

STATE AGRICULTURE DEVELOPMENT COMMITTEE

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

REGULAR MEETING

September 28, 2017

Chairman Fisher called the meeting to order at 9:09 a.m.

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

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

Roll call indicated the following:

Members Present

Chairman Douglas Fisher
Ralph Siegel (rep. State Treasurer Scudder)
Renee Jones (rep. NJDEP Commissioner Martin)
Jane Brodhecker
Alan Danser, Vice Chairman
Scott Ellis
Brian Schilling (rep. Executive Dean Goodman)
Thomas Stanuikynas (rep. DCA Commissioner Richman)
Denis C. Germano, Esq. (Arrived at 9:12)
James Waltman

Members Absent

Pete Johnson

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

Others present as recorded on the attendance sheet: Dan Pace, Mercer County Agriculture Development Board (CADB); Brigitte Sherman, Cape May CADB; Melanie Mason, Hunterdon CADB; Sean Pizzio, Monmouth CADB; Katherine Fullerton, East Amwell Township; Veronica Sherwell, Joe Perrone and Michael Pope, SST 100 LP Farm, Bedminster Township; Ashley Kerr, New Jersey Farm Bureau; and Donna Rue, general public, Upper Freehold Township.

Minutes

A. SADC Regular Meeting of August 24, 2017 (Open and Closed Sessions)

It was moved by Mr. Schilling and seconded by Mr. Stanuikynas to approve the Open Session and Closed Session minutes of the SADC regular meeting of August 24, 2017. The motion was approved. Mr. Ellis, Mr. Dancer, Mr. Waltman and Mr. Siegel abstained from the vote. Mr. Germano was present for the vote.

REPORT OF THE CHAIRMAN

- **Deer Fencing**

Chairman Fisher stated that it was important to get the word out to landowners about how they can avail themselves of the deer fencing program. He heard a statistic yesterday that there have been 24,000 accidents annually related to deer on roads and those were the accidents that were actually reported. Staff will meet with the Department of Environmental Protection (DEP) to look at rules the DEP adopted in 2015 in order to better understand the interpretation of those rules regarding what can be done to control wild animal populations.

- **Soil and Water Cost-Sharing Grants**

Chairman Fisher noted that there is \$500,000 in funding available through the Soil and Water Cost-Share Grant program for soil conservation, water management, irrigation and other practices on farms that are permanently preserved or enrolled in eight-year programs. He hopes landowners take advantage of that funding.

REPORT OF THE EXECUTIVE DIRECTOR

- **Soil and Water Cost-Sharing Grants**

Ms. Payne asked that CADBs help get the word out about the availability of Soil and Water Cost-Share Grant funds. The SADC's agreement with the Natural Resources Conservation Service (NRCS) has been completed and landowners can contact their local NRCS office to apply. Staff will keep the Committee apprised as to the progress of and demand for the program. Ms. Payne stated that the Committee will be reviewing requests for grant approvals at future meetings.

- **Rural Microenterprise Rules**

Ms. Payne stated that staff submitted the Rural Microenterprise Rules to the Office of Administrative Law, along with a lengthy explanation of the rules, the amendments and the impacts. She thanked staff for their work on this and will inform the Committee once OAL confirms the publication date.

COMMUNICATIONS

Ms. Payne stated that there was nothing out of the ordinary and suggested that everyone take their packet with them to read later.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

A. Policy P-2-A

Ms. Reynolds stated that a case arose a few months ago regarding whether a non-attorney member of a Limited Liability Corporation (LLC) may represent the LLC in a Right to Farm proceeding. This caused SADC staff to review Policy P-2 regarding Right to Farm hearings and decide to draft a new policy P-2-A.

In Policy P-2-A, sections that duplicate what is now in the SADC's Right to Farm regulations regarding to Right to Farm proceedings have been deleted. The new policy also addresses non-attorney legal representation of an LLC in front of a County Agriculture

Development Board (CADB) during Right to Farm proceedings. Staff presented a draft policy P-2-A to the Committee at the May meeting, then forwarded a draft to CADBs in June to solicit their comments. Comments were received from the Warren and Morris CADBs. Warren County commented that Page 2, section 2, of the policy was unclear about when attorney representation is required. In response, the section's language was redrafted to clarify that in most cases there is no requirement to be represented by legal counsel unless the applicant is a corporation or limited liability company. It then goes on to state in what instances a closely held corporation or LLC may be represented by a non-attorney.

The second comment from the Warren CADB focused on how to interpret the three characteristics of a closely held corporation or an LLC that may be represented by a non-attorney. The Morris CADB had a similar comment. The three characteristics for closely held corporations are that there are a small number of stockholders, no ready market for the corporate stock and substantial majority stockholder participation in the management, direction and operations of the corporation. Similar characteristics were set forth for LLCs. Those are based on case law, and were included after consulting with the Attorney General's office. The case law does not give more guidance on how to interpret those three characteristics. Staff wanted to give the CADBs some flexibility in how they interpret those characteristics in consultation with their legal counsel and therefore, did not want to further clarify that.

Ms. Reynolds stated that the Warren CADB also commented that in trying to determine whether these characteristics exist, the CADB would need to have another hearing. Staff respectfully disagrees with that conclusion. The policy sets forth the type of documentation that can be used in order to determine whether these characteristics exist. Staff believes, based on legal counsel's review of these documents, that the CADBs should be able to determine whether these characteristics exist without having a separate hearing on it.

Ms. Reynolds directed the Committee to section 2 of the policy where clarification was provided based on comments from the Warren CADB about what sort of documentation is needed in order to determine those defining characteristics. The way it was previously drafted could be interpreted that the documentation only applies to determining who can represent a closely held corporation or LLC. Ms. Reynolds stated that she added language to make it clear that this documentation applies to determining whether the three defining characteristics exist as well as for determining who may represent that entity.

Ms. Reynolds stated that the Morris CADB suggested that there be a requirement that the party prepare a certification attesting that truthful information has been provided that these characteristics exist with regard to the business entity. Staff decided to leave that responsibility to the CADBs since they are the ones that handle the hearings. If they want to require certification they can, but the SADC will not require it.

Chairman Fisher asked if a C or S corporation business could decide to have representation without an attorney regardless of what type of corporation they are. Ms. Reynolds stated that they could if the corporation meets the three defining characteristics of a closely held corporation that was set forth in the policy. Chairman Fisher stated that it seems the real risk is to the person who goes before the Board without representation. Ms. Reynolds stated correct, but staff wanted to formalize this because there is not a lot of guidance on this. The New Jersey court rules allow for non-attorney representation of closely held corporations in front of administrative bodies. In order to provide guidance for the CADBs, staff wanted to show them that these are the characteristics for this to be allowed. The court rules do not address LLCs at all so it was determined if LLCs have characteristics similar to closely held corporations, they can also be represented by a non-attorney. The policy is filling in gaps in the guidance from the court rules.

Ms. Payne stated, for example, if Campbell Soup Company owned a farm and wanted Right to Farm protection, she assumes it is not a closely held corporation; it has a large board and under New Jersey law it has to be represented by an attorney before administrative bodies. Staff is trying to help the counties understand, depending on the level of sophistication and size of the company coming before them, whether an attorney is necessary or not.

Chairman Fisher stated that a corporation with a closely held board still has to have officers such as a president, treasurer, secretary and treasurer. Ms. Reynolds stated that they are smaller and more tightly knit, they are not publicly traded and they have a very small number of people involved. This is why court rules allow for non-attorney representation when it is closely held. Chairman Fisher stated that there should not be any dispute, then, about who can represent themselves before the SADC or CADB. Ms. Payne stated that this policy will address to what extent the SADC will allow, or the CADBs should allow, parties to represent themselves or their company before the Board.

Brian Schilling stated that a few people have contacted him in the past couple of months regarding this and the comments generally were favorable about having small farms represent themselves without cost. Somebody asked if having no legal representation could cause a legal misstep, which could cause a relatively simple case to get drawn out on procedural grounds. Ms. Payne stated yes, that could happen. Mr. Schilling stated that the risk would be on the operator who decides to represent themselves. He would think, however, the Board taking jurisdiction should set out ground rules to minimize that risk.

Ms. Payne stated that the CADB will conduct its hearing and come to a conclusion. However, there are all kinds of legal tactics that could be used in any case. If someone wants to be fully protected legally and have all their rights, they should have an attorney.

Mr. Schilling stated that there are some things that are simple and face value that require only five minutes of discussion and it is done. Ms. Payne stated that most Right to Farm cases are fairly straight-forward and are based on facts more than legal logistics. The Right to Farm Act was set up to try to provide an alternate path to resolution besides everyone retaining lawyers and going to court. This is trying to balance that. Ultimately, it is the landowner's decision whether they want to be represented by counsel unless they are an LLC or a corporation that does not comply with this policy.

Mr. Waltman stated that regarding the criteria, they are vague. He questioned whether the CADBs would set some standards or would they go case by case, and whether it is a concern that there are not more specifics. Ms. Reynolds stated that since there is no further guidance for this in the case law, the agency will defer to the CADBs based on the advice from their counsel and how they interpret these characteristics, and see how this plays out.

It was moved by Mr. Siegel and seconded by Mr. Germano to approve Policy P-2-A, Site Specific Agricultural Management Practice Determination and Conflict Resolution Public Hearing Guidelines for CADBs, as presented and discussed. The motion was unanimously approved.

NEW BUSINESS

A. Adoption of FY18 Administrative Budget

Pat O'Connell directed the Committee to copies of the administrative budgets for the Farmland Preservation Program and Right to Farm Program. He stated that for the Farmland Preservation Program, the budget number is what was authorized by the Legislature for spending. The SADC may not necessarily spend all of that, or have all of that to spend. There are no major changes from FY17.

Ms. Payne stated that the funding source for the Farmland Preservation administrative budget is prior bond proceeds; moving forward it will be Corporate Business Tax (CBT) funds. The source of funds for the Right to Farm budget is Direct State Services, a separate line item and a separate funding source. CBT funds and the prior bond funds are not authorized to be spent for Right to Farm purposes. For the most part, the overwhelming majority of the Right to Farm budget is staff salaries – Dave Kimmel's time spent on Right to Farm, legal staff's time, the Attorney General's office when they are involved in Right to Farm issues. All of those salaries are charged to the Right to Farm account.

It was moved by Mr. Ellis and seconded by Mr. Germano to approve the Farmland Preservation and Right to Farm FY18 administrative budgets as presented and discussed. The motion was unanimously approved.

B. FY18 Appropriation Request

Ms. Payne noted that FY17 appropriation bills were recently passed and signed into law, and the counties, municipalities and nonprofits have been informed of their grant allocations. Staff is trying to get back to an appropriations schedule similar to the past where staff presents the appropriations request for Committee approval in September, appears before the Garden State Preservation Trust (GSPT) in October and then has the appropriation bills drafted for when the Legislature comes back into session after the election. Staff worked with the Governor's Office on that schedule as well as Green Acres, Historic Preservation and the GSPT. Now everyone is on the same page with regard to the timing and the administration has approved that, which has enabled staff to present this appropriation request today for FY18.

Ms. Payne highlighted key points from her memo to the Committee. Staff convened an Acquisition Subcommittee that consisted of Denis Germano, Ralph Siegel and Scott Ellis to review the recommendations. The numbers have changed slightly since the Subcommittee last saw them because of additional funds that were identified. In FY17, the total appropriation was \$65.3 million, which was basically three years' worth of money – FY16 and FY17 CBT funds and roughly the equivalent of another year's worth of funds from the diesel litigation fund that had not been spent and was reallocated to the preservation programs. That \$65.3 million level of funding cannot be expected on an annual basis going forward. The memo indicates that CBT funds alone for FY18 are projected at \$23.2 million for the SADC. By way of comparison, when GSPT was the funding source the SADC had averaged \$77 million a year, with 2007 and 2009 bond funds an average of \$36 million annually, and in FY18 the total is \$23 million, so that will impact how funds are appropriated.

Ms. Payne stated that the memo lays out funds that are available to appropriate to the programs. That includes the \$23.2 million from the CBT as well as \$4.7 million from two sources – old bond funds that were never spent, and bond fund interest earnings and bond premiums. Mr. Siegel explained that bond premiums are a bonus paid when bonds are issued above the market. The premium is required to be dedicated to the same purpose as the original issue. Ms. Payne stated that the SADC is not proposing to reprogram any money out of the county or municipal programs. Altogether, the SADC has \$27.94 million to appropriate in FY18.

Ms. Payne noted that the SADC is statutorily authorized to appropriate up to 3 percent of CBT funds to stewardship. Staff is recommending doing that again this year to meet the demand as the soil and water program restarts and as the deer fencing program moves forward. Staff will annually recommend that one year's worth of administrative funds is appropriated so that the agency always has the current year and a future year for administrative funding. When those are removed, there is \$24.1 million to appropriate for acquisition, which will not be enough to fully fund the counties, nonprofits, municipalities and State Acquisition. This is leading staff to propose an emphasis on certain programs in one year and other programs the following year. Ms. Payne pointed the Committee to a spreadsheet showing Farmland Preservation Program appropriations over time and stated that staff recommends holding these funding ratios relatively stable over the long term. For example, the State Acquisition Program has received 31 percent of the funds since the beginning of the GSPT, nonprofits have received 4 percent, municipalities 18 percent and county programs 42 percent. If a program is emphasized in one year it will receive a larger percentage that year, but the next year the other programs will receive more to try to hold those ratios steady.

Staff recommends focusing this year's appropriation on State Acquisition, not exclusively, but directing a greater amount to State Acquisition this year with the expectation that next year there will be zero or very little money for that program. A total of \$7.5 million is recommended for the county competitive fund. Base grants are not recommended this year because the emphasis is on State Acquisition. However, given that the FY17 appropriation bills were signed in August, many SADC partners are just gearing up to spend that money and staff believes this approach will work. There was \$20 million in the competitive pot, so this will add to those funds and provide additional funds for those hyper-achieving counties that have expended their base grants and prior competitive funds. She thinks that in FY19 staff will be looking at a very large allocation to the county program.

Mr. Schilling questioned whether the \$7.5 million in competitive funds will be in addition to \$20 million in competitive funding that already exists. Ms. Payne stated that was correct, there was \$20 million in FY17 competitive funds. A couple of counties like Burlington and Gloucester are probably starting to tap into that \$20 million but most of that money is still unencumbered. The \$7.5 million will increase that balance with the limit that any one county can pull down a maximum of \$2 million of that. Whenever there are competitive funds there is always a maximum any one county can draw down to ensure sufficient funding available for multiple counties to compete. No funding is recommended for the Municipal Planning Incentive Grant Program except for Mannington Township, which is the only municipality for which the Committee has approved a plan, but no appropriation has yet been received. The Nonprofit program is being funded at \$1.7 million for the FY17 round and the balance of \$14.4 million will be directed to State Acquisition. When funds

are allocated next year, State Acquisition will receive little or nothing and the focus will be on the county and the municipal programs.

Mr. Schilling stated that he understood the reason for the cap of \$2 million per county, but wanted to know whether that cap could be reconsidered if a particular farm had more farms in the pipeline. Ms. Payne stated that the cap must appear in the appropriation bills, so that will be fixed by the Legislature. If the Committee wants that cap to be higher, now would be the time to make that decision. Mr. Siegel asked what the total competitive fund would be after \$7.5 million is added. Ms. Payne stated it would be \$27.5 million. Mr. Waltman asked if the \$2 million cap for any one county applies to the entire competitive fund or just the \$7.5 million. Ms. Payne stated it would apply only to the \$7.5 million. Mr. Siegel asked what the total maximum in competitive funds is to any one county. Cindy Roberts replied that it would be \$7 million – \$5 million on the \$20 million and \$2 million on the \$7.5 million.

Chairman Fisher stated that some of the counties have not yet spent all of their base grants so this will not compound the problem by increasing the unspent amounts for some counties. Ms. Payne said that the way monies have been appropriated has been working extremely well. All counties have received funds, and having the competitive funds allows those counties that can run faster to have additional funds. Mr. Danser asked how quickly the competitive pot is being used up. His first reaction was that four counties should not be able to wipe it out. Ms. Payne stated that the 2011 competitive fund is totally out of money. Mr. O'Connell stated that the 2013 competitive fund has about \$500,000 left to spend and that is partially because the super-charged counties have all hit their maximums and the remaining funding is waiting for the other counties to spend it. Mr. Danser asked how many super-charged counties there are. Mr. O'Connell replied Burlington, Gloucester, Cumberland and Warren. Ms. Payne stated that those are the counties that run the fastest. Other counties have access to the competitive money and have spent all their base grants, but have not yet hit their cap. Ms. Payne asked Mr. O'Connell the status of the FY17 \$20 million competitive fund. Mr. O'Connell stated that as of this meeting about \$6 million of that will be encumbered.

Chairman Fisher stated that these super-charged counties are starting to create massive swaths of connected farms and farm regions, correct? Ms. Payne answered yes. Chairman Fisher stated that from a total land perspective, these funds are creating these areas by virtue of the money available. Ms. Payne noted that SADC funding is matched by the local governments and the counties – by how much funds and staff resources they put toward the program. SADC staff is planning to step back and take a look at the program to see what has been accomplished in New Jersey. It is extraordinary what has been accomplished and the landscape-scale impact that farmland preservation is starting to have in the mid-Atlantic, but particularly here. Mr. O'Connell stated that one million acres have been

preserved from central Pennsylvania and western Maryland coming east through Delaware and New Jersey. Ms. Payne stated that the SADC does not get complaints as to how the funds are allocated. It seems that the SADC has been able to get to a system where all counties can access funds and the ones where time is of the essence, they can access more. There are 18 counties that can access those competitive funds.

Ms. Payne stated that she wanted to discuss how the SADC administers the Direct Easement Purchase Program. State Acquisition is the program that is the least successful in developing partnership funding; it is 100 percent SADC-funded. When 100 percent is being spent versus 60 or 50 percent, not as much is being accomplished compared to the other programs. However, the program is very successful and staff has been very successful in targeting the highest quality, largest and highest ranked farms to pursue. Staff is trying to figure out how to develop financial partners in the State Acquisition Program without alienating landowners. Some beginning steps have been taken with the federal Agricultural Land Easement program and the Wetlands Reserve Easement program, along with the pilot project with the Open Space Institute. Staff is suggesting taking a few million dollars of the State Acquisition money and putting it in a pool that is dedicated to developing partnerships. Ms. Payne stated that staff would rather approach landowners at the beginning of the process and tell them that the funding source used is dedicated to projects that involve funding partners and ask them if they are willing to be processed with that kind of funding source. If they are not comfortable with that, that is fine, they can wait for additional funds or compete. Therefore, staff is recommending \$28 million dollars for State Acquisition, including \$3 million for the partnership pool and the balance of \$25 million to be spent as in the past.

Ms. Payne stated that staff is looking to make a couple of changes to the State Acquisition expenditure process. The SADC will continue to accept applications year-round, continue to select Priority farms on a periodic (though not necessarily quarterly) basis because of staff resources, and create three categories for selection of farms. Tier 1: The SADC will select the top two (rather than one) ranked Priority farms from each region to fund using 100 percent State cost share. Tier 2: The SADC will continue to prioritize and select remaining Priority farms in descending rank order. Tier 3: This is the partnership pool to see if more partnerships can be successfully developed for State Acquisition. For Tiers 2 and 3, Alternate farms still can be considered on a case-by-case basis with Committee approval. Staff is recommending that the SADC reserve the right to cap its financial participation in any Direct Easement Purchase application based on resources. Ms. Payne stated that this approach is a continuation of what the SADC has been doing, with a little funding dedicated to innovation.

Ms. Jones asked whether nonprofits could be pulled in on direct easements or if that was a partnership that was being considered. Ms. Payne stated that in staff's experience nonprofits typically are a conduit for other people's funding; they do not usually bring a lot of money to the table. The William Penn Foundation activity in the Delaware Bay is starting to change that a little bit. Certainly, if the SADC is pursuing an acquisition that is important to counties and municipalities, they could offer to participate, however, it does not happen a lot. However, this is a new reality in terms of the funding level and that conversation may happen more. Mr. Waltman stated that a couple of nonprofits that he is aware of have been raising substantial funds so that they can continue the mission of land conservation in this era of less funding. Both the New Jersey Conservation Foundation and D&R Greenway Land Trust have raised substantial banks of funds that they can now use – they may hope to be reimbursed over time. But there is a little more money to make some of these land deals happen when funds are tight. He does not want to speak for them but knows that was the intent for both of those organizations and there may be others. Ms. Payne stated that particularly if a nonprofit has a geographic area that they are focused on and somebody from that area applies to State Acquisition – if it makes sense for the landowner for a nonprofit to partner to accomplish that, then the SADC will be open to that.

Mr. Schilling questioned whether the SADC already has the right to cap its financial participation on any direct easement acquisition. Ms. Payne said that she believes that inherently the SADC does have the right to cap financial participation because the Committee must grant final approval to applications, but staff wanted to let landowners know up front when applications are being solicited and to avoid litigation. Mr. Ellis stated that he thinks that some of the farms preserved a long time ago were not aware of the restrictions so it puts a heavier burden on staff to ensure that when the landowner enters into the agreement they have a good understanding. Ms. Payne stated that the SADC worked on developing the guidance document on ALE funds so landowners are clear. The last thing staff wants to do is alienate landowners.

It was moved by Mr. Schilling and seconded by Mr. Siegel to approve the SADC's FY18 Appropriation Request and the changes to the Direct Easement Purchase Program policies as presented and discussed. The motion was unanimously approved.

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

It was moved by Mr. Waltman and seconded by Ms. Jones to approve Resolutions FY2018R9(1) through FY2018R9(16) granting final approval to the following applications under the County Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said resolutions:

1. Herbert Stayton and George Styliades, SADC ID #08-0169-PG (Resolution FY2018R9(1))
Block 1004, Lot 5, Logan Twp., Gloucester County, 56.39 Net Acres
 2. Russell and April Leone, SADC ID #08-0170-PG (Resolution FY2018R9(2))
Block 703, Lot 1, Logan Twp., Gloucester County, 43.3 Net Acres
 3. Harlan Corporation, SADC ID #08-0161-PG (Resolution FY2018R9(3)) Block 14,
Lots 7.01 – 7.14 and Block 14.01, Lot 2, South Harrison Twp., Gloucester County,
64.347 Net Acres.
 4. Still Run Properties LLC #3, SADC ID #08-0174-PG (Resolution FY2018R9(4))
Block 4, Lot 7, Mantua Twp., Gloucester County, 49.585 Net Acres
 5. Still Run Properties, LLC #4, SADC ID #08-0173-PG (Resolution FY2018R9(5))
Block 1, Lots 3 and 5, Mantua Twp., Gloucester County, 42.89 Net Acres
 6. Jeanette Austin, SADC ID #08-0172-PG (Resolution FY2018R9(6))
Block 702, Lots 12 and 12.04, Logan Twp., Gloucester County, 46 Net Acres
 7. Joseph, Victoria and Anna Musumeci, SADC ID #08-0176-PG, (Resolution
FY2018R9(7)), Block 1004, Lots 4 and 4.03, Logan Twp., Gloucester County,
29.476 Net Acres
 8. Michael Fenimore, SADC ID #03-0421-PG (Resolution FY2018R9(8))
Block 812, Lot 8.01, Pemberton Twp., Burlington County, approximately 73.75
Net Acres
 9. Alloway Family LP – North, SADC ID #03-0425-PG (Resolution FY2018R9(9))
Block 1203, Lots 15 and 15.03, Southampton Twp., Burlington County,
approximately 119 Acres
 10. Alloway Family LP – South, SADC ID # 03-0422-PG (Resolution FY2018R9(10))
Block 1502, Lots 1 and 1.04, Southampton Twp., Burlington County,
approximately 46 Net Acres
 11. Harold and Gail Kirby, SADC ID #03-0423-PG (Resolution FY2018R9(11))
Block 839.01, Lot 16.01, Pemberton Twp., Burlington County, approximately 55
Acres
 12. Linda E. Hatt, SADC ID #03-0417-PG (Resolution FY2018R9(12))
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Block 1102, Lot 21.04, Chesterfield Twp., Burlington County, approximately 69 Net Acres

13. M & N Land Holdings, LLC, SADC ID #03-0419-PG (Resolution FY2018R9(13))
Block 401, Lot 1.01, Chesterfield Twp., Burlington County, approximately 38 Net Acres
14. Lanwin Development Corp., SADC ID #03-0418-PG (Resolution FY2018R9(14))
Block 901, Lot 6.01, Chesterfield Twp., Burlington County, approximately 133 Net Acres
15. Thompson South, LLC, SADC ID #03-0416-PG (Resolution FY2018R9(15))
Block 901, Lot 3.01, Chesterfield Twp., Burlington County, approximately 135 Net Acres
16. Ishvar P., Chetan, Neeta D., Manjula and Dalpat C. Patel, SADC ID # 03-0420-PG (Resolution FY2018R9(16)), Block 2304.01, Lot 6, Springfield Twp., Burlington County, approximately 34 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. Copies of Resolution FY2018R9(1) through Resolution FY2018R9(16) are attached to and are a part of these minutes.)

D. Resolutions of Final Approval: Nonprofit Program

It was moved by Mr. Siegel and seconded by Mr. Stanuikynas to approve Resolutions FY2018R9(17) through FY2018R9(20) granting final approval to the following applications under the Nonprofit Grant Program, as presented and discussed, subject to any conditions of said resolutions:

1. Philip and Stacy Skalski (NJCF), SADC ID #10-0068-NP, (Resolution FY2018R9(17)), Block 42, Lots 9 and 27, Tewksbury Twp., Hunterdon County, approximately 54.46 Net Acres
2. The Land Conservancy of New Jersey – Shoemaker #1 Farm, SADC ID# 21-0034-NP, (Resolution FY2018R9(18)), Block 62, Lots 9.01, 9.02, 20 & 24, White Twp., Warren County, approximately 115.39 Net Acres

3. The Land Conservancy of New Jersey – Shoemaker #2 Farm, SADC ID #21-0033-NP, (Resolution FY2018R9(19)), Block 62, p/o Lot 24, White Twp., Warren County, approximately 12.2 Net Acres
4. Feigus, Brad and Barbara – Monmouth Conservation Foundation), SADC ID #13-0015-NP (Resolution FY2018R9(20), Block 151, Lot 12.02, Howell Twp., Monmouth County, approximately 21.16 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. Copies of Resolution FY2018R9(17) through Resolution FY2018R9(20) are attached to and are a part of these minutes.)

E. Stewardship

1. Residual Dwelling Site Opportunity
 - a. Weiss Farm, Elk Twp., Gloucester County

Mr. Roohr stated that the Weiss Farm in Elk Twp., Gloucester County, was preserved in 2000 under the SADC's Fee Simple Program. The property was purchased from the Sunnydale Corporation as multiple properties consisting of more than 1,000 acres. The SADC bought the property in 2000 and resold it at public auction. Mr. and Mrs. Weiss were the successful bidders on this particular property. Within the first year of owning it, they began to plant a vineyard, which is 5 acres, and began the site work to construct their house. The property was sold with language stating that there is a residual dwelling site opportunity (RDSO) along with an existing home. The existing home is not recognized for use because it is just a shell of a home. The deed language for this particular property is missing the standard sentence that states that in order to exercise the RDSO, the owner must obtain permission from the SADC. Other properties in this group of properties sold did have the standard language in their deeds, so this is unique to this property. It is unclear why; there is nothing in the file to indicate this was purposely done.

Mr. Roohr showed the Committee photos of the approximately 3,600 square-foot house that the Weisses built in a back location in what was a wooded spot. Mr. Roohr stated that the Weisses explained that they called before construction – they could not recall if it was the SADC, the CADB or Gloucester County – and asked if they had to do anything before construction started and they were told “no.” They are not sure whom they spoke to at that time and staff cannot confirm that. The construction on the house was completed in 2002

and the Weisses continue to operate the vineyard, they have done extensive conservation work and they manage about 60 acres of woodland. They manage 10 to 15 acres a year through NRCS's forest management program. They also rent out the open tillable acreage to a local farmer. Although the Weisses did not go through the normal approval process, if they had the SADC requires that the location be in a spot that has the least negative impact on the farm and that at least one resident of the home be actively engaged in the farm. By managing the vineyard and the forest and all the conservation work that they have done, Mr. and Mrs. Weiss would both meet that test, and the location could not be better from an agricultural standpoint. The Weisses acknowledge that this is an RDSO house. In order to clean this up, the Committee needs to acknowledge that this is an RDSO legitimately and affirm it is there and it is compliant with the RDSO rules. The last step in the process would be to file a corrective deed that shows that the one RDSO they started with has been reduced to zero.

Mr. Siegel asked about the other house. Mr. Roohr stated that the proper language is in the deed acknowledging that the house is there, but could not be rebuilt and is not habitable at this time and is not considered a housing unit. Mr. Siegel asked why the Weisses came to the SADC with this. Mr. Roohr stated this was picked up during a routine monitoring visit.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to approve Resolution FY2018R9(21) finding that the construction and use of the residence on the Weiss farm is for agricultural purposes where at least one person residing in the residence is regularly engaged in common farmsite activities on the Premises; that the RDSO has been exercised as a residence for the Owners who have been directly involved in the daily agricultural production activities of the farm since acquiring the Premises, and that the location of the house minimizes the impact to the agricultural operation on the premises. The SADC shall record a corrective deed of easement with the Gloucester County Clerk's office showing that the RDSO allotted to the Premises has been exercised, and construction and use of the residence is subject to all applicable local, State and Federal regulations. The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. A copy of Resolution FY2018R9(21) is attached to and is part of these minutes.

2. Agricultural Labor Housing

a. SST 100 LP Farm, Bedminster Twp., Somerset County

Mr. Roohr stated that the SST 100 LP Farm in Bedminster Township, Somerset County, was preserved in 1997, and Bedminster Stables is the operating entity that runs the farm. Mr. and Mrs. Perrone are the owners and are requesting agricultural labor housing. The

Perrones purchased the farm in 2015. The property was developed as an equine operation by previous owners, including 28 stall stables, indoor and outdoor training facilities, fenced paddocks and hayfields. Upon purchasing the property, the Perrones wanted to improve two apartments that existed above the stable and add a third apartment. The Township advised them that those two apartments had never received permits and there was never an application or approval from the CADB or SADC, so they were essentially illegal apartments. The Township land use board granted them conditional approval to essentially rebuild three new apartments above the barn conditioned upon CADB and SADC approval. Those units are three side-by-side single bedroom and single bath, 428-square foot units. It is one long rectangle efficiency apartment. The Township approved it in March and the CADB approved it in August with the condition that if production levels decrease, those units will need to be vacated.

The current operation consists of 12 horses, 11 owned by the farm and one boarded for a client. Staff was provided with five receipts for horses that were sold in the past year. The Perrones currently employ a trainer, barn manager and some grooms. Mr. Roohr stated that when he met with Mr. Perrone on the farm, Mr. Perrone explained that they just purchased the farm in 2015 and they made some initial purchases of horses that were not working out for the type of operation they want to develop on this site. They have been culling out the ones that are not working and hope to bring on a better, younger stock of horses to suit their needs. They would like to acquire more horses of a higher caliber, but it is a risky venture without reliable help on-site. They are not willing to take that risk without having their labor situation squared away first.

Mr. Roohr stated that in a presentation to the CADB, Mr. Perrone explained the ultimate goal would be to have a full barn – 28 full stalls, two-thirds owned by the farm and one-third for clients boarding horses. Under the current operation, with 11 production animals on-site and the request for three labor units on-site, that would result in a 1:3.7 ratio of labor to horses. Mr. Roohr stated that when evaluating requests, staff looks back at the Committee's actions on previous similar requests. Over the past five years there has been a number of agricultural labor requests for equine operations. The Committee has seen with this type of horse operation ratios ranging from 1 groom to 8 horses to as low as 1 groom to 2.7 horses. Usually when the number of animals per laborer is lower, that means those horses are getting more personal attention and the value of those horses correlates, i.e., their value is higher. A very high-end horse needs more time than one that is not worth as much, so the dollar value of the horses correlates. The lowest ratio the SADC has seen has been 1 groomer to 2.7 horses. The receipts the SADC received on that operation show the horses averaged \$52,000 per animal. SST 100's request is 1:3.7, which would be the next lowest ratio on the list. The receipts staff received on those animals were \$5,200 per animal. Mr. Roohr stated that the value of SST 100's animals has not been all that high so far. The number of animals is not too intensive at this point and the shows that the animals

are in are seemingly more the beginner level. Therefore, the animals on-site today do not look like those elite level horses that require that intensive amount of training. Staff is having difficulty understanding and justifying the need for three laborers for this operation. In previous agricultural labor requests, the Committee has been hesitant to approve proposed operations, so while staff does understand that SST 100 wants to fill a barn, a proposed operation is different than an existing operation. Mr. Roohr noted that the third item on the agenda today is an agricultural labor request where the SADC approved an agricultural labor unit that is being misused, causing the SADC to go to court. The SADC has been hesitant to approve agricultural labor housing when it involves merely proposals.

Mr. Siegel asked Mr. Roohr if he is asking the Committee for guidance. Mr. Roohr stated that based on staff's understanding of previous requests to the Committee and how the Committee has responded to those requests, staff did not think that three labor units could be justified under the current operation at SST 100 Farm. He explained to Mr. Perrone that staff could probably not recommend three units but could definitely work with him to recommend one because there is current production. Then perhaps the other two could come as the operation develops and the barn fills up. Mr. Perrone let him know that he needs all three units. He would prefer four, but he needs at least three. Mr. Roohr showed the Committee photos of the barn and where the apartments would be located.

David Brady stated that he represents Mr. Perrone, who is present with his barn manager, Vicky Sherwell. Mr. Roohr had explained to them some of the issues regarding the ratio of help to horses. He stated that they have a bit of a chicken and egg problem. They want to ramp up and become a more prestigious facility that gets better numbers for the horses. The whole operation has been changed a little bit.

Mr. Siegel asked Mr. Roohr for clarification regarding possibly granting approval for two units and then having the owners come back for more later. Mr. Roohr stated that he suggested to Mr. Perrone that the Committee could possibly grant approval for two units if there was a better understanding of the need. Mr. Brady stated that when the Perrones first bought the farm they were pure novices, but now Ms. Sherwell has gotten them to a point where they want to own their own horses and breed them, and to do that they need people on-site. They are not really a boarding facility. In the beginning that was a little bit of the operation but that is no longer the case. If someone wants to board a horse, that horse is being boarded because it is being trained. It is all about increasing the value of the horse. It is hard to give the horses hands-on attention when there are not enough people on-site. Mr. Brady stated that Ms. Sherwell can best explain the plan, the impediments that she is running into and address the concern that they are not at a certain production level – that she cannot get to that production level yet because she is impeded.

Ms. Sherwell stated that the numbers presented today do not work. She has been doing this

for a long time. The numbers are usually 1 person to 4 or 5 horses and how much the horse is worth does not matter to her. She is from England and has worked with Olympians on every scale possible in the industry and has traveled the world in every circuit. She stated that asking for three labor units is not asking a lot. She has one person taking care of 12 horses, which is not ideal. On her personal farm she has one person taking care of two or three horses at a time. She is doing the job of two or three people in addition to her own operation and she is stretched thin. It is an expensive area to live and she cannot find staff to do what she does and live where they live. She needs at least three people to live there. There are 28 stalls and there is no way she will fill more than what they have now without having at least three people living there. If someone is sick or away on vacation or something happens, she needs coverage. Three people is still not ideal but it is something that they can work with for now. If there is a fire on the farm, one person could not get 28 horses out. If a horse escapes at night out of the paddock it is difficult for just one person to deal with that.

Mr. Brady asked Ms. Sherwell if the Committee were to approve one or two units now and then expand later, how would that affect her and Mr. Perrone's plans for the farm? Ms. Sherwell stated that her plans will be put on hold again because she cannot develop and grow Mr. Perrone's business and her own if they are restricted. There are 12 animals on the farm; they are not worth a huge amount of money, but there is a horse in Michigan that she would love to purchase by the end of the year. Horses of the caliber she is used to working with are worth six or seven figures, not five.

Chairman Fisher asked Ms. Sherwell what kind of horses she works with. Ms. Sherwell stated that she usually works with hunter jumpers and specializes in horses and bringing them along. The horses are typically imported from Ireland and Germany. She is not willing to purchase horses and bring them on property to train them when there are not enough people to take care of them. Chairman Fisher asked if the horses are hunter jumpers for competition. Ms. Sherwell replied yes, it is basically a buying and selling business. The horses are brought over from Europe or bought in the United States as young horses. They are trained, shown and then sold on. Some horses stay for as little as a month or some for over a year. It all depends on the nature of the horse and the demand for the specific horse. The horse in Michigan that she wants to purchase is worth \$40,000, but she will not buy it with only one person on-site. Mr. Germano asked if a hunter jumper is a horse that would be seen in the Olympics. Ms. Sherwell stated yes. She discussed the differences between hunters and jumpers. Mr. Germano stated that hunter jumpers are not just one thing then, they are separate – she does hunters and jumpers. Ms. Sherwell agreed with that.

Chairman Fisher stated that not enough is heard about the equine-centric economy in the state other than just standardbreds and thoroughbreds, so this discussion is a good one. The equestrian headquarters is here in New Jersey. Ms. Sherwell stated that the equestrian

headquarters is 15 minutes from the farm, which is in a great location. There are a lot of prestigious farms around them. The competition is hard in the immediate area. She has worked alongside a lot of these people and used to work in another state for one of the top equitation trainers in the country and they had a farm where there were two houses and four or five apartments in the barn and that was for 40 horses. The need for more workers is important for the horses. If she has a horse that is worth six figures in her barn and not enough staff to keep an eye on it, it is almost like security for the horses. She considers her horses her children and similar to with a child, she would not leave her prized possession alone without having enough people to watch over it.

Under questioning from Mr. Brady, Ms. Sherwell stated that if she has 28 horses, typically she would need by average standards in this country five or six grooms for the horses. She is the head trainer and barn manager currently. The barn does not function as well as it could if that job were two positions instead of one. Ideally she needs a barn manager reporting to her to do day-to-day tasks so that she can focus more on training. She would like an assistant trainer or assistant barn manager who can fill in with both those duties, so that would make at least seven to eight staff members including herself. Regarding who would live on-site, Ms. Sherwell stated that it would be at least the barn manager or assistant trainer, and two grooms or vice versa. The grooms would feed the horses, clean the stalls and do the daily care of the horses. The managers do some similar activities in addition to taking care of the horses, placing orders and ensuring everything runs smoothly. Her assistant would help with riding and training the horses as well as grooming. The assistant would fill in where help is needed. Ms. Sherwell stated that she is the only person on staff right now who can give IV or IM shots to the horses. She is leaving for Delaware after the meeting, but if something happens to a horse when she is gone they would need to wait for the vet to come. It would be a benefit to have another staff member there who can give the horses immediate medical care if needed. She stated that she cannot go away to A-rated shows to make these horses more valuable or to have more expensive horses because she cannot leave the barn for a long period of time.

Mr. Brady asked Ms. Sherwell about the benefit of her going away to horse shows as it relates to increasing the value of the horses. Ms. Sherwell stated that horses are shown depending on their level, age and discipline (hunters, jumpers, etc.), and if they win that increases their value. This sport has become extremely expensive over the past several years and is making it hard for the average person to own and show these horses. Then there are the higher caliber of people who just want to get on a horse – to show and leave the ring – without really having to ride them. When she can take a horse of that level, show it, increase its value and turn around and sell it, that makes the horse a little more expensive because people want those perfect animals. Chairman Fisher asked Ms. Sherwell to speak about production on the farm in terms of foals. Ms. Sherwell stated that the horse she is looking to buy in Michigan just turned 4. Typically what they would do in Europe is

start them under saddle for a year, then breed them for a couple of years before starting them again so they mature a little more. If she buys this horse, breeds her say twice in the next couple of years, she can turn around and sell both her foals – or keep one of them and sell the other. So you buy one, develop that into two, three or four and do that with multiple animals and then you have a lot of production and sales that way. She needs a highly trained and hands-on staff in order to do breeding. She is a trained vet tech and needs someone who can do that too. If not, she needs to be there as well.

Mr. Schilling stated that he is not sure what the business plan is and asked about the timeframe. Ms. Sherwell stated that her business plan primarily is to buy some more horses of a higher level that are more expensive and train, show, breed and sell them. Secondly, she has clients who also have horses of that nature and she then trains and brings them along. She stated that there is a big difference between boarding and training; people put their horse with them to train it. In response to a question from Mr. Brady, Ms. Sherwell stated that she would not accept a horse for boarding unless she was training it. She would not accept any horses coming for training right now because those horses are expensive and she does not have the proper staff to care for them. Chairman Fisher asked if the owner shares the same plan and Ms. Sherwell stated yes. Mr. Perrone concurred.

Ms. Sherwell stated that her plan is to buy, breed, sell and do more training. She cannot give a timeframe on the business plan – horses have accidents or get sick – but she can give an ideal. Mr. Schilling stated that all businesses have risks and uncertainty so what is the ideal timeframe for rolling out full occupancy of the barn reasonably? Mr. Perrone stated that he would like to do it as soon as possible. The issue is that the farm is in a highly negative circular reference right now. After two years of funding and running the farm as a new farmer from what was inherited from the prior owners, he has a good understanding of where they are. The higher-level clients are attracted to their higher level horses that were trained and they do not have enough people. Mr. Siegel asked who the client would be. Mr. Perrone stated that a high-level client is someone who would come in for training/boarding of their own horses or ride the farm's horses. Mr. Siegel asked Mr. Perrone how many horses he owns. Mr. Perrone stated that he owns 12 horses. Mr. Siegel stated that he would like to know where Mr. Perrone would like to be within a certain amount of time of his business. Mr. Perrone stated that he ultimately would like a full barn of 28 horses with 80 percent ownership by Mr. Perrone and possibly 20 percent boarders. Mr. Perrone stated that he cannot make the model work right now because he is at a deadlock. In the last year and a half he is at negative \$1.5 million dollars in cash. Ms. Jones asked Mr. Perrone how much of the 80 percent of the horses he wants to breed. Ms. Sherwell stated that two-thirds of the horses are able to be bred, but she would not like to do breed all of those because they are not of the caliber that she wants. She cannot breed the caliber horse she needs without the proper help, and the help needs the apartments to live in.

