

STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC)

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

REGULAR MEETING

July 25, 2019

Acting Chairperson Monique Purcell called the meeting to order at 9:07 a.m. The flag salute was conducted.

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

Roll call indicated the following:

Members Present

Monique Purcell, Acting Chairperson
Cecile Murphy (Rep. NJDEP Commissioner Catherine R. McCabe)
Gina Fischetti (Rep. DCA Commissioner Sheila Oliver) (arrived at 9:20 am)
Brian Schilling
Jane Brodhecker
Denis Germano (arrived at 9:25 am)
Alan Danser
Scott Ellis
Pete Johnson

Members Absent

Ralph Siegel
James Waltman

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

Others present as recorded on the attendance sheet: Brian Wilson, Burlington County Agriculture Development Board (CADB); Tom Letizia, Law Firm of Pepper Hamilton, Mercer County; Tom Patterson, PSEG; Katherine Coyle, Morris CADB; Harriet Honigfeld, Monmouth CADB; Emily Blackman, Mercer CADB; Mr. Diamantis; Mark Villanger, Ocean CADB; Katherine Fullerton, Hunterdon County; Amy Hansen, New Jersey Conservation, Morris County.

Minutes

A. SADC Regular Meeting of June 27, 2019 (Open and Closed Sessions)

It was moved by Mr. Danser and seconded by Mr. Schilling to approve the Open and Closed Session minutes of the SADC regular meeting of June 27, 2019. Mr. Johnson and Ms. Murphy abstained from the vote. The motion was approved.

Report of the Chairman

Acting Chairperson Ms. Purcell stated that there have been four new State Board members appointed in the last two months and they are Dr. Earnest Beier, livestock veterinarian; Mr. Dave DeFrangé, representative from the nursing industry; Mr. Paul Hlubik, former FSA Director; and Ms. Debbie Norz from Norz Farms, Somerset County. The president is Auggie Wuillermin, vegetable grower from Atlantic County, and the Vice President is Dan Farrand, hay and grain grower from Morris County. Ms. Purcell noted that money to implement the hemp program has been frozen in the 2020 budget. The hemp rules are awaiting approval by the Governor. Finally, Ms. Purcell mentioned that Bruce Ecklund from National Agricultural Statistics Service (NASS) reported that the Agriculture Census will be released for the first time based on the New Jersey (NJ), Pennsylvania (PA) and Delaware Watershed, which will be an interesting way to look at the statistics.

Report of the Executive Director

Ms. Payne stated that Fiscal Year (FY) 2019 has concluded and as expected the numbers were down due to FY18 being a banner year. In FY18 there were 92 closings and in FY19 there were 62 closings and between the two of them they average out to a target number of 80 closings. The County Planning Incentive Grant (PIG) program represents 42% of those closings; the Municipal PIG program represents 27% of the closings; the Direct Easement Purchase program was 24%; and the Non-Profit program represents 6%. Ms. Payne congratulated staff member Katie Mazzella, who was responsible for 35 of the 62 closings and is doing an outstanding job.

Ms. Payne mentioned that changes to the Preserved NJ Act for FY 2020 affect the Farmland Preservation Program. Staff provided text amendments to those changes which include: the term “stewardship activity” and the addition of the new text to include “and projects that improve the resiliency of farmland soils”; the dual appraisal provision for the highlands extension to June 30, 2024; SADC Stewardship funds being raised from 3% to 4%; and farms preserved through the Pinelands Development Credit (PDC) and Highlands Development Credit (HDC) programs are now eligible for SADC Stewardship funds as long as SADC approves the deed restriction used to preserve them. This allows farmers in the Highlands and Pinelands to access grants for the deer fencing program, so staff should anticipate additional requests for stewardship funds from those areas. As far as allocations from Corporate Business Tax (CBT) revenues, there has been \$164 million allocated in total: 62% towards Green Acres, a 31% allocation for farmland preservation, and 7% for historic preservation. The farmland preservation percentage share equates to \$51 million dollars, however, before those funds are allocated from treasury, 25% of those funds are put in a reserve in case CBT revenues do not come in as projected. That leaves \$35 million for the farmland preservation program after stewardship and administrative costs are accounted for. The law allows the SADC to make recommendations to the GSPT at least once every fiscal year and requires the GSPT to monitor program performance.

Ms. Payne stated that the Special Occasion Events (SOEs) subcommittee met twice in June and recently met with representatives of the Garden State Wine Growers Association (GSWGA). In September, staff will give the Committee an outline of the working group’s findings and recommendations.

Ms. Payne reminded the Committee to take their partner update newsletter, which provides current information on the farmland preservation program and is widely distributed in the

farming community. She also mentioned that people will now have access to farm maps on the SADC website and asked Mr. Bruder to give the Committee a demo.

Mr. Bruder stated that previously the SADC's website provided pdf's with block and lot information and GIS maps, however, it was hard for people to access these maps if they did not have GIS software on their computers. Now, there are maps on the SADC website where the public can easily search for a farm location and see what the SADC and its partners have done in terms of preservation and search for data and web applications. The maps can be easily viewed from any device that can access the web, such as a computer or a cell phone. Mr. Bruder stated that staff will continue to add updated features to the website and allow for more functionality and better access for the public.

Communications

Ms. Payne stated that there are a lot of interesting articles in the Communications packet and suggested the Committee take them.

Public Comment

No public comment.

Reorganization

A. Appointment of Vice Chairman

Ms. Payne stated that she would like the Committee to appoint a Vice Chairman to the SADC who will act on behalf of the Chairman if he is not present.

It was moved by Mr. Ellis and seconded by Ms. Brodhecker to appoint Mr. Alan Danser as Vice Chairman of the SADC. The motion was approved.

B. August 2019 to July 2020 Meeting Dates

Ms. Payne stated that meeting dates have been provided to the Committee for their information and noted that there will be no meeting in August and noted that the meetings

for the remainder of the 2019 year will be located either in the Health and Agriculture building or the Riverview Plaza building.

It was moved by Mr. Danser and seconded by Mr. Germano to approve SADC meeting dates for August 2019 to July 2020 so that they can be posted. The motion was approved.

C. Program Deadline Dates – 2019/2020

Ms. Payne stated that the publication of deadline dates for submission of documents from partners when they are seeking final approval needs approval from the Committee.

It was moved by Mr. Danser and seconded by Mr. Schilling to approve SADC Program Deadline dates for 2019/2020. The motion was approved.

New Business

Note: Mr. Distaulo introduced the Committee to Mr. Samuel McCaffrey, the new Fiscal Analyst Assistant at the SADC. Mr. Distaulo stated that Mr. McCaffrey has a Master of Business and Administration degree from Delaware Valley University with an Agribusiness focus and is a perfect fit for the office. Mr. McCaffrey stated that agriculture has been a huge part of his background and that he is excited for the opportunity to be working with the SADC.

A. Right to Farm- Review of Preliminary Decision- Borough of Glassboro v. Gloucester CADB and De Eugeno Jr./Summit City Farms

Brian Smith stated that the Committee received a copy of the initial decision in the Right to Farm (RTF) Case of Glassboro v. Gloucester CADB (GCADB) and De Eugenio Jr./Summit City Farms and the purpose of today's discussion is to receive direction from the Committee as to what the final decision should be in the case. Mr. Smith gave a brief background of the case stating that in 2016 the borough enacted an ordinance restricting non-residential parking on certain streets in the town between Labor Day and Memorial Day, including University Boulevard fronting the Summit City Commercial farm. Summit City filed for a Site-Specific Ag Practice (SSAMP) determination from the CADB that the parking of commercial farm vehicles in front of Summit City was a generally accepted ag management practice. Summit City also wanted a determination from the CADB that the no parking signs be modified to

exempt such vehicles. The GCADB granted both requests, Glassboro appealed to the SADC, and the appeal was forwarded to the Office of Administrative Law (OAL). During the pendency of the AOL appeal, Summit City filed a motion, which the SADC granted by order in March 2017, confirming that the municipal ordinance was preempted on University Blvd fronting the farm until the OAL appeal concluded.

