | Lot 3               | Pittsgrove Twp.    | Salem County                       |
| <b>SOILS:</b>          |                     | Other              | 1% * 0 = .00                       |
|                        |                     | Prime              | 86% * .15 = 12.90                  |
|                        |                     | Statewide          | 8% * .1 = .80                      |
|                        |                     | Unique zero        | 5% * 0 = .00                       |
|                        |                     |                    | <b>SOIL SCORE: 13.70</b>           |
| <b>TILLABLE SOILS:</b> |                     | Cropland Harvested | 83% * .15 = 12.45                  |
|                        |                     | Wetlands/Water     | 7% * 0 = .00                       |
|                        |                     | Woodlands          | 10% * 0 = .00                      |
|                        |                     |                    | <b>TILLABLE SOILS SCORE: 12.45</b> |
| <b>FARM USE:</b>       | Soybeans-Cash Grain |                    | 47 acres                           |

**This final approval is subject to the following:**

1. Available funding.
2. The allocation of 1 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 Existing SFRU  
Exception is severable  
Right to Farm language is to be included in Deed of Future Lot  
Exception is to be limited to one existing single family residential unit(s)
    - 2nd three (3) acres for Future SFRU  
Exception is severable
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION #FY2022R6(6)  
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

**On the Property of LaRoy, Paul & Osborn, Loretta**

**JUNE 23, 2022**

Subject Property:   **LaRoy, Paul & Osborn, Loretta**  
Block 36, Lot 16 - Lower Alloways Township, Salem County  
SADC ID#:17-0367-DE

WHEREAS, on September 27, 2021, the State Agriculture Development Committee ("SADC") received a development easement sale application from Paul LaRoy & Loretta Osborn, hereinafter "Owners," identified as Block 36, Lot 16, Lower Alloways Creek Township, Salem County, hereinafter "the Property," totaling approximately 144.5 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes approximately 20.18 acres of boundary water, therefore, the appraisals were based on an adjusted net acreage of 124.3 upland and/or wetland acres as per the SADC Appraisal Handbook; and

WHEREAS, the Premises includes:

- 1) Zero (0) exceptions,
- 2) One (1) single family residential unit
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 27, 2017, 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 94 and minimum quality score of 62) because it is approximately 144.5 acres and has a quality score of 63.56; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on May 17, 2022, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$3,000 per acre based on zoning and

environmental regulations in place as of the current valuation date April 15, 2022;  
and

WHEREAS, the Owners accepted the SADC's offer of \$3,000 acre for the purchase of the development easement on the Premises; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$3,000 per acre for a total of approximately \$372,900 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
4. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
5. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

\_\_\_\_6/23/2022\_\_\_\_\_  
Date

\_\_\_\_\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

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

Preserved Farms and Active Applications Within Two Miles



X:\counties\salco\projects\LaRoy, Paul & Osborn, Loretta 2mile.mxd

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

LaRoy, Paul & Osborn, Loretta  
Block 36 Lot 16 (144.5 ac)  
Gross Total = 144.5 acres  
Lower Alloways Creek Twp., Salem County