Mr. Perrone stated that the Committee has not touched on the preservation and maintenance of the land. There is 100 acres and there is work to do. Mr. Danser stated that the focus needs to be why these workers need to live on-site. There are lots of people who are farming 100 and 1,000 acres who do not have anyone living on the farm. Ms. Sherwell stated that is not equine property. Mr. Danser stated that he understands that, but they need to explain to the Committee why they need that many people living on the farm. Ms. Sherwell stated that she has livestock and it is worth a fortune. Mr. Perrone stated that the people who are there right now are overworked and it is not safe for them and there is not enough coverage. He bought this farm and it had two apartments and a common area. Trainers are typically female and groomers are male so there is no way for them to mix in those living conditions. He inherited an existing operation that he thought was legal. The town came in and stopped the work. He spent thousands of dollars to make everything right. Chairman Fisher stated that Mr. Perrone is here now because his business model demands a higher level of staff because the value of horses commands more staff. He stated that Mr. Perrone is suggesting that horses of this caliber and level of training would command those kinds of ratios of staff to horses and wanted to know if this is the standard or just SST 100's ratio? Ms. Sherwell stated that this is a standard ratio. Most people who work at the top Olympic level on this sport would confirm that these horses need at least one person to a maximum of six horses.

Mr. Brady stated that the farm currently has 12 horses and if there are 3 people on-site the ratio would be 1 to 4 horses. Mr. Brady stated that Mr. Roohr indicated that the lowest ratio is 1:2.7, so SST 100 Farm would be above that. If there were 28 horses on-site and 3 people on-site that would be at 1:9.3. The plan is to get a higher ratio, but that will not be possible without the right amount of help. The SADC has the ability to come to the farm and inspect it when needed to see what is going on. All parties present now know what needs to be done. This is not an operation that is boarding horses for people as pets. This is a business operation and a business model that calls for high-level training and safety.

Ms. Brodhecker asked how many people can live in each unit. Ms. Sherwell replied one person. Ms. Brodhecker asked whether the total income for that person will be derived from the farm – i.e., they will not be able to have other jobs. Ms. Sherwell stated under their contracts, staff can work only for Bedminster Stables or herself. Mr. Perrone stated that there is no rent charged to these employees; their housing is a part of their salary.

Chairman Fisher asked what staff's concern is with this proposal. Ms. Payne stated that staff is trying to understand the relationship between laborers who need to live on-site and equine operations. She agrees that there is a chicken and egg problem. If the farm had 28 high-end horses they would not be having this conversation. The operation is 12 horses and staff's understanding is that Mr. Perrone's children are riding the horses in these competitions. Ms. Sherwell stated that his wife rides as well as some of Ms. Sherwell's

clients. Ms. Payne stated that staff also looked at the caliber of the competitions, which are characterized as beginner level, so staff cannot just ask the Committee to approve everything in this case. The Committee has to understand the details of what they are being asked to approve, particularly when it comes to housing opportunities on farms. Regardless of the legitimacy of an application that comes in, the SADC has the obligation to monitor and make sure it is compliant. Housing opportunities are hard to come by in the Farmland Preservation Program for a reason – because down the road there could be issues of eviction if the housing is not being used appropriately. Staff does not want to see that, so is trying to ensure that when labor housing is approved, it is legitimate and needed for the operation, and the nature of the operation warrants it. Staff today is sharing its fact-finding with the Committee. Mr. Roohr was trying to help Mr. Perrone understand what some of the questions and concerns would be.

Mr. Danser stated that the question of how many people need to live on-site versus how many off-site is important too because if the Committee approves three units for 12 horses, one of the concerns is that if the horses increase to 28, the farm will come back and say they need four more. That is why the explanation of how many people have to be on-site vs. off-site is important. The Committee would love to see them get to 28 horses and be successful, but if they come back asking for four more units, that will be another issue. Ms. Sherwell stated that for that operation at 28 horses, the number she previously provided of herself and other staff members was seven to nine people for during the day. Overnight, at least two or three people are needed on-site all the time. If she is away, someone needs to be there who is able to do her job or if people are or sick.

Mr. Siegel referred to Schedule D regarding recent sales of Bedminster Stables horses and asked what the numbers will look like in the future as far as value of horses. Ms. Sherwell stated that the horses going forward will be worth five figures at least for the first year and climbing up from there. Mr. Perrone stated that he has a quarter of a million dollars on the books. Mr. Siegel stated that he is still not sure as to what the plan is. Mr. Perrone stated that before he bought the farm he consulted with other farm owners on how to run a farm and survive. Two of them shared their financial models and showed the ratios of labor, costs, expenses, insurance, what the animals cost, what would be expected when buying a horse, how many would produce, etc. He followed those farms and his goal is to get up to full capacity because full capacity is actually still a loss. He is not looking to make money off of this and this is not what pays his family's bills. He wants to preserve the farm to make it pastorally beautiful and make it an improvement to the state and the area. Full capacity is needed to get the proper amount of people to ensure proper safety, training and coverage. He would like to buy more horses, but they do not have enough people to do it. Currently everything is at a level that he thinks is unsafe. Mr. Siegel stated that there is room for 16 more animals and that the expectation is that 1 in 5 will be client animals and 4 in 5 will be purchases. Mr. Perrone stated that it would be 20/80 percent. Mr. Germano

stated that he recalls Ms. Sherwell saying that full occupancy requires three units, that is it. Mr. Perrone stated that they really need four and they are asking for three. Chairman Fisher asked what would happen if they do not reach full capacity. Mr. Perrone stated that the business will fold.

Chairman Fisher stated that the SADC is the last step as to whether Mr. Perrone gets approval or not and that will determine if he will flourish in this enterprise. He stated that Mr. Perrone needs direction. Mr. Danser asked Mr. Stypinski if the Committee could do a conditional approval based on a future number of horses. Mr. Stypinski replied yes. Mr. Schilling stated that he wanted to confirm that if the three units were approved and three individuals lived there, the occupants would earn 100 percent of their income from this operation. Ms. Sherwell stated yes. Mr. Perrone stated entirely; the Somerset CADB held them to that.

Chairman Fisher stated that speaking in in his dual role as Chairman of the SADC and Secretary of Agriculture, equine in New Jersey has had its ups and downs, and right now it is down somewhat due to impacts to the Thoroughbred and Standardbred sectors. New Jersey has thousands of acres of pastureland and land for hay and grain, and a lot of people depend on equine in the state. New Jersey has a large number of pleasure horses that support a lot of farming operations. His feeling is that this is 1,200 square feet total, with 400-square-foot apartments. No one will want to live in a 400-square foot cube, so he does not see a big potential for the apartments to attract nonagricultural labor. He understands that the farm is not there yet in terms of what they want to accomplish. The only risk if they do not get there is ending up with three people living on maybe a gentleman's farm with no real production or just maintaining a viewshed. However, this farm is investing millions of dollars in this so there is an economy around what they do. New Jersey spends the most on farmland preservation in this country, so it has the biggest stake in all of this in terms of the public interest. Staff makes sure they guard what the public has invested in. Then there is the other side that says these are businesses that try to be profitable and there are costs, opportunities and risks here. He is hoping the Committee's direction is that "we understand they are not there yet, but we think it should be OK." Mr. Danser asked him to clarify his last statement. Chairman Fisher stated that at one time he was a supermarket owner. He and his father operated an urban renewal business. It was in a remote area and it was uncertain what would happen because there were no projections, no market research done – there was just a risk that was taken. It was highly successful. Entrepreneurs take risks every day. He does not know how to tell someone that they need to get to a certain level of something in business. They can tell you where they hope to be, but they cannot guarantee it.

Mr. Ellis stated that he knows housing opportunities are hard to come by and can create problems, but he does not think it is up to the Committee to tell Mr. Perrone what he needs

to run his business. He does not feel that Mr. Perrone is asking for anything unreasonable. Mr. Siegel stated that in reviewing these types of requests, the bar the applicants need to get over is the production bar. The Committee takes them at their word as to their production needs. He thought the ratio was more of a pattern, but what the Committee always made its decisions on was whether it was seeing production or boarding. Even if it is not in existence yet, there is a plan for production. Mr. Roohr stated that the difficulty is in the requests that the SADC has seen, the ones that were just a plan were denied. The ones that were approved were existing and able to provide the SADC with tangible evidence of production.

Mr. Waltman stated that he understands the plan to increase the number of horses and substantially increase their value. It sounds reasonable that the farm needs more workers for a farm with more horses or an operation with higher-value horses. The farm has sold five horses in the past few years and replaced those horses, so is there a trend? What kind of horses have replaced those sold horses? Ms. Sherwell noted that she has only been with the farm since February. She purchased a pony that she knew was going to be a good pony, and she wants to buy the horse in Michigan. Mr. Waltman stated that five horses have been sold and five horses purchased, and asked if the farm is buying higher-value horses and can demonstrate that. Ms. Sherwell stated that they will be buying horses that are more in the five figures range going upwards from there. But Mr. Perrone will not buy five-figure horses if she does not have people to take care of them.

Ms. Payne stated that staff will need to prepare a resolution either approving or denying the request, so is looking for the Committee's direction for the next meeting.

Mr. Brady stated that regarding the ratio, currently it would be 1 to 4 horses; if the farm were full it would be 1 to 9.

Mr. Siegel stated that this application involves a building that exists and it is a question of whether to take two apartments and turn them into three on the same footprint. He questioned whether that has impacted the Committee's decision in the past. Ms. Payne stated that in the Forte matter, one of the contributing factors that made the Committee more comfortable with that request was that they were converting a second floor of the barn – they were not building two new residential structures on the property. She believes that is a legitimate evaluation factor for the Committee.

Ms. Jones asked Mr. Roohr to explain the Somerset CADB's decision. Mr. Roohr stated that the CADB approved the request with contingencies that if production levels were to decrease, the units would have to be vacated. They also reserved the right to check on the units, the residents of the units and what their role is at the farm. Mr. Danser asked if the one-person per unit condition was included. Mr. Roohr stated that he was unsure if it was

in the approval, but the representation at their meeting was one person per unit and that is what they anticipated. Mr. Brady stated that he does not see it in the resolution of approval, but that was the representation made to the Board, so he is sure the Board relied on it. That is his client's representation to the Committee; that is the intent and that is what they will do.

Mr. Siegel asked about Schedule F regarding the Bedminster Stables show schedule. It indicates boarding, riding and training. He asked whether the business is a production business or a boarding business, and whether the letterhead is out of date. Mr. Brady stated that he believes Schedule F is from the website, which has undergone changes. On the current website and the boarding page, it is specific to training/boarding, which is consistent with Ms. Sherwell's testimony that horses are not accepted just for boarding.

Chairman Fisher asked whether the Committee can take action on this matter today and memorialize the action at its next meeting. Ms. Payne stated yes.

It was moved by Mr. Ellis and seconded by Mr. Germano to approve the request by SST 100 LP farm for the construction and use of three Agricultural Labor Housing Units in the existing structure in the dimensions described consistent with the approvals granted by Bedminster Township and Somerset County.

Mr. Schilling stated that he thinks the Committee needs to clarify what its conditions are because he does not have the Township and CADB resolutions before him. What he heard very clearly in the testimony is this is not a boarding operation. It is an operation where any horse that will be boarded there will be trained for the purpose of increasing its value. He agrees with Mr. Ellis that the Committee should not dictate what he thinks the adequate level of staffing is, how the farm finances or operates – they can make those decisions. Also, the testimony twice was made clear that 100 percent of the income of the people living in the agricultural labor units must be derived from the operation. Mr. Danser stated that there is no outside employment. Chairman Fisher stated that it should be the majority of income – if someone sold something on eBay, for example, that should not count. Mr. Schilling stated that he is happy to take Mr. Danser's suggestion that there be no outside employment.

Mr. Roohr stated that Mr. Schilling had said that all of the horses that are being boarded are being trained to increase their value. However, if the horses are being trained that is considered a service not eligible for agricultural labor housing unless the farm or the trainer is receiving a fair commission on that. Ms. Sherwell stated that she receives a percentage of every sale that is made. Ms. Payne asked Ms. Sherwell if she receives a percentage of every horse that is sold that she trained. Ms. Sherwell indicated yes.

Mr. Ellis and Mr. Germano agreed to amend their motion and second, respectively, to approve the request by SST 100 LP farm for the construction and use of three Agricultural Labor Housing Units in the dimensions described with the conditions that there is only one occupant per unit; those occupants cannot have employment other than by this operation; the horses that are boarded on site are also trained by the operation; and when those trained horse are sold the operation is compensated in part by that sale. The motion was unanimously approved. Staff will prepare a Resolution for the Committee's approval at its October meeting to memorialize the action.

Mr. Perrone asked for a letter to be sent to the Township indicating the SADC's approval. Mr. Roohr stated that he will draft a cover letter stating that the labor housing was approved. Mr. Stypinski noted that under the SADC's statute there is a 15-day gubernatorial review/veto period after the minutes are approved. Any letter sent would be subject to that provision.

Chairman Fisher stated that there is a concern about precedent and how farms are changing and evolving. There is something called market disruption and everything, no matter what it is, is being disrupted. The models that worked before are not there anymore. Farmers used to just grow things and raise livestock, but it is not like that anymore. Chairman Fisher stated that he understands the concern because New Jersey is spending \$1.7 billion on farmland preservation. He wants Mr. Perrone's operation to flourish and be extraordinarily successful.

3. Review of Activities – Ineligible Residential Tenants

a. Madadi Farm, Hamilton Twp., Mercer County

Mr. Roohr stated that the Madadi Farm in Hamilton Township, Mercer County, was preserved through the SADC Fee Simple Program in 2001. In 2003 the SADC sold the farm to the Mazzas. There was an existing farmhouse. The Mazzas requested and received approval to tear it down and build a new house. Mr. Mazza was in the demolition business and as he was about to demolish the home he was asked by local historical authorities to consider keeping the house as it was meaningful to them. Staff had spokem with the New Jersey Historic Preservation Office, which indicated the house is not a structure that needed to be retained. At that time Mr. Mazza had standardbred racehorses and an 8-acre vineyard that he planted so he had need for agricultural labor. As a compromise, the Committee said that the house could be re-designated as an agricultural labor unit instead of Mr. Mazza having to build new agricultural labor. This would allow the opportunity to build a new home and not have to knock down the existing home. That worked fine for a few years and then Mr. Mazza got out of the horse business. He no longer had horses and began renting

the house as a duplex unit to tenants who had nothing to do with the farm. In 2010 the Mazzas decided to sell the farm and move to Florida. In their advertisements for selling the farm, they listed this as a duplex rental unit and also listed the barn behind their new house as having an executive suite with a 400-square foot apartment. Staff found out about it, the Committee did a review of activities and found the use of the house and the potential use of the barn as an apartment to be violations of the deed of easement. The SADC required that all tenants be removed and that its findings be provided to the new buyer. The property was then auctioned, the Madadi family purchased the farm and two weeks after moving in, Mr. Madadi was killed.

Mrs. Madadi has struggled to maintain the farm and vineyard since then. It has been predominantly rented. Since 2012 staff noticed signs that the original farmhouse and possibly the barn were being used as rental units again, specifically "for rent" signs that were posted. Staff has been in communication with Mrs. Madadi since 2012 stating that these are violations. At some points she has asked the tenants to leave – at others she has explained that people stay in the barn apartment occasionally to help her with the vineyard and sometimes the units have been vacant. It has been a back-and-forth issue trying to get the units in compliance, but over the past two years it has just been people living in the house. Mr. Roohr stated that he spoke with Mrs. Madadi in August about this, and she stated that no one currently lives in the barn apartment now, but one person lives in the duplex house. She has an arrangement with him to mow the grass, so she thought that should count as agricultural labor. Mr. Roohr informed her that the Committee has not reviewed that as agricultural labor and that the Committee will need to address this for formal review. For the past couple of years Mrs. Madadi has said that this is not the property for her anymore and that she wants to sell it, and Mrs. Madadi's real estate agent recently contacted Mr. Roohr to confirm that she was being hired to list the property for sale. Mr. Roohr stated that staff realizes that now is a good time to bring this to the Committee. If the Committee confirms this is a violation of the deed of easement and that the duplex is not being used as agricultural labor units, and the barn is not even approved as anything, he can let Mrs. Madadi and her realtor know, because the realtor specifically asked about issues with the housing units. Also, any potential new buyer would be clearly on notice of the SADC's position on this. Mr. Roohr stated that staff is bringing this to the Committee as a review of activities and believes activities that were violations five years ago are still violations; there is just a new owner.

Mr. Siegel asked what would happen if the Committee makes this finding. Mr. Roohr stated that he would let Mrs. Madadi know this is a formal violation, not just staff opinion. Staff would need to know within a relatively short time period the plan to correct these violations or the resolution also provides for legal proceedings to be initiated by the Attorney General's office if compliance cannot be achieved in some reasonable timeframe.

Mr. Germano stated that he wanted to propose an amendment to the resolution to add that it be recorded in the county clerk's office. Mr. Siegel asked what the timeframe would be before Mrs. Madadi would be getting a letter from the Attorney General's office. Ms. Payne noted that the resolution says 90 days from the effective date of the resolution, so that would be about four months.

It was moved by Mr. Ellis and seconded by Mr. Germano to approve Resolution FY2018R9(22) finding violations of the Deed of Easement and previous SADC approval resolutions for use of the agricultural labor unit (original farmhouse) as a rental unit for households where at least one family member is not engaged, full-time, in production agriculture on the premises, and use of the winery barn behind the main house as a residential unit without approval of the SADC, subject to any conditions of said resolution, and amended as discussed to require recording of said resolution in the county clerk's office. The motion was unanimously approved.

F. Right to Farm and Agricultural Mediation Programs

1. Right to Farm Program Update

Mr. Kimmel stated that staff is always doing education on Right to Farm and the Agricultural Mediation Program, including presentations for CADBs and webinars for the State Bar Association and League of Municipalities. Two years ago staff asked the agricultural community what would be most beneficial to expand the SADC's outreach efforts. That led to the creation of a number of high-quality educational materials, including a Right to Farm guidebook and fact sheet. Rutgers also put together a fact sheet on the Right to Farm Act and Agricultural Mediation. One month ago, Ms. Payne sent a memo to the agricultural community and the CADBs asking what the next step should be and their thoughts on audience, topics and an outreach format.

2. Recertification of Roster of Mediators for Fiscal Year 2018

Mr. Kimmel stated that every year under the SADC's regulations, the Committee must renew the certificates of the roster of mediators if they continue to satisfy the Agricultural Mediation Program's requirements. Staff recommends that the Committee approve the resolution in their binders recertifying the roster of 12 mediators.

Ms. Payne stated that partners had until the end of October to provide feedback on future Right to Farm outreach. Based on the feedback received, staff will inform the Committee of recommendations for the next steps. Until then, today staff is looking for approval to certify the agricultural mediation list. Mr. Siegel asked if staff keeps a report card on the

mediators. Mr. Kimmel stated that after mediation sessions staff may receive calls from participants talking about their experience, but there is an evaluation sent to all participants so feedback is getting to the SADC that way. Mr. Siegel asked how good the return was on the evaluations and Mr. Kimmel stated that there is a 50 percent turn-around on the evaluations.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2018R9(23) renewing the certificates of the certified mediators listed in said resolution pursuant to N.J.A.C. 2:76-18.10, subject to any conditions of said resolution. The motion was unanimously approved.

PUBLIC COMMENT

There was no public comment.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 a.m., Thursday October 26, 2017, at the Stony Brook-Millstone Watershed Association located at 31 Titus Mill Road, Pennington.

CLOSED SESSION

At 12:30 p.m., Ms. Payne read the following resolution to go into Closed Session:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into Executive Session to discuss matters falling within the attorney-client privilege; the certification of values for property acquisitions under the Farmland Preservation Program; personnel matters; and any pending or anticipated litigation, pursuant to N.J.S.A. 10:4-12b.(7). The minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists.

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

ACTION AS A RESULT OF CLOSED SESSION

Mr. Schilling asked whether the SADC would benefit from any additional capacity in the equine area, even if it is part-time or consultative. This seems to be a recurring issue where the Committee is struggling to understand what is customary and normal in the industry. Ms. Payne stated that his point is well taken and it may be part of a larger discussion of how the SADC treats equine generally. She thinks the agency first needs to consider how it wants to embrace the equine industry. The test used to date has been production. If the SADC decides to support other equine uses on farms – e.g., boarding, training – then the SADC can develop rules. Mr. Schilling stated that he appreciates that, but the SADC's decision on how it wants to proceed may be informed by what is happening in the equine sector and what is on the near horizon. Ms. Payne stated that as staff gets past a couple of major current initiatives – such as the Rural Microenterprise rules, and special occasion events/expiration of the winery pilot program – the Committee and Secretary may want staff to focus on equine policy. It is not just the SADC – it is the department and the whole industry, and the SADC is part of that discussion.

A. Real Estate Matters - Certifications of Values

County Planning Incentive Grant Program

It was moved by Mr. Danser and seconded by Mr. Germano to approve the Certifications of Value for the following applications as discussed in Closed Session:

1. Estate of Hazelton/Charles R. Erhardt, Jr. (**update**), SADC ID #08-0167-PG
Block 33.01, Lot 3, Harrison Twp., Gloucester County, 43 Acres
2. Mollie Ragusa (**update**), SADC ID # 08-0165-PG
Block 801, Lot 36, Logan Twp., Gloucester County, 46.431 Net Acres
3. Anthony Sparacio Jr. and Anthony Sparacio Sr. (Sparacio #3), SADC ID # 06-0190-PG
Block 48, Lot 1, and Block 49, Lot 1, Deerfield Twp., Cumberland County, 19 Acres
4. David and Nancy Ackley (Ackley #2), SADC ID # 06-0192-PG
Block 404, Lots 4.01, 4.04 and 5, Upper Deerfield Twp., Cumberland County, 40 Net Acres

Municipal Planning Incentive Grant Program

1. Richard K. and Brian S. Dalrymple, SADC ID # 10-0382-PG
Block 6, Lots 26 & 26.01, Kingwood Twp., Hunterdon County, 47.95 Net Acres

Direct Easement Program

1. George and Evelyn Williams, SADC ID # 17-0300-DE
Block 91, Lots 23.03 & 24.01, Pilesgrove Twp., Salem County, 104.8 Gross Acres

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

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

County Planning Incentive Grant Program

1. Kirk R. Stephens, SADC ID # 19-0047-PG
Block 134, Lots 17, 17.01 and 17.02, Block 182, Lots 12.01 and 12.02, Vernon Twp., Sussex County, 72 Net Acres

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

ADJOURNMENT

There being no further business, it was moved by Mr. Ellis and seconded by Mr. Stanuikynas and unanimously approved to adjourn the meeting at 1:14 p.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(1)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

GLOUCESTER COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Stayton, Herbert and Styliades, George ("Owners")

Logan Township, Gloucester County

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

SADC ID# 08-0169-PG

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Gloucester County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on February 22, 2013 the SADC received an application for the sale of a development easement from Gloucester County for the subject farm identified as Block 1004, Lot 5, Logan Township, Gloucester County, totaling 56.39 surveyed gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the targeted Property is located in Delaware River Project Area; and

WHEREAS, the Property includes zero (0) exception areas resulting in 56.39 net acres to be preserved; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

WHEREAS, the Property has a quality score of 67.84 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on May 23, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 14, 2013 the SADC certified a development easement value of \$10,600 per acre based on zoning and environmental regulations in place as of July 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$10,600 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on November 7, 2013 the Logan Township Council approved the Owners' application for the sale of a development easement, and is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on August 20, 2014, the Board of Chosen Freeholders of the County of Gloucester passed a resolution granting final approval and a commitment of funding for \$10,600 per acre; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on December 15, 2014 for \$603,458 (\$10,600 per acre) which was recorded on December 15, 2014 in the Gloucester County Clerk's Office in Deed Book 5267, Page 263; and

WHEREAS, on January 21, 2016 the Gloucester CADB passed a resolution requesting SADC cost share funding for the Stayton and Styliades farm; and

WHEREAS, due to insufficient funding, the SADC had not been able to provide a cost share for the Property and therefore the County's request for SADC final approval and a cost share were significantly delayed; and

WHEREAS, at this time funding has become available and in order to provide a cost share and pursuant to SADC Policy P-52 an updated easement value was needed in order to establish a current date of value, the basis for the SADC cost share grant; and

WHEREAS, updated appraisals have been submitted by Mark Hanson (effective date 6/12/17) and Tim Sheehan (effective date 4/26/17).

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on August 24, 2017 the SADC certified an updated development easement value of \$10,000 per acre based on a valuation date of June 12, 2017; and

WHEREAS, the updated easement value of \$10,000 per acre is \$600 per acre less than the \$10,600 per acre previously certified by the SADC and as per N.J.A.C. 2:76-6.11 (d) and SADC Policy P-52 the SADC cost share will be the lower and updated certified development easement value; and

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

WHEREAS, the cost share breakdown is as follows (based on 56.39 net acres):

	<u>Cost Share</u>	
SADC	\$ 338,340.00	(\$ 6,000/acre; 60% of \$10,000)
Gloucester County	\$ 259,394.00	(\$ 4,600/acre)
Total Easement Purchase	\$ 597,734.00	(\$10,600/acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-14(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 Gloucester County Agriculture Development Board is requesting \$338,340.00 in FY17 competitive funding (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Gloucester County for the purchase of a development easement on the Property, comprising 56.39 acres, at a State cost share of \$6,000 per acre, (60% of updated certified easement value), for a total grant not to exceed \$338,340.00 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes zero (0) exception areas; and

BE IT FURTHER RESOLVED, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

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

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Planning Incentive Grant -2007 rules County\Gloucester\Gloucester\Stayton & Styliades\final approval.doc

Wetlands

Schedule A



x:\counties\gloucester\projects\stayton_fw.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Herbert J. Stayton, Jr. Esq./George N. Styliades, Esq.
Block 1004 Lot 5 (57.0 ac)
Gross Total = 57.0 ac
Logan Twp., Gloucester 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 geospatial accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



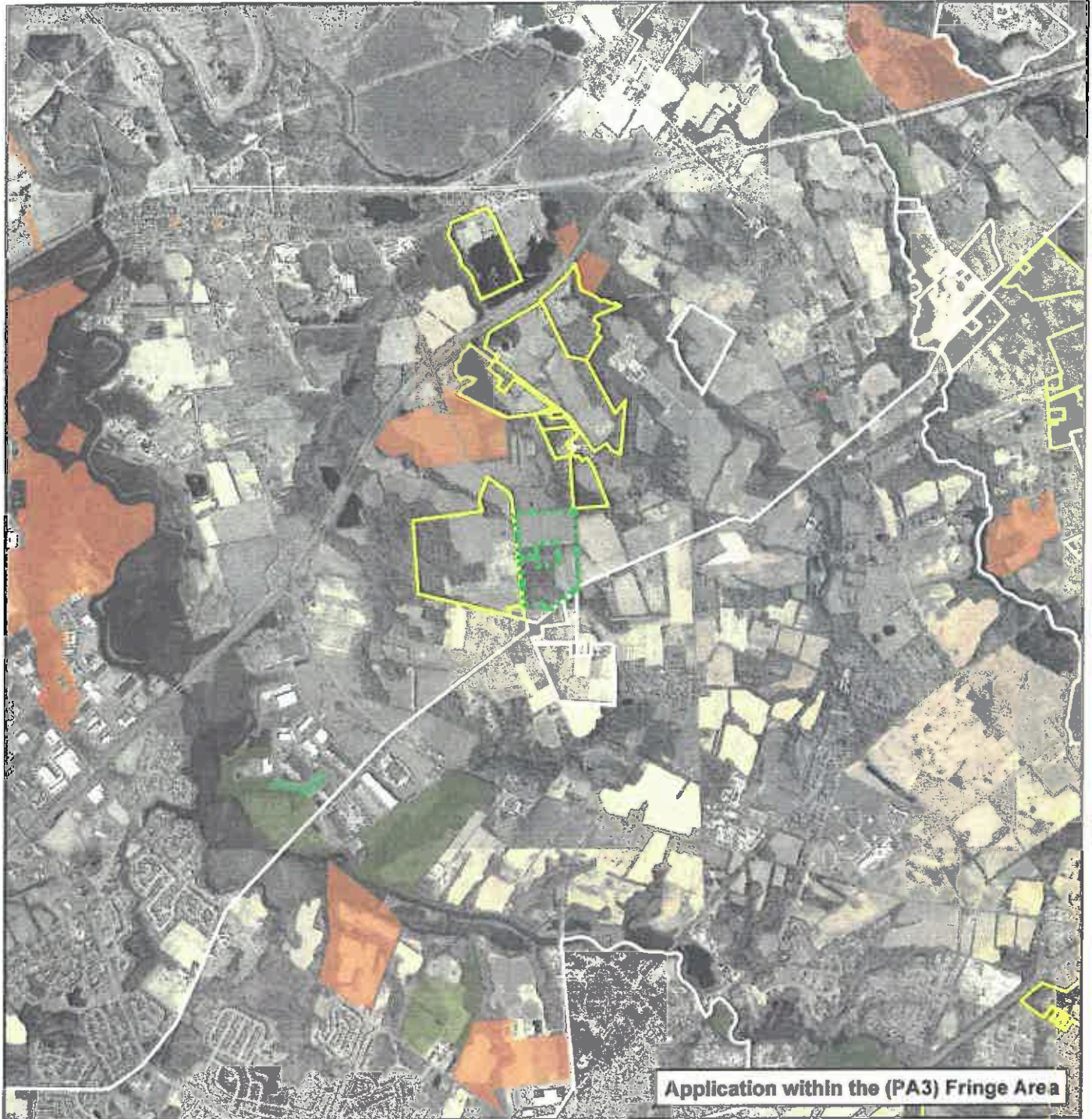
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
DWRPC 2010 Digital Aerial Image

February 28, 2013

Preserved Farms and Active Applications Within Two Miles

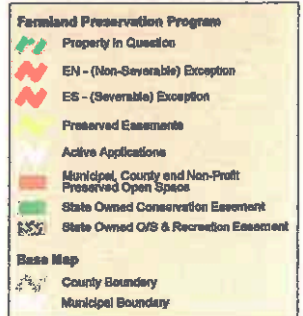
x:\counties\glouco\projects\stayton_2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Herbert J. Stayton, Jr. Esq./George N. Styliades, Esq.
Block 1004 Lot 5 (57.0 ac)
Gross Total = 57.0 ac
Logan Twp., Gloucester County

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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
DVRPC 2010 Digital Aerial Image
NJOT/OGIS 2007/2008 Digital Aerial Image

February 28, 2013

NOTE:

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

SADC County Financial Status
Schedule B
Gloucester County

SADC ID#	Farm	Acres	SADC		Federal Grant		Base Grant			Competitive Funds					
			Cost	Share	Total	SADC	Encumbered	PV	Expended	Balance	Maximum Grant	Expended	Balance	FY11	FY17
			Base		Federal Grant	Federal Grant		Fiscal Year 11 Fiscal Year 13 Fiscal Year 17			Fiscal Year 11 Fiscal Year 13 Fiscal Year 17				
08-0102-PG	DiBella, J&W, Rosemary	129.0180	1,528,863.30	917,317.98			917,317.98	917,317.98	917,317.98	2,552,592.02	89,446.08	89,446.08	2,910,553.32		
08-0104-PG	DiBella, Michael & Jane	91.4490	1,120,213.50	872,128.10			872,128.10	872,128.10	872,128.10	2,000,000.00	894,950.40	894,950.40	2,015,603.52		
08-0116-PG	Still Run Properties LLC	93.2330	1,491,584.00	894,950.40			894,950.40	894,950.40	894,950.40	2,000,000.00	478,100.00	478,100.00	1,539,503.52		
08-0100-PG	Chiuacanello, Matthew	52.8000	783,500.00	478,100.00			478,100.00	478,100.00	478,100.00	1,330,755.12	208,748.40	208,748.40	1,330,755.12		
08-0111-PG	Prowe, Gary	24.8610	347,914.00	208,748.40			208,748.40	208,748.40	208,748.40	826,807.92	504,847.20	504,847.20	826,807.92		
08-0120-PG	Heatherwood Farms III, LLC	77.9920	841,412.00	504,847.20			504,847.20	504,847.20	504,847.20	334,222.32	491,585.60	491,585.60	334,222.32		
08-0104-PG	W.W. Heilage Sons, Inc.	33.4480	819,478.00	491,585.60			491,585.60	491,585.60	491,585.60	4,489,755.32	864,464.00	864,464.00	4,489,755.32		
08-0132-PG	Bezz Homes LLC (Zeck)	111.8000	3,107,440.00	1,864,464.00			1,864,464.00	1,864,464.00	1,864,464.00	2,542,655.36	787,891.94	787,891.94	2,542,655.36		
08-0126-PG	Mascherone, Santo J.J.	110.3210	1,312,819.90	787,891.94			787,891.94	787,891.94	787,891.94	1,089,353.52	908,480.00	908,480.00	1,089,353.52		
08-0076-PG	Holzhauser, Charles & Son	90.0000	1,895,000.00	1,139,400.00			1,139,400.00	1,139,400.00	1,139,400.00	879,274.72	331,089.18	331,089.18	879,274.72		
08-0110-PG	Peterson, Alfio & Mary T.	124.5600	1,533,318.00	846,832.86			846,832.86	846,832.86	846,832.86	544,185.54	241,348.10	241,348.10	544,185.54		
08-0080-PG	Urban, George and Robert	115.1000	1,010,800.00	608,480.00			608,480.00	608,480.00	608,480.00	303,142.59	231,354.24	231,354.24	303,142.59		
08-0119-PG	Sieffert, Robert Sr. & William Jr. (#4)	32.2520	419,276.00	214,078.90			214,078.90	214,078.90	214,078.90	71,788.35	91,592.00	91,592.00	71,788.35		
08-0106-PG	Mascherone, Santo J.J., Lawali, Fardella	77.1150	1,096,530.00	331,089.18			331,089.18	331,089.18	331,089.18	4,593,704.48	165,600.00	165,600.00	4,593,704.48		
08-0164-PG	Brown	37.4180	401,738.26	241,042.95			241,042.95	241,042.95	241,042.95	4,325,101.88	41,802.50	41,802.50	4,325,101.88		
08-0165-PG	Call	37.0760	385,590.40	231,354.24			231,354.24	231,354.24	231,354.24	3,961,099.98	354,061.25	354,061.25	3,961,099.98		
08-0147-PG	Pieroli Homes	18.9800	151,200.00	91,592.00			91,592.00	91,592.00	91,592.00	3,803,974.03	262,200.00	262,200.00	3,803,974.03		
08-0175-PG	Bartholomew, Claire	49.8240	1,434,931.20	771,275.52			771,275.52	771,275.52	771,275.52	3,045,833.03	295,941.00	295,941.00	3,045,833.03		
08-0189-PG	DiSario, Marco	22.0800	287,040.00	165,600.00			165,600.00	165,600.00	165,600.00	2,392,649.03	238,940.85	238,940.85	2,392,649.03		
08-0184-PG	Shuta, Mark et al	19.9410	58,243.50	41,502.50			41,502.50	41,502.50	41,502.50	2,054,309.03	194,478.08	194,478.08	2,054,309.03		
08-0187-PG	Cohawkin Road, LLC	32.3610	608,788.75	354,061.25			354,061.25	354,061.25	354,061.25	1,899,832.95			1,899,832.95		
08-0172-PG	Harian Corporation	64.3470	595,208.75	357,125.85			357,125.85	357,125.85	357,125.85						
08-0174-PG	Austin, Jeanette	45.0000	437,000.00	262,200.00			262,200.00	262,200.00	262,200.00						
08-0174-PG	Still Run Properties, LLC #4	42.6930	593,813.00	295,941.00			295,941.00	295,941.00	295,941.00						
08-0174-PG	Still Run Properties, LLC #3	48.5550	596,020.00	357,012.00			357,012.00	357,012.00	357,012.00						
08-0170-PG	Leone, Russell & April	43.5000	530,425.00	295,172.00			295,172.00	295,172.00	295,172.00						
08-0169-PG	Leone, Robert & Stylades, George	56.3900	597,734.00	339,340.00			339,340.00	339,340.00	339,340.00						
08-0176-PG	Musumeci, Joseph, Victoria & Anna	29.4760	274,126.80	164,478.08			164,478.08	164,478.08	164,478.08						
Totals Closed	17	1,256,6100	18,860,676.36	10,619,903.85			10,619,903.85	10,619,903.85	10,619,903.85						
Totals Encumbered	6	259,3240	3,539,946.45	2,098,800.12			2,098,800.12	2,098,800.12	2,098,800.12						
										Encumbered/Expended FY09					
										Encumbered/Expended FY11	1,500,880.00				
										Encumbered/Expended FY13	1,000,000.00				
										Encumbered/Expended FY17	3,110,167.06				
										Total	0.00				
											3,110,167.06				
											0.00				
												3,000,000.00			
												5,000,000.00			
													0.00		
														1,899,832.95	
														1,899,832.95	

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Stayton & Styliades
08- 0169-PG
County PIG Program
57 Acres

Block 1004	Lot 5	Logan Twp.	Gloucester County
SOILS:		Prime	83% * .15 = 12.45
		Statewide	17% * .1 = 1.70
			SOIL SCORE: 14.15
TILLABLE SOILS:		Cropland Harvested	60% * .15 = 9.00
		Wetlands	18% * 0 = .00
		Woodlands	22% * 0 = .00
			TILLABLE SOILS SCORE: 9.00
FARM USE:	Soybeans-Cash Grain		59 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(2)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

GLOUCESTER COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

**On the Property of
Leone, Russell and April ("Owners")
Logan Township, Gloucester County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 08-0170-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Gloucester County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on February 25, 2013 the SADC received an application for the sale of a development easement from Gloucester County for the subject farm identified as Block 703, Lot 1, Logan Township, Gloucester County, totaling 44.3 surveyed gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the targeted Property is located in Delaware River Project Area; and

WHEREAS, the Property includes one (1), one (1) acre non-severable exception area limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in 43.3 net acres to be preserved; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

WHEREAS, the Property has a quality score of 73.22 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 22, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 14, 2013 the SADC certified a development easement value of \$12,250 per acre based on zoning and environmental regulations in place as of July 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$12,250 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on November 7, 2013 the Logan Township Council approved the Owners' application for the sale of a development easement, and is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 19, 2014, the Board of Chosen Freeholders of the County of Gloucester passed a resolution granting final approval and a commitment of funding for \$12,250 per acre; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on April 14, 2014 for \$530,425 (\$12,250 per acre) which was recorded on April 15, 2014 in the Gloucester County Clerk's Office in Deed Book 5181, Page 1; and

WHEREAS, on January 21, 2016 the Gloucester CADB passed a resolution requesting SADC cost share funding for the Russell and April Leone farm; and

WHEREAS, due to insufficient funding, the SADC had not been able to provide a cost share for the Property and therefore the County's request for SADC final approval and a cost share were significantly delayed; and

WHEREAS, at this time funding has become available and in order to provide a cost share and pursuant to SADC Policy P-52 an updated easement value was needed in order to establish a current date of value, the basis for the SADC cost share grant; and

WHEREAS, updated appraisals have been submitted by Mark Hanson (effective date 6/12/17) and Robert Frankenfield (effective date 5/1/17). and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on August 24, 2017 the SADC certified an updated development easement value of \$11,400 per acre based on a valuation date of June 12, 2017; and

WHEREAS, the updated easement value of \$11,400 per acre is \$850 per acre less than the \$12,250 per acre previously certified by the SADC and as per N.J.A.C. 2:76-6.11 (d) and SADC Policy P-52 the SADC cost share will be the lower and updated development easement value; and

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

WHEREAS, the cost share breakdown is as follows (based on 43.3 net acres):

	<u>Cost Share</u>	
SADC	\$ 296,172.00	(\$ 6,840/acre; 60% of \$11,400)
Gloucester County	\$ 234,253.00	(\$ 5,410/acre)
Total Easement Purchase	\$ 530,425.00	(\$12,250/acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-14(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 Gloucester County Agriculture Development Board is requesting \$296,172.00 in FY17 competitive funding (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Gloucester County for the purchase of a development easement on the Property, comprising 43.3 acres, at a State cost share of \$6,840 per acre, (60% of updated certified easement value), for a total grant not to exceed \$296,172.00 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

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

BE IT FURTHER RESOLVED, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

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

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

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

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

9-28-17

Date



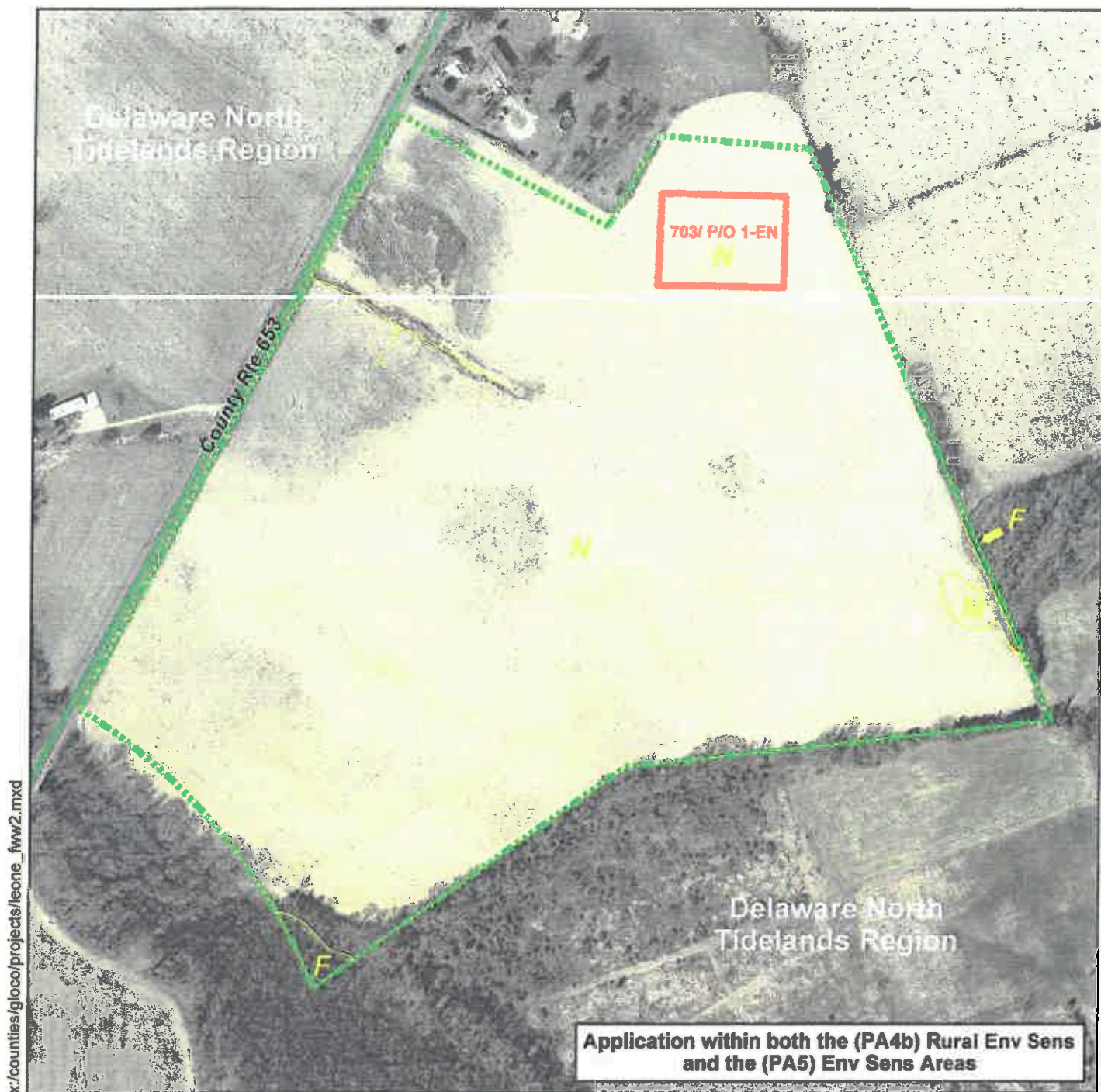
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Planning Incentive Grant -2007 rules County\Gloucester\Gloucester\ Leone, Russell & April\final approval.doc

Wetlands

Schedule A



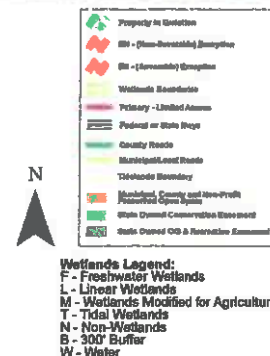
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Russell and April Leone
Block 703 Lots P/O 1 (40.4 ac)
& P/O 1-EN (non-severable exception - 1.0 ac)
Gross Total = 41.4 ac
Logan Twp., Gloucester County

250 125 0 250 500 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.