Staff's opinion was that the initial decision was problematic because of the ALJ's reliance on the 2005 Bottone decision, which had incorrectly interpreted parts of the Right to Farm Act. Staff's recommendation was to adopt the portion of the ALJ's conclusion that modification of signs in front of the commercial farm is not something the RTFA could require, but recommend a final decision rejecting the ALJ's key legal conclusion that the RTFA does not protect Summit City's farm vehicle parking on University Boulevard. Such a decision would necessitate a remand of the case to the OAL for a hearing at which the interests of Summit City and Glassboro would have to be balanced, and Summit City would need to show that its off-street parking does not pose a direct threat to public health and safety. In addition, since only Glassboro filed the motion for summary decision, the SADC has no authority to grant such relief in its final decision to Summit City. Finally, if the case is remanded to the OAL for an evidentiary hearing, the ALJ assigned to the remanded case will issue another initial decision based on the hearing record, and the case will again be before the committee for a final decision.

Committee members discussed Mr. Smith's presentation, including the extent to which the final decision should provide guidance to the ALJ on important legal issues. Mr. Smith advised that the decision will contain some instructions to assist the ALJ in handling the remanded case. The consensus of the committee was to authorize preparation of the final decision consistent with Mr. Smith's presentation.

Old Business

A. Soil Protection Standards

Mr. Everett gave a recap of last month's meeting for the benefit of those who were not in attendance. He summarized the NJ Supreme Court decision, *State of New Jersey (NJ) v. Quaker Valley Farms (QVF)*, which was decided in August 2018 in favor of the SADC.

The supreme court decision in the QVF case concluded that QVF violated the deed of easement (DOE) by destroying a substantial amount of prime farmland; the opinion

cautioned, however, that if the SADC doesn't develop regulations that govern soil disturbance, then the agency can expect due process challenges. Further, the court's opinion indicates that, in developing regulations, the SADC must balance farmland preservation with strengthening the ag industry.

The question now becomes how to balance farmland preservation with ag development and what is and what is not considered soil disturbance. Most activities on a preserved farm are not detrimental to the DOE, but the farming community expressed concern that normal tillage activities could be subject to regulation. Another concern is that certain activities did not irreversibly damage the soil if done correctly and, accordingly, there could be a way to exempt such activities from counting as disturbance if installed in accordance with prescribed best management practices. Lastly, there are activities that are simply irreversible, like the deep cuts and fills that occurred at QVF, but even so they are allowed up to a certain cap.

In the QVF case, the NJ Supreme Court said disturbing 20 acres on a 120-acre farm, which is 17%, went too far so that serves as a baseline of how much is too much. To summarize the range of activities conducted on preserved farms Mr. Everett showed the Committee a color-coded chart which broke down land use and soil protection classes.

The SADC previously hired both Rowan and Rutgers to study ag development on preserved farms. Rowan studied all preserved farms in existence at the time plus a statistically significant sample of unpreserved farms. That study showed that permanent disturbances, on average, totaled nearly 1% of the farms in the state, in comparison to Rutgers at 3% because its study looked at a small sample size of highly developed farms. Finally, staff looked at the census of agriculture, which reflects that farm owners report an average of 6% of d farmland being considered the "Farmstead Complex".

Mr. Everett noted that in order to provide significant future growth beyond current conditions, it is prudent to set the number at the farmstead complex figures, rather than based on individual development figures. Thus, it is proposed the maximum limit be 8% of the premises or 6 acres, whichever is greater. This is a sliding scale approach that allows smaller farms more ag development as a percentage of total farm size, but conversely prevents larger farms from having too much development.

Mr. Everett showed the Committee a chart that illustrated the concept that smaller farms need a higher percentage of disturbance. The chart was broken down into average range, statistical measure, farm acres, total permanent and temporary disturbance areas, and total permanent and temporary disturbance percentage of farm acres. The chart depicts that as

the farm gets larger there is less disturbance, as a percentage, which is why a minimum acreage is needed for the under 75-acre category. There are additional allowances for heavy use areas such as nursery operations with travel lanes, equine operations with training tracks. He explained that using gravel can also be an important practice to reduce erosion due to those activities. Another issue is with ag tourism operations that have unimproved parking which makes it hard to calculate what is tillable and what is not.

The Committee discussed Mr. Everett's proposal regarding the existing charts, soil protection standard versus impervious coverage, and the proposed ag development limitation of using smaller farms in these scenarios. Ms. Payne stated that the same issue was raised at the last meeting that a 10-acre farm with 6 acres of soil disturbance is a very large percentage. Ms. Payne noted that staff began thinking about alternate ideas on how to deal with that issue and can come back to the next meeting with ideas on how to deal with the smaller farms. Ms. Payne stated that the Committee has a variety of opinions, but the it needs to give direction on the question of whether it wants the rules to contain a different allocation in the six acres of disturbance for the smaller farms because that will help staff with their next steps. Ms. Murphy expressed concern about the 6-acre limit as applied to small farms. The Committee took a straw vote to decide on Mr. Everett's proposal of 6 acres being allocated to all small farms, the maximum limit being set to 8% of the premises, or the 6 acres, whichever is greater. A majority of the members were in favor of moving forward with the proposal. Ms. Purcell acknowledged the large amount of work that Mr. Everett and his staff put into this initiative.

B. Resolution: Review of Non-Agricultural Development Project in an ADA

Mr. Steve Bruder reviewed a PSE&G transmission line project pursuant to Section 19 of the Agriculture Retention and Development Act (ARDA). The transmission line is 55 miles long and runs between Middlesex and Burlington counties, potentially impacting farms within agricultural development areas (ADAs). Last year, staff reviewed the 1st segment of this project and today segment 2 will be discussed.

Mr. Bruder noted that Mr. Tom Patterson, project manager from PSE&G was present today along with PS's attorney, legal counsel, Mr. Tom Letizia. Mr. Bruder stated that segment 2 is 22 miles long and is to replace a 138 KV lattice tower transmission line with monopoles and increase the voltage to 230 KV. Mr. Bruder stated that the SADC has reviewed the proposed action to determine its effect upon the preservation and enhancement of agriculture in the ADAs, the municipally approved program, and upon overall State agriculture preservation and development policies, and finds that Segment 2 of PSE&G's Metuchen-Trenton-Burlington Project in Burlington County would not cause unreasonably

adverse effects on the preserved farms, ADAs or State agricultural preservation and development policies.

It was moved by Mr. Schilling and seconded by Mr. Danser to approve Resolution FY2020R7(1), granting approval of Non-Agricultural Development Project in an ADA, as presented, subject to any conditions of said resolution. Mr. Johnson abstained.

1. PSE&G Metuchen-Trenton-Burlington Transmission Project- Segment 2: Township of Chesterfield, Bordentown, Mansfield, Florence, Springfield and Burlington County

The motion was approved. A copy of Resolutions FY2020R7(1) is attached to and is a part of these minutes.

C. Stewardship

Ms. Armstrong referred the Committee to three requests for approval in the Stewardship Program. She reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Danser and seconded by Ms. Brodhecker to approve Resolution FY2020R7(2), granting approval to the following application under the Stewardship Program, as presented, subject to any conditions of said resolution. Mr. Germano and Mr. Johnson recused. Note: Mr. Ellis was absent during this vote.

1. Resolution: Residual Dwelling Site Opportunity
 - a. Ben Acres, LLC., Resolution FY2020R7(2), Block 22, Lot 4.01, Block 23, Lot 11, Mansfield Township, Burlington County, 185 Acres.

The motion was approved. A copy of Resolution FY2020R7(2) is attached to and is a part of these minutes.

It was moved by Mr. Murphy and seconded by Mr. Danser to approve Resolution FY2020R7(3), granting approval to the following application under the Stewardship Program, as presented, subject to any conditions of said resolution.

2. Resolutions: House Replacement Request

- a. Kero Farm, Block 29, Lot 1, Resolution FY2020R7(3), Knowlton Township, Warren County, 33.29 Acres.

The motion was approved. A copy of Resolution FY2020R7(3) is attached to and is a part of these minutes.