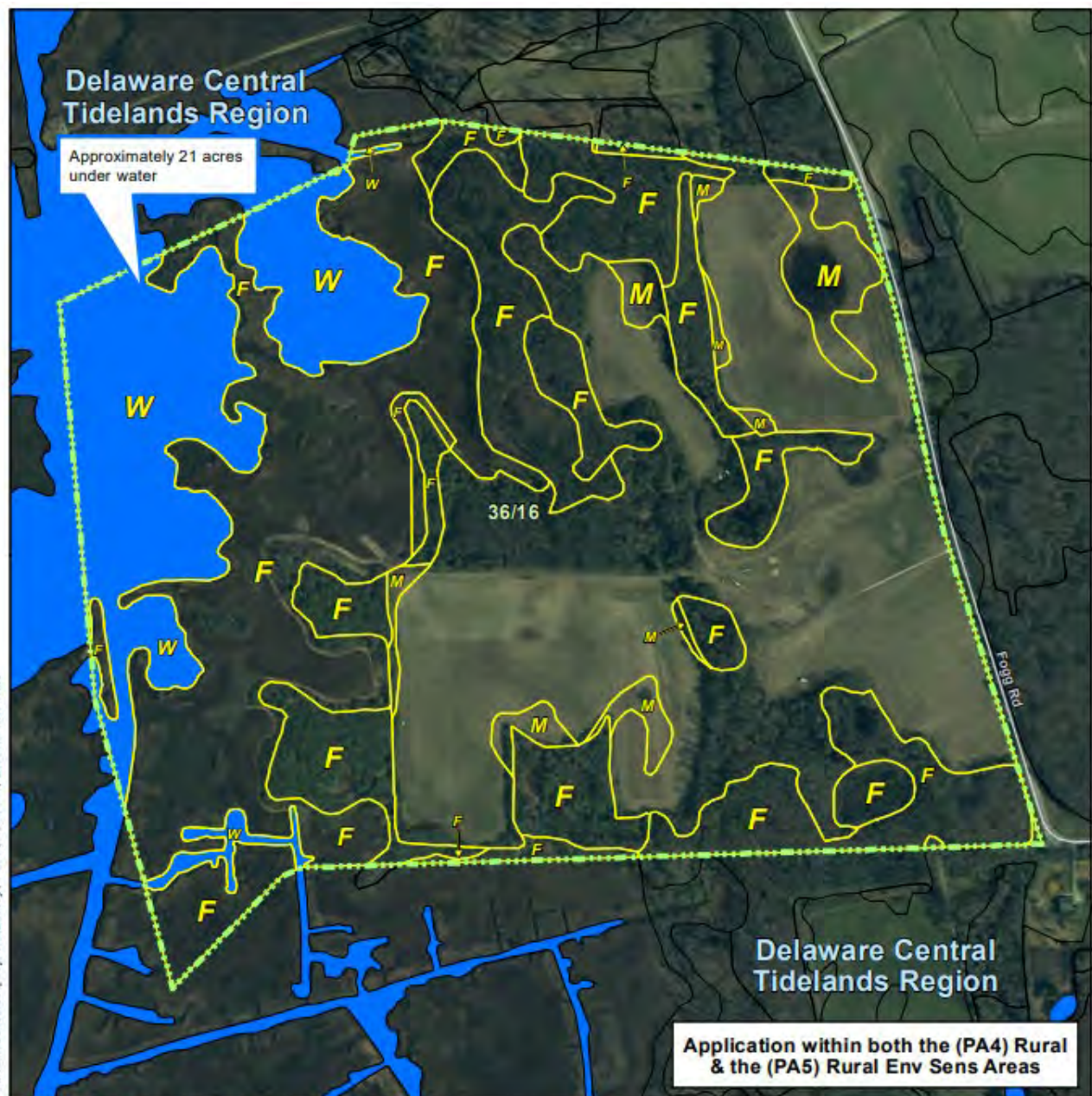


- Property In Question
- Preserved Easements
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned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

**Sources:**  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJGIT/OGIS 2020 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

October 8, 2021



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

LaRoy, Paul & Osborn, Loretta  
 Block 36 Lot 16 (144.5 ac)  
 Gross Total = 144.5 acres  
 Lower Alloways Creek Twp., Salem County



**TIDELANDS DISCLAIMER:**  
 The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4, "Tidelands Claims Maps". The 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  
 NJDEP Tidelands Claims Line, NJ, Edition 20161214)  
 NJDOT Road Data  
 NJDOT GIS 2020 Digital Aerial Image