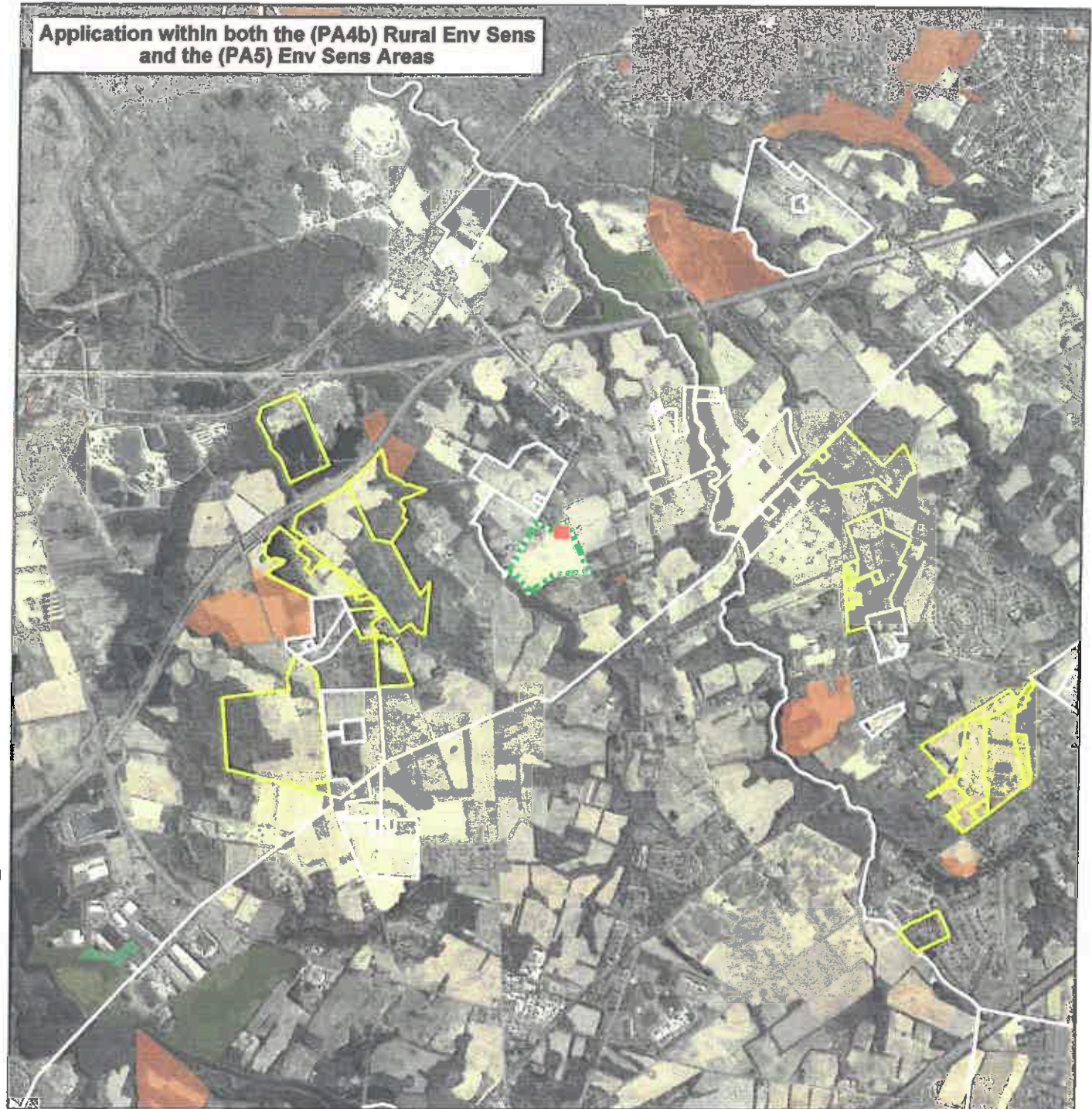
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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



Preserved Farms and Active Applications Within Two Miles

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

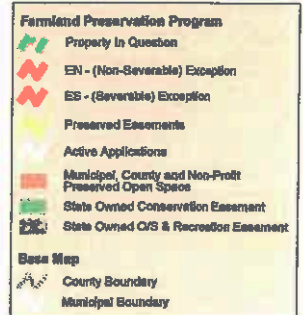
x:\counties\gloucester\projects\leone_2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Russell and April Leone
Block 703 Lots P/O 1 (40.4 ac)
& P/O 1-EN (non-severable exception - 1.0 ac)
Gross Total = 41.4 ac
Logan Twp., Gloucester 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
NJOTGIS 2012 Digital Aerial Image

March 7, 2013

Gloucester County

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

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Leone, Russell & April
08- 0170-PG
County PIG Program
40 Acres

Block 703	Lot 1	Logan Twp.	Gloucester County
SOILS:		Prime	91% * .15 = 13.65
		Statewide	7% * .1 = .70
		Unique zero	2% * 0 = .00
			SOIL SCORE: 14.35
TILLABLE SOILS:		Cropland Harvested	98% * .15 = 14.70
		Wetlands	.6% * 0 = .00
		Woodlands	1.4% * 0 = .00
			TILLABLE SOILS SCORE: 14.70
FARM USE:		Soybeans-Cash Grain	20 acres
		Agricultural Production Crops	22 acres
			turnips

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st one (1) acres for Future single family residential unit
 - Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(3)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

GLOUCESTER COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Harlan Corporation ("Owners")

South Harrison Township, Gloucester County

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

SADC ID# 08-0161-PG

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Gloucester County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on December 27, 2012 the SADC received an application for the sale of a development easement from Gloucester County for the subject farm identified as Block 14, Lots 7.01 - 7.14 and Block 14.01, Lot 2 South Harrison Township, Gloucester County, totaling 67.889 gross surveyed acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the targeted Property is located in Raccoon Creek Area; and

WHEREAS, the Property includes one (1), 0.542 acre non-severable exception area limited to zero (0) future single family residential units and one (1) three (3) acre severable exception area limited to one (1) future single family residential unit resulting in 64.347 net acres to be preserved; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

WHEREAS, the Property has a quality score of 66.7 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 26, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 12, 2013 the SADC certified a development easement value of \$9,250 per acre based on zoning and environmental regulations in place as of August 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$9,250 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on November 13, 2013 the South Harrison Township Committee approved the Owners' application for the sale of a development easement, and is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on April 16, 2014, the Board of Chosen Freeholders of the County of Gloucester passed a resolution granting final approval and a commitment of funding for \$9,250 per acre; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on May 6, 2014 for \$595,209.75 (\$9,250 per acre) which was recorded on May 19, 2014 in the Gloucester County Clerk's Office in Deed Book 5190, Page 252; and

WHEREAS, on May 6, 2014 a drainage easement granted to Gloucester County affecting the property was terminated; and

WHEREAS, on August 26, 2014 South Harrison Township vacated Pedrick Court, a public right of way servicing the subdivided lots; and

WHEREAS, on August 19, 2014 Harlan Corporation consolidated all of the individual lots into on lot now identified as Lot 7; and

WHEREAS, on January 21, 2016 the Gloucester CADB passed a resolution requesting SADC cost share funding for the Harlan Corporation farm; and

WHEREAS, due to insufficient funding, the SADC had not been able to provide a cost share for the Property and therefore the County's request for SADC final approval and a cost share were significantly delayed; and

WHEREAS, at this time funding has become available and in order to provide a cost share and pursuant to SADC Policy P-52 an updated easement value was needed in order to establish a current date of value, the basis for the SADC cost share grant; and

WHEREAS, updated appraisals have been submitted by Mark Hanson (effective date 6/12/2017) and Steven Bartelt (effective date 6/5/2017) who were the original appraisers and both appraisers have concluded updated easement values of \$10,000 per acre (Hanson) and \$9,600 per acre (Bartelt) which are both in excess of the \$9,250 per acre which was the CMV from the December 2013 SADC meeting; and

WHEREAS, the most recent SADC Appraiser Handbook, adopted June 22, 2017, states:
 "If both appraisals are at or higher than the original CMV and, if the updated appraisals are found to be complete, accurate and compliant with USPAP and SADC appraisal procedures, the review appraiser will supply a memorandum to the file stating that the appraisals are valid as of the updated date of value and SADC re-certification will not be necessary", and

WHEREAS, the SADC review appraiser has found the updated appraisals of the former Harlan Corporation farm to comply with all requirements of the SADC Appraiser Handbook and N.J.A.C. 2:76-10 and both updated appraisals resulted in easement values in excess of the previously certified market value approved at the December 12, 2013 SADC meeting; and

WHEREAS, the SADC cost share will be based on the 2013 certified market value (CMV) of \$9,250 per acre; and

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

WHEREAS, the cost share breakdown is as follows (based on 64.347 net acres):

	<u>Cost Share</u>	
SADC	\$ 357,125.85	(\$5,550/acre; 60%)
Gloucester County	\$ 238,083.90	(\$3,700/acre; 40%)
Total Easement Purchase	\$ 595,209.75	(\$9,250/acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-14(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 Gloucester County Agriculture Development Board is requesting \$357,125.85 in FY17 competitive funding (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Gloucester County for the purchase of a development easement on the Property, comprising 64.347 net acres, at a State cost share of \$5,550 per acre, (60% of

original certified easement value and purchase price), for a total grant not to exceed \$357,125.85 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1), 0.542 acre non-severable exception area limited to zero (0) future single family residential units and one (1) three (3) acre severable exception area limited to one (1) future single family residential unit; and

BE IT FURTHER RESOLVED, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

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

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

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

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

9-28-17

Date



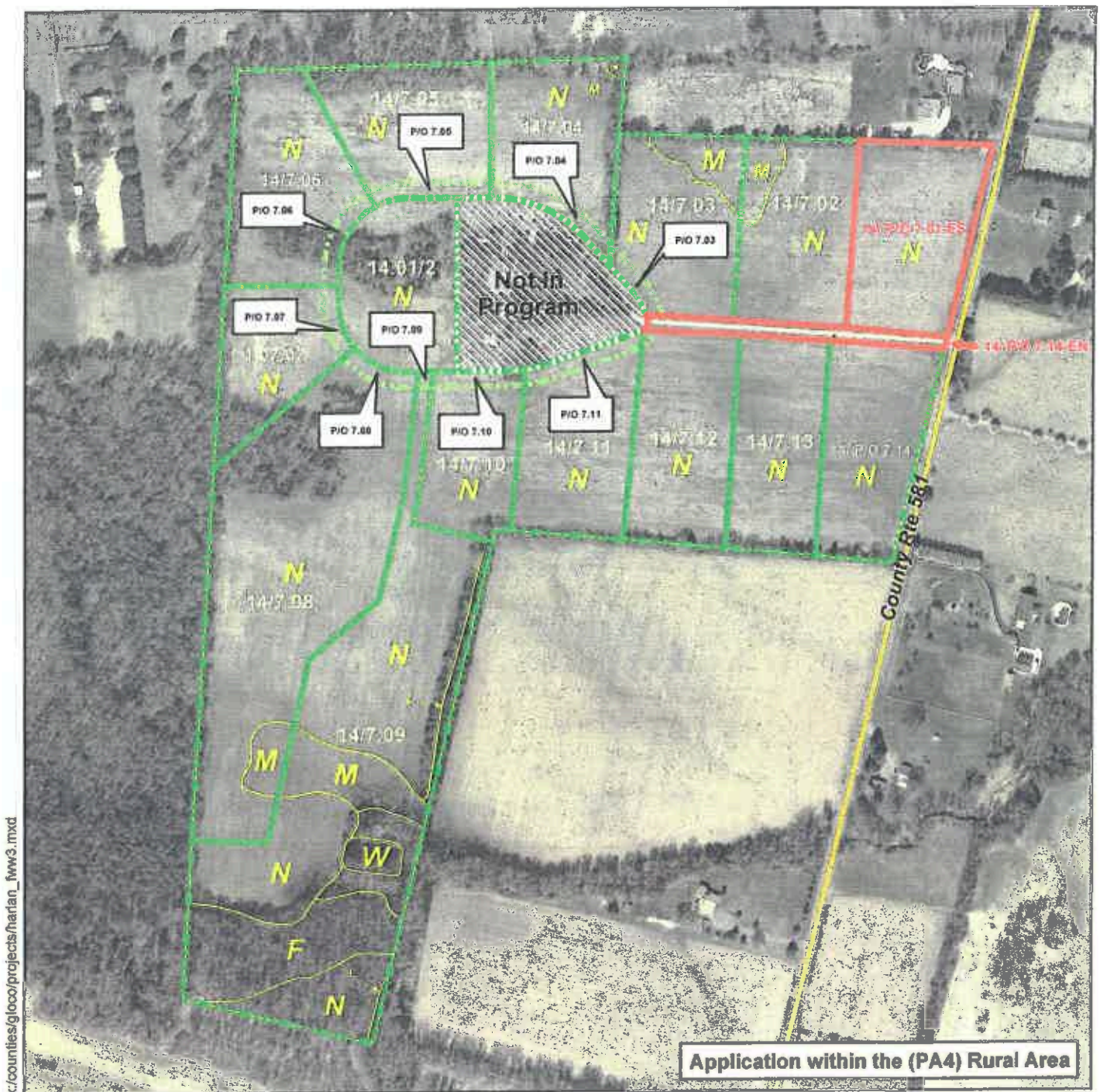
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Planning Incentive Grant -2007 rules County\Gloucester\Gloucester\Harlan corp\final approval.doc

Wetlands

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

George Harlan/The Harlan Corporation
Block 14 Lots 7.01-ES (severable exception - 3.6 ac);
7.02-ES (severable exception - 3.4 ac); 7.03 (3.5 ac); 7.04 (3.2 ac); 7.05 (3.3 ac);
7.06 (3.9 ac); 7.07 (2.5 ac); 7.08 (10.2 ac); 7.09 (13.3 ac);
7.10 (2.4 ac); 7.11 (3.4 ac); 7.12 (3.4 ac); 7.13 (3.1 ac); P/O 7.14 (3.3 ac)
& P/O 7.14-EN (non-severable exception - 0.7 ac)
and Block 14.01 Lot 2 (3.0 ac)
Gross Total = 66.0 ac
South Harrison Twp., Gloucester County



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



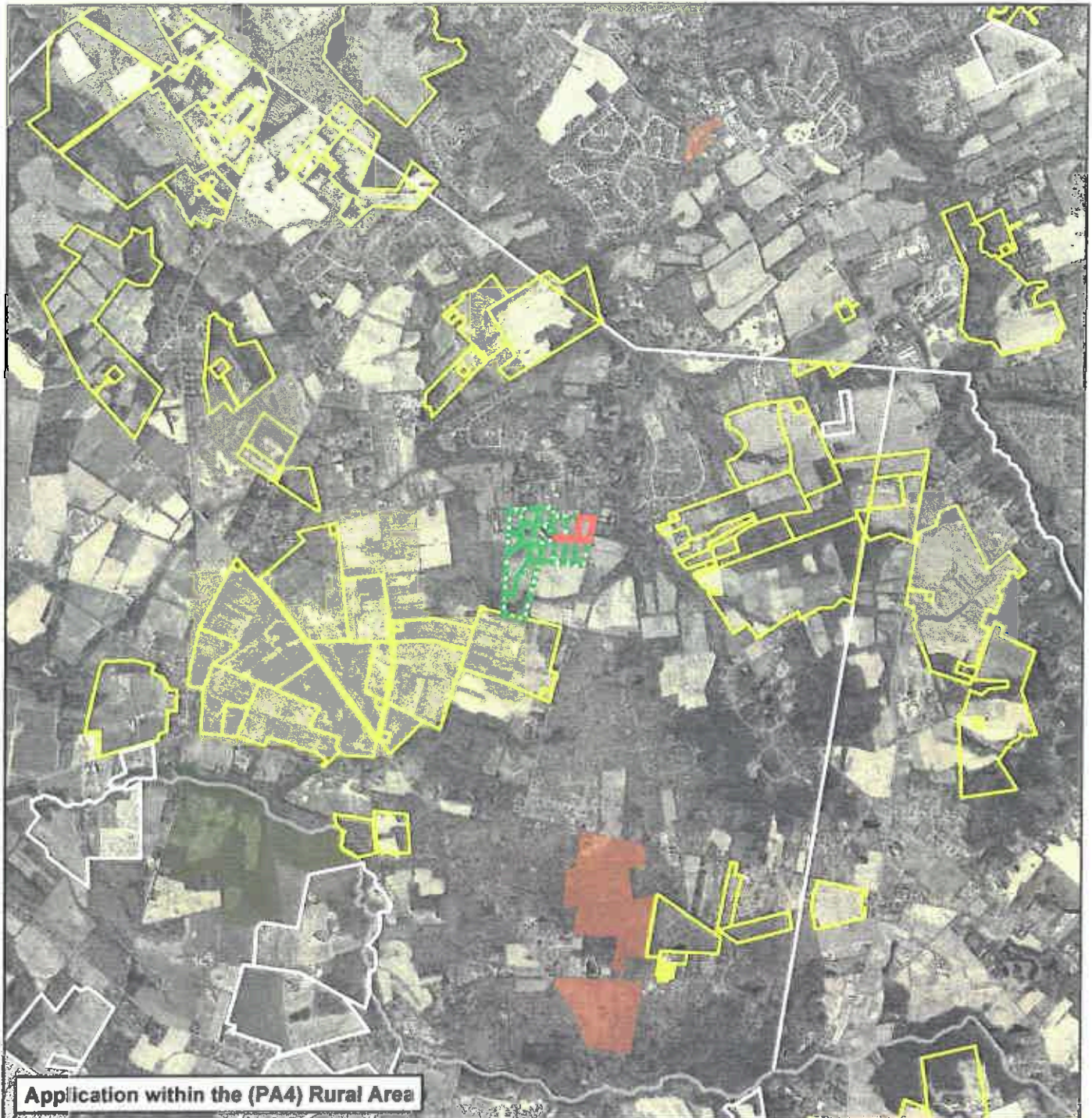
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
DVRPC 2010 Digital Aerial Image

June 26, 2013

Preserved Farms and Active Applications Within Two Miles

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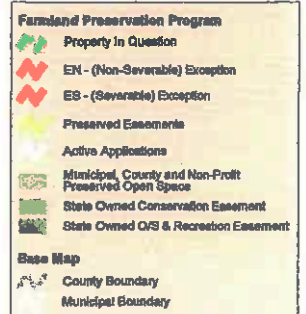


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

George Harlan/The Harlan Corporation
Block 14 Lots 7.01-ES (severable exception - 3.61 ac);
7.02 (3.37 ac); 7.03 (3.53 ac); 7.04 (3.24 ac); 7.05 (3.30 ac);
7.06 (3.87 ac); 7.07 (2.5 ac); 7.08 (10.23 ac); 7.09 (13.32 ac);
7.10 (2.43 ac); 7.11 (3.36 ac); 7.12 (3.38 ac); 7.13 (3.12 ac); P/O 7.14 (3.31 ac)
& P/O 7.14-EN (non-severable exception - 0.69 ac)
and Block 14.01 Lot 2 (2.95 ac)
Gross Total = 66.19 ac
South Harrison Twp., Gloucester County

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

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



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

June 26, 2013

SADC Count , Financial Status
Schedule B

Gloucester County

[illegible]

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Harlan Farm
08- 0161-PG
County PIG Program
61 Acres

Block 14	Lot 7.03	South Harrison Twp.	Gloucester County
Block 14	Lot 7.04	South Harrison Twp.	Gloucester County
Block 14	Lot 7.05	South Harrison Twp.	Gloucester County
Block 14	Lot 7.06	South Harrison Twp.	Gloucester County
Block 14	Lot 7.07	South Harrison Twp.	Gloucester County
Block 14	Lot 7.08	South Harrison Twp.	Gloucester County
Block 14	Lot 7.09	South Harrison Twp.	Gloucester County
Block 14	Lot 7.10	South Harrison Twp.	Gloucester County
Block 14	Lot 7.11	South Harrison Twp.	Gloucester County
Block 14	Lot 7.12	South Harrison Twp.	Gloucester County
Block 14	Lot 7.13	South Harrison Twp.	Gloucester County
Block 14	Lot 7.14	South Harrison Twp.	Gloucester County
Block 14.01	Lot 2	South Harrison Twp.	Gloucester County
Block 14	Lot 7.01	South Harrison Twp.	Gloucester County
Block 14	Lot 7.02	South Harrison Twp.	Gloucester County

SOILS:	Prime	42% *	.15	=	6.30
	Statewide	58% *	.1	=	5.80

SOIL SCORE: 12.10

TILLABLE SOILS:	Cropland Harvested	82% *	.15	=	12.30
	Wetlands	5% *	0	=	.00
	Woodlands	13% *	0	=	.00

TILLABLE SOILS SCORE: 12.30

FARM USE:	Soybeans-Cash Grain	44 acres
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In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st (3.6) acres for Applicant to retain flexibility for one house
Exception is severable
Exception is to be limited to one existing single family residential unit(s) and one future single family residential unit(s)
 - 2nd (.68) acres for Access
Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(4)

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

**On the Property of
Still Run Properties, LLC #3 ("Owner")
Mantua Township, Gloucester County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 08-0174-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Gloucester County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on April 22, 2013 the SADC received an application for the sale of a development easement from Gloucester County for the subject farm identified as Block 4, Lot 7, Mantua Township, Gloucester County, totaling 49.585 surveyed acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the targeted Property is located in Repaupo-Mantua Creek Project Area; and

WHEREAS, the Property includes zero (0) exception areas, resulting in 49.585 net acres to be preserved; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

WHEREAS, the Property has a quality score of 70.51 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 21, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 23, 2014 the SADC certified a development easement value of \$12,000 per acre based on zoning and environmental regulations in place as of July 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$12,000 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 11, 2014 the Mantua Township Committee approved the Owners' application for the sale of a development easement, and is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on November 5, 2014, the Board of Chosen Freeholders of the County of Gloucester passed a resolution granting final approval and a commitment of funding for \$12,000 per acre; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on February 12, 2015 for \$595,020 (\$12,000 per acre) which was recorded on February 19, 2015 in the Gloucester County Clerk's Office in Deed Book 5288, Page 70; and

WHEREAS, on January 21, 2016 the Gloucester CADB passed a resolution requesting SADC cost share funding for the Still Run Properties, LLC #3 farm; and

WHEREAS, due to insufficient funding, the SADC had not been able to provide a cost share for the Property and therefore the County's request for SADC final approval and a cost share were significantly delayed; and

WHEREAS, at this time funding has become available and in order to provide a cost share and pursuant to SADC Policy P-52 an updated easement value was needed in order to establish a current date of value, the basis for the SADC cost share grant; and

WHEREAS, updated appraisals have been submitted by Steve Bartelt (effective date 5/29/17) and Robert Frankenfield (effective date 6/15/17); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on August 24, 2017 the SADC certified an updated development easement value of \$12,000 per acre based on a valuation date of June 15, 2017; and

WHEREAS, the current easement value of \$12,000 per acre is the same as previously certified by the SADC and as per N.J.A.C. 2:76-6.11 (d) and Policy P-52 the SADC cost share will be \$12,000 per acre for the development easement; and

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

WHEREAS, the cost share breakdown is as follows (based on 49.585 net acres):

	<u>Cost Share</u>	
SADC	\$ 357,012.00	(\$ 7,200/acre; 60%)
Gloucester County	\$ 238,008.00	(\$ 4,800/acre; 40%)
Total Easement Purchase	\$ 595,020.00	(\$12,000/acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-14(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 Gloucester County Agriculture Development Board is requesting \$357,012.00 in FY17 competitive funding (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Gloucester County for the purchase of a development easement on the Property, comprising 49.585 acres, at a State cost share of \$7,200 per acre, (60% of purchase price), for a total grant not to exceed \$357,012.00 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes zero (0) exception areas; and

BE IT FURTHER RESOLVED, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

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

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

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

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

9-28-17

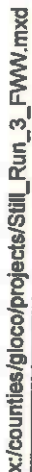
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

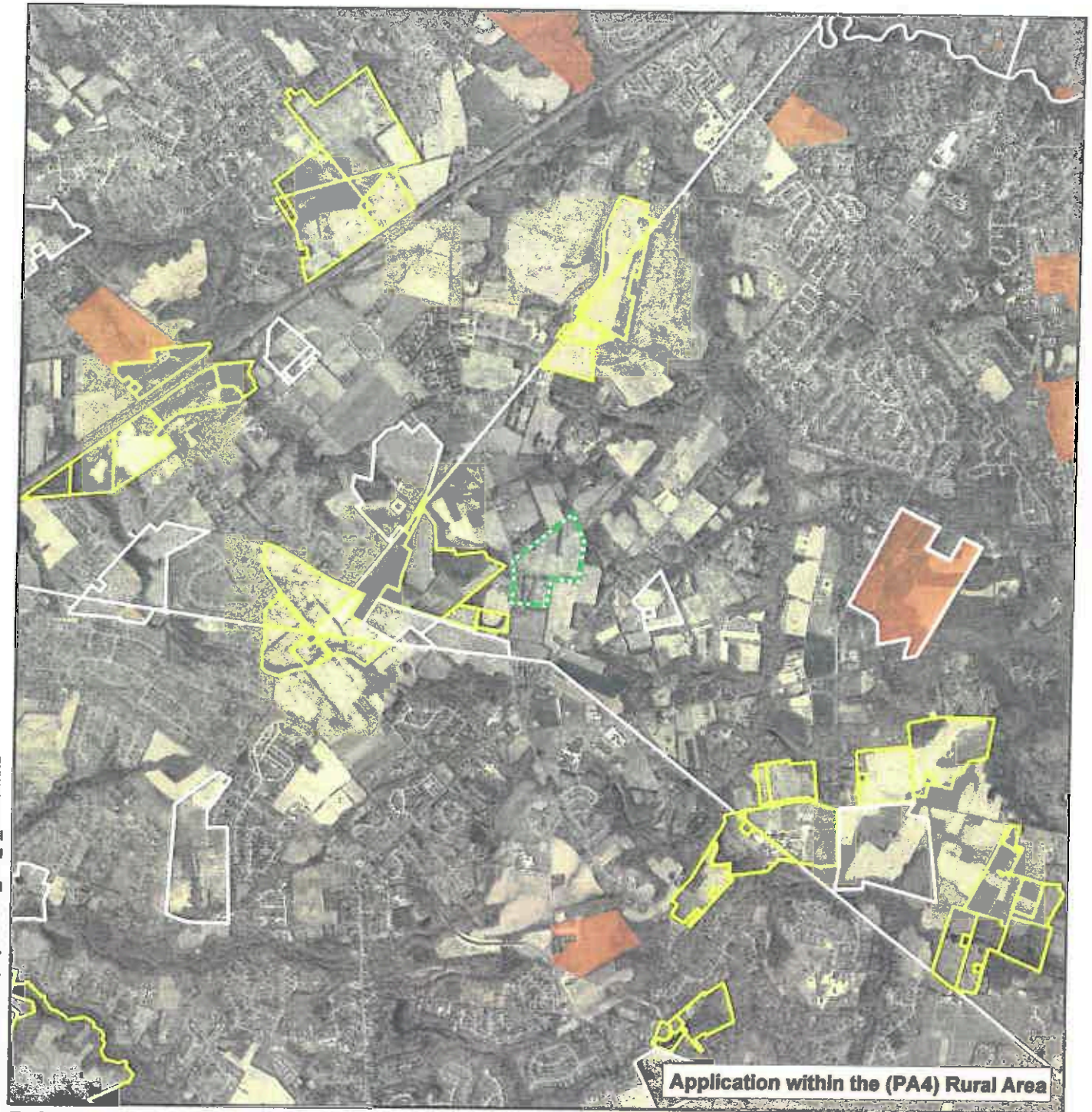
S:\Planning Incentive Grant -2007 rules County\Gloucester\Gloucester\Still Run #3\final approval.doc



Date: 5/21/2013

Preserved Farms and Active Applications Within Two Miles

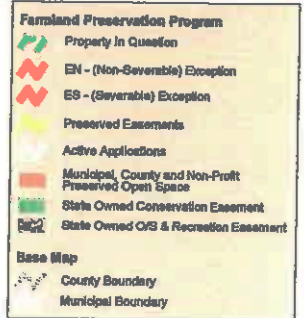
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Still Run Properties, LLC #3
Block 4 Lot 7 (50.15 ac)
Gross Total = 50.15 ac
Mantua Twp., Gloucester County

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



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

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

Date: 5/21/2013

SADC County Financial Status
Schedule B
Gloucester County

SADC ID#	Farm	Acres	SADC			Federal Grant			Base Grant			Competitive Funds					
			Cost Basis	Share	Total	SADC	Encumbered	PV	Fiscal Year 11 Fiscal Year 17	Fiscal Year 11 Fiscal Year 17	Maximum Grant Fiscal Year 11 Fiscal Year 17	Encumbered	PV	Expanded	FY11 Balance	FY13 Balance	FY17 Balance
08-0102-PG	DiBella, J&W, Rosemary	129.0180	1,528,863.30	917,317.98			917,317.98	917,317.98									
08-0101-PG	DiBella, Michael & Jane	81.4460	1,120,113.50	872,126.10			592,682.02	592,682.02									
08-0106-PG	Still Run Properties LLC	93.2330	1,491,884.00	894,950.40													
08-0100-PG	Chiuscanello, Matthew	92.9000	793,900.00	476,100.00													
08-0111-PG	Prowe, Gary	24.8510	347,314.00	208,748.40													
08-0120-PG	Heatherwood Farms III, L.L.C.	77.9820	841,412.00	504,847.20													
08-0104-PG	W.W. Harlaga Sons, Inc.	33.4480	819,476.00	491,686.50													
08-0132-PG	Maccherone, Santo J.	111.3000	3,107,440.00	1,864,464.00													
08-0104-PG	Best Homes LLC (Zack)	110.3210	1,312,216.90	787,691.94													
08-0076-PG	Holtzhauser, Charles & Son	90.0000	1,899,000.00	1,139,400.00													
08-0110-PG	Patane, Alito & Mary T.	124.6600	1,533,318.00	846,832.86													
08-0090-PG	Urban, George and Robert	116.1000	1,010,900.00	606,480.00													
08-0119-PG	Maccherone, Santo J., Lawell, Fardella	32.2520	419,276.00	214,078.80													
08-0106-PG	Maccherone, Santo J., Lawell, Fardella	77.1150	1,656,530.00	331,086.18													
08-0184-PG	Brown	37.4180	401,728.25	241,042.85													
08-0185-PG	Cell	37.0780	385,590.40	231,354.24													
08-0187-PG	Dormann, John & Karen	16.9800	151,200.00	91,892.00													
08-0171-PG	Piersol Homes	49.8240	1,434,931.20	771,275.52													
08-0173-PG	Phiviera et al.	95.8000	786,400.00	488,420.00													
08-0189-PG	Bartholomew, Claire	22.0800	287,040.00	163,500.00													
08-0184-PG	Disalo, Marco	16.8410	58,243.50	41,602.50													
08-0187-PG	Shuta, Mark et al.	42.6180	393,562.00	226,940.85													
08-0181-PG	Cohawkin Road, LLC	32.9510	665,768.75	364,061.25													
08-0172-PG	Harlan Corporation	84.3470	595,209.75	357,125.85													
08-0174-PG	Austin, Jeanette	48.0000	437,000.00	262,200.00													
08-0174-PG	Still Run Properties, LLC #4	42.6900	501,813.00	295,941.00													
08-0174-PG	Still Run Properties, LLC #3	49.5850	595,020.00	357,012.00													
08-0170-PG	Leone, Russell & April	43.3000	530,425.00	296,172.00													
08-0169-PG	Slayton, Herbert & Sylladass, George	56.3800	597,734.00	338,340.00													
08-0176-PG	Muamneel, Joseph, Victoria & Anna	29.4750	274,128.80	164,476.08													
Totals Closed	17	1,256,8100	18,860,675.35	10,819,303.65													
Totals Encumbered	8	259,3240	3,535,946.45	2,031,900.12													
					Encumbered/Expanded FY08	0.00	0.00										
					Encumbered/Expanded FY11	0.00	0.00										
					Encumbered/Expanded FY13	0.00	0.00										
					Encumbered/Expanded FY17	0.00	0.00										
					Total	0.00	0.00										
					1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00
					3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05	3,110,167.05
					0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
					1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86	1,889,632.86

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Still Run Properties, LLC #3 (block 4)
08- 0174-PG
County PIG Program
49 Acres

Block 4	Lot 7	Mantua Twp.	Gloucester County
SOILS:		Prime	90% * .15 = 13.50
		Statewide	10% * .1 = 1.00
			SOIL SCORE: 14.50
TILLABLE SOILS:		Cropland Harvested	85% * .15 = 12.75
		Woodlands	15% * 0 = .00
			TILLABLE SOILS SCORE: 12.75
FARM USE:		Soybeans-Cash Grain	27 acres
		Wheat-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: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2018R9(5)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
GLOUCESTER COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Still Run Properties, LLC #4 ("Owner")
Mantua Township, Gloucester County

N.J.A.C. 2:76-17 et seq.
SADC ID# 08-0173-PG

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Gloucester County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on April 23, 2013 the SADC received an application for the sale of a development easement from Gloucester County for the subject farm identified as Block 1, Lots 3 and 5, Mantua Township, Gloucester County, totaling 42.89 surveyed gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the targeted Property is located in Repaupo-Mantua Creek Project Area; and

WHEREAS, the Property includes zero (0) exception areas, resulting in 42.89 net acre to be preserved; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

WHEREAS, the Property has a quality score of 73.00 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 21, 2013 it was determined that the application for the sale of a development easement was complete and accurate and

satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 23, 2014 the SADC certified a development easement value of \$11,700 per acre based on zoning and environmental regulations in place as of July 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$11,700 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 11, 2014 the Mantua Township Committee approved the Owners' application for the sale of a development easement, and is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on November 5, 2014, the Board of Chosen Freeholders of the County of Gloucester passed a resolution granting final approval and a commitment of funding for \$11,700 per acre; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on February 12, 2015 for \$501,813 (\$11,700 per acre) which was recorded on February 19, 2015 in the Gloucester County Clerk's Office in Deed Book 5288, Page 91; and

WHEREAS, on January 21, 2016 the Gloucester CADB passed a resolution requesting SADC cost share funding for the Still Run Properties, LLC #4 farm; and

WHEREAS, due to insufficient funding, the SADC had not been able to provide a cost share for the Property and therefore the County's request for SADC final approval and a cost share were significantly delayed; and

WHEREAS, at this time funding has become available and in order to provide a cost share and pursuant to SADC Policy P-52 an updated easement value was needed in order to establish a current date of value, the basis for the SADC cost share grant; and

WHEREAS, updated appraisals have been submitted by Steve Bartelt (effective date 5/9/17) and Robert Frankenfield (effective date 6/15/17); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on August 24, 2017 the SADC certified an updated development easement value of \$11,500 per acre based on a valuation date of June 15, 2017; and

WHEREAS, the updated easement value of \$11,500 per acre is \$200 per acre less than the \$11,700 per acre previously certified by the SADC and as per N.J.A.C. 2:76-6.11 (d) and SADC Policy P-52 the SADC cost share will be based on the lower and updated development easement value; and

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

WHEREAS, the cost share breakdown is as follows (based on 42.89 net acres):

	<u>Cost Share</u>	
SADC	\$ 295,941.00	(\$ 6,900/acre; 60% of \$11,500)
Gloucester County	\$ 205,872.00	(\$ 4,800/acre)
Total Easement Purchase	\$ 501,813.00	(\$11,700/acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-14(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 Gloucester County Agriculture Development Board is requesting \$295,941.00 in FY17 competitive funding (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Gloucester County for the purchase of a development easement on the Property, comprising 42.89 acres, at a State cost share of \$6,900 per acre, (60% of updated certified value), for a total grant not to exceed \$295,941.00 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes zero (0) exception areas; and

BE IT FURTHER RESOLVED, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

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

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Planning Incentive Grant -2007 rules County\Gloucester\Gloucester\Still Run #4\final approval.doc

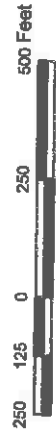
Wetlands

Application within the (PA4) Rural Area

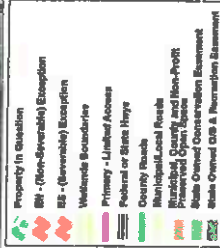
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FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Still Run Properties, LLC #4
Block 1 Lots 3 (20.12 ac) & 5 (22.95 ac)
Gross Total = 43.07 ac
Mantua Twp., Gloucester County



DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and not intended for planning purposes. The geospatial accuracy and precision of the GIS data contained in this file and any other files associated with this project are not intended to be relied upon in matters requiring definition and location of true ground horizontal and/or vertical measurements as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Schedule A

Sources:
AUSP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOTPOGS 2012 Digital Aerial Image

Date: 5/20/2013

Preserved Farms and Active Applications Within Two Miles

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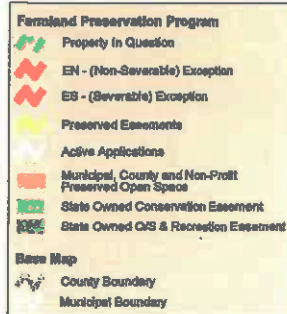


Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Still Run Properties, LLC #4
Block 1 Lots 3 (20.12 ac) & 5 (22.95 ac)
Gross Total = 43.07 ac
Mantua Twp., Gloucester County

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



NOTE:

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

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

Date: 5/20/2013

Gloucester County

[illegible]

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Still Run Properties, LLC #4(block 1)
08- 0173-PG
County PIG Program
44 Acres

Block 1	Lot 3	Mantua Twp.	Gloucester County
Block 1	Lot 5	Mantua Twp.	Gloucester County
SOILS:		Other	7% * 0 = .00
		Prime	90% * .15 = 13.50
		Statewide	3% * .1 = .30
			SOIL SCORE: 13.80
TILLABLE SOILS:		Cropland Harvested	91% * .15 = 13.65
		Woodlands	9% * 0 = .00
			TILLABLE SOILS SCORE: 13.65
FARM USE:		Soybeans-Cash Grain	39 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(6)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

GLOUCESTER COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

**On the Property of
Austin, Jeanette ("Owner")
Logan Township, Gloucester County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 08-0172-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Gloucester County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on April 22, 2013 the SADC received an application for the sale of a development easement from Gloucester County for the subject farm identified as Block 702, Lots 12 and 12.04, Logan Township, Gloucester County, totaling 46.00 gross surveyed acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the targeted Property is located in Delaware River Project Area; and

WHEREAS, the Property includes zero (0) exception areas, resulting in 46.0 net acres to be preserved; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

WHEREAS, the Property has a quality score of 61.00 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on November 15, 2013 it was determined that the application for the sale of a development easement was complete and accurate and

satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 23, 2014 the SADC certified a development easement value of \$9,500 per acre based on zoning and environmental regulations in place as of November 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$9,500 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on November 7, 2013 the Logan Township Council approved the Owners' application for the sale of a development easement, and is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 11, 2014, the Board of Chosen Freeholders of the County of Gloucester passed a resolution granting final approval and a commitment of funding for \$9,500 per acre; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on July 10, 2014 for \$437,000 (\$9,500 per acre) which was recorded on July 22, 2014 in the Gloucester County Clerk's Office in Deed Book 5213, Page 197; and

WHEREAS, on January 21, 2016 the Gloucester CADB passed a resolution requesting SADC cost share funding for the Jeanette Austin farm; and

WHEREAS, due to insufficient funding, the SADC had not been able to provide a cost share for the Property and therefore the County's request for SADC final approval and a cost share were significantly delayed; and

WHEREAS, at this time funding has become available and in order to provide a cost share and pursuant to SADC Policy P-52 an updated easement value was needed in order to establish a current date of value, the basis for the SADC cost share grant; and

WHEREAS, updated appraisals have been submitted by Mark Hanson (effective date 6/12/2017). Susan Curran was not available to update her previous appraisal so Gloucester County hired Robert Frankenfield (effective date 5/1/2017) and both appraisers have concluded updated easement values of \$10,500 per acre (Hanson) and \$10,000 per acre (Frankenfield) which are both in excess of the \$9,500 per acre which was the CMV from the January 2014 SADC meeting; and

WHEREAS, the most recent SADC Appraiser Handbook, adopted June 22, 2017, states:
"If both appraisals are at or higher than the original CMV and, if the updated appraisals are found to be complete, accurate and compliant with USPAP and SADC appraisal procedures, the review appraiser will supply a memorandum to the file stating that the appraisals are valid as of the updated date of value and SADC re-certification will not be necessary", and

WHEREAS, the SADC review appraiser has found the updated appraisals of the Austin farm to be comply with all requirements of the SADC Appraiser Handbook and N.J.A.C. 2:76-10 and both updated appraisals resulted in easement values in excess of the previously certified market value approved at the January 23, 2014 SADC meeting; and

WHEREAS, the SADC cost share will be based on the 2014 certified market value (CMV) of \$9,500 per acre; and

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

WHEREAS, the cost share breakdown is as follows (based on 46.00 net acres):

	<u>Cost Share</u>	
SADC	\$ 262,200.00	(\$5,700/acre; 60%)
Gloucester County	\$ 174,800.00	(\$3,800/acre; 40%)
Total Easement Purchase	\$ 437,000.00	(\$9,500/acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-14(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 Gloucester County Agriculture Development Board is requesting \$262,200.00 in FY17 competitive funding (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Gloucester County for the purchase of a development easement on the Property, comprising 46.00 net acres, at a State cost share of \$5,700.00 per acre, (60% of the original certified easement value and purchase price), for a total grant not to exceed \$262,200.00 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes zero (0) exception areas; and

BE IT FURTHER RESOLVED, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

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

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Planning Incentive Grant -2007 rules County\Gloucester\Gloucester\Austin\final approval.doc

Wetlands

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Austin, Jeanette
Block 702 Lot 12 (44.22 ac) & Lot 12.04 (.92 ac)
Gross Total = 45.14 ac
Logan Twp., Gloucester 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.