It was moved by Mr. Germano and seconded by Mr. Danser to approve Resolution FY2019R7(4), granting approval to the following application under the Stewardship Program, as presented, subject to any conditions of said resolution. Note: Mr. Ellis was absent during this vote.

- b. Smith Farm, Resolution FY2019R7(4), Block 37, Lot 13 & Block 44, Lot 12, Harmony Township, Warren County, 144.46 Acres.

The motion was approved. A copy of Resolution FY2019R7(4) is attached to and is a part of these minutes.

3. **Review of Activities on a Preserved Farm- Princeton Show Jumping, LLC (PSJ) (Discussion Only) Mr. Philbrick and his attorney, Anthony Sposaro, were in attendance during the presentation.**

Mr. Schilling recused from discussion in this case since he is the Director of Extension at Rutgers University and Mr. Philbrick has consulted with the Rutgers Equine Science Center on several occasions.

Mr. Roohr stated that the subject farm is Princeton Show Jumping, L.L.C. (PSJ), also known as Hunter Farms North. It is 101-acres and was part of a larger parcel of state-owned land considered surplus property by the Department of Treasury. As part of its liquidation process, Treasury donated the farmland preservation Deed of Easement (DOE) to the SADC in December of 2003. Originally, the premises consisted of approximately 283 acres that the Department of Treasury divided and sold at auction as three preserved farms. Selody Sod Farms purchased all three adjacent parcels at auction in July 2003. Andrew Philbrick is the principal of PSJ and purchased the subject farm from Selody Sod Farms in May of 2012. The subject parcel had no improvements on it at the time PSJ purchased it.

All the parcels sold by Treasury included 5% impervious coverage limitations in addition to the standard farmland preservation terms. The subject premises has no exception areas and

had no existing non-agricultural uses. Upon purchasing the property, Mr. Philbrick began to develop it into an equestrian competition showground. Mr. Philbrick is a former U.S. Equestrian Team rider and coach and is a long-time equine breeder and trainer. Mr. Philbrick owns and operates Hunter Farms, his home farm and primary training facility, approximately 2.5 miles south of the Premises. Upon completion of four sand rings, Mr. Philbrick began hosting competitive hunter/jumper shows sanctioned by the U.S. Equestrian Federation (USEF).

On May 23, 2013, the SADC reviewed the proposed activities on the subject premises as part of a Review of Activities. When queried about the nature of the shows at that time, Mr. Philbrick stated that these are 3-5 day shows, up to 300 horses may compete in them, and of those animals participating, 25-40 are his own. Mr. Philbrick explained that showcasing his horses in these competitions is not only a marketing tool, but it also increases the value of the horses he raises for them to compete and prevail in USEF-sanctioned competitions. For the shows to be competitive, he must have competition from outside of his own stock. At the time it was explained that 3 large tents would be required to provide temporary shelter/stables for visiting horses and two smaller tents would be needed to provide accommodations for human attendees. Mr. Philbrick explained that he was going through the trouble of creating the highest quality sand competition rings to attract the most elite talent in horses and riders to the facility.

At the May 2013 meeting the Committee accepted Mr. Philbrick's explanation of why the rings were being created and how the competitions were conducted to market the output of the farm. The Committee found the 4 rings and use of the Premises was acceptable under the conditions that 10% of the horses participating in any show be owned by the owner and bred, raised or trained on premises; the owner provide evidence of equine production on an annual basis; the site be developed for equine production including breeding and raising of horses; the Committee approved hosting 9 shows per year for a total of 42 show days; the tents would be removed at the conclusion of each show unless shows would occur on consecutive weeks; and a farm conservation plan be developed and implemented within 2 years of the date of the meeting. Additionally, the Committee allowed for the owner to host an Olympic trial if that opportunity became available and it allowed for the owner to request additional shows to market the output of his farm management units if the need is demonstrated. Finally, the Committee state that failure to demonstrate sales of horses as a result of holding shows on the premises would be grounds for the Committee to rescind its approval.

Since May of 2013, Hunter farms has added 3 additional sand rings, enlarged its gravel parking, built a new exercise ring, and relocated its temporary tent/stable area. Over time Mr. Philbrick has been successfully hosting shows and subsequently the number of

participants has increased. As a result of the increase in participants, the tent/stables have gone from 3 to up to as many as 8. Currently no infrastructure exists that would facilitate breeding or raising animals onsite. In the Fall of 2016, the SADC notified Mr. Philbrick that it had not received equine sales information and it did not appear that a conservation plan was being implemented. Since that time staff has been working with Mr. Philbrick and his attorney to review and understand competition data to calculate the 10% participation rate, to address certain conservation issues, develop a conservation plan and address compliance with other issues such as number of show days, tent removal in a timely basis and various neighbor and township concerns.

Most recently SADC staff was able to do a horse by horse, show by show analysis of horses participating in shows and through a random spot check, confirm that horses that are owned, or trained by Hunter farms with a commission agreement in place, equal 10% or more of the horses participating in the shows. This analysis bears out that the "shows" consist of the very highest level of competition (Gran Prix) to the beginner level (Outreach class). While Hunter farms horses amount to 10% of the overall horses, it is worth noting that a quite a few of the horses are competing in the lower level competitions. One question of clarification for the Committee is whether by 10% it meant 10% of all horses competing at any level competition or 10% competition in the higher-level classes.

Staff is concerned that Mr. Philbrick is possibly exceeding his impervious cover limit. The amount of impervious cover staff has calculated is approximately 5.24% of the property. While staff and Mr. Philbrick's engineer agree that parking lots and vehicle driveways are impervious, the areas of stone dust training rings and horse walking paths remain an open issue as to permeability. Mr. Sposaro acknowledged they are aware of the impervious cover limit and will test stone dust areas for porosity. In 2013 Mr. Philbrick explained he was seeking stormwater design and approvals related to a gravel parking area. No stormwater facilities exist on site currently. Mr. Sposaro stated that there were problems with review and approval of his client's stormwater plans by other agencies, and he advised that Mr. Philbrick will resubmit a stormwater management application to the local Soil Conservation District.

In 2017 Mr. Philbrick hired a conservation consulting firm to prepare a conservation plan for the premises. Staff felt this plan was lacking in several areas. In 2018 Mr. Philbrick hired a different firm which provided a much more thorough conservation plan and analysis of the site. Staff has been in regular contact with the second consultant to address outstanding issues. Staff have raised concerns related to a small area in the field west of the show rings along Skillman Road which appears to be receiving runoff from the rings making this field area overly wet and limiting its production ability. Staff have raised concerns about area along Burnt Hill Rd. where soil mounds were initially constructed to

site temporary tents. Those mounds were seemingly constructed of topsoil, subsoil and underlying shale. When they were no longer needed, they were simply graded flat, subsequently mixing the layers. Staff is concerned based on some basic field work is this area that may have diminished value for agricultural production purposes. In his response yesterday Mr. Sposaro states that their environmental expert has done nutrient testing on this, and other locations at the farm and found this area to be in an acceptable range in terms of soil nutrients. The extent of that testing and evaluation of those results has not been reviewed by staff. In this same area there is an erosion channel that has formed which should be addressed. Mr. Sposaro provided a recently signed conservation agreement with National Resource Conservation Service to address this issue on the farm. The second question now is whether the Committee finds the work around the mounds to be a detriment and what would the Committee like to see to get the work done.

Another issue that has been identified by the neighbors of Mr. Philbrick is the tents. The neighbors have identified, and the township verified that prior to 2019 tents were not being removed at the conclusion of each show. Mr. Philbrick does not dispute this claim and said he is at the mercy of the tent rental company for removing the tents.

Since 2013 there have been years where more than 9 shows were hosted and there have been numerous years where more than 42 show days have occurred. Mr. Sposaro has explained the prestige of being offered additional licenses and the delicate balance Mr. Philbrick must strike to not offend the USEF and remain compliant with the SADC's 2013 resolution approving activities on the farm. To that end Mr. Philbrick is requesting an additional 20 shows in total and an additional 88 show days.