October 8, 2021

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

**GENERAL INFORMATION**

COUNTY OF Salem Lower Alloways Creek Twp. 1704

APPLICANT LaRoy, Paul &amp; Osborn, Loretta

**PRIORITIZATION SCORE**

|                                         |           |                                        |        |     |   |                                      |              |
|-----------------------------------------|-----------|----------------------------------------|--------|-----|---|--------------------------------------|--------------|
| <b>SOILS:</b>                           |           | Other                                  | 20% *  | 0   | = | .00                                  |              |
|                                         |           | Prime                                  | 18% *  | .15 | = | 2.70                                 |              |
|                                         |           | Statewide                              | 24% *  | .1  | = | 2.40                                 |              |
|                                         |           | Unique zero                            | 38% *  | 0   | = | .00                                  |              |
|                                         |           |                                        |        |     |   | <b>SOIL SCORE:</b>                   | <b>5.10</b>  |
| <b>TILLABLE SOILS:</b>                  |           | Cropland Harvested                     | 32% *  | .15 | = | 4.80                                 |              |
|                                         |           | Wetlands/Water                         | 59% *  | 0   | = | .00                                  |              |
|                                         |           | Woodlands                              | 9% *   | 0   | = | .00                                  |              |
|                                         |           |                                        |        |     |   | <b>TILLABLE SOILS SCORE:</b>         | <b>4.80</b>  |
| <b>BOUNDARIES AND BUFFERS:</b>          |           | Deed Restricted Farmland (Permanent)   | 18% *  | .2  | = | 3.60                                 |              |
|                                         |           | Streams and Wetlands                   | 79% *  | .18 | = | 14.22                                |              |
|                                         |           | Woodlands                              | 3% *   | .06 | = | .18                                  |              |
|                                         |           |                                        |        |     |   | <b>BOUNDARIES AND BUFFERS SCORE:</b> | <b>18.00</b> |
| <b>CONTIGUOUS PROPERTIES / DENSITY:</b> | LaRoy     | Restricted Farm or Current Application |        |     |   | 2                                    |              |
|                                         | Henderson | Restricted Farm or Current Application |        |     |   | 2                                    |              |
|                                         | Cocking   | Restricted Farm or Current Application |        |     |   | 2                                    |              |
|                                         | Smith     | Restricted Farm or Current Application |        |     |   | 2                                    |              |
|                                         | Rhubart   | Restricted Farm or Current Application |        |     |   | 2                                    |              |
|                                         |           |                                        |        |     |   | <b>DENSITY SCORE:</b>                | <b>10.00</b> |
| <b>LOCAL COMMITMENT:</b>                |           |                                        | 100% * | 19  | = | 19.00                                |              |
|                                         |           |                                        |        |     |   | <b>LOCAL COMMITMENT SCORE:</b>       | <b>19.00</b> |
| <b>SIZE:</b>                            |           |                                        |        |     |   | <b>SIZE SCORE:</b>                   | <b>5.75</b>  |
| <b>IMMIMENCE OF CHANGE:</b>             |           | SADC Impact factor = .91               |        |     |   |                                      |              |
|                                         |           |                                        |        |     |   | <b>IMMINENCE OF CHANGE SCORE:</b>    | <b>.91</b>   |
| <b>COUNTY RANKING:</b>                  |           |                                        |        |     |   |                                      |              |
| <b>EXCEPTIONS:</b>                      |           |                                        |        |     |   | <b>EXCEPTION SCORE:</b>              | <b>.00</b>   |
|                                         |           |                                        |        |     |   | <b>TOTAL SCORE:</b>                  | <b>63.56</b> |

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION #FY2022R6(7)  
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

**On the Property of Mecouch Farms, LLC**

**JUNE 23, 2022**

Subject Property:   **Mecouch Farms, LLC**  
                            Block 33, Lot 7, Block 32, Lot 46.01  
                            Quinton Township, Salem County  
                            SADC ID#:17-0229-DE

WHEREAS, on May 18, 2018, the State Agriculture Development Committee ("SADC") received a development easement sale application from Mecouch Farms, LLC, hereinafter "Owner," identified as Block 33, Lot 7, & Block 32, Lot 46.01, Quinton Township, Salem County, hereinafter "the Property," totaling approximately 144.8 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes one (1), approximately 9 acre severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 135.8 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 9-acre severable exception area:

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

WHEREAS, the Premises outside the exception area includes:

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

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 27, 2017, 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 61) because it is approximately 144.8 acres and has a quality score of 64.67; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on May 13, 2022, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$4,100 per acre based on zoning and environmental regulations in place as of the current valuation date March 29, 2022; and

WHEREAS, the Owners accepted the SADC's offer of \$4,100 acre for the purchase of the development easement on the Premises; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$4,100 per acre for a total of approximately \$556,780 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.

4. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
5. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

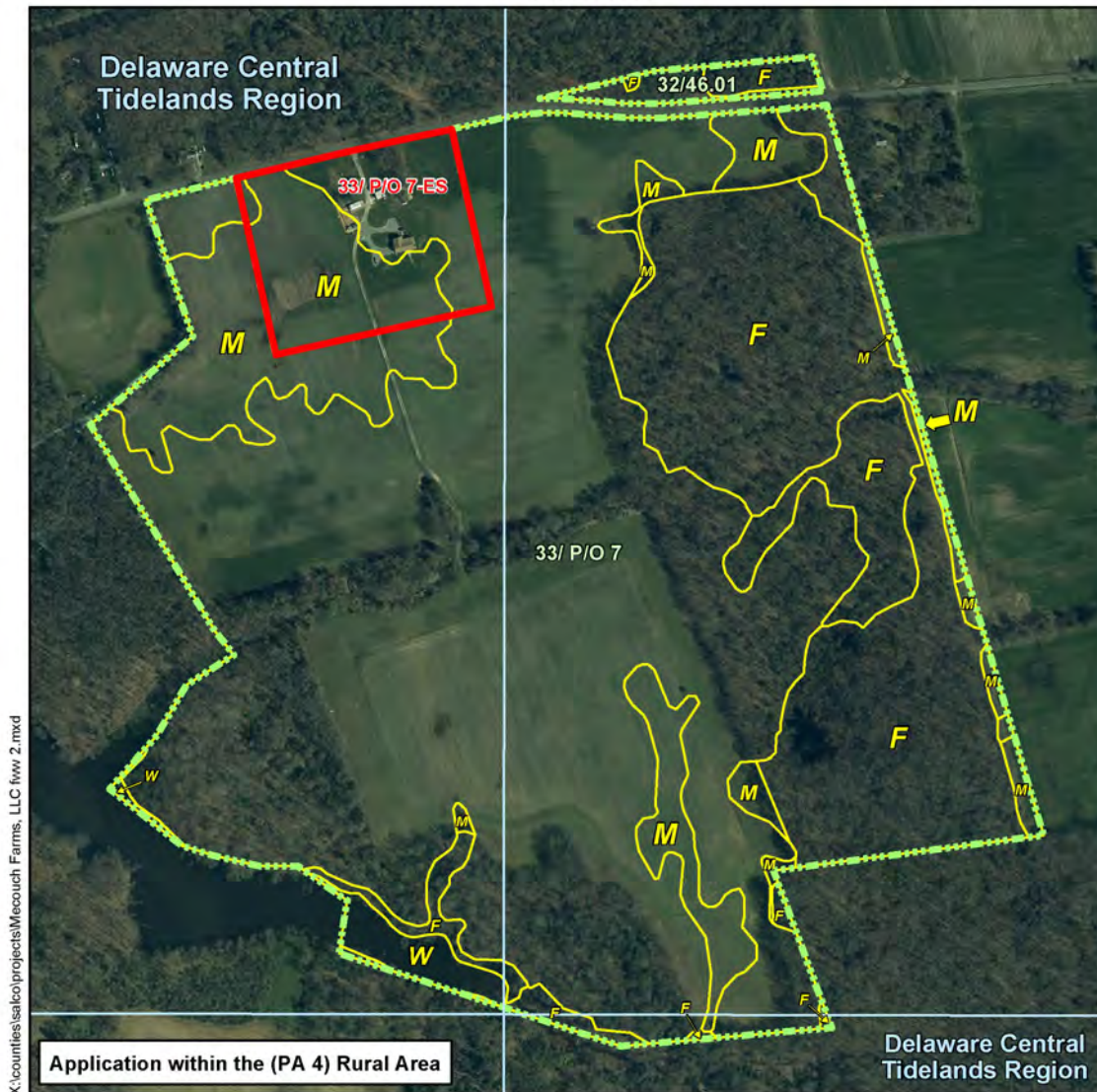
\_\_\_\_ 6/23/2022 \_\_\_\_\_  
Date

\_\_\_\_  \_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

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

## Wetlands



X:\counties\sabco\projects\Mecouch Farms, LLC fww 2.mxd

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

Mecouch Farms, LLC  
 Block 32 Lot 46.01 (1.7 ac); Block 33 P/O 7 (134.1 ac)  
 & P/O 7-ES (severable exception - 9.0 ac)  
 Gross Total = 144.8 acres  
 Quinton Twp., Salem County

500 250 0 500 1,000 Feet

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

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



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

**Sources:**  
 NJ Farmland Preservation Program  
 Green Acres Conservation Easement Data  
 NJDEP Tidelands Claim Line, NJ, Edition 20161214  
 NJOTISGIS 2020 Digital Aerial Image

July 15, 2021

# Preserved Farms and Active Applications Within Two Miles



X:\counties\salc\projects\Mecouch Farms, LLC 2mile 2.mxd

Application within the (PA 4) Rural Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mecouch Farms, LLC  
Block 32 Lot 46.01 (1.7 ac); Block 33 P/O 7 (134.1 ac)  
& P/O 7-ES (severable exception - 9.0 ac)  
Gross Total = 144.8 acres  
Quinton Twp., Salem County

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

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

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



**Sources:**  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJOT/IGIS 2021 Digital Aerial Image

July 15, 2021

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Mecouch Farms, LLC  
Easement Purchase - SADC  
136 Acres

|                        |           |                    |              |                              |              |
|------------------------|-----------|--------------------|--------------|------------------------------|--------------|
| Block 33               | Lot 7     | Quinton Twp.       | Salem County |                              |              |
| Block 32               | Lot 46.01 | Quinton Twp.       | Salem County |                              |              |