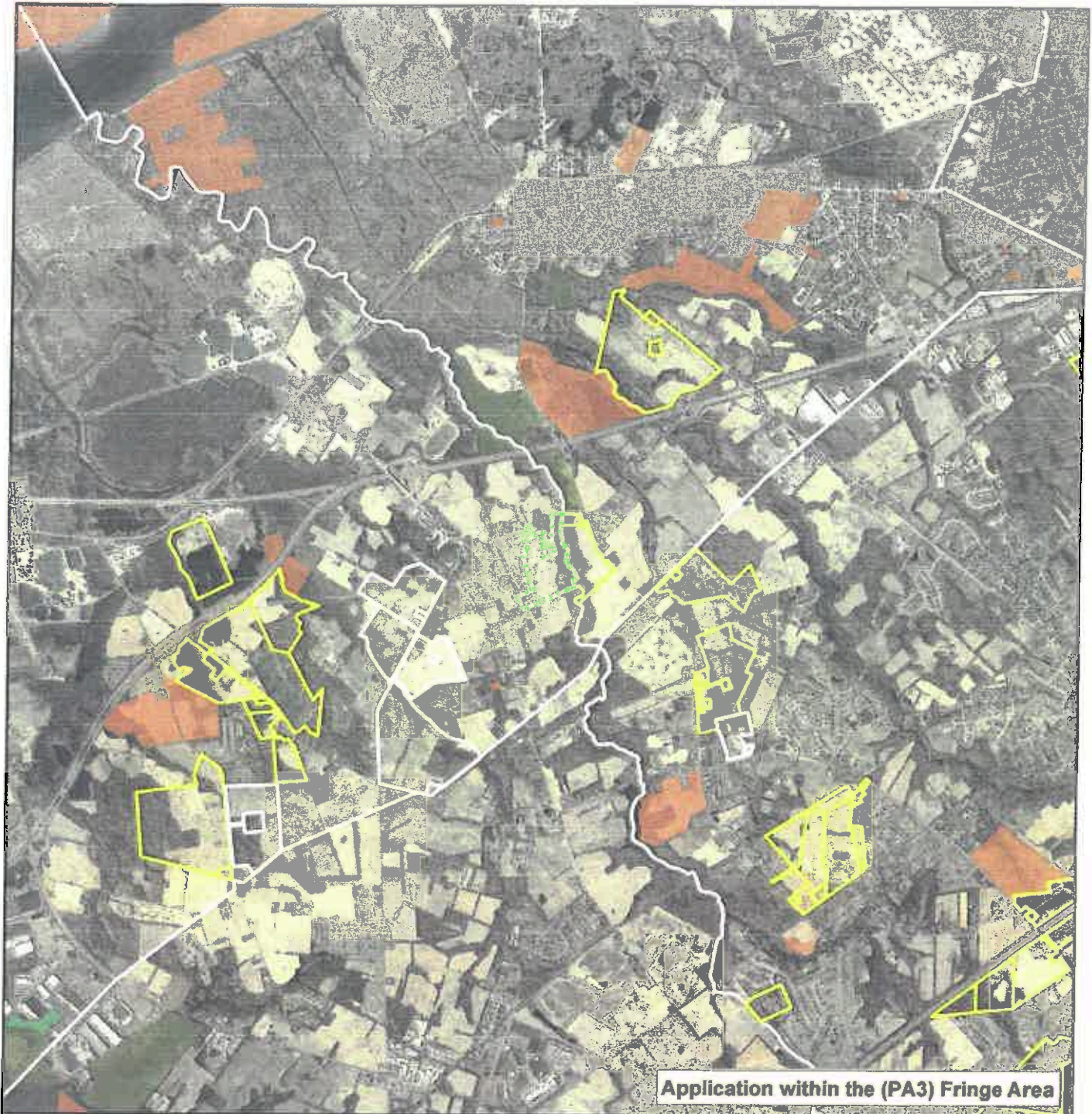
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

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

Date: 1/27/2014

Preserved Farms and Active Applications Within Two Miles

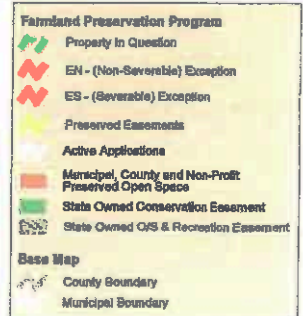
x:/counties/gloco/projects/Austin_J_2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Austin, Jeanette
Block 702 Lot 12 (44.22 ac) & Lot 12.04 (.92 ac)
Gross Total = 45.14 ac
Logan Twp., Gloucester County

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



NOTE:

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

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

Date: 1/27/2014

Gloucester County

S:\Planning Incentive Grant -2007 rules County\Fund tracking\2013\typigfinancial\status.xls

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Austin Farm
08- 0172-PG
County PIG Program
45 Acres

Block 702	Lot 12	Logan Twp.	Gloucester County
Block 702	Lot 12.04	Logan Twp.	Gloucester County
SOILS:		Other	16% * 0 = .00
		Prime	28% * .15 = 4.20
		Statewide	36% * .1 = 3.60
		Unique zero	20% * 0 = .00

SOIL SCORE: 7.80

TILLABLE SOILS:	Cropland Harvested	63% * .15 = 9.45
	Other	6% * 0 = .00
	Wetlands	17% * 0 = .00
	Woodlands	14% * 0 = .00

TILLABLE SOILS SCORE: 9.45

FARM USE:	Vegtable & Melons	29 acres	cucumbers
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In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2018R9(7)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
GLOUCESTER COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Musumeci, Joseph Victoria, and Anna("Owners")
Logan Township, Gloucester County

N.J.A.C. 2:76-17 et seq.
SADC ID# 08-0176-PG

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Gloucester County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on May 6, 2013 the SADC received an application for the sale of a development easement from Gloucester County for the subject farm identified as Block 1004, Lots 4 and 4.03, Logan Township, Gloucester County, totaling 30.476 surveyed gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the targeted Property is located in Delaware River Project Area; and

WHEREAS, the Property includes one (1), one (1) acre non-severable exception area for one (1) future single family residential unit and to afford future flexibility of uses resulting in 29.476 net acres to be preserved; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

WHEREAS, the Property has a quality score of 68.46 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on August 22, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 22, 2014 the SADC certified a development easement value of \$9,300 per acre based on zoning and environmental regulations in place as of February 3, 2014; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$9,300 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on November 7, 2013 the Logan Township Council approved the Owners' application for the sale of a development easement, and is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on November 5, 2014, the Board of Chosen Freeholders of the County of Gloucester passed a resolution granting final approval and a commitment of funding for \$9,300 per acre; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on December 22, 2014 for \$274,126.80 (\$9,300 per acre) which was recorded on December 31, 2014 in the Gloucester County Clerk's Office in Deed Book 5272, Page 145; and

WHEREAS, on January 21, 2016 the Gloucester CADB passed a resolution requesting SADC cost share funding for the Musumeci farm; and

WHEREAS, due to insufficient funding, the SADC had not been able to provide a cost share for the Property and therefore the County's request for SADC final approval and a cost share were significantly delayed; and

WHEREAS, at this time funding has become available and in order to provide a cost share and pursuant to SADC Policy P-52 an updated easement value was needed in order to establish a current date of value, the basis for the SADC cost share grant; and

WHEREAS, updated appraisals have been submitted by Mark Hanson (effective date 6/12/2017) and Robert Frankenfield (effective date 6/26/2017) who were the original appraisers and both appraisers have concluded updated easement values of \$10,500 per which is in excess of the \$9,300 per acre which was the CMV from the May 22, 2014 SADC meeting; and

WHEREAS, the most recent SADC Appraiser Handbook, adopted June 22, 2017, states:
"If both appraisals are at or higher than the original CMV and, if the updated appraisals are found to be complete, accurate and compliant with USPAP and SADC appraisal procedures, the review appraiser will supply a memorandum to the file stating that the appraisals are valid as of the updated date of value and SADC re-certification will not be

necessary", and

WHEREAS, the SADC review appraiser has found the updated appraisals of the Musumeci farm to comply with all requirements of the SADC Appraiser Handbook and N.J.A.C. 2:76-10 and both updated appraisals resulted in easement values in excess of the previously certified market value approved at the May 22, 2014 SADC meeting; and

WHEREAS, the SADC cost share will be based on the 2014 certified market value (CMV) of \$9,300 per acre; and

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

WHEREAS, the cost share breakdown is as follows (based on 29.476 net acres):

	<u>Cost Share</u>	
SADC	\$ 164,476.08	(\$5,580/acre; 60%)
Gloucester County	\$ 109,650.72	(\$3,720/acre; 40%)
Total Easement Purchase	\$ 274,126.80	(\$9,300/acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-14(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 Gloucester County Agriculture Development Board is requesting \$164,476.08 in FY17 competitive funding (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Gloucester County for the purchase of a development easement on the Property, comprising 29.476 acres, at a State cost share of \$5,580.00 per acre, (60% of original certified easement value and purchase price), for a total grant not to exceed \$164,476.08 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

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

BE IT FURTHER RESOLVED, the Property includes zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and

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

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

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

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Planning Incentive Grant -2007 rules County\Gloucester\Gloucester\Musumeci\final approval.doc

Wetlands

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Joseph and Victoria Musumeci
Block 1004 Lots P/O 4 (18.7 ac);
& P/O 4-EN (non-severable exception - 1.0 ac) & 4.03 (12.4 ac)
Gross Total = 32.0 ac
Logan Twp., Gloucester County

250 125 0 250 500 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 geospatial accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



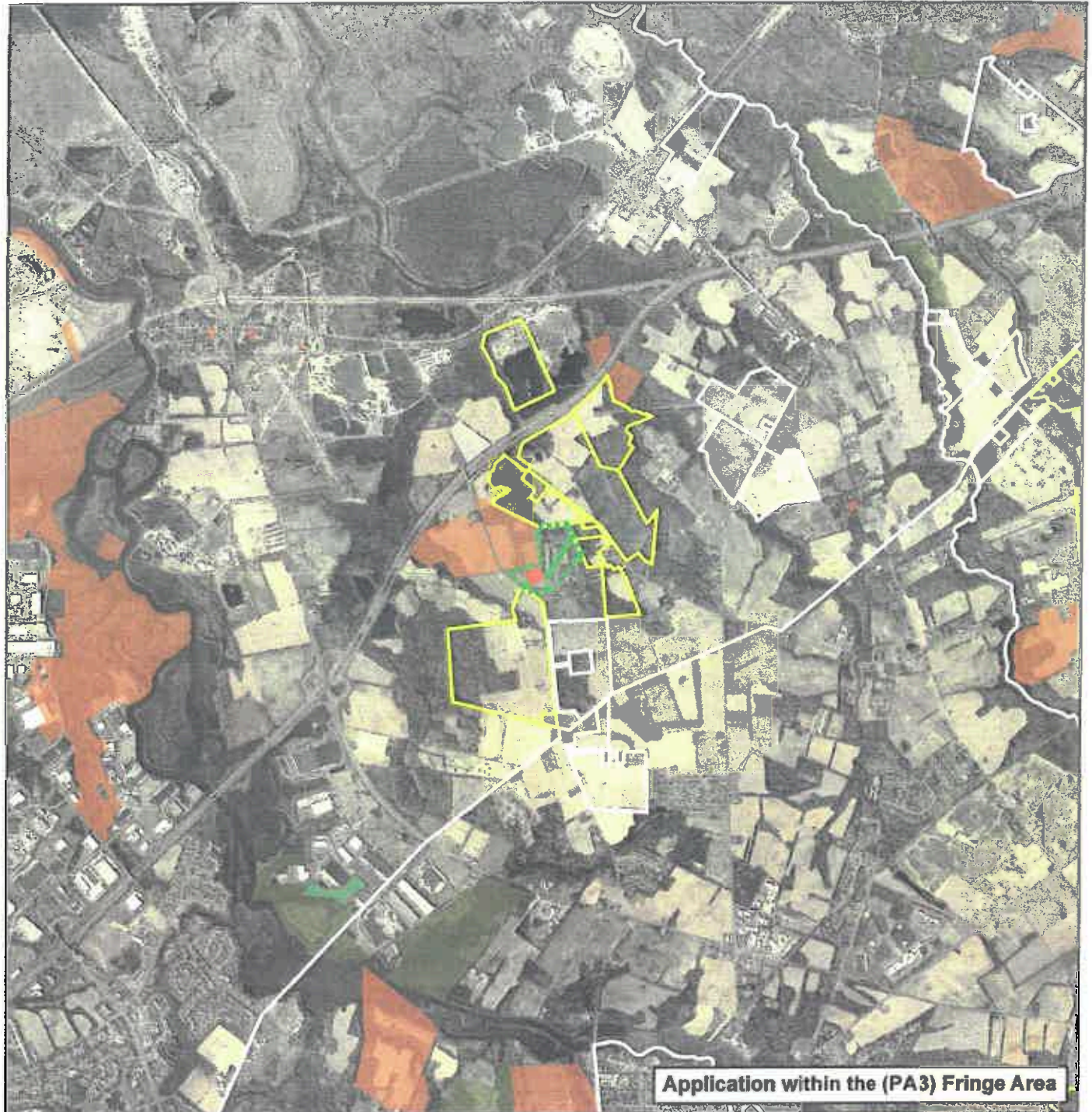
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOTGIS 2012 Digital Aerial Image

May 20, 2013

Preserved Farms and Active Applications Within Two Miles

x:/counties/xxxxco/projects/xxxxxxx_2mile.mxd



Application within the (PA3) Fringe Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Joseph and Victoria Musumeci
Block 1004 Lots P/O 4 (18.7 ac);
& P/O 4-EN (non-severable exception - 1.0 ac) & 4.03 (12.4 ac)
Gross Total = 32.0 ac
Logan Twp., Gloucester 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
NJOTIS 2012 Digital Aerial Image

May 20, 2013

SADC County Financial Status
Schedule B

Gloucester County

SADC ID#	Farm	Acres	SADC		Federal Grant		Base Grant				Competitive Funds																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
			Cost Basis	Share	Total	SADC	Federal Grant	Encumbered	PV	Expanded	Balance	Maximum Grant			FY11 Balance	FY17 Balance																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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08-0102-PG	DIBella, J&W, Rosemary	129.0180	1,528,963.30	917,317.98			917,317.98	917,317.98		1,500,000.00																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase
December 11, 2014

Musumeci, Joseph, Victoria & Anna
08- 0176-PG
County PIG Program
30 Acres

Block 1004	Lot 4	Logan Twp.	Gloucester County
Block 1004	Lot 4.03	Logan Twp.	Gloucester County
SOILS:		Prime	48% * .15 = 7.20
		Statewide	52% * .1 = 5.20
			SOIL SCORE: 12.40
TILLABLE SOILS:		Cropland Harvested	56% * .15 = 8.40
		Other	11% * 0 = .00
		Wetlands	33% * 0 = .00
			TILLABLE SOILS SCORE: 8.40
FARM USE:		Soybeans-Cash Grain	17 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st one (1) acres for Future single family residential unit
 - Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(8)

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

**On the Property of
Fenimore, Michael ("Owners")
Pemberton Township, Burlington County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#03-0421-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Burlington County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on September 13, 2016 the SADC received an application for the sale of a development easement from Burlington County for the subject farm identified as Block 812, Lot 8.01, Pemberton Township, Burlington County, totaling approximately 76 acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Burlington County's East Project Area and in the Pinelands Agricultural Production Area; and

WHEREAS, the Property includes one (1) one-half (0.5) acre severable exception area limited to zero (0) single family residential units and one (1) one and three-quarters (1.75) acre non-severable exception area limited to zero single family residential uses and to afford flexibility of uses resulting in approximately 73.75 net acres to be preserved; and

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

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

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

WHEREAS, the Property has a quality score of 59.61 which exceeds 48 , which is 70% of the County's average quality score as determined by the SADC on July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on November 21, 2016 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, the New Jersey Pinelands Commission Letter of Interpretation #2117 allocated 2.75 Pinelands Development Credits (PDCs) to Block 812, Lot 8.01; and

WHEREAS, the Burlington County Board of Chosen Freeholders purchase of the development easement will result in the 2.75 PDCs being retired; 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, the Formula takes into consideration the PDC's 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, on November 26, 2016, a Pinelands Valuation Formula (Formula) was finalized between SADC and CADB staff as per N.J.A.C. 2:76-19.3, yielding:

Formula Valuation without impervious cover option: \$2,795 per acre

Formula Valuation with 10% impervious cover option: \$3,145 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13 a landowner may choose to receive a higher base value pursuant to N.J.A.C. 2:76-19.4(c) by placing a deed restriction on the property that limits impervious coverage on the property to 10% of the total property acreage; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 1, 2016 the SADC certified a development easement value of \$1,550 per acre and a fee simple "before" value of \$4,950 based on zoning and environmental regulations in place as of September 9, 2016; and

WHEREAS, N.J.A.C. 2:76-19.14, provides that the development easement value shall not exceed 80 percent of the fee simple market value as determined by the Committee, which is \$3,960 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$3,145 per acre for the development easement for the Property which is based on the Formula Value with the impervious cover option; and

WHEREAS, the Owner agreed to the additional restrictions associated with accepting the higher of the two Pinelands formula evaluations, a maximum (10%) impervious cover available for the construction of agricultural infrastructure on the Property outside of the exception area which totals approximately 7.6 acres; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13, impervious coverage shall include, but is not limited to, houses, barns, stables, sheds, silos, outhouses, cabanas, and other buildings, swimming pools, docs or decks. Temporary greenhouses or other temporary coverings which do not have impervious floors are not included; and

WHEREAS, on August 15, 2017 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on July 12, 2017 the Pemberton Township Council approved the Owner's application (Resolution No. 158-2017) for the sale of development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 11, 2017 the Burlington CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 28, 2017, the Board of Chosen Freeholders of the County of Burlington passed a resolution granting final approval and a commitment of funding for \$248,455 to cover the cost of the development easement; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 75.96 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 75.96 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$173,720.52	(\$2,287.00/acre)
County	\$ 65,173.68	(\$ 858.00/acre)
Total Easement Purchase	\$238,894.20	(\$3,145.00/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 Burlington County Agriculture Development Board is requesting \$173,720.52 in FY17 competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Burlington County for the purchase of a development easement on the Property, comprising approximately 75.96 net easement acres, at a State cost share of \$2287.00 per acre, (72.72% of the easement value based on Pinelands Formula), for a total grant need of \$173,720.52 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Owner agreed to the additional restrictions associated with accepting the higher of the two Pinelands formula evaluations, a maximum (10%) impervious cover available for the construction of agricultural infrastructure on the Property outside of the exception area which totals approximately 7.7 acres; and

BE IT FURTHER RESOLVED, the Property includes one (1) one-half (0.5) acre severable exception area limited to zero (0) single family residential units and one (1) one and three-quarters (1.75) acre non-severable exception area limited to zero single family residential uses and to afford flexibility of uses; and

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

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

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

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

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

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

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Wetlands

Schedule A

X:\counties\burco\projects\fenimore_michael_2016_fwv.mxd



Application within the Pinelands Ag Production Area

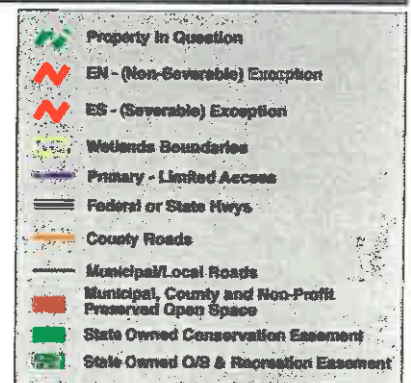
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Fenimore, Michael
Block 812 Lots P/O 8.01 (73.6 ac);
P/O 8.01-ES (severable exception - 0.5 ac)
& P/O 8.01-EN (non-severable exception - 1.8 ac)
Gross Total = 75.9 ac
Pemberton Twp., Burlington County

500 250 0 500 1,000 Feet

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

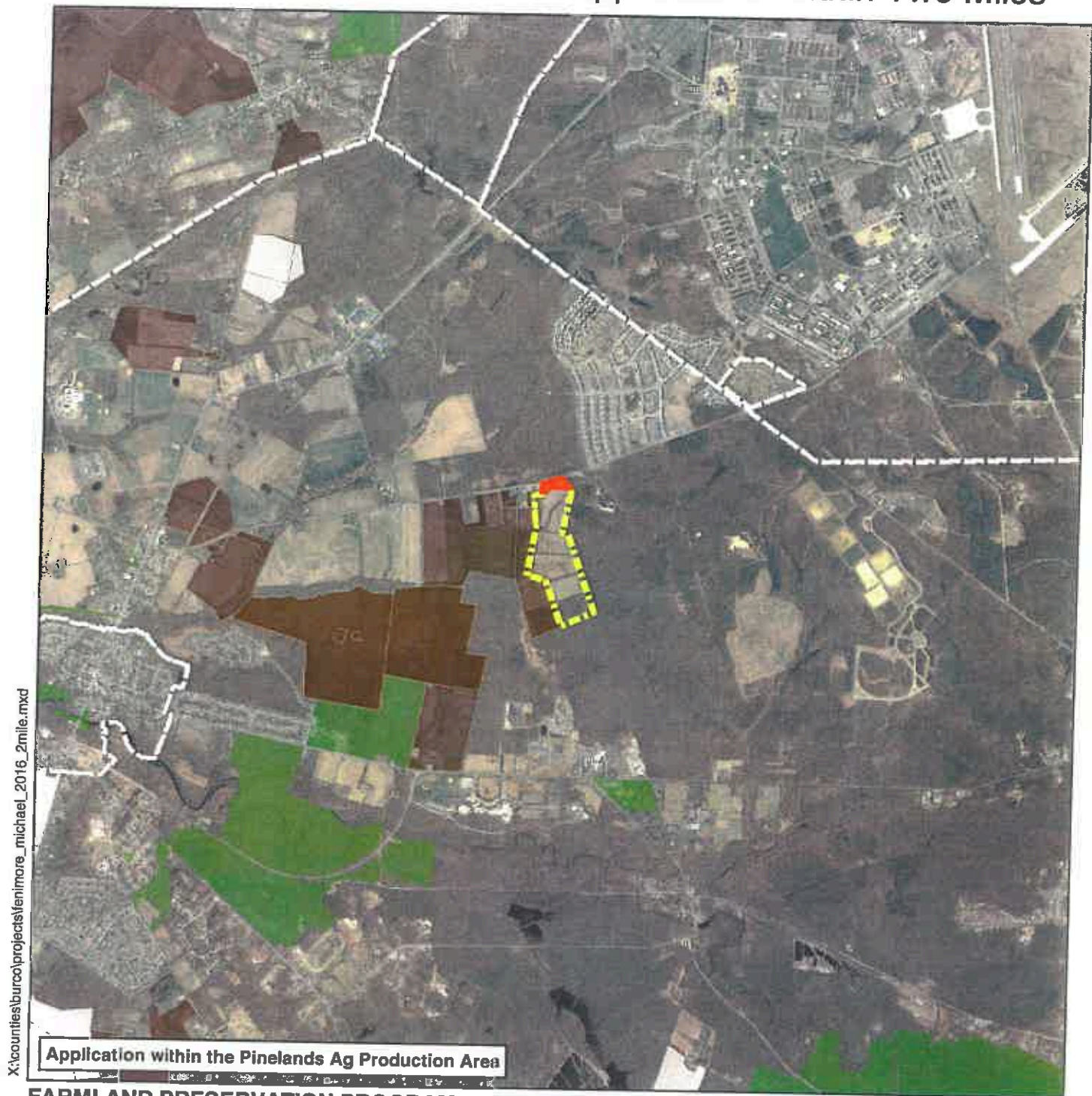
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 800' Buffer
W - Water

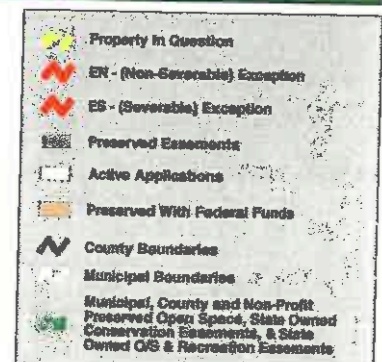
October 7, 2016

Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Fenimore, Michael
Block 812 Lots P/O 8.01 (73.6 ac);
P/O 8.01-ES (severable exception - 0.5 ac)
& P/O 8.01-EN (non-severable exception - 1.8 ac)
Gross Total = 75.9 ac
Pemberton Twp., Burlington County



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



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

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

October 7, 2016

Burlington County

31

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Fenimore, Michael
03- 0421-PG
County PIG Program
74 Acres

Block 812	Lot 8.01	Pemberton Twp.	Burlington County
SOILS:		Other	27% * 0 = .00
		Prime	8% * .15 = 1.20
		Statewide	65% * .1 = 6.50
			SOIL SCORE: 7.70
TILLABLE SOILS:		Cropland Harvested	68% * .15 = 10.20
		Other	2% * 0 = .00
		Wetlands	23% * 0 = .00
		Woodlands	7% * 0 = .00
			TILLABLE SOILS SCORE: 10.20
FARM USE:	Other	58 acres	Type of crop not listed on FA form
	General Livestock NEC	17 acres	Pasture

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st (.5) acres for Parking lot for adjacent lot with Tavern, limited to zero (0) SF residential use
Exception is severable
 - 2nd (1.75) acres for Flexibility in future use, limited to zero (0) SF residential use
Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(9)

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

**On the Property of
Alloway Family Limited Partnership - North ("Owners")
Southampton Township, Burlington County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#03-0425-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Burlington County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on October 24, 2016 the SADC received an application for the sale of a development easement from Burlington County for the subject farm identified as Block 1203, Lots 15 and 15.03, Southampton Township, Burlington County, totaling approximately 119 acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Burlington County's East Project Area and in the Pinelands Agricultural Production Area; and

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

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

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

WHEREAS, the Property has a quality score of 70.5 which exceeds 48 , which is 70% of the County's average quality score as determined by the SADC on July 23, 2015; and

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

WHEREAS, the New Jersey Pinelands Commission Letter of Interpretation #1509 allocated 5.75 Pinelands Development Credits (PDCs) to Block 1203, Lots 15 and 15.03; and

WHEREAS, the Burlington County Board of Chosen Freeholders purchase of the development easement will result in the 5.75 PDCs being retired; 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, the Formula takes into consideration the PDC's 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, on November 25, 2016, a Pinelands Valuation Formula (Formula) was finalized between SADC and CADB staff as per N.J.A.C. 2:76-19.3, yielding:

Formula Valuation without impervious cover option: \$3,660 per acre

Formula Valuation with 10% impervious cover option: \$4,118 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13 a landowner may choose to receive a higher base value pursuant to N.J.A.C. 2:76-19.4(c) by placing a deed restriction on the property that limits impervious coverage on the property to 10% of the total property acreage; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2017 the SADC certified a development easement value of \$2,600 per acre and a fee simple "before" value of \$6,300 based on zoning and environmental regulations in place as of October 21, 2016; and

WHEREAS, N.J.A.C. 2:76-19.14, provides that the development easement value shall not exceed 80 percent of the fee simple market value as determined by the Committee, which is \$5,040 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,118 per acre for the development easement for the Property which is based on the Formula Value with the impervious cover option; and

WHEREAS, the Owner agreed to the additional restrictions associated with accepting the higher of the two Pinelands formula evaluations, a maximum (10%) impervious cover available for the construction of agricultural infrastructure on the Property outside of the exception area which totals approximately 12 acres; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13, impervious coverage shall include, but is not limited to, houses, barns, stables, sheds, silos, outhouses, cabanas, and other buildings, swimming pools, docs or decks. Temporary greenhouses or other temporary coverings which do not have impervious floors are not included; and

WHEREAS, on August 15, 2017 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on August 15, 2017 the Southampton Township Committee approved the Owner's application (Resolution No. 2017-93) for the sale of development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 11, 2017 the Burlington CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 28, 2017, the Board of Chosen Freeholders of the County of Burlington passed a resolution granting final approval and a commitment of funding for \$518,868 to cover the cost of the development easement; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 122.57 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 122.57 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$351,873.96	(\$2,870.80/acre)
<u>County</u>	<u>\$152,869.30</u>	<u>(\$1,247.20/acre)</u>
Total Easement Purchase	\$504,743.26	(\$4,118.00/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 Burlington County Agriculture Development Board is requesting \$351,873.96 in FY17 competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Burlington County for the purchase of a development easement on the Property, comprising approximately 122.57 net easement acres, at a State cost share of \$2,870.80 per acre, (69.71% of the easement value based on Pinelands Formula), for a total grant need of \$351,873.96 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Owner agreed to the additional restrictions associated with accepting the higher of the two Pinelands formula evaluations, a maximum (10%) impervious cover available for the construction of agricultural infrastructure on the Property outside of the exception area which totals approximately 12 acres; and

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

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

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

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

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

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

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

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

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

9-28-17

Date

Susan E. Payne

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Planning Incentive Grant -2007 rules County\Burlington\Alloway Family North\final approval resolution.doc

Wetlands

Schedule H



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Alloway North/Alloway Family LP
Block 1203 Lots 15 (118.2 ac)
& 15.03 (1.1 ac)
Gross Total = 119.3 ac
Southampton Twp., Burlington County

500 250 0 500 1,000 Feet

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

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

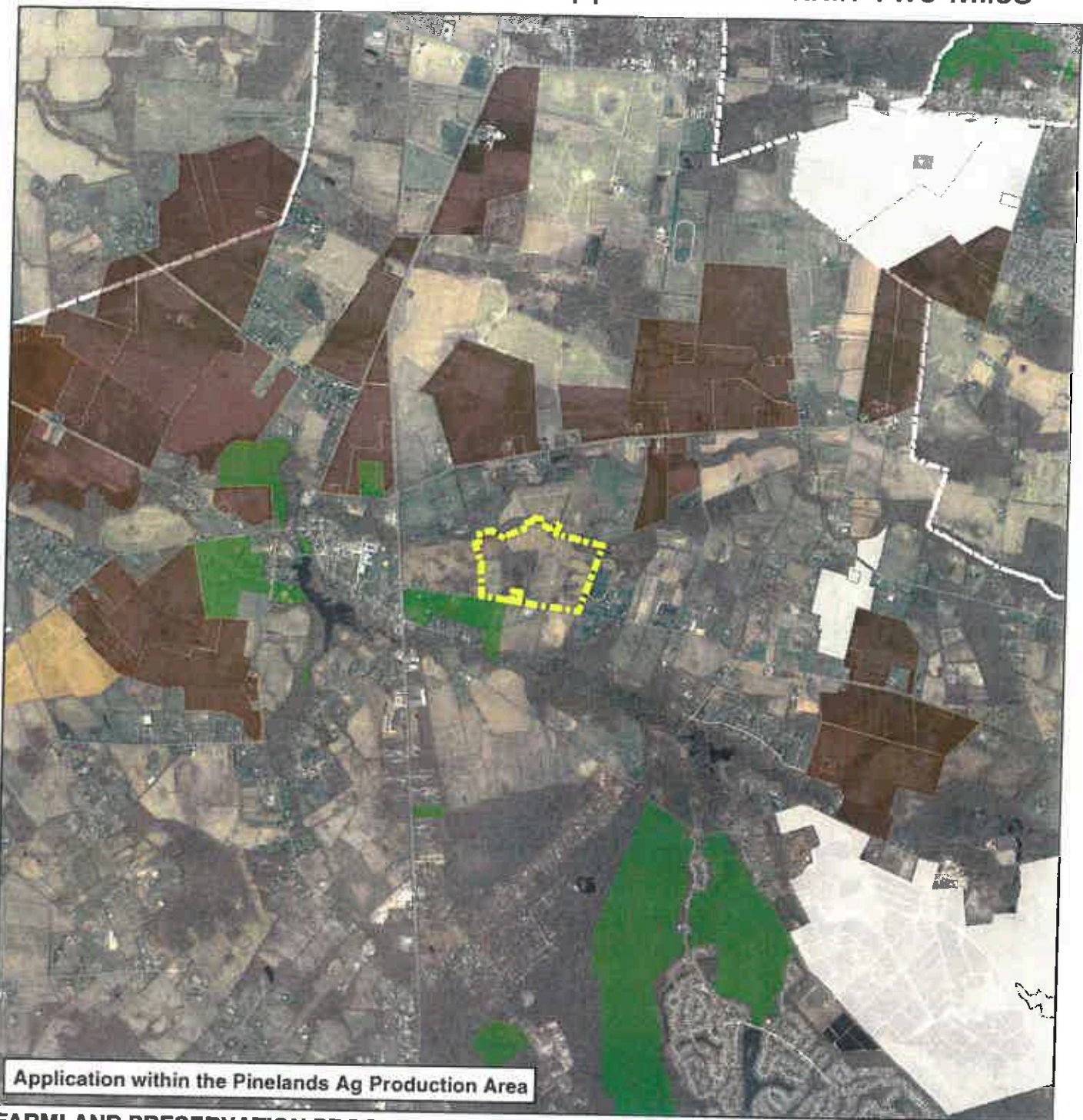


- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- 300 ft Buffered Wetlands
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Pinelands Development Credits
- Municipal, County and Non-Profit Preserved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

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

Preserved Farms and Active Applications Within Two Miles

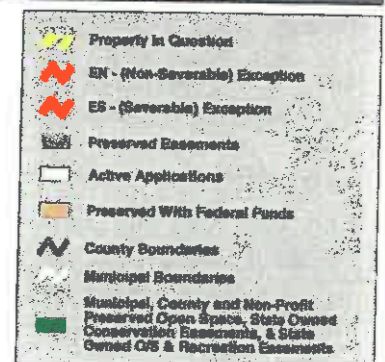
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Alloway North/Alloway Family LP
Block 1203 Lots 15 (118.2 ac)
& 15.03 (1.1 ac)
Gross Total = 119.3 ac
Southampton Twp., Burlington County

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



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

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

October 28, 2016

SADC Count G Financial Status
Schedule B
Burlington County

SADC ID#	Farm	Acres	SADC		Federal Grant		Base Grant		Competitive Funds					Fund Balance							
			Cost Basis	Share	Total	Federal Grant	SADC	Encumbered	PV	Expended	Balance	FY11	FY13		FY17						
03-0348-PG	Bur City/Griffin	104.0730	307,639.79	199,945.86				210,383.57	199,945.86	199,945.86	3,301,111.84										
03-0352-PG	Bur City/Krause	98.0750	643,702.50	405,845.25				408,318.75	405,845.25	405,845.25	2,893,288.39										
03-0351-PG	Bur City/Wainwright Cora	186.3000	448,996.99	291,847.72				316,817.11	291,847.72	291,847.72	2,803,418.67										
03-0350-PG	Bur City/Wainwright Curtis	138.7230	1,310,467.20	786,280.32				602,361.17	602,361.17	602,361.17	2,001,057.50										
03-0356-PG	Bur City/Amico	106.9000	1,107,802.35	684,651.41																	
03-0358-PG	Bur City/Murphy	51.3180	387,450.90	239,911.65																	
03-0360-PG	Bur City/Durr Estata	80.3580	424,890.40	284,596.40																	
03-0360-PG	Bur City/Durr Estata	112.0410	1,913,290.04	1,147,874.02																	
03-0365-PG	Bur City/Staveland	112.4000	482,614.34	292,151.00																	
03-0369-PG	Bur City/Stevenson	110.8530	337,491.85	245,756.19																	
03-0375-PG	Bur City/D'Uffolo, Anthony	109.5760	689,961.60	425,638.00																	
03-0372-PG	Bur City/Alloway Family	60.6890	466,528.32	335,746.99																	
03-0377-PG	Bur City/Bush	60.6890	179,153.93	121,408.34																	
03-0380-PG	Bur City/Chung	87.0030	312,322.82	222,192.89																	
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03-0376-PG	Cramer	45.0000	99,000.00	73,800.00																	
03-0381-PG	Thompson - Gooses Pond	639.1830	1,638,965.21	1,210,012.89																	
03-0383-PG	Thompson - Peach	217.5340	634,064.71	465,953.36																	
03-0382-PG	Thompson & Wright (Blanches)	112.9020	327,764.23	240,675.16																	
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03-0393-PG	Whalen Home	140.9070	378,940.67	278,643.97																	
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03-0407-PG	Abrams	76.1000	274,987.00	171,350.00																	
03-0412-PG	Henry, S.J. & Delores M	65.4300	211,711.84	122,855.33																	
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03-0417-PG	Halt, Linda E.	71.0700	569,697.12	384,948.56																	
03-0416-PG	Larwin Development Corp.	136.9700	871,153.00	441,043.40																	
03-0416-PG	Thompson South, LLC	138.0500	702,202.50	464,427.00																	
03-0416-PG	MAN Land Holdings, LLC	39.1400	225,065.00	147,753.50																	
03-0421-PG	Fenimore, Michael	75.9600	238,894.20	173,720.52																	
03-0425-PG	Alloway Family LP - North	122.5700	504,743.26	351,873.96																	
03-0420-PG	Patel, I.P. & Chetan, N.D. M & D.C.	35.0200	184,361.00	128,698.50																	
Totals Closed	31	3,928,171.00	16,469,955.90	10,875,988.48				1,277,051.41	1,057.50	1,057.50	1,000,000.00										
Totals Encumbered	8	778,119.00	3,128,867.11	1,911,589.38				384,836.24													
										Encumbered/Expended FY09	0.00	Encumbered/Expended FY11	1,057.50	Encumbered/Expended FY13	1,000,000.00	Encumbered/Expended FY17	1,000,000.00	Total	0.00	0.00	
										3,084,875.24	-	-	-	-	-	-	-	3,000,000.00	(0.00)	1,915,124.76	
										5,000,000.00	-	-	-	-	-	-	-	5,000,000.00	(0.00)	1,915,124.76	

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Alloway Family LP (North)
03- 0425-PG
County PIG Program
119 Acres

Block 1203	Lot 15	Southampton Twp.	Burlington County
Block 1203	Lot 15.03	Southampton Twp.	Burlington County
SOILS:		Other	7% * 0 = .00
		Prime	35% * .15 = 5.25
		Statewide	58% * .1 = 5.80