Mr. Roohr stated that staff is recommending to set a strict timeline to keep compliance with conservation issues and implementation of a plan that is approved by the SADC which will include repair or restoration of the tent mound area; compliance with the 5% impervious cover; and no new disturbances unless the work is addressed in a conservation plan approved by the SADC.

Mr. Roohr reiterated that the Committee needs to decide whether the 10% participation rate for Hunter Farms' horses will be on all shows or just the highest class of shows, and address whether it will allow additional shows and show dates. The Committee has been provided with copies of Mr. Sposaro's letter to the staff and of neighboring property owners who have concerns that activities occurring on the property violate the DOE and/or the approval from 2013.

Mr. Germano asked where staff was in terms of compliance with the requirement that PSJ provide proof that they are selling horses as a result of the shows. Mr. Roohr replied that

staff is satisfied that the owner complies, as staff has received contracts, sales agreements and a letter from the landowner's accountant that includes copies of checks and deposits totaling a substantial amount of money and dated from 2014 to 2018.

Mr. Roohr emphasized that staff is comfortable and can verify the names on the checks correspond with the names of the horses that participated in the show and it is verified that substantial amounts of money were transacted. Ms. Payne asked Mr. Roohr what the value of the horses were. Mr. Roohr stated that the value of the horses for 2014 through 2018 is 3.25 million dollars.

Mr. Roohr stated that staff was provided an engineer drawing at the time of the request. He reviewed those drawings with the Committee which showed the four new potential rings, new tents, parking lot, and the proposed outlay of the farm. Mr. Roohr stated that the landowner is over the amount of impervious coverage. Ms. Payne stated that in 2013 the Committee already took a position in the original resolution as to what was counted as impervious coverage.

Mr. Everett stated a concern is that there is no production happening on the site, instead it's just competition taking place and that's been a complaint with the neighbors as well.

Ms. Payne stated that staff supports the facility and feels it is a great resource for the ag community and equine industry, but there are violations that need to be brought into compliance. Mr. Roohr showed the Committee current pictures of the property for their information which included tents for the horses, tents for the people as well as a slide as to how staff came up with the amount of impervious coverage which comes to 5.24%.

Note:

Mr. Roohr stated that Mr. Philbrick and Mr. Sposaro are here today to answer questions from the Committee. Ms. Payne added that Mr. Philbrick's neighbors as well as members of the township are present today to contribute to the discussion.

Mr. Anthony Sposaro introduced himself as the legal counsel for Mr. Philbrick and PSJ, LLC and mentioned that when he was before the Committee in 2013 where it acknowledged that horse shows were considered production. Mr. Everett stated that there was no production on this property, no running sheds and no breeding. Mr. Sposaro stated that he disagrees with that statement since the shows constitute production and it has been demonstrated through the documents presented that there has been compliance with the 10% participation requirement

Mr. Sposaro said it is impossible to satisfy the 10% requirement and focus on the highest level of competitions because the horses are the most valuable, and to expect Mr. Philbrick to own 10% of those horses is unrealistic. The 10% requirement is satisfied by looking at all the levels of competition that exists.

Mr. Sposaro stated that he and Mr. Philbrick agree with the Committee regarding other forms of production taking place in addition to horse shows, but unfortunately the gas pipeline condemned a portion of the property and the installation resulted in a two-year disruption in the operations at the farm. Mr. Philbrick did get compensated for pipeline installation, but every dollar that he received he put back into this property to make infrastructure improvements and restore what was left behind by the pipeline company. Mr. Sposaro indicated that Mr. Philbrick also had some personal issues with his marriage that was a distraction, but that is now all behind him.

Mr. Sposaro stressed that the paddocks will be fenced, running sheds will be installed and a modest sized barn will be constructed by December 1st of this year to help with breeding. Mr. Sposaro emphasized that this facility is part of a larger farm management unit and that the Committee's focus is on this farm, in this area because it is a preserved farm. He did ask that the Committee recognize that the other farm that Mr. Philbrick owns is 11.5 acres and there is a significant amount of training, breeding and horse shows that take place there before this current land was acquired. He also pointed out that the number of days that shows are conducted is minuscule in relation to the number of days the property is used for training. Often there are riders practicing and training their horses in unoccupied rings when shows are taking places.

Mr. Sposaro stated that he wanted to address the soil nutrient issues and mentioned that it was brought to his attention by SADC staff that there was a question regarding the mounds that were leveled after it became apparent that it was not a good location for the temporary tents. The work was done under the supervision and approval of soil conservation and consequently in conversation with Mr. Roohr, Mr. Philbrick took it upon himself to take random samples in that area and other areas. The results were provided to staff and the nutrients appear to be equal wherever the soil samples were taken. Mr. Sposaro stated that if nutrients and top soil need to be added, Mr. Philbrick will comply. Also, the photographs that were shown of the disturbed area were taken earlier on this year when Mr. Clapp and Mr. Roohr came in late June. That area now is completely vegetated and there is no clear line of demarcation as to where those mounds ended, and the undisturbed soil began.

The wet spot in the soil adjacent to the riding fields has an adjacent spring nearby and doesn't have anything to do with runoff from the rings and they provide Ms. Payne stated that the water from the rings percolates down and it captured by a drainage system and it

collected and discharged. Mr. Sposaro stated that was correct as the water in that area percolates down to a certain degree and hits clay and shale and is brought out to a storm water system, but Mr. Philbrick is looking into contacting the National Resource Conservation Service (NRCS) so that area can be properly utilized and so that the erosion can be controlled and the problem can be properly addressed.

Mr. Sposaro stated that he and Mr. Philbrick believe that they are in compliance with the impervious cover limit. They acknowledge that the parking areas and roads that exist on the property are impervious; however, they do not believe that the training rings, that consist of stone dust without any subbase around the tents, constitute impervious cover. Mr. Philbrick will have testing performed and, if necessary, present the results to the Committee and staff so that a determination could be made to see if those areas are considered impervious. Ms. Payne requested that Mr. Sposaro communicate with staff before those tests are done to come to an agreement on the methodology so that everyone is on the same page.

As for the conservation plan, Mr. Sposaro stated there may be a few outstanding items that need to be addressed. One of the problems was that it was hard to find someone who could prepare a conservation plan in a timely manner.

Regarding storm water management, there has always been uncertainty as to who will exercise jurisdiction and the question was whether the municipality or soil conservation would take the lead. The resolution adopted by the CADB indicated that the soil conservation district should have jurisdiction. Mr. Sposaro stated that he submitted a plan with calculations to the municipal engineer, but nothing further transpired. Mr. Sposaro inquired where things were at in the process and the response that the soil conservation gave was that the file was closed and that either the SADC or CADB would be looking into this. Mr. Sposaro stated that he would take full responsibility and submit a revised storm water management plan with calculations and do what is necessary to secure its approval.

Ms. Purcell mentioned that the storm water regulations direct the review of agricultural projects to the local soil conservation district, which then forwards the projects to the state soil conservation committee staff.

Mr. Philbrick addressed the Committee regarding licensing issues with the federation that justified the number of tents and shows that are on site.

Mr. Philbrick stated that all the horse shows are licensed by the United States Equestrian Federation and supervised by the Hunter Jumper affiliate for sport horses and the United States Hunter Jumper Association. He mentioned that he is at the beck and call of the federation as to when he can host shows and when licenses are given. Horse shows are rated

from A, B, C and local level horse shows and PSJ hold primarily A rated horse shows. What's happened in NJ is that A rating horse shows have disappeared because people are retiring and passing away and the existing show areas are aging, so the federation is faced with limited areas to hold the shows. The agency is pushing to get the level of A shows up again by offering PSJ licenses to get these shows done. Mr. Sposaro asked Mr. Philbrick what licenses were offered to him to cause him to be at the mercy of the federation. Mr. Philbrick stated that last summer he was given a temporary license to say that the region needed the horse show, but the federation wanted to see what the response was first and suggested that he get 200 horses to be successful. So, he was given a limited restricted license last summer, which allowed him to get 700 horses ready to compete. There has been a huge response to the quality of PSJ facility and the competition and the more people at the horse show raises the value of the horses. There are no other facilities in NJ hosting national level grand Prix's and Princeton currently holds 10. As far as tents are concerned, the need for tents is to hold all the horses and the horses are integral for when they reach the competition level. Since 2013 production has gone sky high and PSJ has been able to sell horses very well. These competitions at this facility is critical to horse production. Mr. Sposaro stated that there has been issues in prior years having the tent companies to remove tents in a timely manner. Mr. Philbrick stated that there are only two tent companies available for use in his area.