| <b>SOILS:</b>          |           | Other              | 24% *        | 0                            | = .00        |
|                        |           | Prime              | 61% *        | .15                          | = 9.15       |
|                        |           | Statewide          | 15% *        | .1                           | = 1.50       |
|                        |           |                    |              | <b>SOIL SCORE:</b>           | <b>10.65</b> |
| <b>TILLABLE SOILS:</b> |           | Cropland Harvested | 52% *        | .15                          | = 7.80       |
|                        |           | Wetlands/Water     | 26% *        | 0                            | = .00        |
|                        |           | Woodlands          | 22% *        | 0                            | = .00        |
|                        |           |                    |              | <b>TILLABLE SOILS SCORE:</b> | <b>7.80</b>  |
| <b>FARM USE:</b>       | Hay       |                    |              | 71 acres                     |              |

**This final approval is subject to the following:**

1. Available funding.
2. The allocation of 1 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 nine (9) acres for Existing single family residence
    - Exception is severable
    - Right to Farm language is to be included in Deed of Future Lot
    - Exception is to be limited to one existing single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION #FY2022R6(8)  
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

**On the Property of R & D Spina, Inc.**

**JUNE 23, 2022**

Subject Property: **R & D Spina, Inc.**  
Block 1, Lot 7, & Block 25, Lots 5 & 6  
Mannington Township, Salem County  
SADC ID#:17-0229-DE

WHEREAS, on September 15, 2021, the State Agriculture Development Committee ("SADC") received a development easement sale application from R & D Spina Inc., hereinafter "Owner," identified as Block 1, Lot 7, & Block 25, Lots 5 & 6, Mannington Township, Salem County, hereinafter "the Property," totaling approximately 172.1 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes no exception areas resulting in approximately 172.1 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the Premises includes:

- 1) Zero (0) exceptions,
- 2) Zero (0) housing opportunities
- 3) One (1) Residual Dwelling Site Opportunity (RDSO)
- 4) One (1) existing agricultural labor dormitory with 6 bedrooms that house approximately 25 people seasonally
- 5) No pre-existing non-agricultural uses; and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on September 9, 2020, 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 94 and minimum quality score of 62) because it is

approximately 172.1 acres and has a quality score of 67.02; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on May 13, 2022, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$4,400 per acre based on zoning and environmental regulations in place as of the current valuation date February 28, 2022; and

WHEREAS, the Owners accepted the SADC's offer of \$4,400 acre for the purchase of the development easement on the Premises; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$4,400 per acre for a total of approximately \$757,240 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
4. The final acreage of the exception area shall be subject to onsite confirmation, and the Chief of Acquisition may recommend that the Executive Director approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
5. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development

easement.

7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

6/23/2022

Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

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

## Preserved Farms and Active Applications Within Two Miles

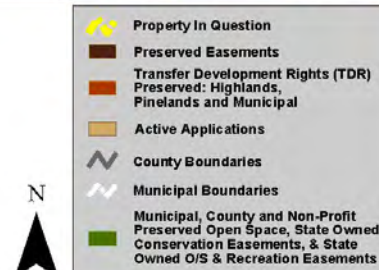


### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

R & D Spina, Inc.  
Block 1 Lot 7 (53.8 ac); Block 25 Lot 5 (71.0 ac);  
& Lot 6 (47.3 ac)  
Gross Total = 172.1 acres  
Mannington Twp., Salem County

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

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



**Sources:**  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJOTIT/GIS 2020 Digital Aerial Image

October 5, 2021

# Wetlands



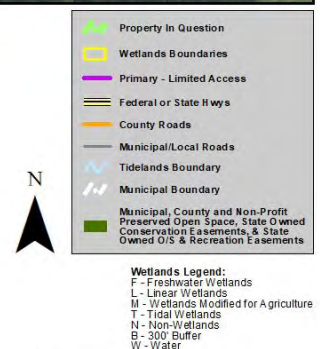
## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

R & D Spina, Inc.  
Block 1 Lot 7 (53.8 ac); Block 25 Lot 5 (71.0 ac);  
& Lot 6 (47.3 ac)  
Gross Total = 172.1 acres  
Mannington Twp., Salem County



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**Sources:**  
NJ Farmland Preservation Program  
NJDEP Tidelands Claim Line, NJ, Edition 20161214  
Protected Areas Database of the United States (PAD-US)  
NJDOT Road Data  
NJOT/OGIS 2020 Digital Aerial Image

October 5, 2021

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

R & D Spina, Inc.  
Easement Purchase - SADC  
172 Acres

|                        |                    |                    |                              |              |
|------------------------|--------------------|--------------------|------------------------------|--------------|
| Block 1                | Lot 7              | Mannington Twp.    | Salem County                 |              |
| Block 25               | Lot 6              | Mannington Twp.    | Salem County                 |              |
| Block 25               | Lot 5              | Mannington Twp.    | Salem County                 |              |
| <b>SOILS:</b>          |                    | Local              | 35% * .05                    | = 1.75       |
|                        |                    | Other              | 29% * 0                      | = .00        |
|                        |                    | Statewide          | 36% * .1                     | = 3.60       |
|                        |                    |                    | <b>SOIL SCORE:</b>           | <b>5.35</b>  |
| <b>TILLABLE SOILS:</b> |                    | Cropland Harvested | 76% * .15                    | = 11.40      |
|                        |                    | Woodlands          | 24% * 0                      | = .00        |
|                        |                    |                    | <b>TILLABLE SOILS SCORE:</b> | <b>11.40</b> |
| <b>FARM USE:</b>       | Vegetable & Melons |                    | 124 acres                    |              |

**This final approval is subject to the following:**

1. Available funding.
2. The allocation of 1 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: No Exceptions Requested
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises:  
Manufactured with Foundation - agricultural labor residence for 25 seasonal workers
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.