SOIL SCORE: 11.05

TILLABLE SOILS:	Cropland Harvested	83% * .15 = 12.45
	Other	1% * 0 = .00
	Woodlands	16% * 0 = .00

TILLABLE SOILS SCORE: 12.45

FARM USE:	Soybeans-Cash Grain	99 acres
------------------	---------------------	----------

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2018R9(10)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
BURLINGTON COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Alloway Family Limited Partnership - South ("Owners")
Southampton Township, Burlington County

N.J.A.C. 2:76-17 et seq.
SADC ID#03-0422-PG

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Burlington County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on September 13, 2016 the SADC received an application for the sale of a development easement from Burlington County for the subject farm identified as Block 1502, Lots 1 and 1.04, Southampton Township, Burlington County, totaling approximately 49 acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Burlington County's East Project Area and in the Pinelands Agricultural Production Area; and

WHEREAS, the Property includes one (1) three (3) acre non-severable exception area limited to zero (0) single family residential units and to afford flexibility of uses resulting in approximately 46 net acres to be preserved; and

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

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

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

WHEREAS, the Property has a quality score of 71.04 which exceeds 48 , which is 70% of the County's average quality score as determined by the SADC on July 23, 2015; and

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

WHEREAS, the New Jersey Pinelands Commission Letter of Interpretation #1522 allocated 1.75 Pinelands Development Credits (PDCs) to Block 1502, Lots 1 and 1.04; and

WHEREAS, the Burlington County Board of Chosen Freeholders purchase of the development easement will result in the 1.75 PDCs being retired; 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, the Formula takes into consideration the PDC's 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, on November 26, 2016, a Pinelands Valuation Formula (Formula) was finalized between SADC and CADB staff as per N.J.A.C. 2:76-19.3, yielding:

Formula Valuation without impervious cover option: \$3,257 per acre

Formula Valuation with 10% impervious cover option: \$3,664 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13 a landowner may choose to receive a higher base value pursuant to N.J.A.C. 2:76-19.4(c) by placing a deed restriction on the property that limits impervious coverage on the property to 10% of the total property acreage; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2017 the SADC certified a development easement value of \$2,400 per acre and a fee simple "before" value of \$7,100 based on zoning and environmental regulations in place as of October 21, 2016; and

WHEREAS, N.J.A.C. 2:76-19.14, provides that the development easement value shall not exceed 80 percent of the fee simple market value as determined by the Committee, which is \$5,680 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$3,664 per acre for the development easement for the Property which is based on the Formula Value with the impervious cover option; and

WHEREAS, the Owner agreed to the additional restrictions associated with accepting the higher of the two Pinelands formula evaluations, a maximum (10%) impervious cover available for the construction of agricultural infrastructure on the Property outside of the exception area which totals approximately 5 acres; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13, impervious coverage shall include, but is not limited to, houses, barns, stables, sheds, silos, outhouses, cabanas, and other buildings, swimming pools, docs or decks. Temporary greenhouses or other temporary coverings which do not have impervious floors are not included; and

WHEREAS, on August 15, 2017 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on August 15, 2017 the Southampton Township Committee approved the Owner's application (Resolution No. 2017-93) for the sale of development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 11, 2017 the Burlington CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 28, 2017, the Board of Chosen Freeholders of the County of Burlington passed a resolution granting final approval and a commitment of funding for \$183,200 to cover the cost of the development easement; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 47.38 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 47.38 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$123,112.19	(\$2,598.40/acre)
<u>County</u>	<u>\$ 50,488.13</u>	<u>(\$1,065.60/acre)</u>
Total Easement Purchase	\$173,600.32	(\$3,664.00/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 Burlington County Agriculture Development Board is requesting \$123,112.19 in FY17 competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Burlington County for the purchase of a development easement on the Property, comprising approximately 47.28 net easement acres, at a State cost share of \$2,598.40 per acre, (70.92% of the easement value based on Pinelands Formula), for a total grant need of \$123,112.19 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Owner agreed to the additional restrictions associated with accepting the higher of the two Pinelands formula evaluations, a maximum (10%) impervious cover available for the construction of agricultural infrastructure on the Property outside of the exception area which totals approximately 5 acres; and

BE IT FURTHER RESOLVED, the Property includes one (1) three (3) acre non-severable exception area limited to zero (0) single family residential units and to afford flexibility of uses; and

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

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

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

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

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

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

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

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

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

9-28-17

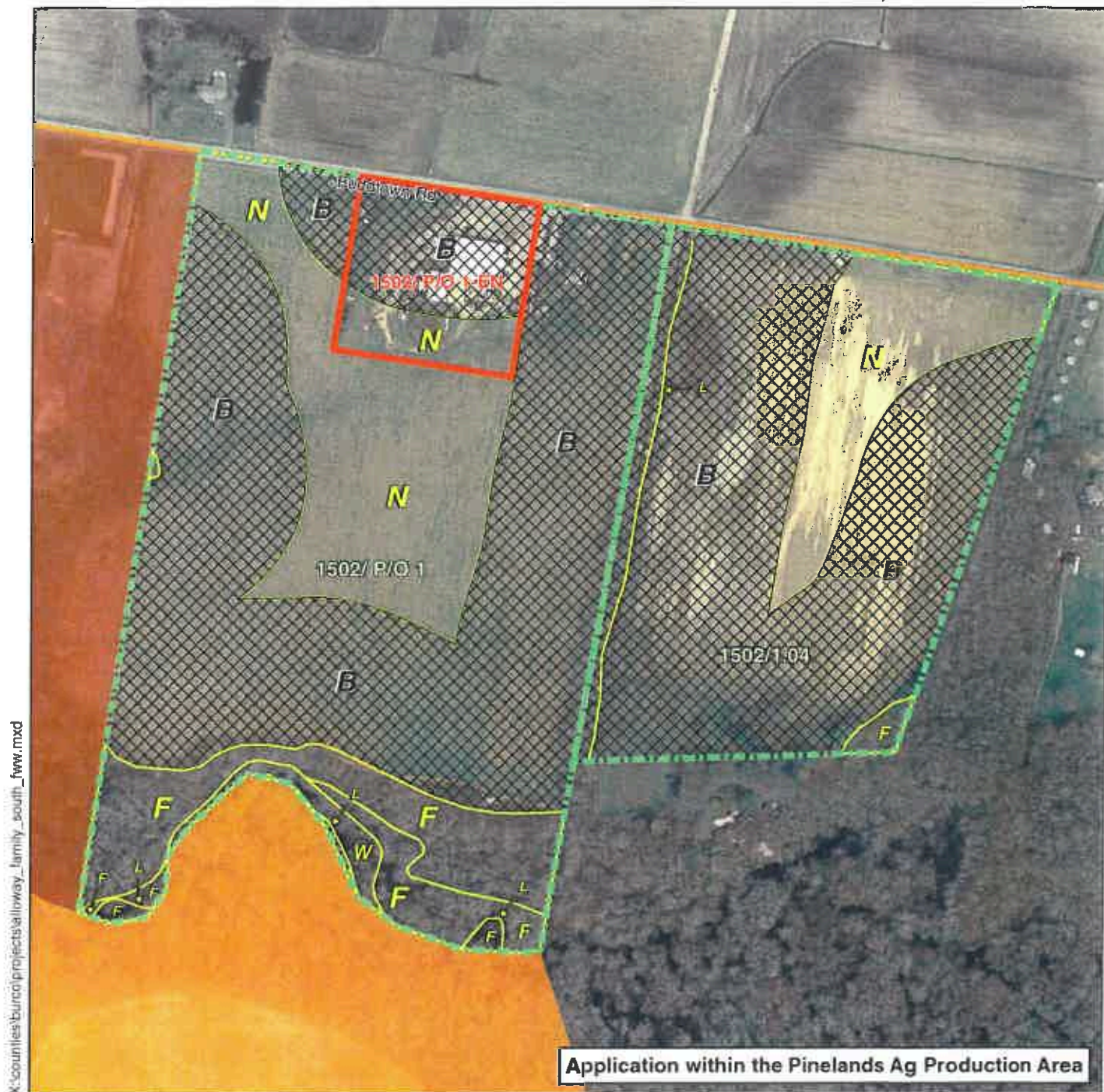
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Planning Incentive Grant -2007 rules County\Burlington\Alloway Family, LP (south)\final approval resolution.doc



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

Alloway Family LP/Alloway South
 Block 1502 Lots 1.04 (17.6 ac); P/O 1 (28.8 ac);
 & P/O 1-EN (non-severable exception - 3.0 ac)
 Gross Total = 49.4 ac
 Southampton Twp., Burlington County

250 125 0 250 500 Feet

Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 NJDEP Wetlands Data
 NJ Pinelands Commission PDC Data
 NJCIT/OGIS 2015 Digital Aerial Image

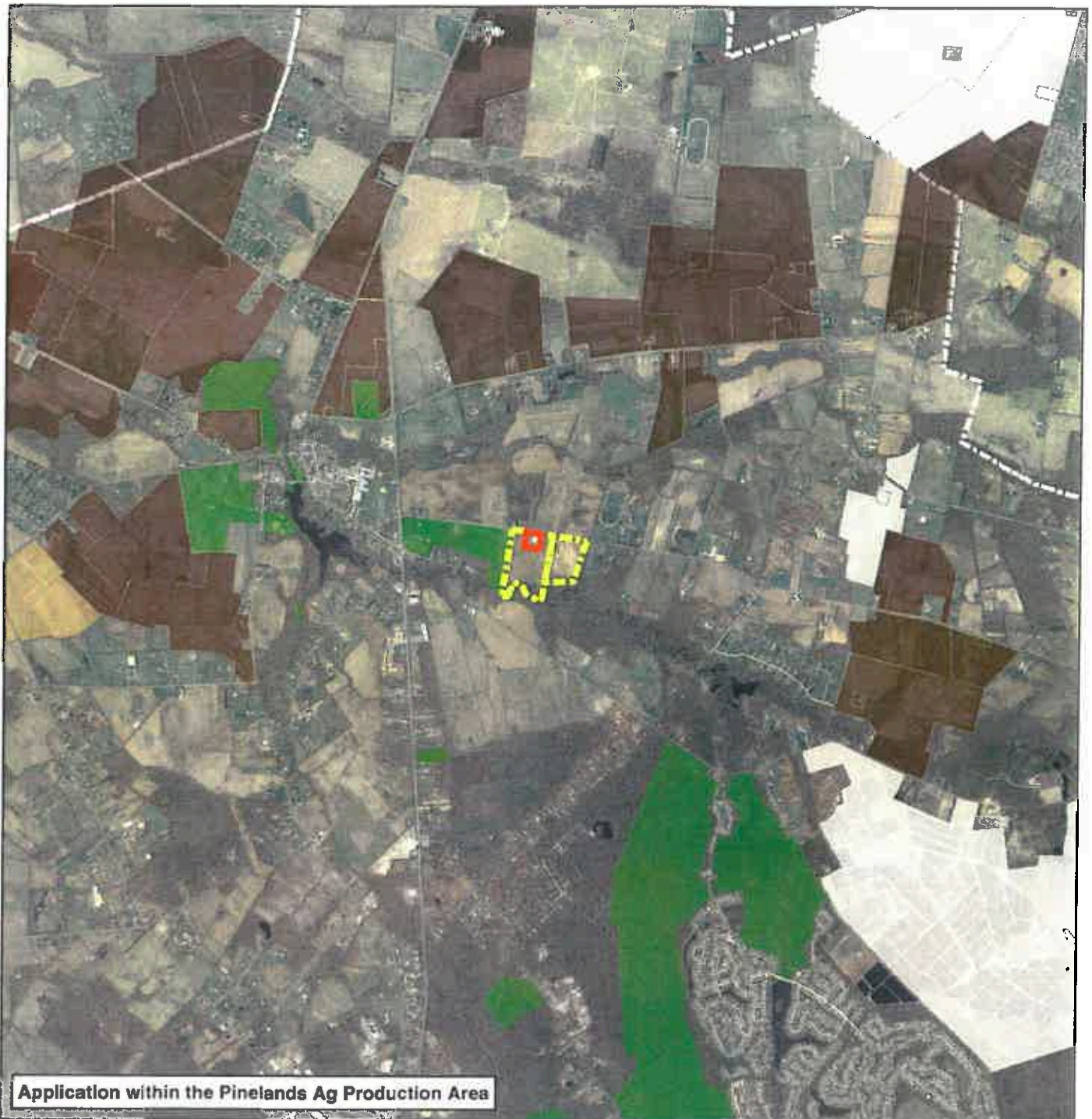
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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



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

Preserved Farms and Active Applications Within Two Miles

X:\counties\burco\projects\alloway_family_south_2mile.mxd

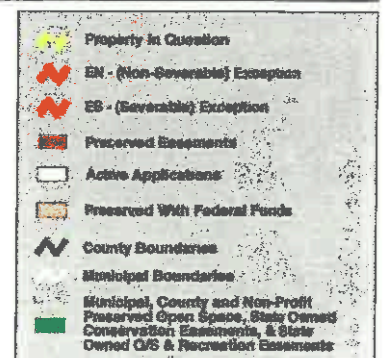


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Alloway Family LP/Alloway South
Block 1502 Lots 1.04 (17.6 ac); P/O 1 (28.8 ac);
& P/O 1-EN (non-severable exception - 3.0 ac)
Gross Total = 49.4 ac
Southampton Twp., Burlington County

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

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



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

October 11, 2016

SADC Count G Financial Status
Schedule B
Burlington County

SADC ID#	Farm	Acres	SADC			Federal Grant			Base Grant			Competitive Funds				
			Cost	Share	Cost	Total	SADC	Encumbered	PV	Expended	Balance	Fiscal Year 11	Fiscal Year 12	Fiscal Year 13	FY11	FY12
			Base									Maximum Grant	Maximum Grant	Maximum Grant	Expended	Balance
03-0348-PG	Bur Cyl/Griffin	104.0730	307,599.79	199,945.96	199,945.96	210,383.57						183,919.15	183,919.15	183,919.15	183,919.15	2,816,000.00
03-0352-PG	Bur Cyl/Krause	96.0750	643,702.50	405,845.25	405,845.25	3,301,111.64						664,661.41	664,661.41	664,661.41	664,661.41	2,151,399.44
03-0349-PG	Bur Cyl/Clayton Block East	199.3000	448,996.99	291,947.72	291,947.72	316,817.11						285,306.40	285,306.40	285,306.40	285,306.40	1,911,487.79
03-0351-PG	Bur Cyl/Wainwright, Cora	136.7230	1,310,457.20	786,280.32	786,280.32	602,351.17						1,178,054.00	1,178,054.00	1,178,054.00	1,178,054.00	1,836,851.39
03-0350-PG	Bur Cyl/Wainwright, Curtis	105.9000	1,107,802.35	664,661.41	664,661.41	602,351.17						292,151.00	292,151.00	292,151.00	292,151.00	186,766.37
03-0358-PG	Bur Cyl/D'Amico	81.3180	387,450.90	239,911.65	239,911.65	477,861.00						151,131.95	151,131.95	151,131.95	151,131.95	35,634.42
03-0360-PG	Bur Cyl/Murphy	80.3580	424,880.40	284,586.40	284,586.40											
03-0361-PG	Bur Cyl/Durr Estate	112.0410	1,913,290.04	1,147,974.02	1,147,974.02											
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03-0366-PG	Bur Cyl/Stevenson	90.0000	689,981.80	425,638.00	425,638.00	427,500.00						425,638.00	425,638.00	425,638.00	425,638.00	1,575,419.50
03-0375-PG	Bur Cyl/D'Alto, Anthony	109.5780	486,526.32	335,746.99	335,746.99	335,746.99						121,408.34	121,408.34	121,408.34	121,408.34	1,118,264.17
03-0372-PG	Bur Cyl/Bush	80.8890	178,153.93	121,408.34	121,408.34	117,206.67										
03-0377-PG	Bur Cyl/Chung	87.0030	312,322.82	222,192.86	222,192.86											
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03-0416-PG	Thompson South, LLC	39.1400	671,153.00	441,043.40	441,043.40											
03-0419-PG	MEN Land Holdings, LLC	39.1400	225,055.00	147,753.50	147,753.50											
03-0421-PG	Penmore, Michael	75.9600	238,984.20	173,720.52	173,720.52											
03-0425-PG	Alloway Family LP - North	122.5700	504,743.26	351,873.96	351,873.96											
03-0420-PG	Patel, I.P. & Chetan, N.D., M. & D.C.	35.0200	194,381.00	128,698.50	128,698.50											
Totals Closed		31	3,928,171.00	16,489,855.50	10,875,988.48	1,277,051.41	0.00									
Totals Encumbered		8	778,119.00	3,128,997.11	1,811,958.38	964,835.24	0.00									
						Encumber/Expended FY09										
						Encumber/Expended FY10										
						Encumber/Expended FY11										
						Encumber/Expended FY12										
						Encumber/Expended FY13										
						Encumber/Expended FY17										
						Total										
						0.00										
						1,057.50										
						1,500,000.00										
						1,000,000.00										
						3,084,875.24										
						0.00										
						3,000,000.00										
						5,000,000.00										
						0.00										
						1,815,124.76										
						1,815,124.76										

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Alloway Family, LP (South)
03- 0422-PG
County PIG Program
46 Acres

Block 1502

Lot 1

Southampton Twp.

Burlington County

Block 1502

Lot 1.04

Southampton Twp.

Burlington County

SOILS:

Other

1% * 0 = .00

Prime

66% * .15 = 9.90

Statewide

33% * .1 = 3.30

TILLABLE SOILS:

Cropland Harvested

81% * .15 = 12.15

Other

2% * 0 = .00

Wetlands

11% * 0 = .00

Woodlands

6% * 0 = .00

SOIL SCORE: 13.20

FARM USE:

Soybeans-Cash Grain

23 acres

Sod

15 acres

TILLABLE SOILS SCORE: 12.15

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st three (3) acres for Flexibility in use, limited to zero SF residential uses
 - Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2018R9(11)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
BURLINGTON COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Kirby, Harold and Gail ("Owners")
Pemberton Township, Burlington County

N.J.A.C. 2:76-17 et seq.
SADC ID#03-0423-PG

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Burlington County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on September 13, 2016 the SADC received an application for the sale of a development easement from Burlington County for the subject farm identified as Block 839.01, Lot 16.01, Pemberton Township, Burlington County, totaling approximately 55 acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Burlington County's East Project Area and in the Pinelands Agricultural Production Area; and

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

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

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

WHEREAS, the Property has a quality score of 67.75 which exceeds 48 , which is 70% of the County's average quality score as determined by the SADC on July 23, 2015; and

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

WHEREAS, the New Jersey Pinelands Commission Letter of Interpretation #2149 allocated 2.25 Pinelands Development Credits (PDCs) to Block 839.01, Lot16.01; and

WHEREAS, the Burlington County Board of Chosen Freeholders purchase of the development easement will result the 2.25 PDCs being retired; 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, the Formula takes into consideration the PDC's 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, on November 25, 2016, a Pinelands Valuation Formula (Formula) was finalized between SADC and CADB staff as per N.J.A.C. 2:76-19.3, yielding:

Formula Valuation without impervious cover option: \$3,532 per acre

Formula Valuation with 10% impervious cover option: \$3,977 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13 a landowner may choose to receive a higher base value pursuant to N.J.A.C. 2:76-19.4(c) by placing a deed restriction on the property that limits impervious coverage on the property to 10% of the total property acreage; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2017 the SADC certified a development easement value of \$2,400 per acre and a fee simple "before" value of \$5,700 based on zoning and environmental regulations in place as of September 9, 2016; and

WHEREAS, N.J.A.C. 2:76-19.14, provides that the development easement value shall not exceed 80 percent of the fee simple market value as determined by the Committee, which is \$4,560 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$3,977 per acre for the development easement for the Property which is based on the Formula Value with the impervious cover option; and

WHEREAS, the Owner agreed to the additional restrictions associated with accepting the higher of the two Pinelands formula evaluations, a maximum (10%) impervious cover available for the construction of agricultural infrastructure on the Property outside of the exception area which totals approximately 5.6 acres; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13, impervious coverage shall include, but is not limited to, houses, barns, stables, sheds, silos, outhouses, cabanas, and other buildings, swimming pools, docs or decks. Temporary greenhouses or other temporary coverings which do not have impervious floors are not included; and

WHEREAS, on August 15, 2017 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on July 12, 2017 the Pemberton Township Council approved the Owner's application (Resolution No. 158-2017) for the sale of development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 11, 2017 the Burlington CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 28, 2017, the Board of Chosen Freeholders of the County of Burlington passed a resolution granting final approval and a commitment of funding for \$238,620 to cover the cost of the development easement; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 56.65 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 56.65 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$157,838.23	(\$2,786.20/acre)
County	\$ 67,458.82	(\$1,190.80/acre)
Total Easement Purchase	\$225,297.05	(\$3,977.00/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 Burlington County Agriculture Development Board is requesting \$157,838.23 in FY17 competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Burlington County for the purchase of a development easement on the Property, comprising approximately 56.65 net easement acres, at a State cost share of

\$2,786.20 per acre, (70.06% of the easement value based on Pinelands Formula), for a total grant need of \$157,838.23 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Owner agreed to the additional restrictions associated with accepting the higher of the two Pinelands formula evaluations, a maximum (10%) impervious cover available for the construction of agricultural infrastructure on the Property outside of the exception area which totals approximately 5.6 acres; and

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

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

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

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

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

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

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

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

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

9-28-17

Date



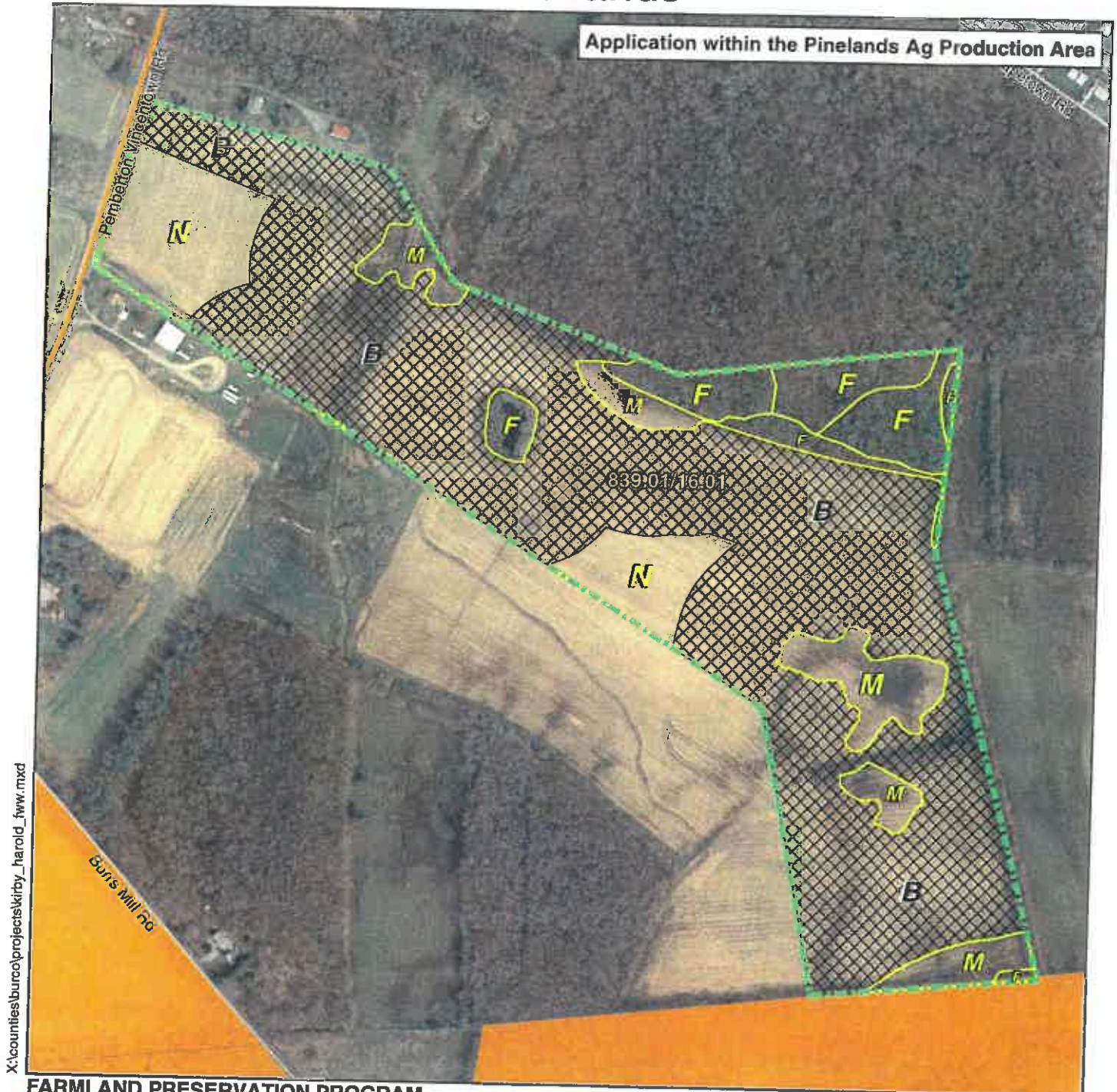
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Planning Incentive Grant -2007 rules County\Burlington\Kirby, Harold & Gail\final approval resolution.doc

Wetlands

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kirby, Harold and Gail
Block 839.01 Lot 16.01 (53.8 ac)
Gross Total = 53.8 ac
Pemberton Twp., Burlington County

250 125 0 250 500 Feet

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

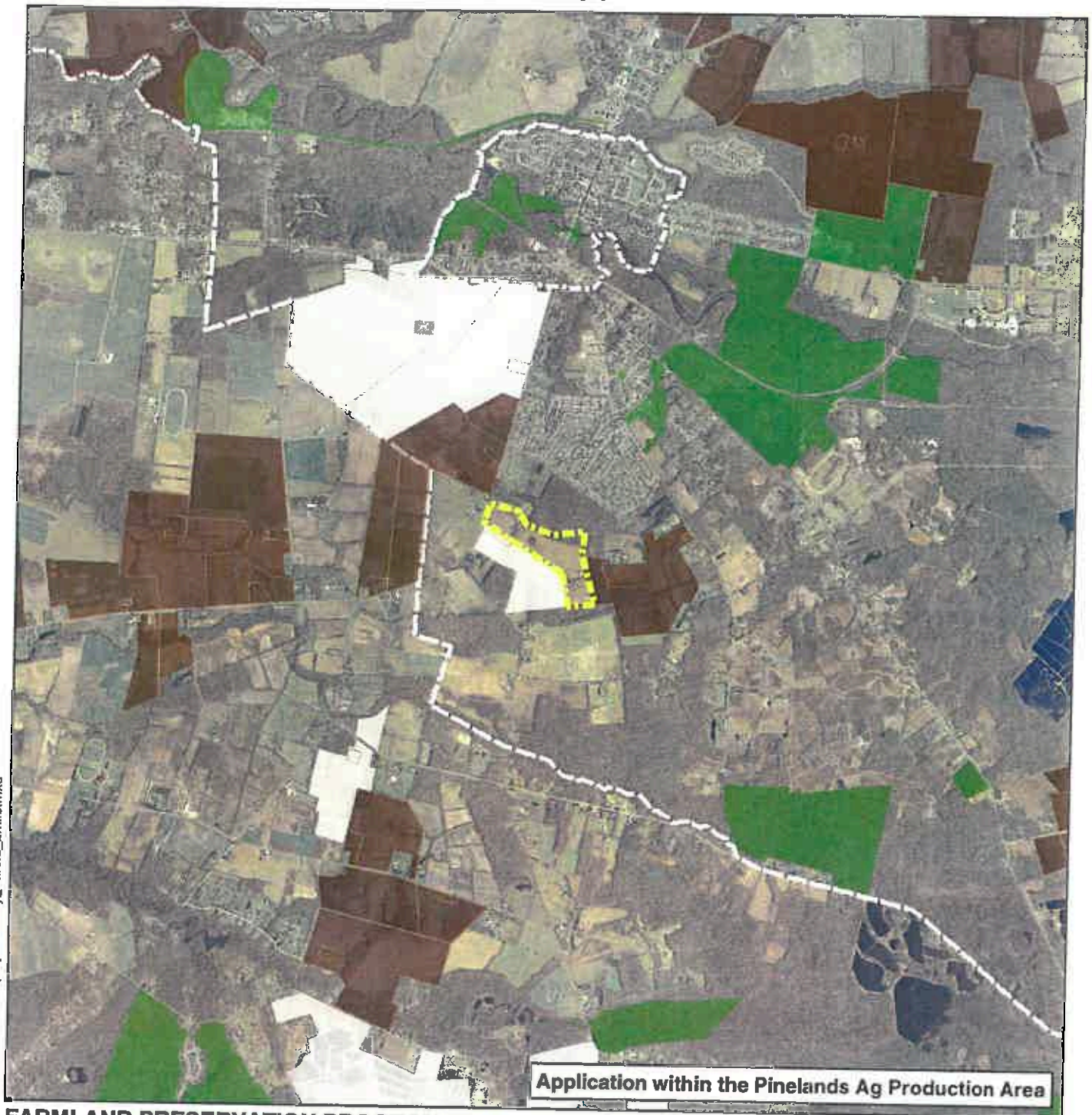
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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



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

Preserved Farms and Active Applications Within Two Miles

X:\counties\burco\projects\kirby_harold_2mile.mxd

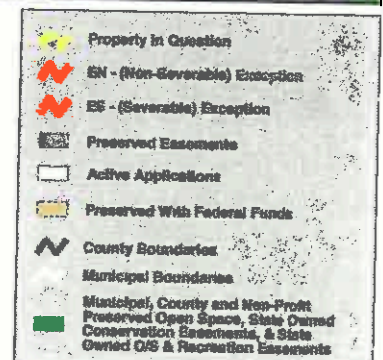


Application within the Pinelands Ag Production Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kirby, Harold and Gail
Block 839.01 Lot 16.01 (53.8 ac)
Gross Total = 53.8 ac
Pemberton Twp., Burlington County

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



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

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

October 5, 2016

Burlington County

[illegible]

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Kirby, Harold & Gail
03- 0423-PG
County PIG Program
54 Acres

Block 839.01	Lot 16.01	Pemberton Twp.	Burlington County
SOILS:		Other	7% * 0 = .00
		Prime	69% * .15 = 10.35
		Statewide	24% * .1 = 2.40
			SOIL SCORE: 12.75
TILLABLE SOILS:		Cropland Harvested	80% * .15 = 12.00
		Wetlands	10% * 0 = .00
		Woodlands	10% * 0 = .00
			TILLABLE SOILS SCORE: 12.00
FARM USE:		Soybeans-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: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(12)

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

**On the Property of
Hatt, Linda E. ("Owners")
Chesterfield Township, Burlington County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#03-0417-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Burlington County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on August 11, 2016 the SADC received an application for the sale of a development easement from Burlington County for the subject farm identified as Block 1102, Lot 21.04, Chesterfield Township, Burlington County, totaling approximately 70 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Burlington County's North Project Area; and

WHEREAS, the Property includes one (1), one (1) acre non-severable exception area to afford future flexibility of uses, limited to zero (0) single family residential units resulting in approximately 69 net acres to be preserved; and

WHEREAS, the Property includes one (1) duplex which can be replaced with either a single family residential unit or a duplex, but not two separate single family residential units; zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved; and

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

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

WHEREAS, the Property has a quality score of 63.97 which exceeds 48 , which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on January 1, 2017 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2017 the SADC certified a development easement value of \$8,300 per acre based on zoning and environmental regulations in place as of September 7, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$8,016 per acre for the development easement for the Property; and

WHEREAS, on August 15, 2017 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on August 10, 2017 the Chesterfield Township Committee approved the Owner's application (Resolution 2017-8-1) for the sale of development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 11, 2017 the Burlington CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 28, 2017, the Board of Chosen Freeholders of the County of Burlington passed a resolution granting final approval and a commitment of funding for \$593,184 to cover the cost of the development easement; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 71.07 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the United States of America, Department of Air Force through a cooperative agreement with Burlington County has agreed to contribute 50% of the cost of the preservation of the Property; and

WHEREAS, the estimated cost share breakdown is as follows (based on 71.07 acres); and

	<u>Total</u>	<u>Per/ acre</u>
SADC	\$284,848.56	(\$4,008.00/ acre, 50%)
<u>County (DOD)</u>	<u>\$284,848.56</u>	<u>(\$4,008.00/ acre)</u>
Total Easement Purchase	\$569,697.12	(\$8,016.00/ 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 Burlington County Agriculture Development Board is requesting \$284,848.56 in FY17 competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Burlington County for the purchase of a development easement on the Property, comprising approximately 71.07 easement acres, at a State cost share of \$4,008 per acre, (48.29% of certified easement value and 50% of purchase price), for a total grant need of \$284,848.56 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1), one (1) acre non-severable exception area to afford future flexibility of uses, limited to zero (0) single family residential units; and

BE IT FURTHER RESOLVED, the Property includes one (1) duplex which can be replaced with either a single family residential unit or a duplex, but not two separate single family residential units; zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved; and

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

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

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

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

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County

pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

X:\counties\burco\projects\haff linda fww.mxd



Hatt, Linda E.
Block 1102 Lots P/O 21.04 (68.7 ac)
& P/O 21.04-EN (non-severable exception - 1.0 ac)
Gross Total = 69.7 ac
Chesterfield Twp., Burlington County



DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and precise true location of parent 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 used or interpreted to be relied upon in matters requiring definition and location of true ground horizontal and/or vertical control as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Wetlands Legend:
 P - Freshwater Wetlands
 L - Linear Wetlands
 M - Marine Wetlands
 T - Tidal Wetlands
 N - Non-Wetlands
 B - BOD Buffer
 W - Water

An aerial photograph of a rural landscape with various fields and roads. A yellow dashed line outlines a specific area in the center-left. Within this yellow area, there is a small red square. The map is overlaid with a white dashed line and a solid white line. In the bottom left corner, there is a black box with white text that reads "Application within the (PA 4) Rural Area".

September 27, 2016

SADC County 3 Financial Status
Schedule B

Burlington County

SADC ID#	Farm	Acres	SADC		Federal Grant	SADC	Base Grant			Competitive Funds					
			Cost Basis	Share			Total	Fiscal Year 08	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Maximum Grant	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17
03-0348-PG	Bur Cty/Griffin	104.0730	307,638.79	199,945.86			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0352-PG	Bur Cty/Krause	98.0750	643,702.50	405,845.25			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0349-PG	Bur Cty/Clayton Block East	196.3000	448,996.99	291,847.72			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0351-PG	Bur Cty/Wainwright, Cora	136.7230	1,370,487.20	786,280.32			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0350-PG	Bur Cty/Wainwright, Curtis	106.9000	1,107,802.35	684,661.41			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0358-PG	Bur Cty/Amico	51.3180	387,450.90	239,911.55			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0360-PG	Bur Cty/Murphy	60.3680	424,890.40	264,596.40			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0359-PG	Bur Cty/Durr Estate	112.0410	1,913,280.04	1,147,974.02			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0365-PG	Bur Cty/Stetel	152.4000	482,514.34	292,151.00			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0369-PG	Bur Cty/Stevens	110.8530	337,491.65	246,766.19			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0375-PG	Bur Cty/DiTullo, Anthony	90.0000	669,981.60	425,638.00			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0372-PG	Bur Cty/Alloway Family	109.5780	488,328.32	335,746.99			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0377-PG	Bur Cty/Bush	60.6880	179,153.93	121,408.34			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0374-PG	Bur Cty/Chung	87.0030	312,322.82	222,192.99			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0380-PG	Bur Cty/Simons Berry Farm	270.9360	462,707.10	350,718.57			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0376-PG	Cramer	45.0000	99,000.00	73,800.00			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0381-PG	Thompson - Goose Pond	639.1830	1,538,865.21	1,210,012.89			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0383-PG	Thompson - Peach	217.8340	634,064.71	465,953.36			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0382-PG	Thompson & Wright (Birches)	112.9020	327,764.23	240,675.16			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0392-PG	Alloway - Priolett	128.6030	410,114.97	205,057.48			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0391-PG	Alloway - Hall	65.6810	246,284.41	123,147.21			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0394-PG	Whalen South	113.3760	353,891.96	257,529.58			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0378-PG	Thompson - Vincentown	26.0420	192,988.80	119,179.40			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0393-PG	Whalen Home	140.9070	378,340.67	278,643.87			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0395-PG	Haines, Thomas	156.4710	268,648.37	215,402.66			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0390-PG	Huclik Estate	71.4930	668,459.58	334,229.77			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0402-PG	Abrams Homestead Farms	78.5320	334,546.32	232,140.59			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0404-PG	Indian Mills Farm, LLC	166.3090	742,947.84	482,680.56			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0396-PG	Wells	53.2710	191,992.29	127,146.97			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0407-PG	Abrams	78.1000	274,987.00	171,380.00			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0412-PG	Henry, S.J. & Delores M	85.4300	211,711.84	122,685.33			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0406-PG	Giberson, W.P. & J.L. (Home Farm	236.8450	877,747.57	438,636.73			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0413-PG	Giberson Grain Farm, LLC	175.7450	745,158.80	372,579.40			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0415-PG	Chung, Peter B.J. & Monica H.L.	116.7950	435,178.17	307,480.69			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0408-PG	Rowe, Stanley & Roseanne	34.7580	238,990.04	147,721.50			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0415-PG	Abrams, Pearl A.	102.3260	480,639.59	329,124.55			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0409-PG	McNaughton, Noble & Dorothy	18.2240	58,954.84	42,662.38			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0414-PG	To Better Days Boarding, LLC	54.8830	185,242.20	119,771.08			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0411-PG	Caul, Adam & Lisa	38.5430	106,786.10	53,383.05			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0422-PG	Alloway Family LP - South	47.3600	173,600.32	123,112.19			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0423-PG	Kirby, Harold & Gail	56.8500	225,297.05	157,638.23			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0417-PG	Hart, Linda E.	71.0700	569,637.12	354,948.96			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0418-PG	Larwin Development Corp.	136.9700	671,153.00	441,043.40			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0416-PG	Thompson South, LLC	139.0500	702,202.50	464,427.00			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0419-PG	M&N Land Holdings, LLC	39.1400	225,055.00	147,753.50			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0421-PG	Fennimore, Michael	75.9600	236,894.20	173,720.52			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0425-PG	Alloway Family LP - North	122.5700	504,743.26	351,873.86			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
03-0420-PG	Pate, I.P. & Chelen, N.D., M & D.C.	35.0200	194,361.00	128,686.50			210,383.57	199,945.86	199,945.86	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
Totals Closed	31	3,928.1710	16,489,955.90	10,675,958.46			1,067.50	1,000,000.00	1,000,000.00	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
Totals Encumbered	0	778.1190	3,126,667.11	1,811,595.39			1,067.50	1,000,000.00	1,000,000.00	1,067.50	1,000,000.00	1,000,000.00	1,000,000.00		
							Encumber/Expended FY09	Encumber/Expended FY11	Encumber/Expended FY13	Encumber/Expended FY17	1,000,000.00	1,000,000.00	1,000,000.00		
							884,836.24	1,067.50	1,000,000.00	1,000,000.00	0.00	0.00	0.00		
							3,084,675.24	3,000,000.00	5,000,000.00	0.00	0.00	0.00	0.00		
											1,915,124.76	1,915,124.76	1,915,124.76		

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Hatt, Linda E.
03- 0417-PG
County PIG Program
69 Acres

Block 1102	Lot 21.04	Chesterfield Twp.	Burlington County
SOILS:		Local	1% * .05 = .05
		Other	18% * 0 = .00
		Prime	28% * .15 = 4.20
		Statewide	53% * .1 = 5.30
			SOIL SCORE: 9.55
TILLABLE SOILS:		Cropland Harvested	58% * .15 = 8.70
		Other	9% * 0 = .00
		Wetlands	4% * 0 = .00
		Woodlands	29% * 0 = .00
			TILLABLE SOILS SCORE: 8.70
FARM USE:		Hay	59 acres
		Horse & Other Equine	3 acres
		Sheep & Goats	28 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st one (1) acres for future flexibility, no residential units
 - Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - Duplex - Can only be replaced with another duplex or a single family residence - not two separate residences
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(13)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

BURLINGTON COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

**On the Property of
M & N Land Holdings, LLC ("Owners")
Chesterfield Township, Burlington County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#03-0419-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Burlington County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on August 11, 2016 the SADC received an application for the sale of a development easement from Burlington County for the subject farm identified as Block 401, Lot 1.01, Chesterfield Township, Burlington County, totaling approximately 40 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Burlington County's North Project Area; and

WHEREAS, the Property includes one (1), one (1) acre non-severable exception area along the eastern edge of the Property, limited to one (1) future single family residential unit and one (1), one (1) acre non-severable exception along the northern edge of the Property, limited to zero (0) single family residential opportunities, to afford future flexibility of uses resulting in approximately 38 net acres to be preserved; and

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

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

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

WHEREAS, the Property has a quality score of 69.35 which exceeds 48 , which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on September 27, 2016 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2017 the SADC certified a development easement value of \$5,800 per acre based on zoning and environmental regulations in place as of September 7, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,750 per acre for the development easement for the Property; and

WHEREAS, on August 15, 2017 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on August 10, 2017 the Chesterfield Township Committee approved the Owner's application (Resolution 2017-8-1) for the sale of development easement and agreed to contribute 5 percent of the cost (\$287.50 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 11, 2017 the Burlington CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 28, 2017, the Board of Chosen Freeholders of the County of Burlington passed a resolution granting final approval and a commitment of funding for \$235,750 to cover the cost of the development easement; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 39.14 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 39.14 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$147,753.50	(\$3,775.00/acre)
Township	\$ 11,252.75	(\$ 287.50/acre)
<u>County</u>	<u>\$ 66,048.75</u>	<u>(\$1,687.50/acre)</u>
Total Easement Purchase	\$225,055.00	(\$5,750/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 Burlington County Agriculture Development Board is requesting \$147,753.50 in FY17 competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Burlington County for the purchase of a development easement on the Property, comprising approximately 39.14 easement acres, at a State cost share of \$3,775 per acre, (65.09% of certified easement value and 65.65% of purchase price), for a total grant need of \$147,753.50 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1), one (1) acre non-severable exception area along the eastern edge of the Property, limited to one (1) future single family residential unit and one (1), one (1) acre non-severable exception along the northern edge of the Property, limited to zero (0) single family residential opportunities, to afford future flexibility of uses; and

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

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

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

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

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

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

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

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

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

9-28-17

Date

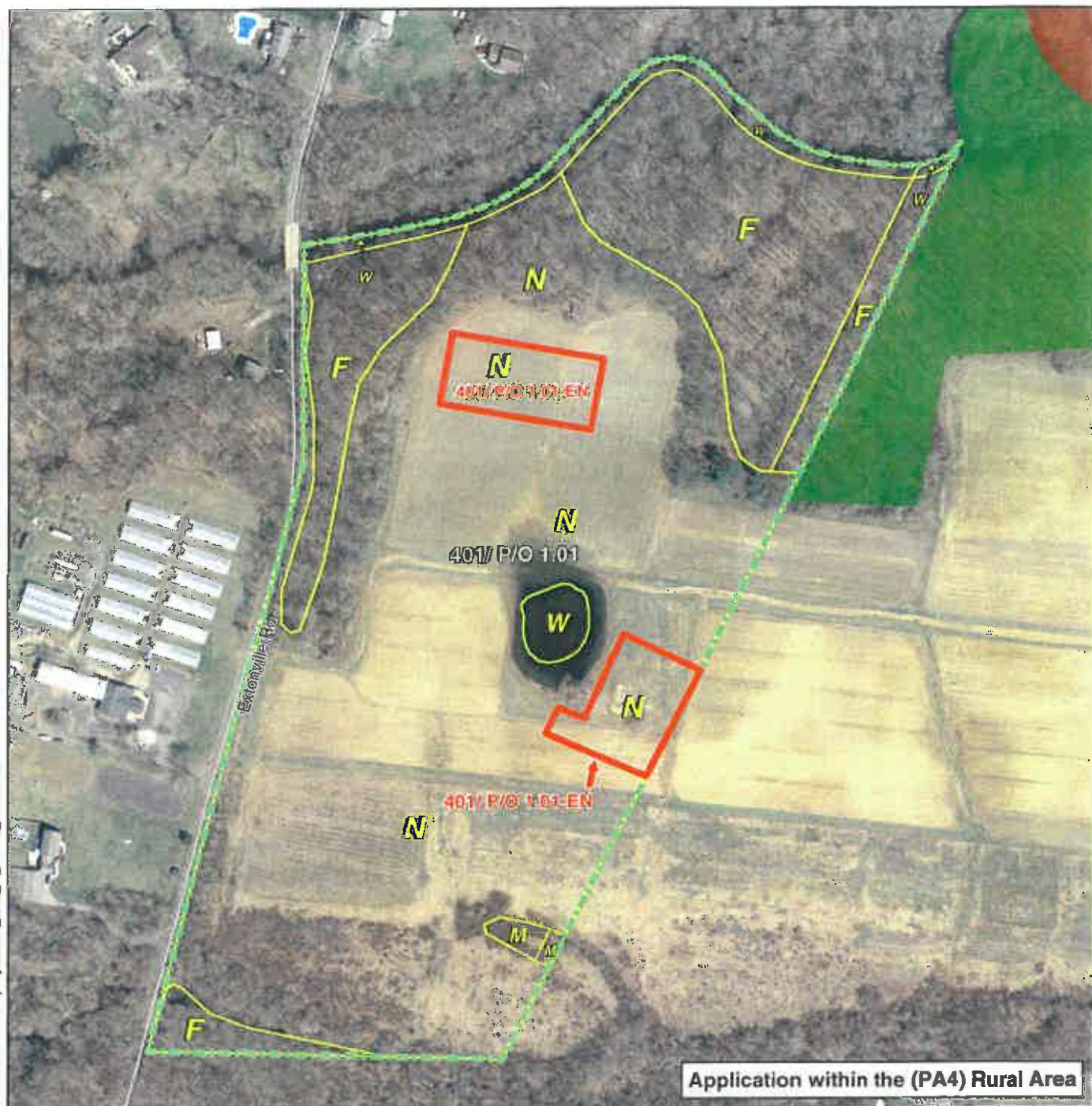


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Wetlands

Schedule A



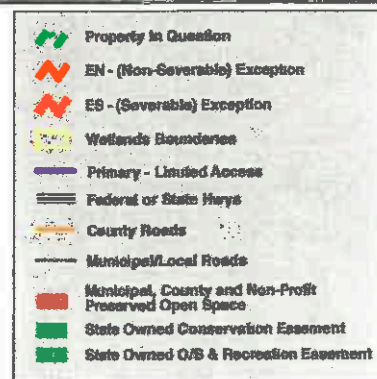
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

M and N Farms Land Holdings, LLC
Block 401 Lots P/O 1.01 (38.0 ac),
& P/O 1.01-EN (non-severable exceptions - 1.0 & 1.0 ac)
Gross Total = 40.0 ac.
Chesterfield Twp., Burlington County

250 125 0 250 500 Feet

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

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.