Mr. Sposaro mentioned that he wanted to clear up the misconception that the horse shows are being conducted solely for the purpose of making money, when in fact the opposite is true. It's not about horse shows, it's about the horse sales. If Mr. Philbrick didn't produce and have shows, he would not be in business. Mr. Philbrick noted that he's lost and gained over the years since horse shows are an outdoor activity and weather plays a key part in whether participants show up or not and prize money has to be rewarded regardless of the outcome of the show. He stated that horse shows are integral to production and it's impossible to create shows without property facilities like PSJ.

Mr. Germano asked Mr. Philbrick how many years he's been violating the terms of the Committee's approval by having more shows and more days than allowed? Mr. Philbrick stated that he is close on the number of days and those numbers have gone up since he has obtained licenses in the last two years. Mr. Germano asked him if it's been two years that he's been violating the terms of the Committee. Mr. Danser asked Mr. Philbrick how long it's been since he's gone over the 42 days. Mr. Philbrick stated that he is not sure. Ms. Payne asked what staff data is. Mr. Everett stated that there are more show days and more show dates that the Committee previously approved.

Mr. Joe Palmer, Zoning Officer for Montgomery Township stated that Lauren Wasilauski, Open Space coordinator, submitted a letter dated July 19th to the Committee with concerns

regarding the expansion of the PSJ facility. The issues include storm water, increase in grading, training areas, and flooding along Skillman Road. There is a concern about the number of tents being installed for the number of shows. They are allowed 3 tents and they currently have 14 which is way over the allowance for the tents. The non-agricultural activity has been in existence since 2013 and the number of show days keep expanding. Mr. Palmer said that the township has written letters and tried to keep in contact with PSJ to no avail. There are also open permits that have not been completed since the onset of this project in 2013. The plans that were referred to today by Mr. Sposaro have not been seen by the township and there are great concerns about the expansion of PSJ and the township would like the Committee to uphold the easement and the impervious surface coverage.

Mr. Emad Abou-Sabe, neighbor of PSJ, stated that he applauds the success of Hunter Farms, but has information that will compel the Committee to recalculate numbers so that a less intensive development plan can be worked through with the owner of PSJ. He addressed storm water management and showed the Committee current aerial pictures of tents and cars on Skillman Rd. He stated that this farm has never had overflow issues due to a spring as there was always wetlands in this area. Mr. Abou-Sabe noted that in 2018 Mr. Philbrick brought in sand and emptied them out onto the rings. The material in the sand drained through the sand, out through the pipes and into the back brook. The pollutant and sediments from the sand drained directly into Mr. Abou-Sabe's property. Mr. Abou-Sabe pointed out that the rings are impervious because the water is not getting a chance to absorb in the ground. He requested that the runoff on Skillman Road be remediated by retention basins on site; all tents and permanent infrastructure be located on the Burn Hill road side; and vegetation be required on Burn Hill Rd across the frontage. He stated that this request is reasonable and asked that the Committee rethink, re-engineer and re-access the situation keeping the neighbors in mind.

Mr. Sposaro stated that all the improvements were made regarding storm water runoff on Skillman Road by the municipal engineer. Mr. Philbrick stated that he has never gotten written notice or a phone call from Mr. Abou-Sabe with any of these concerns and said that he is available and happy to accommodate his neighbors to rectify any issues and solve any problems.

Ms. Payne stated that the Committee heard public comments, comments from the property owner as well as his legal counsel and requested that the Committee give their feedback on the conversation taking place so far and recommended a resolution be prepared for the September meeting.

Mr. Danser stated that this situation is much more than what was approved in 2013. The applicant wants to go in a direction that the Committee did not approve, and if Mr. Philbrick

has any hope of getting approval for expansion, he must strengthen his efforts to lessen the impact on his surroundings and on the environment such as drainage and the visibility of all the events going on. What is troublesome is the natural consequence of this operation becoming more successful and having more negative impact on its surroundings.

Mr. Johnson asked if the Committee could request PSJ to come in for a revised resolution. Ms. Payne stated that could take place. Mr. Johnson noted that a site plan that addresses the issues that were brought up today, and a modified resolution to keep PSJ in compliance, would be beneficial.

Ms. Murphy stated that her concern is with the responsiveness of the applicant to the SADC staff and the township and suggested a clear game plan be put into place as to what should happen if those guidelines are not adhered to.

Mr. Danser stated that his problem lies with the fact that the conservation plan was not done and there is no excuse for that. Ms. Brodhecker stated that Mr. Philbrick needs to keep in constant communication with SADC staff until he meets all the requirements that have been neglected. Ms. Murphy stated that the concern doesn't seem to be with the grade of horses in the shows, but more with impervious coverage, storm water issues and why there is no breeding on site.

Ms. Payne noted that allowing someone to build a horse show venue on a preserved farm makes sense if there is production on premises. The fact that the farm management unit is out of state raises a red flag because production is not on the property and it can't be looked at closely. The commentary received by neighbors is that there are no horses on site unless there is a show day. Today the concept that got put on the table is that the training that takes place at PSJ is production. Mr. Philbrick stated that his other properties train his horses 3 to 4 days a week and bring them to PSJ for shows. Mr. Sposaro emphasized that in its 2013 resolution, the Committee acknowledged, accepted and concluded that horse shows constitute production because they enhance the value of the horses.

Mr. Danser stated that the resolution also says that there will be breeding taking place on site which is cut and dry to which Mr. Sposaro agreed.

Ms. Payne noted that at the top of page 5 of the 2013 resolution it says "be it further resolved, that the SADC finds that the use of the premises to host the nine equine shows sanctioned by the U.S. Equine Federation, for which the Owner currently has licenses, utilizing the infrastructure as shown on schedule B, as a primary method of marketing the output of the owners farm management unit, is consistent with the terms of the Deed of Easement" which means the Committee understands the shows to mean marketing the output of the farm. Ms. Payne stated that in this case, with the 5% impervious cover limit, it

seems problematic to require production facilities on the property. The roads and the parking area take up so much space that there may not be enough impervious coverage to build areas for breeding and production. If the Committee wants to make a new resolution, it would be to dial back on onsite production, and it is also beneficial to address the areas of land that have been disturbed so that it can be remediated. Ms. Payne noted that going forward, staff can't spend exorbitant amounts of time reviewing reports from the equine industry in order to confirm the 10% participation rate.

Ms. Murphy stated that the requirements for reporting and on-site production need to be tightened up so that things can be submitted in a timely fashion. Ms. Payne stated that soil water management process has been ineffective at best and asked Mr. Sposaro if he would be willing to seek and obtain whatever storm management approvals are required from the township. Mr. Sposaro stated that it was his understanding that the soil conservation district would conduct that review. Ms. Payne indicated her understanding was that the stormwater review process occurred at the district level, questions were submitted to Mr. Sposaro and they were not answered. Mr. Sposaro stated that he understands that the consequences would be that the SADC has the right to rescind approval and Mr. Sposaro asked for opportunity to continue that path and see it through to conclusion.

Ms. Purcell stated that her office will assist in facilitating review of stormwater issues. Mr. Ellis asked if a conservation plan could address all these issues. Mr. Clapp stated that the purpose of the standard is different and can't be used for a parking area. Ms. Payne stated that coordination needs to take place between staff and Mr. Sposaro as far as testing to decide what is impervious and what is not.