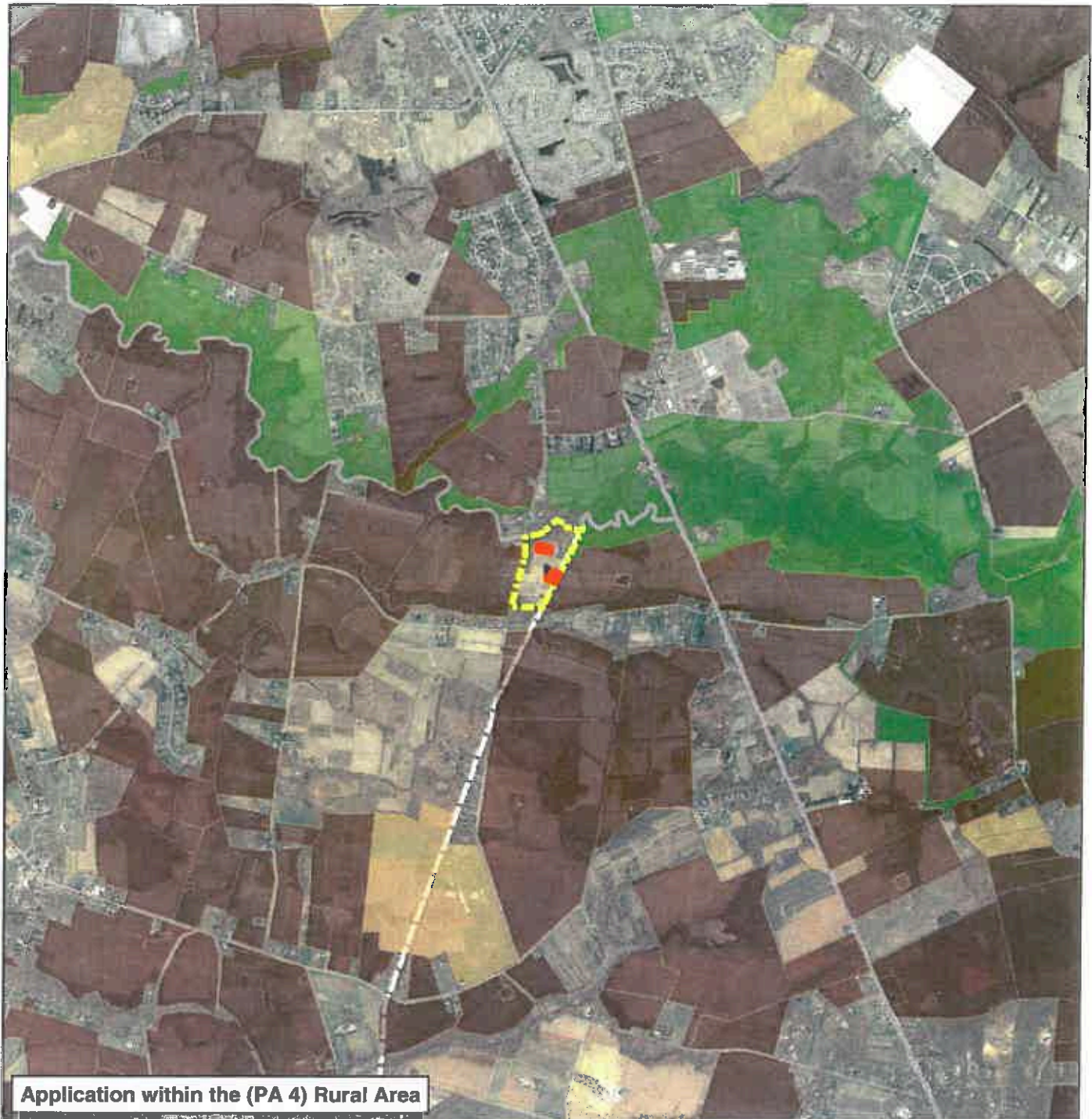


Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

September 13, 2016

Preserved Farms and Active Applications Within Two Miles

X:\counties\burco\projects\M_and_N_farms_2mile.mxd

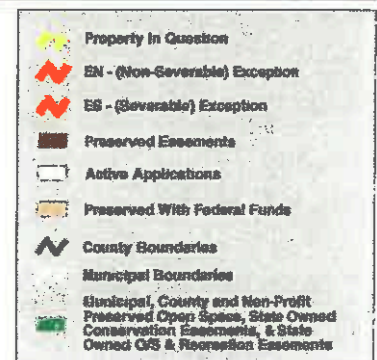


Application within the (PA 4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

M and N Farms Land Holdings, LLC
Block 401 Lots P/O 1.01 (38.0 ac),
& P/O 1.01-EN (non-severable exceptions - 1.0 & 1.0 ac)
Gross Total = 40.0 ac.
Chesterfield Twp., Burlington County

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



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

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

September 13, 2016

SADC County Financial Status
Schedule B
Burlington County

SADC ID#	Farm	Acreage	SADC		Federal Grant		Base Grant		Competitive Funds										
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance	Maximum Grant								
											Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Fund Balance				
																Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	FY17 Balance
03-0348-PG	Bur City/Griffin	104.0730	307,639.79	199,945.86	210,363.57	199,945.86	199,945.86	3,301,111.64	1,057.50	1,500,000.00	3,000,000.00	3,000,000.00	574,104.73	13,191,107.28					
03-0352-PG	Bur City/Krause	96.0750	643,702.90	405,845.25	405,318.75	405,845.25	405,845.25	2,895,266.39	1,500,000.00	5,000,000.00	5,000,000.00	5,000,000.00							
03-0349-PG	Bur City/Clayton Block East	198.3000	448,998.99	291,847.72	316,817.11	291,847.72	291,847.72	2,603,418.67	1,000,000.00	5,000,000.00	5,000,000.00	5,000,000.00							
03-0351-PG	Bur City/Wainwright, Cora	136.7230	1,310,467.20	786,280.32	802,361.17	786,280.32	786,280.32	2,001,057.50											
03-0350-PG	Bur City/Wainwright, Curtis	106.8000	1,107,802.35	664,681.41	602,361.17	664,681.41	664,681.41	2,001,057.50											
03-0358-PG	Bur City/D'Amico	51.3180	397,450.90	239,911.85	602,361.17	397,450.90	239,911.85	2,001,057.50											
03-0356-PG	Bur City/Murphy	80.3680	424,890.04	284,596.40	602,361.17	424,890.04	284,596.40	2,001,057.50											
03-0360-PG	Bur City/Durr Estate	112.0410	1,913,290.04	1,147,974.02	477,861.00	1,147,974.02	1,147,974.02	2,001,057.50											
03-0359-PG	Bur City/Durr Estate	152.4000	482,514.34	292,151.00	292,151.00	482,514.34	292,151.00	2,001,057.50											
03-0355-PG	Bur City/Stetler	110.6530	337,491.65	246,756.19	117,206.67	337,491.65	246,756.19	2,001,057.50											
03-0368-PG	Bur City/D'Amico	80.0000	689,881.60	425,638.00	425,638.00	689,881.60	425,638.00	2,001,057.50											
03-0375-PG	Bur City/Alloway Family	109.5780	486,526.32	335,746.99	121,408.34	486,526.32	335,746.99	2,001,057.50											
03-0372-PG	Bur City/Bush	60.6880	179,153.93	121,408.34	117,206.67	179,153.93	121,408.34	2,001,057.50											
03-0377-PG	Bur City/Chung	87.0030	312,322.82	222,192.89	117,206.67	312,322.82	222,192.89	2,001,057.50											
03-0380-PG	Bur City/Simons Berry Farm	270.8360	462,707.10	350,718.57	117,206.67	462,707.10	350,718.57	2,001,057.50											
03-0376-PG	Cramer	45.0000	99,000.00	73,800.00	117,206.67	99,000.00	73,800.00	2,001,057.50											
03-0381-PG	Thompson - Goose Pond	639.1830	1,636,865.21	1,210,012.89	1,001,057.50	1,636,865.21	1,210,012.89	2,001,057.50											
03-0382-PG	Thompson - Peach	217.8340	634,064.71	465,953.36	1,001,057.50	634,064.71	465,953.36	2,001,057.50											
03-0383-PG	Thompson & Wright (Birches)	112.9020	327,764.23	240,875.16	1,001,057.50	327,764.23	240,875.16	2,001,057.50											
03-0392-PG	Alloway - Prickett	128.6030	410,114.87	205,067.48	205,067.48	410,114.87	205,067.48	2,001,057.50											
03-0391-PG	Alloway - Hall	65.6610	246,294.41	123,147.21	123,147.21	246,294.41	123,147.21	2,001,057.50											
03-0394-PG	Whalen South	113.3780	353,891.98	257,529.58	123,147.21	353,891.98	257,529.58	2,001,057.50											
03-0378-PG	Thompson - Vincentown	28.0420	192,888.60	119,779.40	123,147.21	192,888.60	119,779.40	2,001,057.50											
03-0385-PG	Whalen Home	140.9070	378,940.67	278,643.87	123,147.21	378,940.67	278,643.87	2,001,057.50											
03-0390-PG	Haines, Thomas	156.4710	288,648.57	215,402.66	123,147.21	288,648.57	215,402.66	2,001,057.50											
03-0402-PG	Hubbick Estate	71.4930	688,459.55	334,229.78	123,147.21	688,459.55	334,229.78	2,001,057.50											
03-0404-PG	Abrams Homestead Farms	78.5320	334,546.32	232,140.59	123,147.21	334,546.32	232,140.59	2,001,057.50											
03-0398-PG	Indian Mills Farm, LLC	168.3090	742,947.84	492,600.56	123,147.21	742,947.84	492,600.56	2,001,057.50											
03-0403-PG	Wells	53.2710	181,992.28	127,145.97	123,147.21	181,992.28	127,145.97	2,001,057.50											
03-0407-PG	Abrams	78.1000	274,987.00	171,380.00	123,147.21	274,987.00	171,380.00	2,001,057.50											
03-0412-PG	Henry, S.J. & DeLores M	65.4300	211,711.84	122,685.33	123,147.21	211,711.84	122,685.33	2,001,057.50											
03-0406-PG	Giberson, W.P. & J.L. (Home Farm)	236.8450	877,747.57	438,636.73	123,147.21	877,747.57	438,636.73	2,001,057.50											
03-0413-PG	Giberson Grain Farm, LLC	175.7450	745,158.80	372,579.40	123,147.21	745,158.80	372,579.40	2,001,057.50											
03-0408-PG	Chung, Peter B.J. & Monica H.L.	116.7950	435,176.17	307,480.69	123,147.21	435,176.17	307,480.69	2,001,057.50											
03-0415-PG	Chung, Stanley & Roseanne	34.7580	236,980.04	147,721.50	123,147.21	236,980.04	147,721.50	2,001,057.50											
03-0409-PG	Abrams, Pearl A.	102.3260	480,699.59	329,124.55	123,147.21	480,699.59	329,124.55	2,001,057.50											
03-0414-PG	McNaughton, Noble & Dorothy	16.2240	56,954.64	42,662.38	123,147.21	56,954.64	42,662.38	2,001,057.50											
03-0411-PG	To Better Days Boarding, LLC	54.8630	185,242.20	119,771.08	123,147.21	185,242.20	119,771.08	2,001,057.50											
03-0422-PG	Caul, Adam & Lisa	39.8430	106,766.10	53,383.05	123,147.21	106,766.10	53,383.05	2,001,057.50											
03-0423-PG	Alloway Family LP - South	47.3800	173,600.32	123,112.19	123,147.21	173,600.32	123,112.19	2,001,057.50											
03-0417-PG	Kirby, Harold & Gail	56.6500	225,297.05	157,838.23	123,147.21	225,297.05	157,838.23	2,001,057.50											
03-0418-PG	Hall, Linda E.	71.0700	569,697.12	284,848.56	123,147.21	569,697.12	284,848.56	2,001,057.50											
03-0416-PG	Larwin Development Corp	136.9700	671,153.00	441,043.40	123,147.21	671,153.00	441,043.40	2,001,057.50											
03-0419-PG	Thompson South, LLC	139.0500	702,202.50	464,427.00	123,147.21	702,202.50	464,427.00	2,001,057.50											
03-0421-PG	M&N Land Holdings, LLC	39.1400	225,055.00	147,753.50	123,147.21	225,055.00	147,753.50	2,001,057.50											
03-0425-PG	Fennimore, Michael	75.9600	236,894.20	173,720.52	123,147.21	236,894.20	173,720.52	2,001,057.50											
03-0420-PG	Alloway Family LP - North	122.5700	504,743.26	351,873.96	123,147.21	504,743.26	351,873.96	2,001,057.50											
03-0420-PG	Pate, I.P. & Chelan, N.D., M & D.C.	35.0200	194,361.00	128,698.50	123,147.21	194,361.00	128,698.50	2,001,057.50											
Totals Closed	31	3,928,171.00	16,468,965.80	10,675,956.46	1,277,051.41	0.000													
Totals Encumbered	8	779,119.00	3,128,667.11	1,811,599.38	864,838.24	0.00													
					Encumber/Expended FY09														
					Encumber/Expended FY11														
					Encumber/Expended FY13														
					Encumber/Expended FY17														
					Total														
					1,000,000.00														
					3,084,876.24														
					3,000,000.00														
					5,000,000.00														
					(0.00)														
					1,918,124.76														
					1,815,124.76														

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

M & N Farms Land Holdings, LLC
03- 0419-PG
County PIG Program
38 Acres

Block 401	Lot 1.01	Chesterfield Twp.	Burlington County
SOILS:		Other	34% * 0 = .00
		Prime	54% * .15 = 8.10
		Statewide	12% * .1 = 1.20
			SOIL SCORE: 9.30
TILLABLE SOILS:		Cropland Harvested	51% * .15 = 7.65
		Other	3% * 0 = .00
		Wetlands	25% * 0 = .00
		Woodlands	21% * 0 = .00
			TILLABLE SOILS SCORE: 7.65
FARM USE:	Wheat-Cash Grain	32 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st one (1) acres for Future dwelling/flexibility, along eastern edge
Exception is not to be severed from Premises
 - 2nd one (1) acres for Flexibility around existing 3 barns, northern edge of farm
Exception is not to be severed from Premises
no single family residential opportunities
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(14)

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

**On the Property of
Lanwin Development Corp. ("Owners")
Chesterfield Township, Burlington County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#03-0418-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Burlington County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on August 11, 2016 the SADC received an application for the sale of a development easement from Burlington County for the subject farm identified as Block 901, Lot 6.01, Chesterfield Township, Burlington County, totaling approximately 136 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Burlington County's North Project Area; and

WHEREAS, the Property includes one (1), three (3) acre non-severable exception area limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 133 net acres to be preserved; and

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

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

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

WHEREAS, the Property has a quality score of 75.79 which exceeds 48, which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2017 the SADC certified a development easement value of \$4,700 per acre based on zoning and environmental regulations in place as of September 7, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,900 per acre for the development easement for the Property, which is higher than the certified easement value, but not higher than the highest appraised value of \$5,100 per acre; and

WHEREAS, on August 15, 2017 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on August 10, 2017 the Chesterfield Township Committee approved the Owner's application (Resolution 2017-8-1) for the sale of development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 11, 2017 the Burlington CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 28, 2017, the Board of Chosen Freeholders of the County of Burlington passed a resolution granting final approval and a commitment of funding for \$690,900 to cover the cost of the development easement; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 136.99 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 136.97 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$441,043.40	(\$3,220.00/acre, 68.51% of \$4,700)
County	\$230,109.60	(\$1,680.00/acre)
Total Easement Purchase	\$671,153.00	(\$4,900.00/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 Burlington County Agriculture Development Board is requesting \$441,043.40 in FY17 competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Burlington County for the purchase of a development easement on the Property, comprising approximately 136.97 easement acres, at a State cost share of \$3,220 per acre, (68.51% of certified easement value and 65.71% of purchase price), for a total grant need of \$441,043.40 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

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

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

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

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

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

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

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

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

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

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

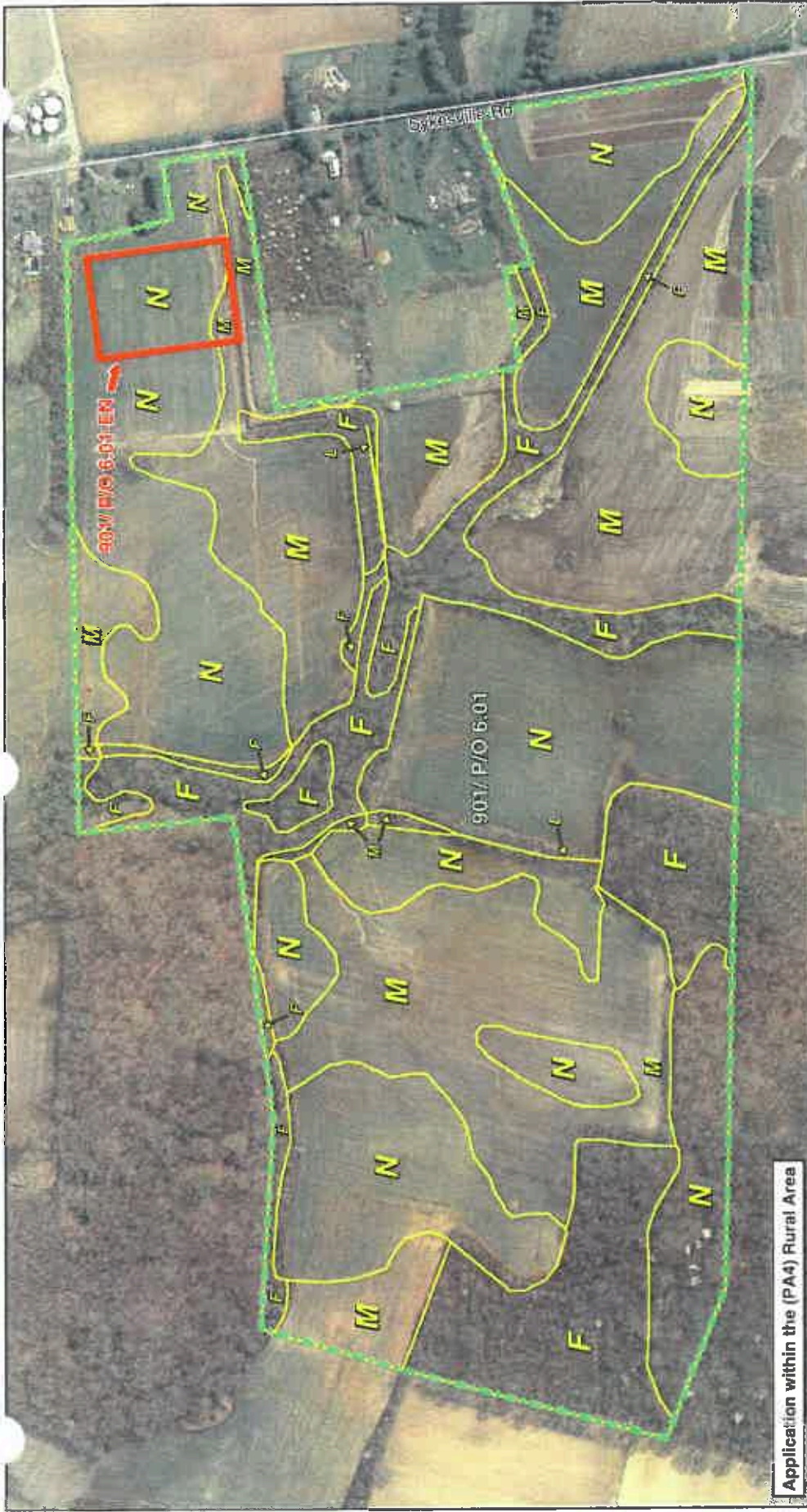
9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:



Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Lanwin Development Corp.
Block 901 Lots P/O 6.01 (133.3 ac),
& P/O 6.01-EN (non-severable exception - 3.0 ac)
Gross Total = 136.3 ac.
Chesterfield Twp., Burlington County



Source:
NJ Farmland Preservation Program
Open Acres Conservation Easement Data
NJDOT Road Data
NJDOTGIS 2015 Digital Aerial Image

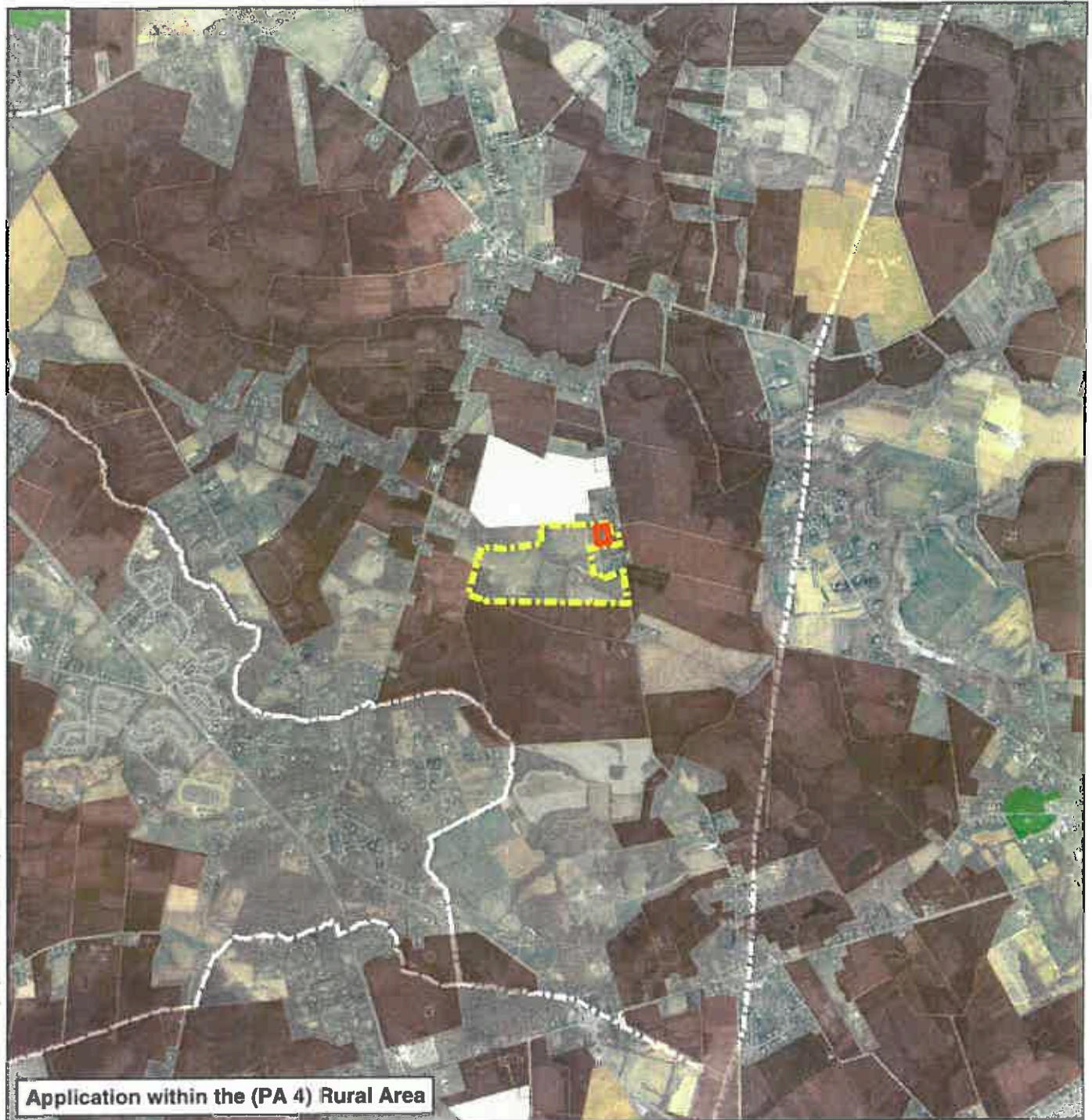
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed using aerial imagery. The data is not intended to be used for legal purposes. The data is not intended to be used for legal purposes. The data is not intended to be used for legal purposes. The data is not intended to be used for legal purposes.

Property in Question	Legend
EN - (Non-Severable) Stripcut	Green outline
ES - (Severable) Exception	Red outline
Wetlands Boundaries	Yellow outline
Primary - Limited Access	Blue outline
Federal or State Highways	Thick black line
County Roads	Thin black line
Municipal/Local Roads	Thin grey line
Municipal, County and Non-Profit Prescribed Open Space	Light green fill
State Owned Conservation Easement	Dark green fill
State Owned OS & Recreation Easement	Light green fill

Wetlands Legend:
F - Farmland
L - Low
U - Upland
W - Water

Preserved Farms and Active Applications Within Two Miles

X:\counties\burco\projects\lanwin_development_2mile.mxd

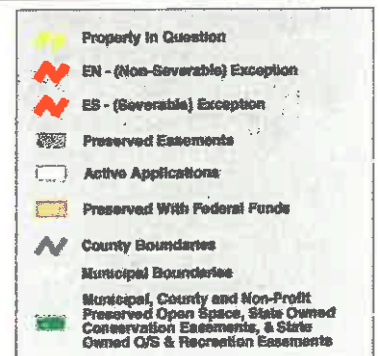


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Block 901 Lots P/O 6.01 (133.3 ac),
& P/O 6.01-EN (non-severable exception - 3.0 ac)
Gross Total = 136.3 ac.
Chesterfield Twp., Burlington County

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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJGIS/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

September 14, 2016

SADC County 3 Financial Status
Schedule B

Burlington County

SADC ID#	Farm	Acres	SADC		Federal Grant		Base Grant			Competitive Funds							
			Cost Basis	Share	Total Federal Grant	SADC	Enumbered	PV	Expended	Balance	Maximum Grant						
											Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17			
03-0348-PG	Bur City/Giffin	104.0730	307,539.79	199,945.86			210,383.57	199,945.86	199,945.86	1,057.50	1,500,000.00	3,000,000.00	0.00				
03-0352-PG	Bur City/Krause	96.0750	643,702.50	405,945.25			408,318.75	405,945.25	405,945.25	1,000,000.00	5,000,000.00	5,000,000.00	574,104.73				
03-0349-PG	Bur City/Clayton Block East	196.3000	448,996.99	291,847.72			316,817.11	291,847.72	291,847.72	1,000,000.00	5,000,000.00	5,000,000.00	13,191,107.28				
03-0351-PG	Bur City/Malwright, Cora	136.7230	1,310,487.20	796,290.32			602,351.17	602,351.17	602,351.17								
03-0350-PG	Bur City/Malwright, Curtis	106.3000	1,107,802.35	684,681.41													
03-0358-PG	Bur City/Amico	51.3180	387,450.90	239,911.65													
03-0356-PG	Bur City/Murphy	80.3680	424,590.40	284,596.40													
03-0380-PG	Bur City/Durr Estate	112.0410	1,913,290.04	1,147,874.02													
03-0389-PG	Bur City/Stattel	152.4000	482,814.34	292,151.00													
03-0385-PG	Bur City/Stevenson	110.6530	337,481.65	246,756.19													
03-0388-PG	Bur City/DiTullo, Anthony	90.0000	689,981.80	425,638.00													
03-0375-PG	Bur City/Alloway Family	109.5780	486,528.32	335,746.99													
03-0372-PG	Bur City/Bush	60.6890	179,153.93	121,408.34													
03-0377-PG	Bur City/Chung	87.0930	312,322.82	222,192.89													
03-0380-PG	Bur City/Silmons Berry Farm	270.9380	482,707.10	350,718.57													
03-0386-PG	Cramer	45.0000	99,000.00	73,800.00													
03-0381-PG	Thompson - Goose Pond	639.1830	1,638,863.21	1,210,012.89													
03-0383-PG	Thompson - Peach	217.8340	634,064.71	465,953.36													
03-0382-PG	Thompson & Wright (Birches)	112.5020	327,764.23	240,675.16													
03-0391-PG	Alloway - Priokett	128.6030	410,114.97	205,057.48													
03-0391-PG	Alloway - Hall	65.6510	246,294.41	123,147.21													
03-0394-PG	Whalen South	113.3760	353,851.96	257,529.58													
03-0376-PG	Thompson - Vincetown	26.0420	192,688.80	119,779.40													
03-0393-PG	Whalen Home	140.3070	378,940.67	278,643.87													
03-0395-PG	Haines, Thomas	156.4710	668,648.37	215,402.66													
03-0390-PG	Hublik Estate	71.4930	868,459.56	334,229.78													
03-0402-PG	Abrams Homestead Farms	78.5320	334,546.32	232,140.58													
03-0404-PG	Indian Mills Farm, LLC	188.3090	742,947.84	482,880.56													
03-0398-PG	Wells	53.2710	191,892.29	127,145.97													
03-0407-PG	Abrams	78.1000	274,987.00	171,380.00													
03-0412-PG	Henry, S.J. & Dalores M	65.4300	211,711.84	122,685.33													
03-0401-PG	Giberson, W.P. & J.L. Home Farm	236.8450	877,747.57	438,836.73													
03-0406-PG	Giberson Grain Farm, LLC	175.7450	745,158.80	372,579.40													
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03-0408-PG	Rowe, Stanley & Roseanne	34.7580	236,980.04	147,721.50													
03-0415-PG	Abrams, Pearl A.	102.3280	480,639.59	329,124.55													
03-0409-PG	McNaughton, Noble & Dorothy	18.2240	58,954.84	42,862.38													
03-0414-PG	To Better Days Boarding, LLC	54.9830	185,242.20	118,771.08													
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03-0416-PG	Thompson South, LLC	39.0500	702,202.50	464,427.00													
03-0419-PG	MAN Land Holdings, LLC	39.1400	225,055.00	147,753.50													
03-0421-PG	Fennimore, Michael	75.9600	238,984.20	173,720.52													
03-0425-PG	Alloway Family LP - North	122.5700	504,743.26	351,873.96													
03-0420-PG	Patel, I.P. & Chetan, N.D. & D.C.	35.0200	194,351.00	128,698.50													
Totals Closed		31	3,926,171.00	16,469,955.80	10,676,998.46												
Totals Encumbered		8	779,119.00	3,128,697.11	1,911,593.38												
						1,277,051.41	0.00	0.00									
						Enumbered/Expended FY09	Enumbered/Expended FY11	Enumbered/Expended FY13	Enumbered/Expended FY17	Total							
						-	-	-	-	1,057.50	-	-	-	-	-	-	-
						-	-	-	-	1,500,000.00	-	-	-	-	-	-	-
						-	-	-	-	1,000,000.00	-	-	-	-	-	-	-
						1,000,000.00	-	-	-	-	3,000,000.00	-	-	-	-	-	-
						3,084,875.24	0.00	0.00	0.00	-	5,000,000.00	-	-	-	-	-	-

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Lanwin Development Corp.
03- 0418-PG
County PIG Program
133 Acres

Block 901	Lot 6.01	Chesterfield Twp.	Burlington County
SOILS:		Local	3% * .05 = .15
		Other	25% * 0 = .00
		Prime	56% * .15 = 8.40
		Statewide	16% * .1 = 1.60
			SOIL SCORE: 10.15
TILLABLE SOILS:		Cropland Harvested	72% * .15 = 10.80
		Wetlands	21% * 0 = .00
		Woodlands	7% * 0 = .00
			TILLABLE SOILS SCORE: 10.80
FARM USE:	Soybeans-Cash Grain	85 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st three (3) acres for Flexibility and future single family residential unit
 - Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(15)

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

**On the Property of
Thompson South, LLC ("Owners")
Chesterfield Township, Burlington County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#03-0416-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Burlington County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on August 11, 2016 the SADC received an application for the sale of a development easement from Burlington County for the subject farm identified as Block 901, Lot 3.01, Chesterfield Township, Burlington County, totaling approximately 138 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Burlington County's North Project Area; and

WHEREAS, the Property includes one (1), three (3) acre non-severable exception area limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 135 net acres to be preserved; and

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

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

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

WHEREAS, the Property has a quality score of 73.82 which exceeds 48, which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2017 the SADC certified a development easement value of \$4,900 per acre based on zoning and environmental regulations in place as of September 7, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,050 per acre for the development easement for the Property, which is higher than the certified easement value, but not higher than the highest appraised value of \$5,200 per acre; and

WHEREAS, on August 15, 2017 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on August 10, 2017 the Chesterfield Township Committee approved the Owner's application (Resolution 2017-8-1) for the sale of development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 11, 2017 the Burlington CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 28, 2017, the Board of Chosen Freeholders of the County of Burlington passed a resolution granting final approval and a commitment of funding for \$737,300 to cover the cost of the development easement; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 139.05 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 139.05 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$464,427.00	(\$3,340.00/acre, 68.16% of \$4,900)
County	\$237,775.50	(\$1,710.00/acre)
Total Easement Purchase	\$702,202.50	(\$5,050.00/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 Burlington County Agriculture Development Board is requesting \$464,427.00 in FY17 competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Burlington County for the purchase of a development easement on the Property, comprising approximately 139.05 easement acres, at a State cost share of \$3,340 per acre, (68.16% of certified easement value and 66.14% of purchase price), for a total grant need of \$464,427.00 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

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

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED, that this approval is considered a final agency decision

appealable to the Appellate Division of the Superior Court of New Jersey; and

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Wetlands

Schedule H



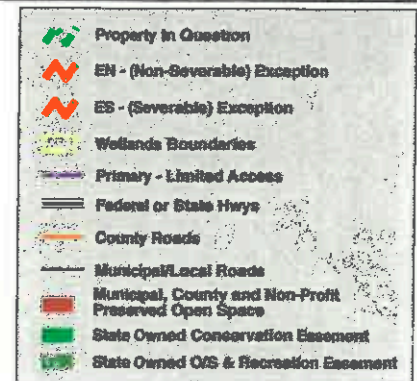
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Thompson South, LLC
Block 901 Lots P/O 3.01 (135.1 ac);
& P/O 3.01-EN (non-severable exception - 3.0 ac)
Gross Total = 138.1 ac
Chesterfield Twp., Burlington County

500 250 0 500 1,000 Feet

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

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

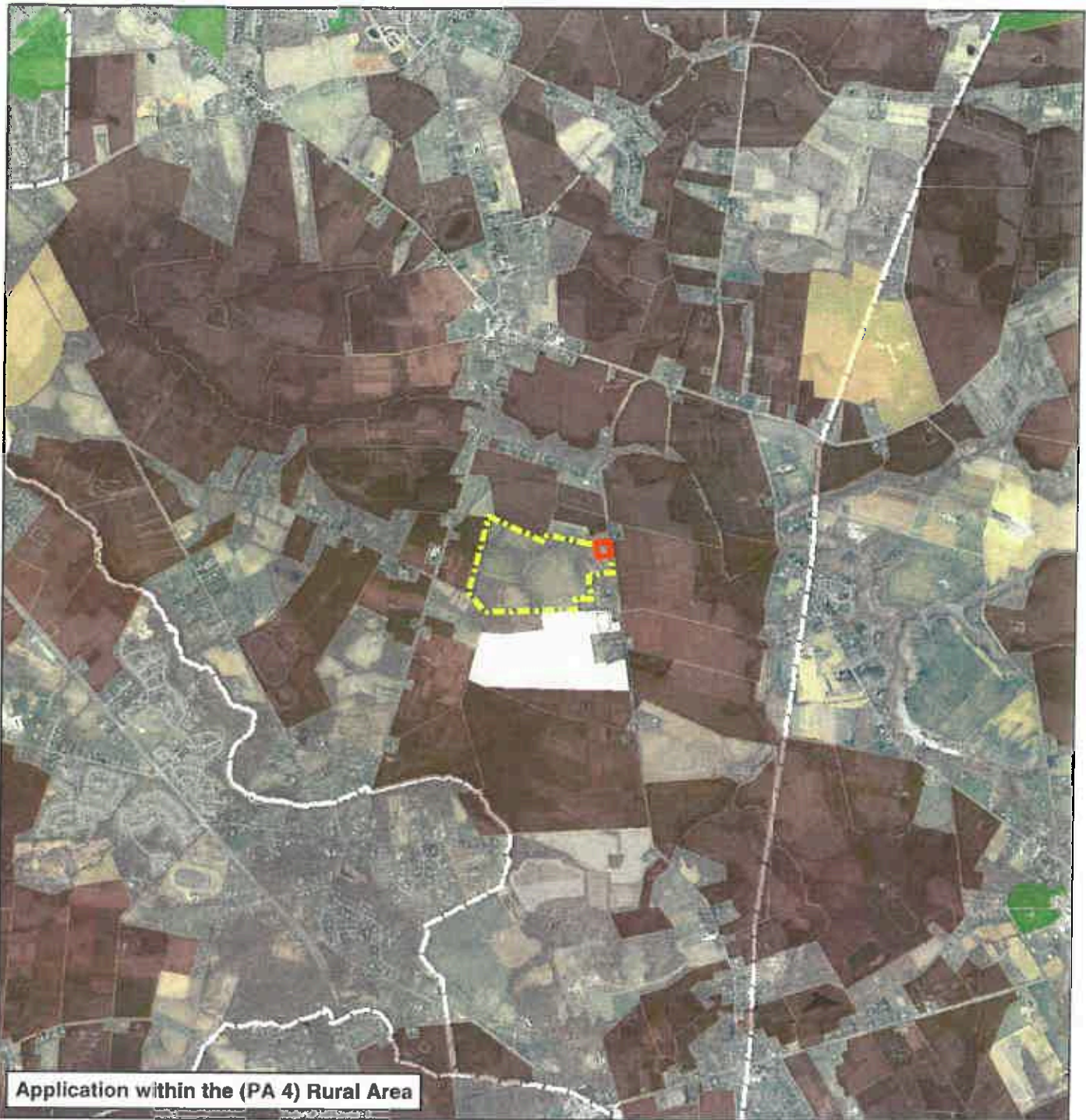


Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Total Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

September 15, 2018

Preserved Farms and Active Applications Within Two Miles

X:\counties\burco\projectsthompson_south_2mile.mxd

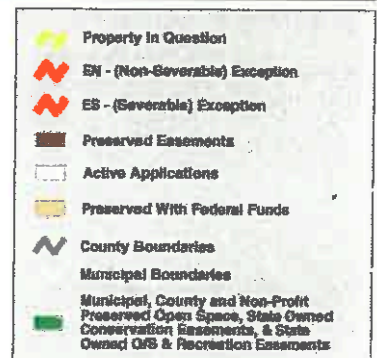


Application within the (PA 4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Thompson South, LLC
Block 901 Lots P/O 3.01 (135.1 ac);
& P/O 3.01-EN (non-severable exception - 3.0 ac)
Gross Total = 138.1 ac
Chesterfield Twp., Burlington 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
NJOTTOGIS 2015 Digital Aerial Image

September 15, 2016

Burlington County

(0.00) 1,915,124.75

J. Schrank C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Thompson South, LLC
03- 0416-PG
County PIG Program
135 Acres

Block 901	Lot 3.01	Chesterfield Twp.	Burlington County
SOILS:		Other	12% * 0 = .00
		Prime	80% * .15 = 12.00
		Statewide	8% * .1 = .80
			SOIL SCORE: 12.80
TILLABLE SOILS:		Cropland Harvested	68% * .15 = 10.20
		Wetlands	26% * 0 = .00
		Woodlands	6% * 0 = .00
			TILLABLE SOILS SCORE: 10.20
FARM USE:	Soybeans-Cash Grain	110 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st three (3) acres for Flexibility and future single family residential unit
 - Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L.1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R9(16)

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

**On the Property of
Patel, Ishvar P., Chetan, Neeta D., Manjula, & Dalpat C. ("Owners")
Springfield Township, Burlington County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#03-0420-PG**

September 28, 2017

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Burlington County received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on August 11, 2016 the SADC received an application for the sale of a development easement from Burlington County for the subject farm identified as Block 2304.01, Lot 6, Springfield Township, Burlington County, totaling approximately 35 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Burlington County's North Project Area; and

WHEREAS, the Property includes one (1), one (1) acre non-severable exception area limited to one (1) future single family residential unit resulting in approximately 34 net acres to be preserved; and

WHEREAS, subsequent to the SADC certifying a value the landowner requested to move the non-severable exception to the center of the farm for access safety reasons (Schedule A.1). SADC review appraiser's opinion is that moving the exception does not change the per acre valuation; and

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

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

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

WHEREAS, the Property has a quality score of 69.89 which exceeds 48 , which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on September 27, 2016 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 3, 2016 the SADC certified a development easement value of \$5,600 per acre based on zoning and environmental regulations in place as of September 7, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,550 per acre for the development easement for the Property; and

WHEREAS, on August 15, 2017 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on July 12, 2017 the Springfield Township Council approved the Owner's application (Resolution 2017-07-02) for the sale of development easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 11, 2017 the Burlington CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 28, 2017, the Board of Chosen Freeholders of the County of Burlington passed a resolution granting final approval and a commitment of funding for \$199,800 to cover the cost of the development easement; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 35.02 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 35.02 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$128,698.50	(\$3,675/acre)
County	\$ 65,662.50	(\$1,875/acre)
Total Easement Purchase	\$194,361.00	(\$5,550/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 Burlington County Agriculture Development Board is requesting \$128,698.50 in FY17 competitive funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Burlington County for the purchase of a development easement on the Property, comprising approximately 35.02 easement acres, at a State cost share of \$3,675 per acre, (65.63% of certified easement value and 66.22% of purchase price), for a total grant need of \$128,698.50 in FY17 competitive funding pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

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

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

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

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

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

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

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

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

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

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

9-28-17

Date



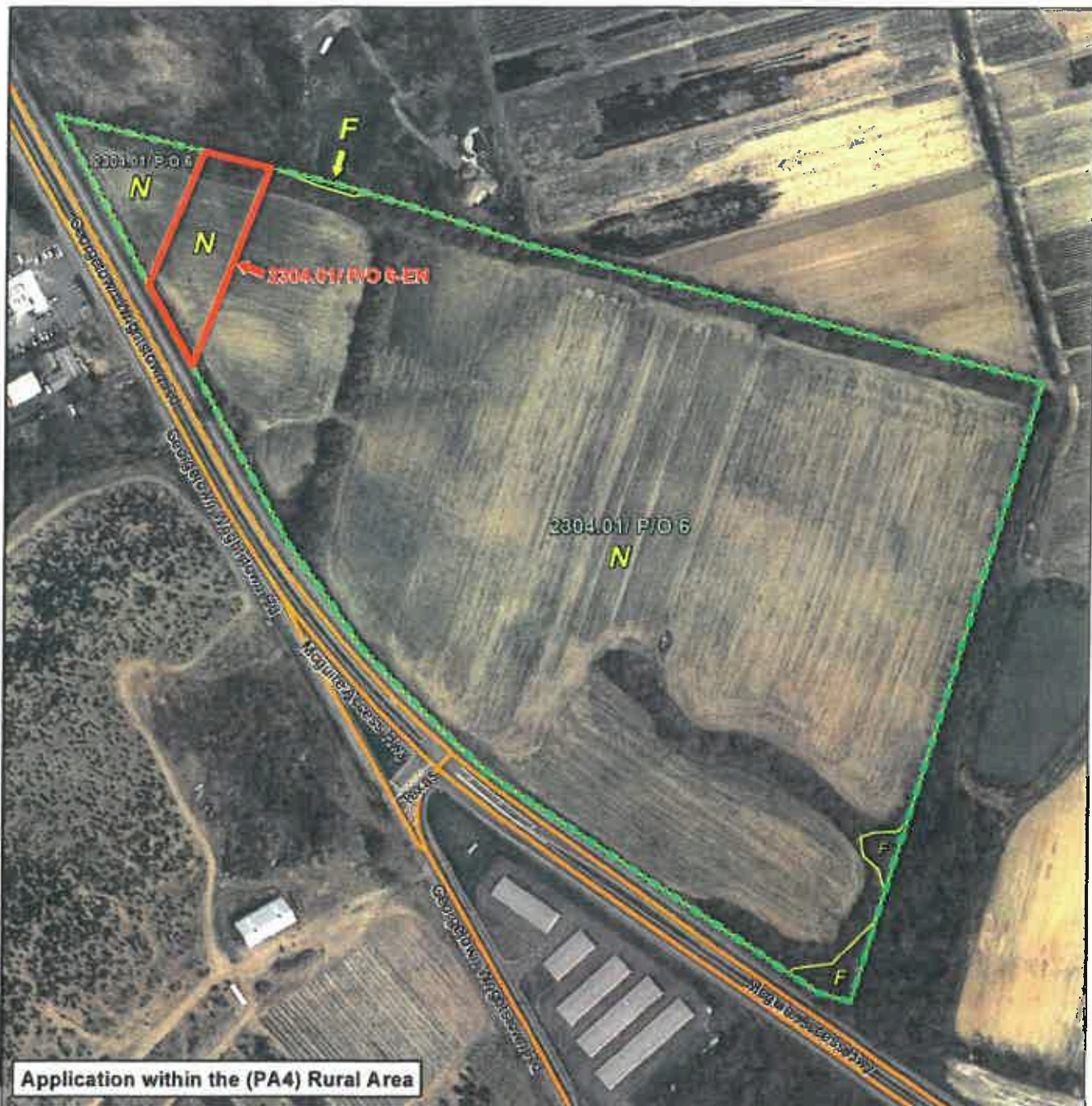
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Wetlands

Schedule A

X:\counties\burco\projects\Patel_Ishvar_P_Chetan_Neeta_D_Manjula_N_and_Dalpat_C.fww.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Patel, Ishvar P., Chetan, Neeta D., Manjula, N. and Dalpat, C.
Block 2304.01 Lots P/O 6 (33.2 ac),
& P/O 6-EN (non-severable exception - 1.0 ac)
Gross Total = 34.2 ac.
Springfield Twp., Burlington County

250 125 0 250 500 Feet

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

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.

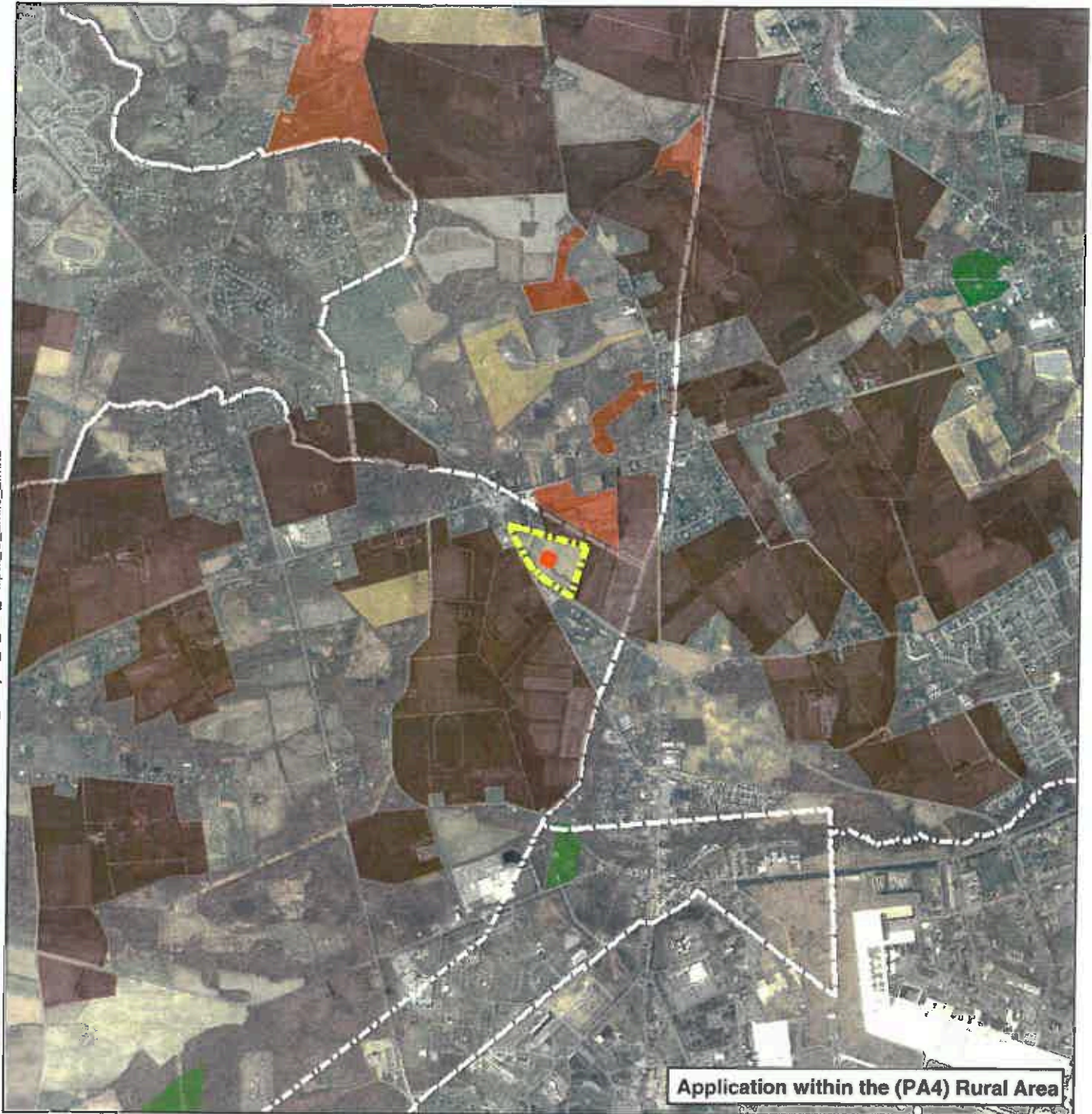


Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
N - Non-Wetlands
S - 300' Buffer
W - Water

September 8, 2016

Preserved Farms and Active Applications Within Two Miles

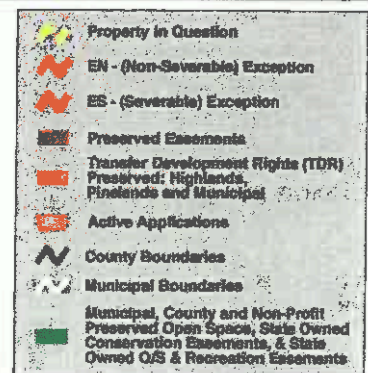
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Patel, Ishvar P., Chetan, Neeta D., Manjula, N. and Dalpat, C.
Block 2304.01 Lots P/O 6 (33.2 ac),
& P/O 6-EN (non-severable exception - 1.0 ac)
Gross Total = 34.2 ac.
Springfield Twp., Burlington County

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



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

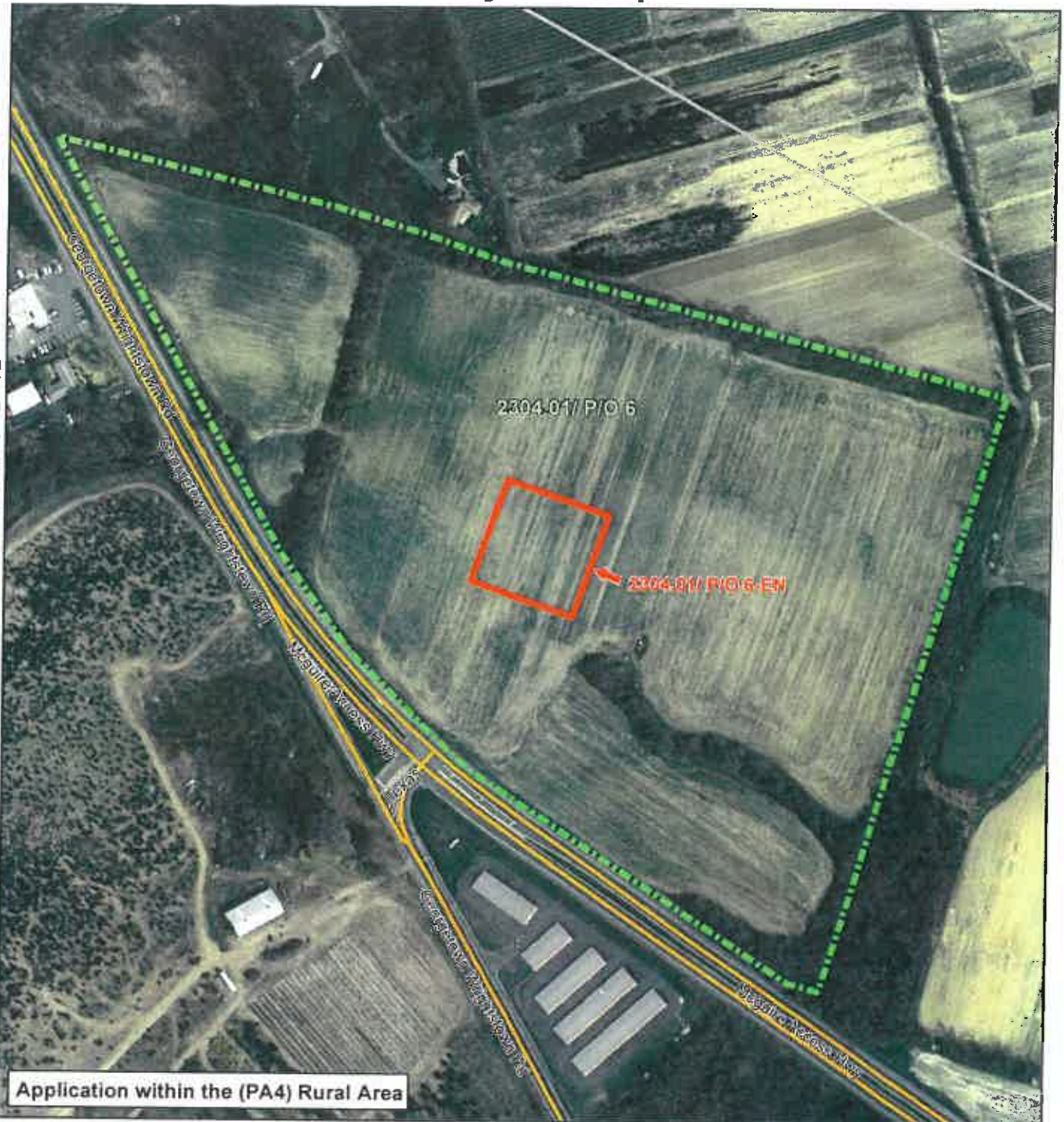
Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2015 Digital Aerial Image

September 1, 2017

Project Map

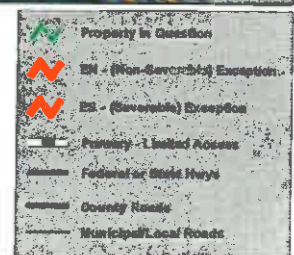
Schedule H.1

X:\counties\burco\projects\Patel_Ishvar_P_ChetaN_Neeta_D_Manjula_N_and_Dalpat_C_project_map_2.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Patel, Ishvar P., Chetan, Neeta D., Manjula, N. and Dalpat, C.
Block 2304.01 Lots P/O 6 (33.2 ac),
& P/O 6-EN (non-severable exception - 1.0 ac)
Gross Total = 34.2 ac.
Springfield Twp., Burlington County



250 125 0 250 500 Feet

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

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

September 1, 2017

Burlington County

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

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Patel, Ishvar P., Chetan, Neeta D., Manjula N. & Dalpat C.
03- 0420-PG
County PIG Program
33 Acres

Block 2304.01	Lot 6	Chesterfield Twp.	Burlington County
SOILS:		Other	11% * 0 = .00
		Prime	89% * .15 = 13.35
			SOIL SCORE: 13.35
TILLABLE SOILS:		Cropland Harvested	88% * .15 = 13.20
		Wetlands	1% * 0 = .00
		Woodlands	11% * 0 = .00
			TILLABLE SOILS SCORE: 13.20
FARM USE:	Cash Grains	5 acres	Rye
	Soybeans-Cash Grain	12 acres	
	Wheat-Cash Grain	15 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st one (1) acres for Future single family residential unit
Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2018R9(17)

FINAL REVIEW AND APPROVAL

Skalski, Philip & Stacy (NJCF)

FY2016 Non Profit Round - SADC #10-0068-NP

SEPTEMBER 28, 2017

WHEREAS, on May 18, 2015 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from New Jersey Conservation Foundation (NJCF) for the Skalski farm identified as Block 42, Lot 9 and 27, Tewksbury Township, Hunterdon County, totaling approximately 66 gross acres, hereinafter referred to as "Property" (Schedule A); and

WHEREAS, on November 12, 2015 the SADC granted preliminary approval by Resolution #FY2016R11(11) to the NJCF application and appropriated \$750,000 for the acquisition of development easement on two farms including the Skalski farm; and

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

WHEREAS, the original application contained a 10.46 acre non-severable exception for and limited to two (2) existing single family residences with one limited to 1,200 square feet of heated living space and to afford future flexibility of uses resulting in approximately 54.46 net acres to be preserved; and

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

WHEREAS, since the SADC's preliminary approval, the landowner has merged Lot 27 and Lot 9 to into one lot (Lot 27) to reduce conflict with setback requirements in their approvals for construction of equine facilities and the exception area has been reduced from 10.46 acres to 6.525 acres resulting in 48 surveyed easement acres; and

WHEREAS, at the time of application , the majority of the Property, outside of the exception area was in corn, hay and pasture and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, at this time none of the appropriated money has been encumbered; and

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

WHEREAS, at the time of SADC preliminary approval the Property had a quality score of 64.30 which is greater than 70% of the County average quality score of 44 as determined on July 24, 2014; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-15(b) 1., on January 26, 2017 the SADC certified a development easement value of \$14,000 per acre based on zoning and environmental regulations in place as of the current valuation date October 5, 2016; and

WHEREAS, the SADC advised NJCF of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of NJCF's eligible costs and subject to available funds from the \$750,000 appropriated in the 2016 Nonprofit round; and

WHEREAS, on May 24, 2017, NJCF informed the SADC that it will accept the SADC cost share grant of \$7,000 per acre towards the purchase price; and

WHEREAS, NJCF offered and the Owner accepted \$15,125.56/acre which is higher than the SADC certified easement value, but not higher than the highest appraised value of \$15,700 per acre; and

WHEREAS, a parcel application was submitted by the NJCF to the United States Department of Agriculture, Natural Resources Conservation Service FY13 Federal Farm and Ranch Lands Protection Program (FRPP); and

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

WHEREAS, the FRPP approved current easement value is \$674,000 based on 44.93 acres resulting in a FRPP grant on 48 acres of approximately \$360,026.88 in total FRPP funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP grant, including a 5.33% maximum impervious coverage restriction (approximately 2.56 acres) on the lands being preserved outside of the exception area for the construction of agricultural infrastructure on the Property, which is the maximum impervious coverage allowable for the Property through the FRPP program at this time; and

WHEREAS, the anticipated cost share participation for the project will be as follows based on 48 acres:

NJCF Funds	\$ 30,000.00	
NJCF FRPP Grant	\$360,026.88	\$7,500.56/ acre (50% federal value)
SADC Nonprofit Grant Funds	<u>\$336,000.00</u>	<u>\$7,000.00/ acre (50% of CMV)</u>
Total	\$726,026.88	\$15,125.56/ acre; and

WHEREAS, this final approval is conditioned upon securing FRPP funding in an amount sufficient to cover the estimated FRPP cost share of \$360,026.88; and

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

WHEREAS, N.J.A.C. 2:76-16.1(a)3.iii provides for the conveyance of the Deed of Easement by the nonprofit to the county; and

WHEREAS, paragraph 30 of the draft Deed of Easement states, "Grantee shall not convey the development easement except to the Federal government, the State, the county, or another qualifying tax exempt nonprofit organization for farmland preservation purposes. Any conveyance shall be approved in writing by the United States and the Committee, or their respective successors or assigns, and executed in recordable form;" and

WHEREAS, NJCF has requested and the CADB approved the assignment of the Deed of Easement to Hunterdon County immediately after closing on the Deed of Easement, but the Hunterdon County Board of Chosen Freeholders have not yet acted on that request; and

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

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 6.525 acre non-severable exception area for and limited to two (2) existing single family residential units with one limited to 1,200 square feet of heated living space and to afford future flexibility of uses; and

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

BE IT FURTHER RESOLVED, the SADC approves the conveyance of the Deed of Easement to Hunterdon County contingent upon the approval of the Board of Chosen Freeholders, and, should the conveyance to Hunterdon County not occur, any other proposed conveyance of the Deed of Easement must be approved in advance by the SADC; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$7,000 per acre (total of approximately \$336,000.00 based on 48 acres) to New Jersey Conservation Foundation for the development easement acquisition on the Skalski farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, this final approval is conditioned upon securing FRPP funding in an amount sufficient to cover the estimated FRPP cost share of \$360,026.88; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF Federal Farm and Ranch Land Protection Program funds for the preservation of the Skalski farm, which will include an impervious coverage limitation of 5.33% and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

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

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

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

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

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

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

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

9-28-17

Date



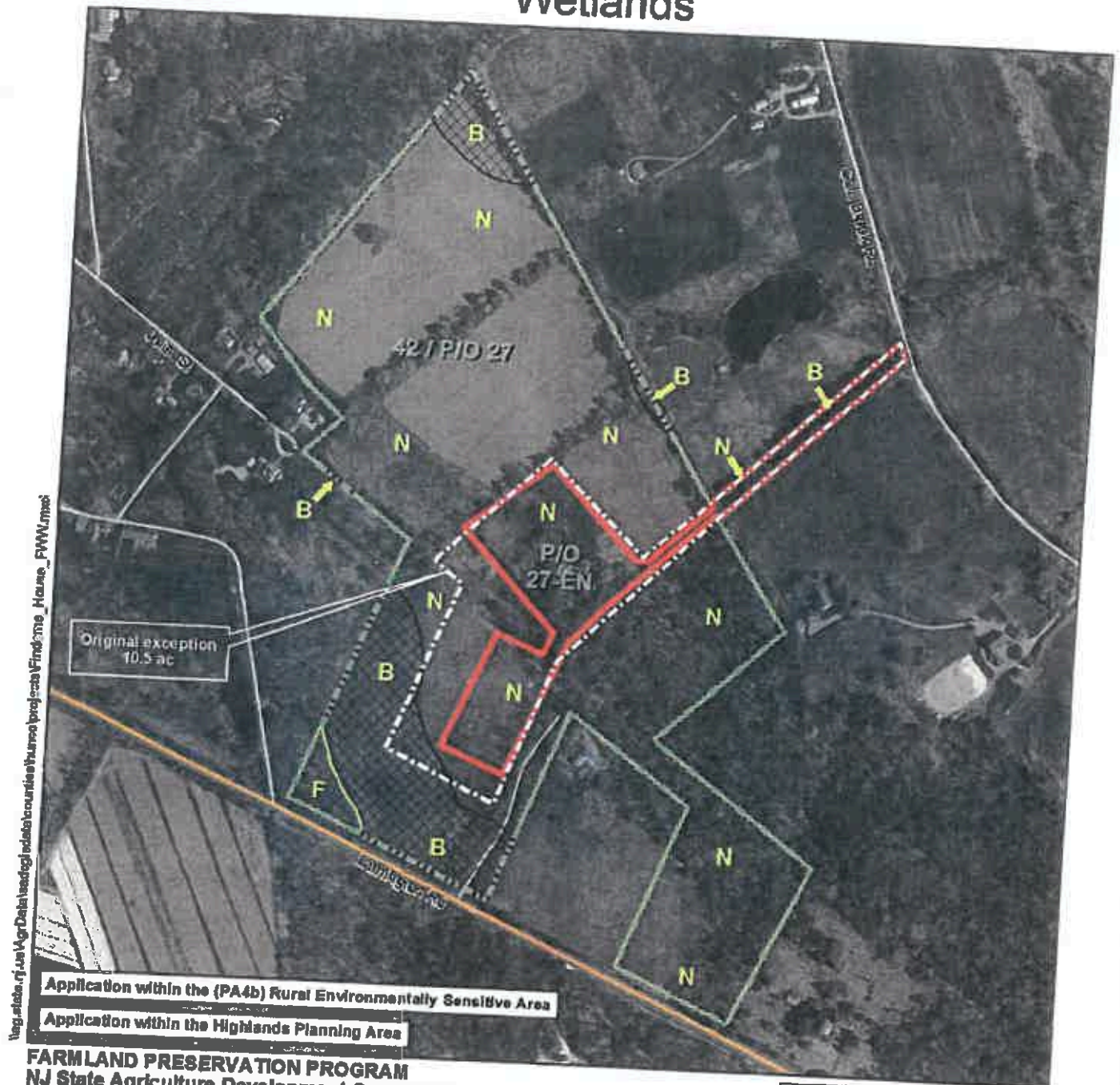
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

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Wetlands

Schedule A



Application within the (PA4b) Rural Environmentally Sensitive Area

Application within the Highlands Planning Area

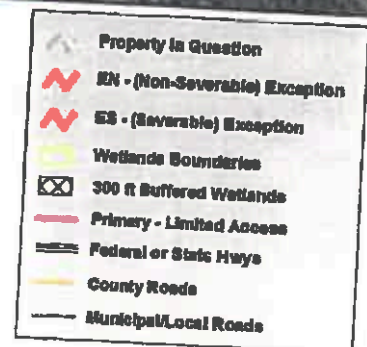
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Funderne House Farm (Skalski, Philip)
Block 42 P/O Lot 27 (48.02 ac)
& P/O Lot 27-EN (non-severable exception – 6.52 ac)
Gross Total – 54.54 ac
Tewksbury Twp. Hunterdon County



Sources:
NJ Farmland Preservation Program
Grass Areas Conservation Easement Data
NJDEP Wetlands Data
NJ Highlands Council Data
NJORT/OGIS 2015 Digital Aerial Image

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

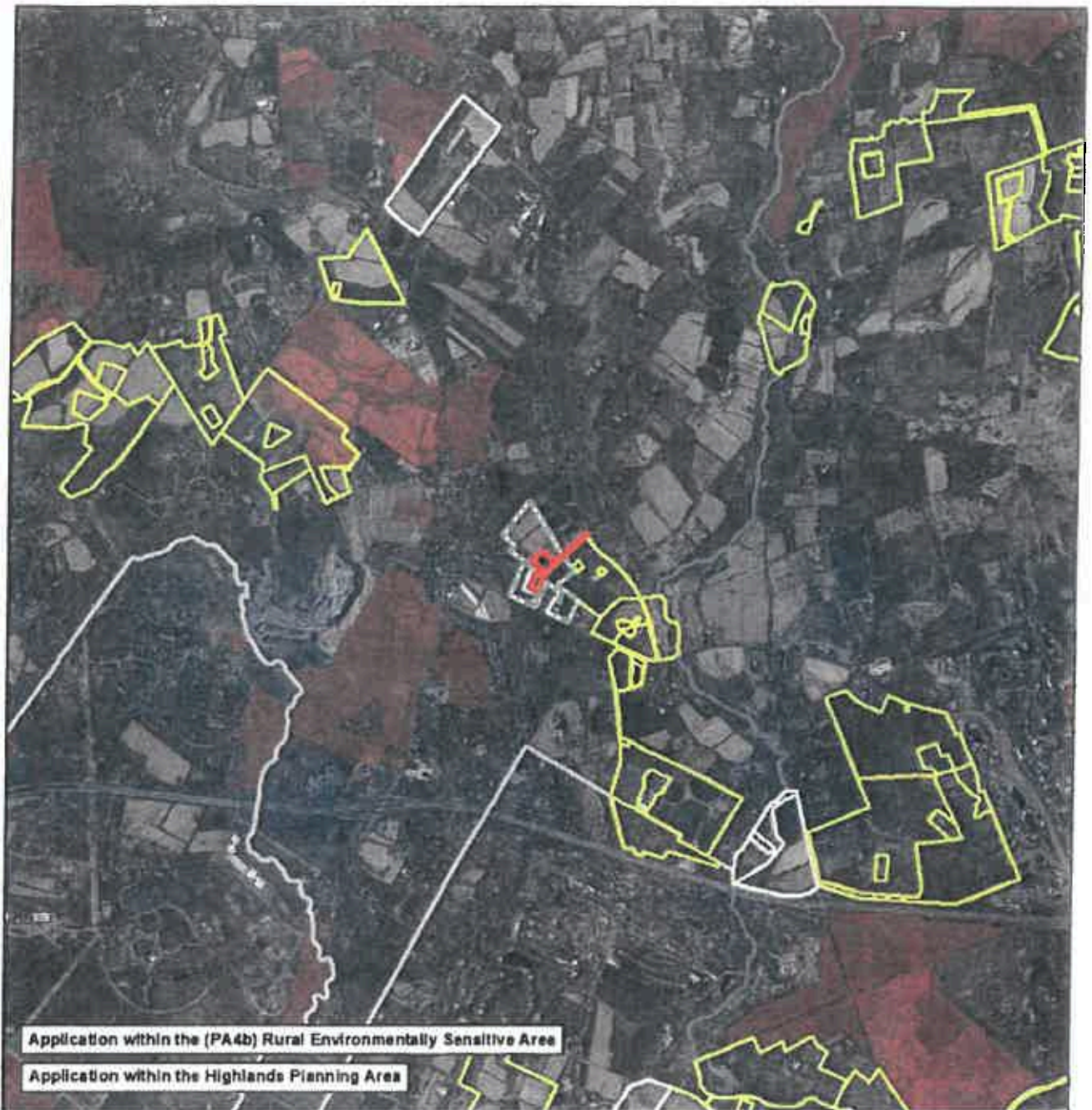


Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
AC - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Date 3/13/2017

Preserved Farms and Active Applications Within Two Miles

X:\counties\hunterdon\finderne_house_2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Finderne House Farm (Skalski, Philip)

Block 42 P/O Lot 9 (8.9 ac), P/O Lot 9-EN (non-severable exception - 1.66 ac)

P/O Lot 27 (39.13 ac) & P/O Lot 27-EN (non-severable exception - 4.63 ac)

Gross Total - 55.54 ac

Tewksbury Twp. Hunterdon County



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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJ Highlands Commission PDC Data
NJ Highlands Commission Data
Rich Township 2012 Digital Aerial Image

NOTE:

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

Date 8/8/2017

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Skalski, Philip and Stacy Andris (NJCF)
10- 0068-NP

FY 2016 Easement Purchase - Nonprofit
49 Acres

Block 42	Lot 9	Tewksbury Twp.	Hunterdon County	
Block 42	Lot 27	Tewksbury Twp.	Hunterdon County	
SOILS:		Prime	33% * .15	= 4.95
		Statewide	67% * .1	= 6.70
				SOIL SCORE: 11.65
TILLABLE SOILS:		Cropland Harvested	65% * .15	= 9.75
		Woodlands	35% * 0	= .00
				TILLABLE SOILS SCORE: 9.75
FARM USE:		Corn-Cash Grain	15 acres	
		Hay	14 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (6.297) acres for existing residences & improvements and future flexibility
 - Exception is not to be severable from Premises
 - Exception is to be limited to two existing single family residential unit(s)
 - One residence is restricted to 1,200 square feet of heated living space
 - c. Additional Restrictions:
 1. FY13 Federal Farm and Ranch Land Protection Program funds, via NJCF, are being utilized which will include an impervious coverage limitation of 5.33% and other restrictions required under the Federal Farm and Ranch Land Protection Program.
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY18R9(18)

FINAL REVIEW AND APPROVAL

The Land Conservancy of New Jersey – Shoemaker #1 Farm

2016 Non Profit Round – SADC #21-0034-NP

SEPTEMBER 28, 2017

WHEREAS, on May 18, 2015 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from The Land Conservancy of New Jersey (TLC-NJ) for the Shoemaker #1 farm identified as Block 62, Lots 9.01, 9.02, 20, & 24, White Township, Warren County, totaling approximately 115.39 net acres hereinafter referred to as "Property" (Schedule A-1); and

WHEREAS, a 13.2 acre portion of Lot 24 was submitted as part of a separate application for the sale of a development easement known as Shoemaker #2 Farm (Schedule A-2); and

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

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area for and limited to one (1) future single family residential unit and one (1), approximately 3-acre severable exception for an existing encroachment and to afford future flexibility of uses resulting in approximately 111.39 net acres to be preserved; and

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

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

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

WHEREAS, at this time none of the appropriated money has been encumbered; and

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

WHEREAS, the Property has a quality score of 52.41 which is greater than 70% of the County average quality score of 39 as determined by the Committee on July 24, 2014; and

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

WHEREAS, Pursuant to N.J.A.C. 2:76 15(b) 2., If two appraisals have been obtained on a parcel, and the difference between the two appraisal values is 10% of the higher appraisal value or less, the eligible land cost shall be the average of the appraisal values.