Ms. Payne suggested that Mr. Philbrick not put up anything else on his property until he gets the issues resolved and compliance is done to avoid worsening the violations. Mr. Sposaro stated that his client is in a very precarious position regarding the number of shows and show dates and it's hard to hold horses and spectators with less tents. There have been commitments to the federation and licenses were already issued and to go back on those commitments would be devastating to the reputation of the farm. Mr. Danser stated no further action will be taken on this matter until the September meeting and suggested that the Committee let PSJ continue with their current commitments until the new year. Mr. Germano doesn't want to give PSJ anymore permission to do what they want to do.

Mr. Sposaro stated that an assembly permit was issued by the municipality and they will not issue a permit beyond the exact number of show days that were approved until the Committee gives some permission and waiting until September will be too late because the show season will be over. Ms. Payne asked what number of tents were needed and the square footage. Mr. Philbrick stated that 6 tents would be needed to complete the fall

season which ends in October. Mr. Sposaro suggested the Committee indicate to the municipality that it should issue the assembly permits for the remaining shows without giving a commitment that they can do that beyond 2019. Ms. Payne stated that the Committee will have to seek counsel from its attorney on that proposal. Mr. Sposaro asked about seeking relief on the number of tents and Ms. Payne stated that an answer would be given later today after the Committee discusses the matter further in closed session. Mr. Sposaro and Mr. Philbrick thanked the Committee for its time.

Resolution: Soil and Water Conservation Project Cost-Sharing

Mr. Clapp referred the Committee to one Soil and Water Cost Share Project. He reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant approval.

It was moved by Ms. Murphy and seconded by Ms. Brodhecker to approve Resolution FY2020R7(5), granting approval to the following application under the Soil and Water Conservation Project Cost-Sharing Program, as presented, subject to any conditions of said resolution.

1. W. Patrick and Johanna Giberson, SADC ID #03-0412-PG, Resolution FY2020R7(5), Block 794, Lot 7, Pemberton Township, Burlington County, 236.845 Acres.

The motion was unanimously approved. A copy of Resolution FY2020R7(5) is attached to and is a part of these minutes.

D. Resolution: Agricultural Mediation Program

Mr. Kimmel advised the Committee that the SADC's Agricultural Mediation Program is designed to help farmers and others resolve agriculture-related disputes quickly, amicably, and in a cost-effective manner. Mediation can be used to help resolve Right to Farm, USDA, and agricultural credit issues. Mr. Kimmel stated that staff recommendation is to renew the roster of agriculture mediators for 2020.

It was moved by Ms. Murphy and seconded by Mr. Brodhecker to approve Resolution FY2020R7(6), granting approval to renew the certifications of the 12 mediators on the Agricultural Mediation Program Roster, as presented, subject to any conditions of said resolution.

1. Recertification of Roster of Mediators for Fiscal Year 2020

The motion was approved. A copy of Resolution FY2020R7(6) is attached to and is a part of these minutes.

E. Term Farmland Preservation Program

Mr. Kimmel referred the Committee to one renewal in the Term Farmland Preservation Program and reviewed the specifics of the application.

1. Renewals

- a. William Augustine, Block 324, Lots 1 & 2, Galloway Township, Atlantic County, 32 Acres

F. County and Municipal Planning Incentive Grant (PIG) Program

Ms. Stanley and Mr. Bruder referred the Committee to guidelines for uniform standards for the development of Municipal Comprehensive Farmland Preservation Plans. When the new PIG rules were issued in 2006 and 2007, the SADC made funding available to help counties adopt the plans, and it is required that the plans be updated once at least every ten years to maintain eligibility for the PIG program. In 2018, during their outreach efforts, acquisition found that communication issues existed between the counties and municipalities, so Policy P-55 was developed to help them develop comprehensive farmland preservation plans, grant parameters and guidelines.

It was moved by Mr. Danser and seconded by Mr. Schilling to approve the mended guidelines for developing comprehensive farmland preservation plans and Policy P-55, as presented. The motion was unanimously approved.

1. Amended Guidelines for Developing Comprehensive Farmland Preservation Plans

- a. County PIG Plans
- b. Municipal PIG Plans

2. Policy P-55: SADC Grants to Counties and Municipalities for Developing Comprehensive Farmland Preservation Plans

G. Resolutions of Final Approval: County PIG Program

Ms. Miller and Ms. Mandelbaum referred the Committee to six requests for final approval under the County PIG Program. They reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Danser and seconded by Mr. Schilling to approve Resolutions FY2020R7(7) through FY2020R7(11), granting approval to the following applications under the County PIG Program, as presented, subject to any conditions of said resolution.

1. Anthony Jr. and Anthony III Sparacio, SADC ID #06-0185-PG, Resolution FY2020R7(7), Block 4, Lot 40, Deerfield Township, Cumberland County, 12.106 Acres.
2. Joel & Faith Vittori, SADC ID #17-02-09-PG, Resolution FY2020R7(8), Block 21, Lot 3, Mannington Township, Salem County, 81.08 Acres.
3. Mary Louise Morda, SADC ID #17-0207-PG, Resolution FY2020R7(9), Block 21, Lot 6, Pilesgrove Township, Salem County, 88.227 Acres.
4. M.R. Dickinson & Son, Inc., SADC ID #06-0184-PG, Resolution FY2020R7(10), Block 18, Lot 10, Stow Creek Township, Cumberland County, 61.74 Net Survey Acres.
5. H.M.F. Associates, SADC ID #13-0469-PG, Resolution FY2020R7(11), Block 15, Lot 2, Holmdel Township, and Block 156, Lot 4, Marlboro Township, Monmouth County, 63 Gross Acres.

The motion was unanimously approved. A copy of Resolutions FY2020R7(7) through FY2020R7(11) is attached to and is a part of these minutes.

Note: Ms. Murphy from the Department of Environmental Protection (DEP) stated that she had concerns about the language in the resolution for the Gordon Gund property and requested that the RTF language not be used for open space acquisitions. Ms. Payne

requested that, in the interest of time, this issue be addressed by both agencies after the meeting. Ms. Payne asked the Committee to approve the resolution to reflect this understanding.

It was moved by Mr. Danser and seconded by Mr. Schilling to approve Resolutions FY2020R7(12), as amended, granting approval to the following application under the County PIG Program, as presented, subject to any conditions of said resolution.

6. Gordon Gund, SADC ID #18-0217-PG, Resolution FY2020R7(12), Block 9, Lot 13.01, Franklin Township, Somerset County, 109.179 Acres.

The motion was unanimously approved. A copy of Resolutions FY2020R7(12) is attached to and is a part of these minutes.

H. Resolution of Final Approval: Municipal PIG Program

Ms. Mandelbaum referred the Committee to one request for final approval under the Municipal PIG Program. She reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Ms. Murphy and seconded by Ms. Brodhecker to approve Resolution FY2020R7(13), granting approval to the following application under the Municipal PIG Program, as presented, subject to any conditions of said resolution.

1. Raymond and Jean Peplowski, SADC ID #13-0466-PG, Resolution FY2020R7(13), Block 35, Lot 11, Millstone Township, Monmouth County, 9.6 Acres.

The motion was unanimously approved. A copy of Resolutions FY2020R7(13) is attached to and is a part of these minutes.

I. Resolutions of Final Approval: Non-Profit Program

Ms. Mandelbaum and Ms. Miller referred the Committee to two requests for final approval under the Non-Profit Program. They reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Ms. Murphy and seconded by Mr. Danser to approve Resolutions FY2020R7(14) and FY2020R7(15), granting approval to the following application under the Non-Profit Program, as presented, subject to any conditions of said resolution.

1. Jones-Chubb (Lamington Conservancy), SADC ID #18-0006-PG, Resolution FY2020R7(14), Block 37, Lot 4, Bedminster Township, Somerset County, 49.037 Acres.
2. Kenneth Wentzell (NJCF), SADC ID #17-0056-NP, Resolution FY2020R7(15), Block 40, Lot 20, Pilesgrove Township, Salem County, 23 Acres.

The motion was unanimously approved. A copy of Resolutions FY2020R7(14) and FY2020R7(15) is attached to and is a part of these minutes.

Note: Ms. Murphy left the meeting at 3:18 p.m.