WHEREAS, on June 27, 2017 the SADC acknowledged the development easement value of the Property to be \$5,650 per acre based on current zoning and environmental regulations in place as of February 20, 2017; and

WHEREAS, the SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 24 prior to closing and the simultaneous preservation of both the Shoemaker #1 and #2 farms; and

WHEREAS, the SADC advised TLC-NJ of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of TLC-NJ's eligible costs and subject to available funds from the \$1,450,000 appropriated in the 2016 Nonprofit round; and

WHEREAS, on August 28, 2017 TLC-NJ informed the SADC that it will accept the SADC cost share of \$2,825 per acre for a total value of \$5,650 per acre; and

WHEREAS, the Warren County Board of Chosen Freeholders entered into a Farmland Preservation Agreement with TLC-NJ dated January 25, 2017 which provides 50% matching funds from Warren County for TLC-NJ easement acquisition on the Shoemaker #1 farm; and

WHEREAS, the cost share breakdown based on approximately 111.39 acres is as follows:

Warren County	\$314,676.75	(\$2,825/ acre or 50% total cost)
SADC Nonprofit Grant Funds	\$314,676.75	(\$2,825/ acre or 50% total cost)
Total	\$629,353.50	(\$5,650/ acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to TLC-NJ for up to 50% of the eligible ancillary costs which will be deducted from its 2016 appropriation and subject to the availability of funds; and

WHEREAS, N.J.A.C. 2:76-16.1(a)3.iii provides for the conveyance of the Deed of Easement by the nonprofit to the county; and

WHEREAS, paragraph 24 of the Deed of Easement states, "Grantee shall not convey the development easement except to the Federal government, the State, a local unit of government, or another qualifying tax exempt nonprofit organization for farmland preservation purposes;" and

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to The Land Conservancy of New Jersey for the Shoemaker #1 farm easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

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

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

BE IT FURTHER RESOLVED, the SADC's final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 24 prior to closing and the simultaneous preservation of both Shoemaker #1 and #2 farms; and

BE IT FURTHER RESOLVED, the SADC approves the assignment of the Deed of Easement to the Warren County Board of Chosen Freeholders immediately after closing on the Deed of Easement; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$2,825 per acre (total of approximately \$314,676.75 based on 111.39 acres) to The Land Conservancy of New Jersey for the development easement acquisition on the Shoemaker #1 farm, subject to the availability of funds; and

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

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

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

BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to The Land Conservancy of New Jersey for the acquisition of a development easement on the Shoemaker #1 farm; and

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\NONPROFITS\2016 round\TLCNJ\Shoemaker I\final approval.doc

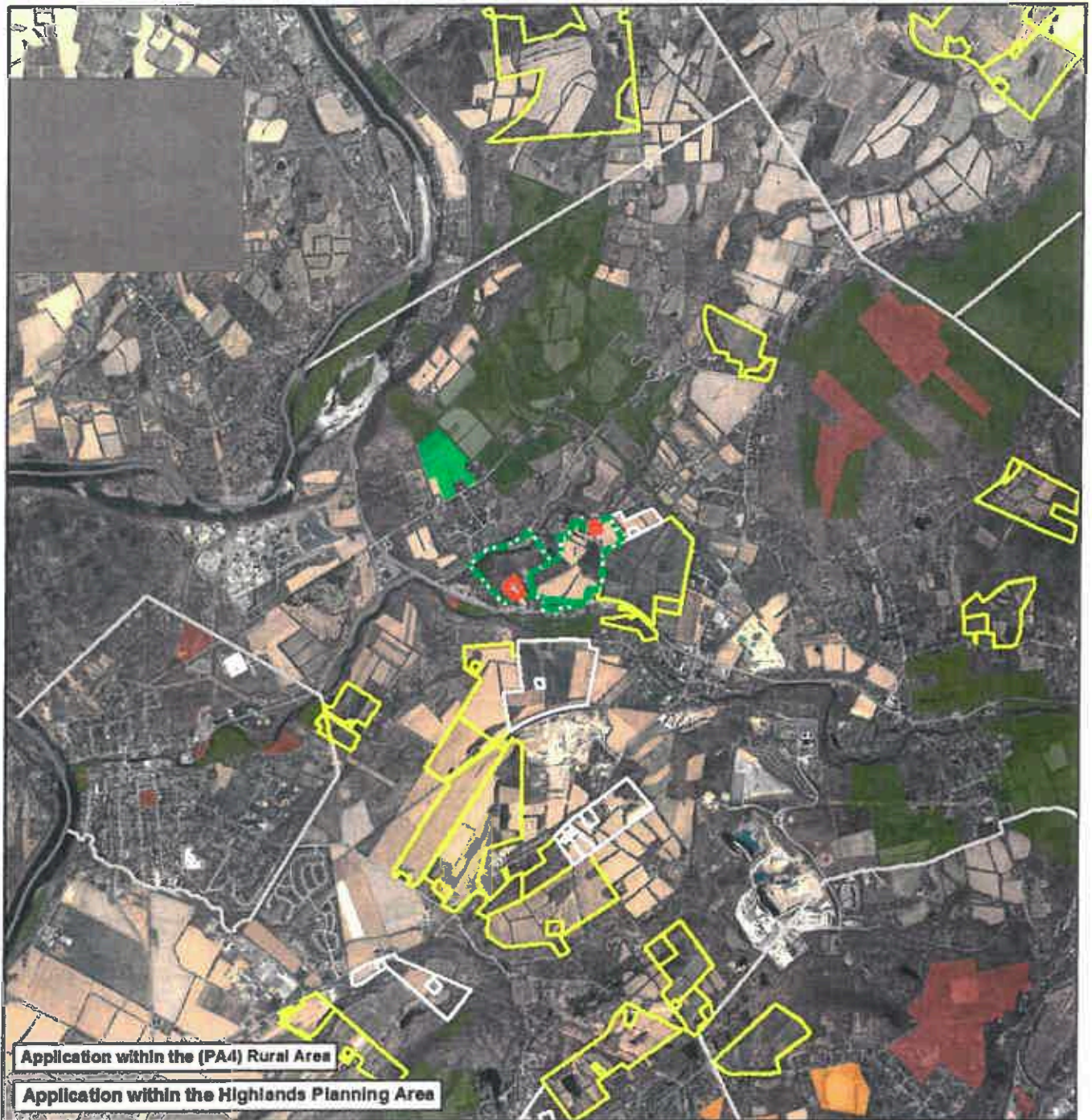
[illegible]

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

June 14, 2017

Preserved Farms and Active Applications Within Two Miles

X:\counties\warren\projects\shoemaker1_2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Shoemaker Farm (#1)/TLCNJ

Block 62 Lots 9.01 (3.73 ac); 9.02 (0.36 ac); P/O 20 (43.06 ac) & P/O 20-ES (severable exception - 3.15 ac)

P/O 24 (64.11 ac) & P/O 24-EN (non-severable exception - .98 ac)

Gross Total = 115.39 ac

White Twp., Warren County



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

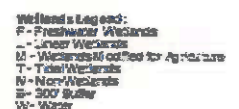


Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJ Highlands Commission PDC Data
NJ Highlands Council Data
USDT/USGS 2012 Digital Aerial Image

NOTE:

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

June 14, 2017

[illegible]

Keywords:
 NIP Airborne Preservation Program
 Street Address Conversion; Business Data
 NIP EP Alerts Data
 NIP Permits Commission; PDC Data
 NIP Highways Council Data
 NIP TOG: 2012 Data/Air/1 Page

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Shoemaker I Farm
21- 0034-NP
FY 2016 Easement Purchase - Nonprofit
112 Acres

Block 62	Lot 24	White Twp.	Warren County
Block 62	Lot 9.01	White Twp.	Warren County
Block 62	Lot 9.02	White Twp.	Warren County
Block 62	Lot 20	White Twp.	Warren County

SOILS:	Other	56% *	0	=	.00
	Prime	11% *	.15	=	1.65
	Statewide	29% *	.1	=	2.90
	Unique zero	4% *	0	=	.00

SOIL SCORE: 4.55

TILLABLE SOILS:	Cropland Harvested	36% *	.15	=	5.40
	Wetlands	9% *	0	=	.00
	Woodlands	55% *	0	=	.00

TILLABLE SOILS SCORE: 5.40

FARM USE:	Corn-Cash Grain	39 acres
	Hay	6 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for future single family residential unit
Exception is not to be severable from Premises
Exception is to be limited to one future single family residential unit(s)
 - 2nd (3.15) acres for
Exception is severable
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. The SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 24 prior to closing and the simultaneous preservation of both the Shoemaker #1 and #2 farms.
 - 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 eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY18R9(19)

FINAL REVIEW AND APPROVAL

The Land Conservancy of New Jersey – Shoemaker #2 Farm

2016 Non Profit Round – SADC #21-0033-NP

SEPTEMBER 28, 2017

WHEREAS, on May 18, 2015 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from The Land Conservancy of New Jersey (TLC-NJ) for the Shoemaker #2 farm identified as Block 62, part of Lot 24, White Township, Warren County, totaling approximately 13.2 Gross acres hereinafter referred to as "Property" (Schedule A-1); and

WHEREAS, a 65.11 acre portion of Lot 24 was submitted as part of a separate application for the sale of a development easement known as Shoemaker #1 Farm (Schedule A-2); and

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

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 12.2 net acres to be preserved; and

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

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

WHEREAS, on November 12, 2015 the SADC granted preliminary approval by Resolution #FY2016R11(11) to the TLC-NJ application and appropriated \$1,425,000 for the acquisition of development easement on five farms including the Shoemaker #2 farm; and

WHEREAS, at this time \$314,676.75 for the Shoemaker#1 farm has received final approval, therefore approximately \$1,110,323.25 is still available; and

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

WHEREAS, the Property has a quality score of 70.88 which is greater than 70% of the County average quality score of 39 as determined by the Committee on July 24, 2014; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-15(b) 1., on June 22, 2017 the SADC certified a development easement value of \$5,000 per acre based on zoning and environmental regulations in place as of the current valuation date February 2017; and

WHEREAS, the SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 24 prior to closing and the simultaneous preservation of both the Shoemaker #1 and #2 farms; and

WHEREAS, the SADC advised TLC-NJ of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of TLC-NJ's eligible costs and subject to available funds from the \$1,450,000 appropriated in the 2016 Nonprofit round; and

WHEREAS, on August 28, 2017 TLC-NJ informed the SADC that it will accept the SADC cost share of \$2,500 per acre towards the total value of \$5,000 per acre; and

WHEREAS, the Warren County Board of Chosen Freeholders entered into a Farmland Preservation Agreement with TLC-NJ dated January 25, 2017 which provides 50% matching funds from Warren County for TLC-NJ easement acquisition on the Shoemaker #1 farm; and

WHEREAS, the cost share breakdown based on approximately 12.2 acres is as follows:

Warren County	\$30,500	(\$2,500/acre or 50% total cost)
SADC Nonprofit Grant Funds	\$30,500	(\$2,500/acre or 50% total cost)
Total	\$61,000	(\$5,000/acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to TLC-NJ for up to 50% of the eligible ancillary costs which will be deducted from its 2016 appropriation and subject to the availability of funds; and

WHEREAS, N.J.A.C. 2:76-16.1(a)3.iii provides for the conveyance of the Deed of Easement by the nonprofit to the county; and

WHEREAS, paragraph 24 of the Deed of Easement states, "Grantee shall not convey the development easement except to the Federal government, the State, a local unit of government, or another qualifying tax exempt nonprofit organization for farmland preservation purposes;" and

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to The Land Conservancy of New Jersey for the Shoemaker #1 farm easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

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

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

BE IT FURTHER RESOLVED, the SADC's final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 24 prior to closing and the simultaneous preservation of both Shoemaker #1 and #2 farms; and

BE IT FURTHER RESOLVED, the SADC approves the assignment of the Deed of Easement to the Warren County Board of Chosen Freeholders immediately after closing on the Deed of Easement; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$2,500 per acre (total of approximately \$30,500 based on 12.2 acres) to The Land Conservancy of New Jersey for the development easement acquisition on the Shoemaker #2 farm, subject to the availability of funds; and

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

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

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

BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to The Land

Conservancy of New Jersey for the acquisition of a development easement on the Shoemaker #2 farm; and

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\NONPROFITS\2016 round\TLCNJ\Shoemaker II\final approval.doc



**Shoemaker Farm (#2)/TLCNJ
Block 62 Lots P/O 24 (12.1 ac)
& P/O 24-EN (non-severable exception - 1.1 ac)
Gross Total = 13.2 ac
White Twp., Warren County**



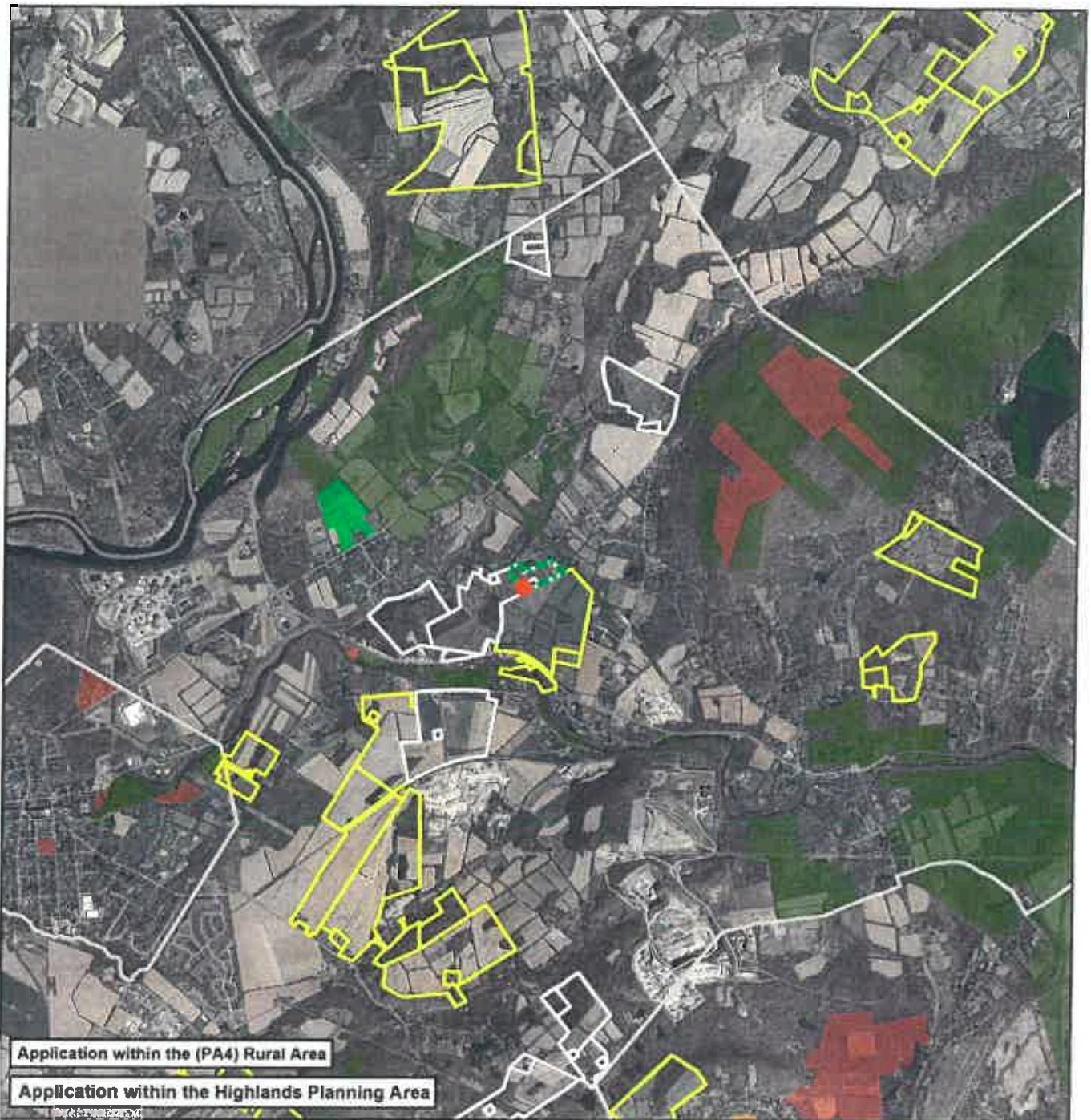
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Address:
10 Farm and Recreation Way
Deep River Conservation District Box
1029 Wilton, CT
10600
10600
10600

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Preserved Farms and Active Applications Within Two Miles

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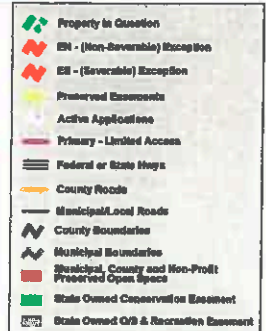
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Shoemaker Farm (#2)/TLCNJ
Block 62 Lots P/O 24 (12.1 ac)
& P/O 24-EN (non-severable exception - 1.1 ac)
Gross Total = 13.2 ac
White Twp., Warren County

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

NOTE:

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

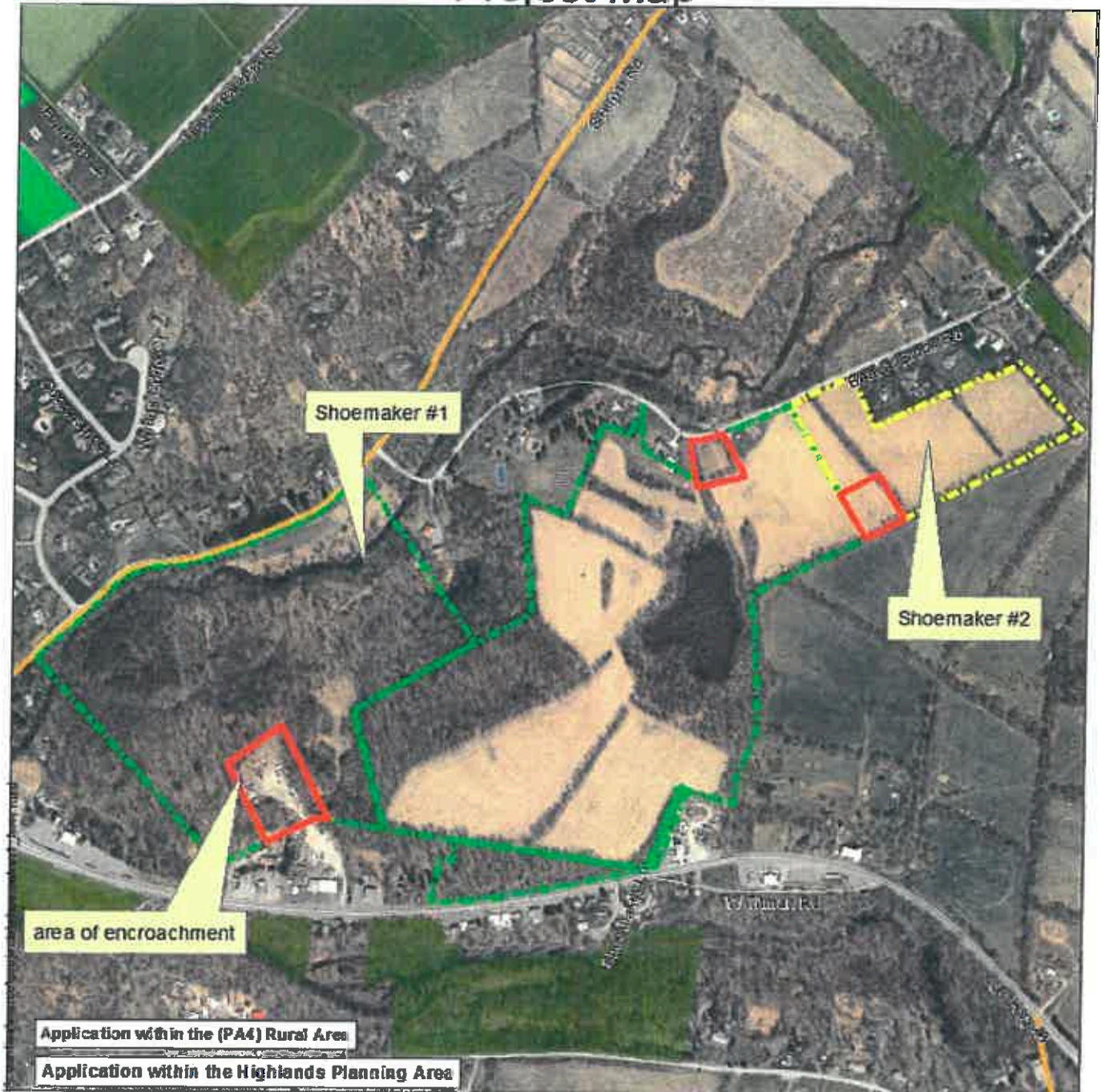


Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJ Highlands Council Data
NJGIS/OGIS 2012 Digital Aerial Image

November 5, 2015

Project Map

Schedule A-2



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Shoemaker Farm (#1)/TLCNJ

Block 62 Lots 9.01 (3.73 ac); 9.02 (0.36 ac); P/O 20 (43.06 ac) &
P/O 20-ES (severable exception - 3.15 ac)
P/O 24 (64.11 ac) & P/O 24-EN (non-severable exception - .98 ac)
Gross Total = 115.39 ac
White Twp., Warren County

Shoemaker Farm (#2)/TLCNJ

Block 62 Lots P/O 24 (12.1 ac)
& P/O 24-EN (non-severable exception - 1.1 ac)
Gross Total = 13.2 ac
White Twp., Warren County

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon. It remains the responsibility of the user to verify the location of any ground parcel and/or other features as would be dictated by an actual ground survey conducted by a licensed professional land surveyor.



500 250 0 500 1,000 Feet

Warrens Legend:
F - Freshwater Wetlands
W - Wetlands
U - Urban Wetlands
T - Tidal Wetlands
N - Non-Wetlands
S - 300' Buffer
W - Water

Source:
NJ Farmland Preservation Program
Green Acres Conservancy: Basemap Data
NJSP Wetlands Data
NJ Farmland Conservancy: P/O Data
NJ Farmland Conservancy: Aerial Image
NJ: 7.08.12 2012 Data: Aerial Image

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Shoemaker II Farm
21- 0033-NP
FY 2016 Easement Purchase - Nonprofit
12 Acres

Block 62 Lot 24 White Twp. Warren County

SOILS:

Other	1% *	0	=	.00
Prime	87% *	.15	=	13.05
Statewide	12% *	1	=	1.20
SOIL SCORE:				14.25

TILLABLE SOILS:

Cropland Harvested	89% *	.15	=	13.35
Woodlands	11% *	0	=	.00
TILLABLE SOILS SCORE:				13.35

FARM USE: Corn-Cash Grain 12 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for future single family residence
Exception is not to be severable from Premises
Exception is to be limited to zero existing
single family residential unit(s) and one future
single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. The SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 24 prior to closing and the simultaneous preservation of both the Shoemaker #1 and #2 farms.
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2018R9(20)

Final Approval

**Feigus, Brad and Barbara - Monmouth Conservation Foundation
FY2016 Non Profit Round - SADC #13-0015 NP**

September 28, 2017

- WHEREAS, on May 18, 2015 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from Monmouth Conservation Foundation ("MCF") for the Brad and Barbara Feigus farm identified as Block 151, Lot 12.02, Howell Township, Monmouth County, totaling approximately 23.16 gross acres, hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the application included a 2 acre non-severable exception around an existing single family residence resulting in a net easement area of approximately 21.16 acres; and
- WHEREAS, the portion of the Property to be preserved outside of the exception area included zero (0) housing opportunities, one (1) agricultural labor unit, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was an equine operation with approximately 11.4 acres in equine pasture production and 1.1 acres in equine service (Schedule B); and
- WHEREAS, the equine map (Schedule B) and specialized "Equine Schedule B" (Schedule C) will be recorded with the Deed of Easement; and
- WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of Premises and Non-agricultural uses; and
- WHEREAS, on November 15, 2015 the SADC granted preliminary approval by Resolution #FY2016R11(11) to the MCF application and appropriated \$225,000 for the acquisition of development easement on the Feigus farm; and
- WHEREAS, at the time of SADC preliminary approval the Property had a quality score of 53.77; and
- WHEREAS, on January 26, 2017 the SADC certified a development easement value of the Property to be \$11,100 per acre based on current zoning and environmental regulations in place as of July 19, 2016; and

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

WHEREAS, on June 1, 2017 MCF informed the SADC that it accepted the SADC certified easement value of \$11,100 per acre and the SADC 50% per acre cost share of \$5,550; and

WHEREAS, the landowner accepted \$13,000 per acre for the development easement for the Property, which is the higher than the certified easement value, but not higher than the highest appraised per acre value of \$13,000; and

WHEREAS, on July 12, 2017 the Monmouth County Agriculture Development Board endorsed the MCF/Feigus application; and

WHEREAS, on July 27, 2017 the Monmouth County Board of Chosen Freeholders by Resolution #2017-0586 approved the MCF/Feigus application and agreed to provide \$2,775 per acre towards the acquisition; and

WHEREAS, on June 13, 2017 by Resolution No. R-17-237 Howell Township approved the MCF/Feigus application and agreed to contribute \$3,287.50 per acre towards the acquisition; and

WHEREAS, on May 19, 2017 the Monmouth Conservation Foundation passed a resolution approving the acquisition and committing \$1,387.50 per acre towards the acquisition; and

WHEREAS, the estimated cost share participation for the project is as follows (based on 21.16 acres); and

Monmouth County	\$ 58,719.00	\$ 2,775/acre
Howell Township	\$ 69,563.50	\$ 3,287.50/acre
Monmouth Conservation Foundation	\$ 29,359.50	\$ 1,387.50/acre
SADC Nonprofit Grant Funds	<u>\$ 117,438.00</u>	<u>\$ 5,550/acre (50% of \$11,100)</u>
Total	\$ 275,080.00	\$13,000/acre; and

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

WHEREAS, MCF is requesting \$117,438.00 in funding which is available at this time;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Monmouth Conservation Foundation/Feigus easement acquisition application subject to compliance with N.J.A.C. 2:76-16 and the conditions contained in (Schedule D); and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$5,550 per acre (total of approximately \$117,438 based on 21.16 acres) to the Monmouth Conservation Foundation for the development easement acquisition on the Feigus farm subject to the availability of funds; and

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

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

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

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

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

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\NONPROFITS\2016 round\monmouth conservation foundation\Feigus\Final Approval\final approval.doc

Wetlands

Schedule A



Application within the (PA4b) Rural Environmentally Sensitive Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Feigus (Neverwind Farm)/MCF
Block 151 P/O Lot 12.02 (21.16 ac)
& P/O Lot 12.02-EN (non-severable exception – 2.0 ac)
Gross Total – 23.16 ac
Howell Twp. Monmouth County



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

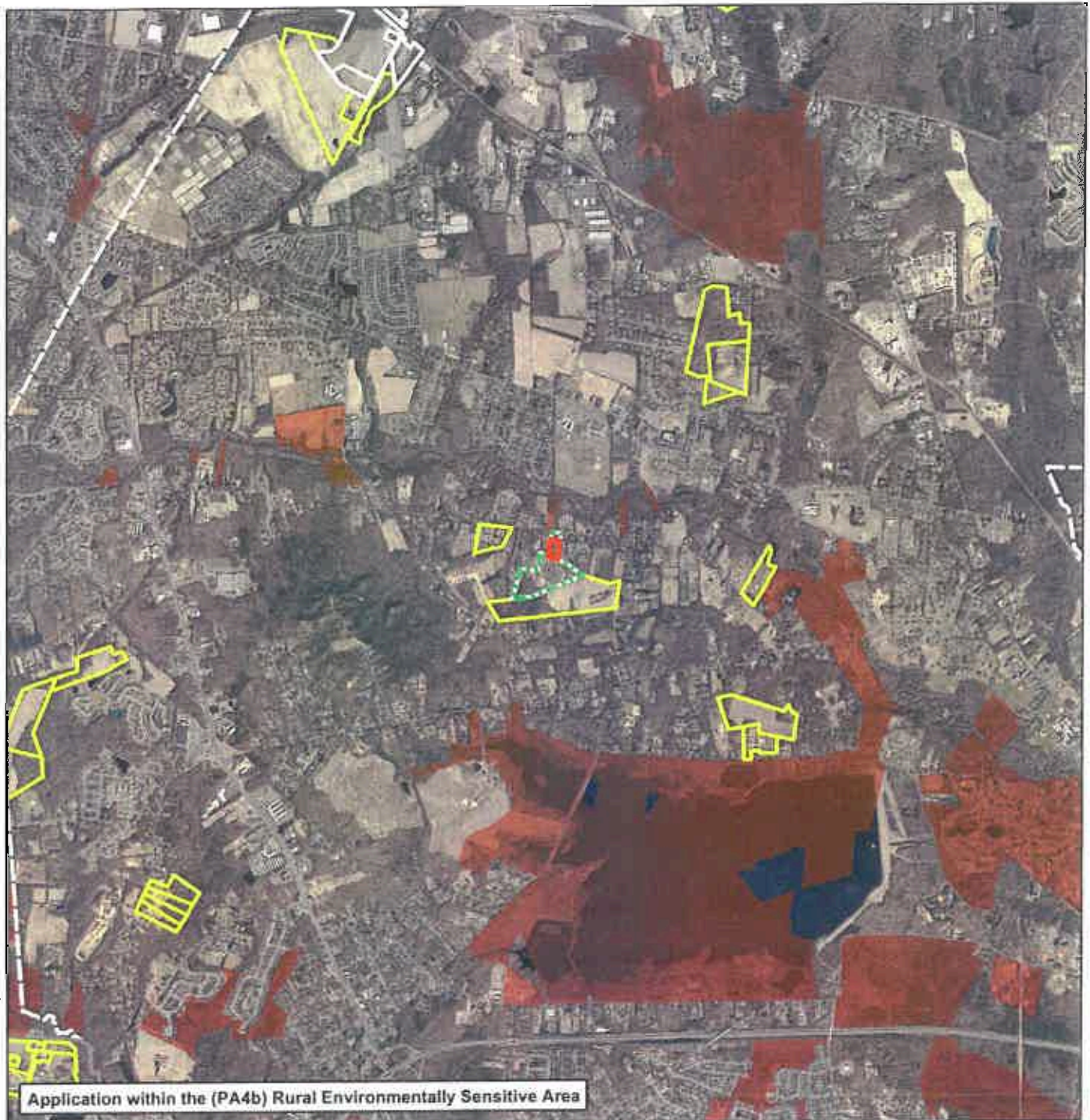
Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJ Highlands Council Data
NJOT/OGIS 2012 Digital Aerial Image

Date: 6/23/2015

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

Preserved Farms and Active Applications Within Two Miles

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Application within the (PA4b) Rural Environmentally Sensitive Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Feigus (Neverwind Farm)/MCF
Block 151 P/O Lot 12.02 (21.16 ac)
& P/O Lot 12.02-EN (non-severable exception – 2.0 ac)
Gross Total – 23.16 ac
Howell Twp. Monmouth County

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

- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Active Applications
- Primary - Limited Access
- Federal or State Hwy
- County Road
- Municipal Local Roads
- County Boundaries
- Municipal Boundaries
- Highlands Development Credits
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned D/S & Recreation Easement



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

Date: 6/23/2015

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

Feigus/Neverwind Farm - Equine Areas

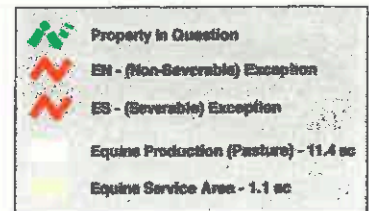


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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Feigus (Neverwind Farm)/MCF
Block 151 P/O Lot 12.02 (21.16 ac)
& P/O Lot 12.02-EN (non-severable exception – 2.0 ac)
Gross Total – 23.16 ac
Howell Twp. Monmouth County

250 125 0 250 500 Feet



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

Sources:
NJDOT Road Data
NJOT/OGIS 2012 Digital Aerial Image

September 28, 2015

SCHEDULE B

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

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

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

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

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

Schedule D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Feigus, Bard and Barbara
13- 0015-NP
No Value Selected Easement Purchase - Nonprofit
21 Acres

Block 151	Lot 12.02	Howell Twp.	Monmouth County			
SOILS:			Other	75% *	0	= .00
			Statewide	15% *	.1	= 1.50
			Unique .125	5% *	.125	= .63
			Unique zero	5% *	0	= .00
						SOIL SCORE: 2.13
TILLABLE SOILS:			Cropland Pastured	56% *	.15	= 8.40
			Other	7% *	0	= .00
			Wetlands	10% *	0	= .00
			Woodlands	27% *	0	= .00
						TILLABLE SOILS SCORE: 8.40
FARM USE:		Horse & Other Equine	12 acres			

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:

1st two (2) acres for future flexibility around existing single family residence

Exception is not to be severable from Premises
 - 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 without Foundation - for ag labor
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2018R9(21)

Acknowledgement of Residual Dwelling Site Opportunity

Weiss Farm

September 28, 2017

Subject Property: Block 25, Lot 7
 Elk Township, Gloucester County
 129.42 Acres

WHEREAS, Leigh and Donna Weiss, hereinafter "Owners", are the record owners of Block 25, Lot 7, in the Township of Elk, Gloucester County, by deed dated May 23, 2000, and recorded in the Gloucester County Clerk's office in Deed Book 3123, Page 147, totaling approximately 129.42 acres, hereinafter referred to as the "Premises" (as shown in the attached Schedule "A"); and

WHEREAS, the property was acquired by the SADC in fee from the former owner, Sunnydale Partners, L.P., through the SADC's fee simple purchase program on January 31, 2000, as recorded in the Gloucester County Clerk's office in Deed Book 3084, Page 17; and

WHEREAS, the acquisition from Sunnydale Partners included a total of seven properties totaling 1,075 acres; and

WHEREAS, on March 31, 2000, the SADC auctioned the Premises and the other Sunnydale properties through its fee simple auction process and the Owners were the successful bidder for the Premises; and

WHEREAS, paragraph 13iii of the Deed of Easement states that one RDSO has been allocated to the Premises; and

WHEREAS, during the 2017 monitoring inspection it was determined that existing residence, which was constructed in 2002, was constructed as the RDSO unit; and

WHEREAS, the Deed of Easement does not explicitly specify that the Owners need to seek SADC approval prior to constructing the RDSO; and

WHEREAS, this Deed of Easement contains unique language not found in other Deeds of Easement associated with the Sunnydale Partners property resales or in other SADC Deeds of Easement; and

WHEREAS, the location of the RDSO site is in a wooded section in the rear of the property as shown in Schedule "A"; and

WHEREAS, the residence is approximately 3,600 sq./ft.; and

WHEREAS, the Owners have been actively managing and farming the Premises since purchasing it; and

WHEREAS, the Owners planted and manage approximately 5 acres of wine grapes and actively manage approximately 60 acres of forestland through Natural Resources Conservation Service programs; and

WHEREAS, the remaining acreage is currently leased to a local grain farmer; and

WHEREAS, since acquiring the property, the Owners have installed numerous conservation practices including drip irrigation, windbreaks and water diversions to improve the agricultural resources of the Premises; and

WHEREAS, since acquiring the property the Owners have been regularly engaged in the day-to-day agricultural production activities on the farm which at this time consists of planting, field preparation, irrigation and pest management of the vineyard as well as management of the forest resources; and

WHEREAS, the driveway to the residence utilizes the existing farm lane; and

NOW THEREFORE BE IT RESOLVED, that the Committee, pursuant to Policy P-31 and the terms contained in the Deed of Easement, finds that the construction and use of the residence is for agricultural purposes where at least one person residing in the residence is regularly engaged in common farmsite activities on the Premises; and

BE IT FURTHER RESOLVED, that the Committee acknowledges that this RDSO has been exercised as a residence for the Owners, who have been directly involved in the daily agricultural production activities of the farm since acquiring the Premises; and

BE IT FURTHER RESOLVED, that the Committee finds that the location of the house, as shown in the attached Schedule "A", minimizes the impact to the agricultural operation on the Premises; and

BE IT FURTHER RESOLVED, that the SADC shall record a corrective deed of easement with the Gloucester County Clerk's office showing that the RDSO allotted to the Premises has been exercised; and

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

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

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

9-28-17

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

S:\Fee Simple\GLOUCESTER\SUNNYDALE\Farm C\Stewardship-Post Closing\Exercise RDSO Reso.doc

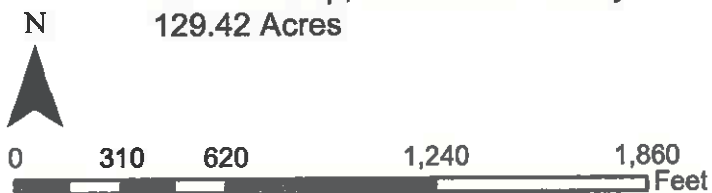
Schedule "A"

S:\Fee Simple\GLOUCESTER\SUNNYDALE\Farm C\Stewardship-Post Closing\farmview.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Weiss Farm
Block 25, Lot 7
Elk Township, Gloucester County
129.42 Acres



9/6/2017

Farmland Preservation Program

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

State Planning Areas

- (PA1) METRO
 - (PA2) SUBURBAN
 - (PA3) FRINGE
 - (PA4) RURAL
 - (PA4b) RURAL ENV SENS
 - (PA5) ENV SENS
 - (PA6) ENV SENSITIVE BARRIER IS
 - (P10) PINELANDS
 - PARK
 - MILITARY
 - NEW JERSEY MEADOWLANDS
 - WATER
 - ELLIS ISLAND- NJ
 - ELLIS ISLAND- NY
- Base Map**
- County Boundaries
 - Municipal Boundaries
 - Highlands Planning Area
 - Highlands Preservation Area
 - Pinelands Area
 - Green Acres Preserved Easements

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2018R9(22)

Review of Activities Occurring on Preserved Farm

Geeta Madadi

September 28, 2017

Subject Property: Block 2732, Lot 39
Hamilton Township, Mercer County
133.57 acres

WHEREAS, Geeta Madadi, hereinafter ("Owner") is the current record owner of Block 2732, Lot 39, in Hamilton Township, Mercer County, as recorded in the Mercer County Clerk's office by deed dated August 16, 2010, in Deed Book 6068, Page 841, totaling approximately 133.57 acres, hereinafter referred to as the "Premises", as shown in attached Schedule "A"; and

WHEREAS, the State Agriculture Development Committee (SADC) acquired the Premises from Calton Homes, LLC, on December 20, 2001, through the Fee Simple Program; and

WHEREAS, on May 20, 2003, the SADC sold the Premises to previous owners, Mario and Carol Mazza, through the fee simple auction process, subject to standard deed restrictions as contained in Deed Book 4543, Page 187, including the following:

1. There is one existing single family residence, which could be replaced with a residence of up to 3,500 square feet of heated living space with SADC approval (paragraph 12ii).
2. The existing single family residence shall not be re-designated as an agricultural labor housing unit (paragraph 12iv); and

WHEREAS, on June 26, 2003 the SADC approved the replacement of the existing residence by Resolution #FY03R6(18); and

WHEREAS, during preparations to demolish the existing residence, the Mazzas and the SADC were approached by the local historical society and the NJ Historic Preservation Office explaining the local historical significance of the residence and requesting that it not be razed; and

WHEREAS, on June 24, 2004, the SADC passed resolution #FY04R6(29) approving an amendment to the deed restrictions placed on the Property to remove paragraph 12iv., "The existing single family residence shall not be re-designated as an agricultural labor housing unit"; and

WHEREAS, in approving this amendment, the Mazzas were able to construct a new residence for themselves while converting the original farmhouse to an agricultural labor unit; and

WHEREAS, at that time, the Premises was being operated as an equine production facility and vineyard, utilizing onsite laborers who could be housed in the original farmhouse; and

WHEREAS, on January 26, 2006, the SADC approved resolution #FY06R1(32), allowing the redesignation of the original farmhouse as an agricultural labor unit finding that this redesignation was consistent with the standard agricultural labor housing provisions found in the Deed of Easement; and

WHEREAS, through regular monitoring visits to the Premises, SADC staff identified that the Mazzas discontinued their equine operation on the Premises, no longer had an onsite labor need, and began renting the original farmhouse to non-farm tenants as well as created a one-bedroom apartment in the winery barn, as shown on Schedule "A"; and

WHEREAS, on December 10, 2009, the SADC approved Resolution #FY2010R12(9), see attached Schedule "B", finding the Mazzas in violation of the Deed of Easement and previous approval resolutions, and required the Premises be restored to a condition not in violation of the Deed of Easement within 90 days; and

WHEREAS, the non-farm tenants subsequently vacated the Premises in accordance with Resolution #FY2010R12(9) prior to the sale of the Premises to the Owner; and

WHEREAS, since acquiring the Premises, the Owner has leased the farmland to various agricultural operations including equine rescue, grain and currently equine training; and

WHEREAS, the Owner has attempted to maintain the vineyard acreage; and

WHEREAS, on multiple occasions, SADC staff identified during regular monitoring visits to the Premises and discussions with the Owner, use of

the original farmhouse and winery building apartment as residential units for non-farm tenants; and

WHEREAS, the Owner has been advised numerous times in writing since 2012 that use of structures as residential units for tenants who are not full-time employees engaged in the production aspects of the agricultural operation is prohibited, see attached Schedules "C, D, E & F"; and

WHEREAS, during the 2017 monitoring visit, there was again the appearance of non-farm tenants living in the farmhouse, which was affirmed by the Owner; and

WHEREAS, on June 5, 2017, the Owner was advised that as a result of continued non-compliance with the Deed of Easement, this matter would be brought to the Committee for formal review; and

WHEREAS, the Owner asserts that the one current farmhouse tenant mows the grass on the Premises and the winery building apartment is not currently occupied but has been used sporadically as housing for laborers to help with vineyard maintenance; and

WHEREAS, the Owner has stated that she intends to sell the property in the near future and staff has been contacted by realtors with questions about the Premises in anticipation of listing the property.

NOW THEREFORE BE IT RESOLVED, that the SADC finds the following violations of the Deed of Easement and previous approval resolutions #FY04R6(29) and #FY06R1(32), allowing for the redesignation and use of the original farmhouse as an agricultural labor unit :

- 1) Use of the agricultural labor unit (original farmhouse) as a rental unit for households where at least one family member is not engaged, full-time, in production agriculture on the Premises;
- 2) Use of the winery barn behind the main house as a residential unit without approval of the SADC; and

BE IT FURTHER RESOLVED, that the SADC finds that mowing grass is not an agricultural production activity associated with the Premises; and

BE IT FURTHER RESOLVED, that the use of any other structures on the Premises for residential purposes without the approval of the SADC is considered a violation of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the Owner shall have 90 days from the effective date of this resolution to restore the Premises to a condition which is not in violation of the Deed of Easement and the associated approval resolutions; and

BE IT FURTHER RESOLVED, that the SADC will require a compliance inspection verifying the above conditions have been met prior to issuing a letter of satisfaction to the Owner; and

BE IT FURTHER RESOLVED, that the Committee authorizes legal proceedings be initiated through the Office of the Attorney General, as necessary, in the event of continued non-compliance with the Deed of Easement or Committee resolutions; and

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

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

9-28-17

DATE

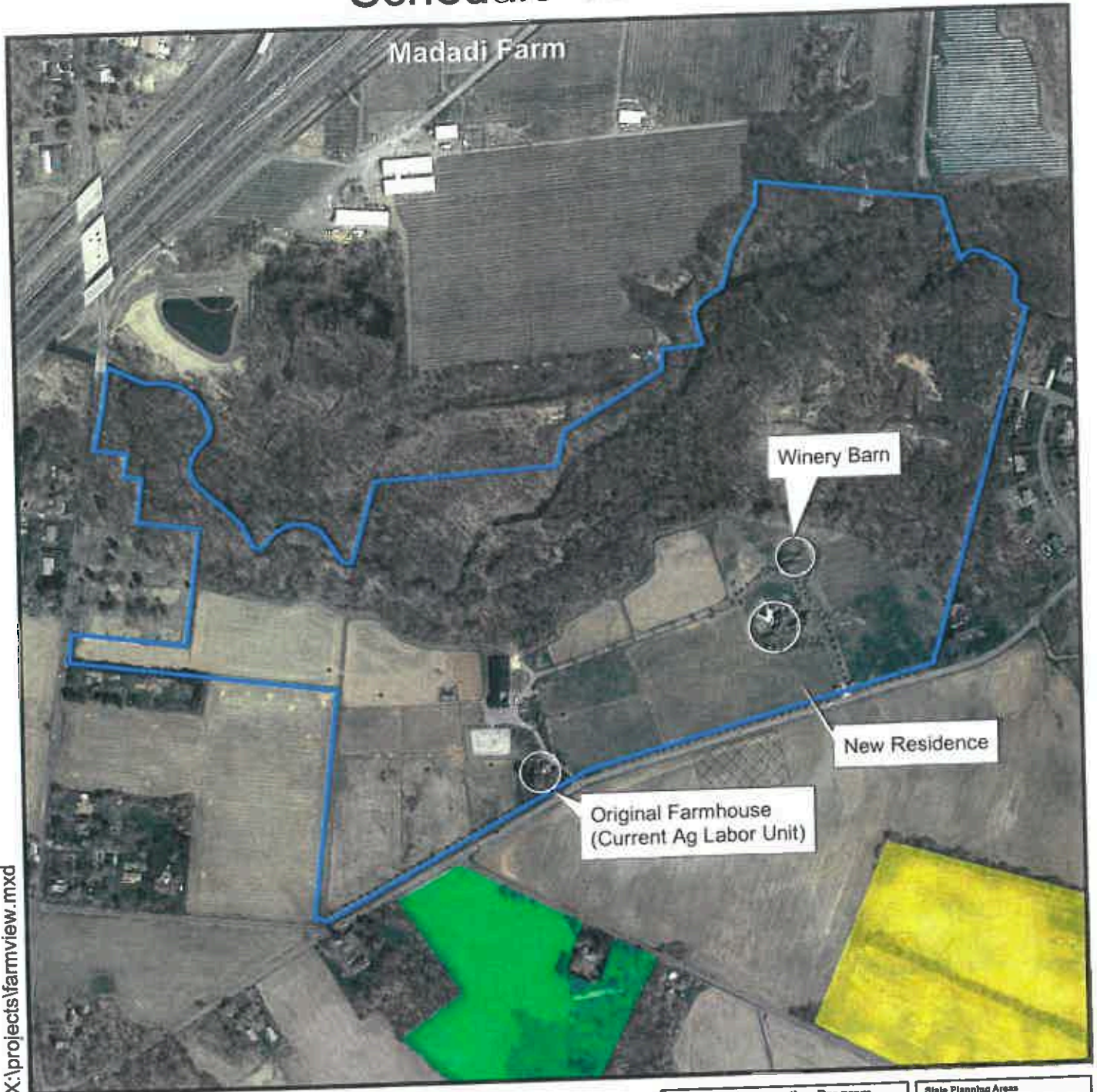


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Schedule A

X:\projects\farmview.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Madadi Farm
Block 2732, Lot 39
Hamilton Township, Mercer County
133-Acres



0 345 690 1,380 2,070 Feet

9/11/2017

Farmland Preservation Program

- PRESERVED EASEMENT
- EXCEPTION AREA
- PRESERVED EASEMENT / NR
- EXCEPTION AREA / NR
- FINAL APPROVAL
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- ### State Planning Areas
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 - (PA2) SUBURBAN
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- ### Base Map
- County Boundaries
 - Municipal Boundaries
 - Highlands Planning Area
 - Highlands Preservation Area
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 - Green Acres Preserved Easements