J. Resolutions of Preliminary Approval: Direct Easement Purchase Program

Ms. Miller and Ms. Roberts referred the Committee to three requests for preliminary approval under the Direct Easement Purchase Program. They reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Danser and seconded by Mr. Germano to approve Resolution FY2020R7(16), granting approval to the following applications under the Non-Profit Program, as presented, subject to any conditions of said resolution.

1. Riggs Holdings LLC, SADC ID #17-0323-DE, Resolution FY2020R7(16), Block 109, Lots 3 & 3.01, Alloway Township, Salem County, 188 Acres.

The motion was unanimously approved. A copy of Resolutions FY2020R7(16) is attached to and is a part of these minutes.

It was moved by Mr. Germano and seconded by Mr. Danser to approve Resolutions FY2020R7(17) and FY2020R7(18), granting approval to the following applications under the Non-Profit Program, as presented, subject to any conditions of said resolution.

2. Lee Ware, SADC ID #17-0345-DE, Resolution FY2020R7(17), Block 34, Lots 12 & 12.04, Elsinboro Township, Salem County, 67.9 Acres.
3. Donna & Lillis Bowlby, SADC ID #10-0269-DE, Resolution FY2020R7(18), Block 71, Lot 19.02, Raritan Township Hunterdon County, 18.8 Acres.

The motion was unanimously approved. A copy of Resolutions FY2020R7(17) through FY2020R7(18) is attached to and is a part of these minutes.

Public Comment

Ms. Amy Henson, from the New Jersey Conservation Foundation, stated that she appreciates the work that the SADC has done regarding setting soil protection standards, however, there are concerns that the 8%- or 6-acre allowance for small farms won't satisfy the requirements set forth by the decision on den Hollander. She recommended making those numbers smaller for farms smaller than 50 acres. Ms. Henson asked if there would be public comment on this. Ms. Payne stated that the soil protection standards have a long way to go before being finalized and there will be ample opportunity for public comment.

Mr. Sposaro stated that he went back and counted the number of shows and the number of show days and, as of September 26, 2019, the owner will not have exceeded the number of shows or show days consistent with the 2013 resolution. Accordingly, Mr. Philbrick was withdrawing his request for additional show days at this time. The number of tents will be exceeded in the next month because of the number of horses in attendance.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 A.M., Thursday August 22, 2019 (TENTATIVE)

Auditorium of the Health/Agriculture Building

CLOSED SESSION

At 3:28 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 certain matters including the certification of values for property acquisitions under the farmland preservation program, personnel matters, any pending or anticipated litigation, including discussion of the remediation phase in the Quaker Valley Farms litigation and the Superior Court decision in the Glassboro Borough v. SADC litigation, and/or any matters falling within the attorney-client privilege. The certifications of value for each property acquisition shall remain confidential until a closing on that acquisition occurs or until the application for that acquisition is withdrawn. Otherwise 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. Germano to approve the resolution to go into closed session. The motion was unanimously approved on a roll call vote.

Note: Denis Germano left the meeting at 3:29 pm.

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters – Certification of Values

It was moved by Mr. Danser and seconded by Mr. Ellis to approve the Certification of Values for the following applications as discussed in closed session:

1. County Planning Incentive Grant Program
 - a. Christopher Aleszczyk, SADC ID #06-0205-PG, Block 11, Lot 41 & 42, Downe Township, Cumberland County, 33.05 Net Acres.
 - b. Sepers Real Estate, LLC, SADC ID #06-0207-PG, Hopewell Township, Cumberland County, 3.01 and 8.06, 21 Acres.
 - c. James and Linda Chando, SADC ID #06-0209-PG, Block 214, Lot 21, Commercial Township, Cumberland County, 78 Acres.
2. Municipal Planning Incentive Grant Program

- a. Pierre and Carol Van Mater, SADC ID #13-0471-PG, Block 415, Lot 32.01, 34.01, and 35, Marlboro Township, Monmouth County, and Block 31, Lot 1.01, Freehold Township, Monmouth County, 28.25 Net Acres.
 - b. Estate of Lester and Laura Terhune, SADC ID #18-0225-PG, Franklin Township, Somerset County, Block 33.01, Lot 16, 82.90 Acres.
3. Direct Easement Program
- a. Salvatore and Anette Manno, SADC ID #17-0340-DE, Block 13, Lot 3, Quinton Township, Salem County, 72.85 Net Acres.

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

B. Attorney/Client Matters

None.

ADJOURNMENT

The meeting was adjourned at 3:59 p.m.

Respectfully Submitted,



Susan E. Payne, Executive Director

State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE
REVIEW OF A NON-AGRICULTURAL DEVELOPMENT PROJECT IN AN
AGRICULTURAL DEVELOPMENT AREA
METUCHEN-TRENTON-BURLINGTON TRANSMISSION PROJECT – SEGMENT 2
IN
TOWNSHIPS OF CHESTERFIELD, BORDENTOWN, MANSFIELD, FLORENCE &
SPRINGFIELD, BURLINGTON COUNTY

RESOLUTION #FY2020R7(1)

July 25, 2019

WHEREAS, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-19, et seq., any public body or public utility which intends to exercise the power of eminent domain within an Agricultural Development Area (ADA), or which intends to advance a grant, loan or interest subsidy or other funds within an ADA for the construction of dwellings, commercial or industrial facilities, transportation facilities or water or sewer facilities to serve nonfarm structures shall file a Notice of Intent (NOI) with the County Agriculture Development Board (CADB) and the State Agriculture Development Committee (SADC) 30 days prior to the initiation of the action; and

WHEREAS, CADBs and the SADC are charged with the responsibility, pursuant to N.J.S.A. 4:1C-19, to review the proposed action to determine its effect upon the preservation and enhancement of agriculture in the ADA, the municipally approved program, and overall State agriculture preservation and development policies; and

WHEREAS, since its construction in 1929, Public Service Electric & Gas Company (PSE&G) has owned and maintained the 138,000-volt (138kV) Metuchen-Trenton-Burlington (MTB) electric transmission system; and

WHEREAS, the MTB transmission system is a 55-mile long, approximately 100-foot wide, utility corridor between the Metuchen Switching Station in Edison Township, Middlesex County, and the Burlington Switching Station in Burlington Township, Burlington County; and

WHEREAS, PSE&G has proposed the replacement of existing 138kV overhead power lines supported by 111 to 181-foot tall steel lattice towers and with 230kV circuits on new 105 to 195-foot tall monopole structures within their existing right-of-way (the project); and

WHEREAS, PSE&G identified the replacement of aging infrastructure and upgrade of their transmission circuits as necessary to maintain and strengthen the service redundancy and reliability of their transmission system following a 2017 conditions assessment of the MTB system by PSE&G which found:

1. The average age of facilities is over 80 years;
2. 23% of the tower structures require extensive foundation rehabilitation or replacement;
3. 25% of the tower structures exceed load carrying design capability and nearly 81% are at 95% of their capability;
4. Significant corrosion of tower structures;
5. Voltage levels that fail to meet applicable reliability criteria; and

WHEREAS, PJM Interconnection LLC, the regional, independent electric transmission grid operator, reviewed PSE&G's conditions assessment of the MTB system and concurred with conditions assessment of the MTB system that the project is needed to maintain the reliability of the electric grid in New Jersey; and

WHEREAS, PSE&G evaluated three (3) alternatives to address the problems identified in its conditions assessment of the MTB transmission system, including:

1. Removing the existing 138kV system without replacement;
2. Rebuilding the 138kV system in kind;
3. Establishing a new right-of-way to install a parallel 230kV system and then removing the old system; and

WHEREAS, the alternatives examined were deemed inadequate because they would fail to eliminate the current weaknesses in the MTB transmission system, would require future asset improvements to ensure system reliability or would entail unnecessary cost and new land disturbance outside of the existing right-of-way; and

WHEREAS, PSE&G's proposed project would provide the necessary upgrades in capacity and voltage to ensure system reliability and meet future demands and would do so without the need for additional reliability projects to accommodate a rebuilt 138kV system or the need to acquire and maintain an additional right-of-way; and

WHEREAS, the MTB project is scheduled for construction in three phases, denoted as Segment 1A, Segment 1B, and Segment 2, with Segment 2, a 22-mile segment identified in Schedule A, being the subject of a NOI submitted to the Burlington CADB and SADC on March 14, 2019; and

WHEREAS, the SADC previously reviewed a NOI for Segment 1B of the project which involved a 2,000 linear foot portion of PSE&G's right-of-way within Middlesex County's ADA and found, on September 27, 2018, that the project would not cause unreasonably adverse effects on preserved farmland, ADA or State agricultural preservation and development policies pursuant to N.J.S.A. 4:1C-19; and

WHEREAS, Segment 2 of the project involves impacts to 24 parcels within Burlington County's ADA of which 12 are preserved farm parcels (8 preserved properties); and

WHEREAS, all project construction on preserved farmland, including access roads and temporary workspaces, will occur within the existing right-of-way granted to PSE&G in the late 1920s; and

WHEREAS, on unpreserved parcels within Burlington County's ADA four access roads, identified in Schedules B1, B2, and B3, are proposed outside of PSE&G's existing right-of-way; and

WHEREAS, when locating these four proposed access roads PSE&G minimized agricultural impacts by staying along field edges and accessing existing roadways; and

WHEREAS, except for the four proposed access roads all other construction within the ADA will occur in PSE&G's existing right-of-way; and

WHEREAS, to minimize compaction of farmland soils PSE&G has agreed to the placement of timber matting on all active agricultural areas within the ADA prior to construction; and

WHEREAS, amendments, dated July 2, 2019, were made to the projects previously approved Soil Erosion and Sediment Control Plan to reflect the use of timber matting as an agricultural soil protection measure; and

WHEREAS, PSE&G has represented that footings of the existing steel lattice towers will be removed to a depth of no less than three feet to avoid future agricultural impacts; and

WHEREAS, PSE&G has outlined a process to communicate with landowners and tenant farmers about site-specific agricultural issues, notify them of impending construction activities, and address any questions or concerns and also a process to compensate for any crop damage or loss incurred; and

WHEREAS, at its May 9, 2019 meeting, the Burlington CADB reviewed Segment 2 of the project, as described in the NOI, and on July 11, 2019 subsequently passed a resolution finding the project would not cause unreasonably adverse effects on preserved farms, the ADA, or State agricultural preservation and development policies; and

WHEREAS, SADC staff reviewed the NOI and determined that PSE&G has adequately addressed all requirements and information about the project pursuant to N.J.S.A. 4:1C-19 and N.J.A.C. 2:76-7.1, et seq.

NOW, THEREFORE, BE IT RESOLVED that the SADC has reviewed the proposed action to determine its effect upon the preservation and enhancement of agriculture in the ADAs, the municipally approved program, and upon overall State agriculture preservation and development policies, and finds that Segment 2 of PSE&G's Metuchen-Trenton-Burlington Project in Burlington County would not cause unreasonably adverse effects on the preserved farms, ADA or State agricultural preservation and development policies pursuant to N.J.S.A. 4:1C-19 for the following reasons:

1. The proposed project is necessary to maintain the reliability of the electric grid and address the replacement of infrastructure that has exceeded its functional life;
2. PSE&G has taken measures to limit the extent of agricultural land impacted by the project by planning project activities within their existing right-of-way to the

extent possible and locating needed access roads along field edges and within existing roadways;

3. In addition to soil conservation practices required for Soil Erosion and Sediment Control Plan approval, PSE&G has agreed to implement measures on agricultural land within the ADA to reduce soil compaction;
4. PSE&G has committed to the removal of existing steel lattice tower footings to a depth of no less than three feet, removal of stone or other fill needed in temporary work areas to maintain preexisting grade and farmable conditions, and otherwise working with landowners and tenant farmers to ensure the future agricultural use of their properties is not inhibited; and

BE IT FURTHER RESOLVED the WHEREAS paragraphs set forth above are incorporated herein by reference; and

BE IT FURTHER RESOLVED that should amendments to the project as described in the NOI be necessary, PSE&G shall revise and resubmit its NOI so that the Burlington CADB and SADC may reconsider their findings in light of any amended project requirements and impacts; 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.

7/25/19

Date



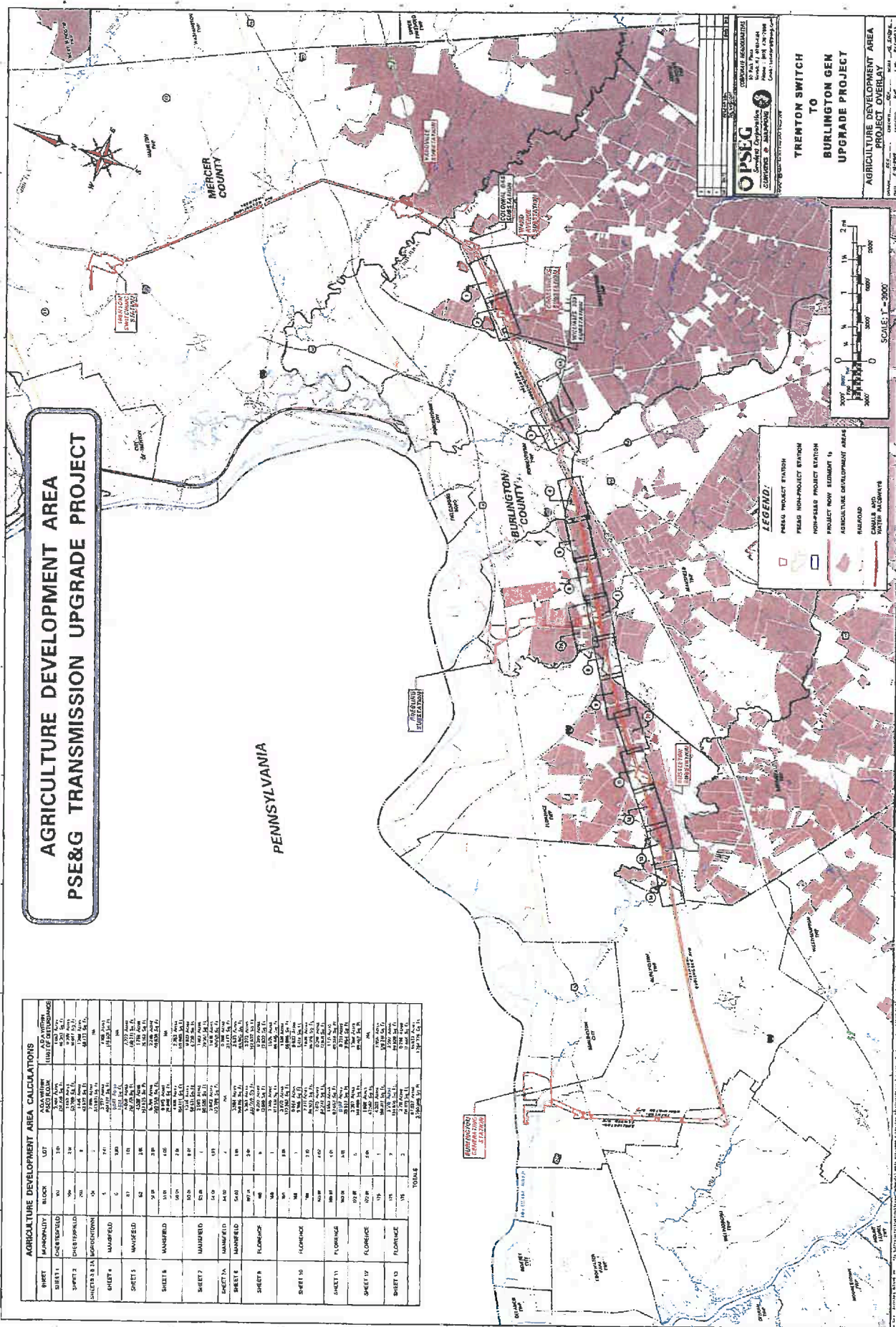
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

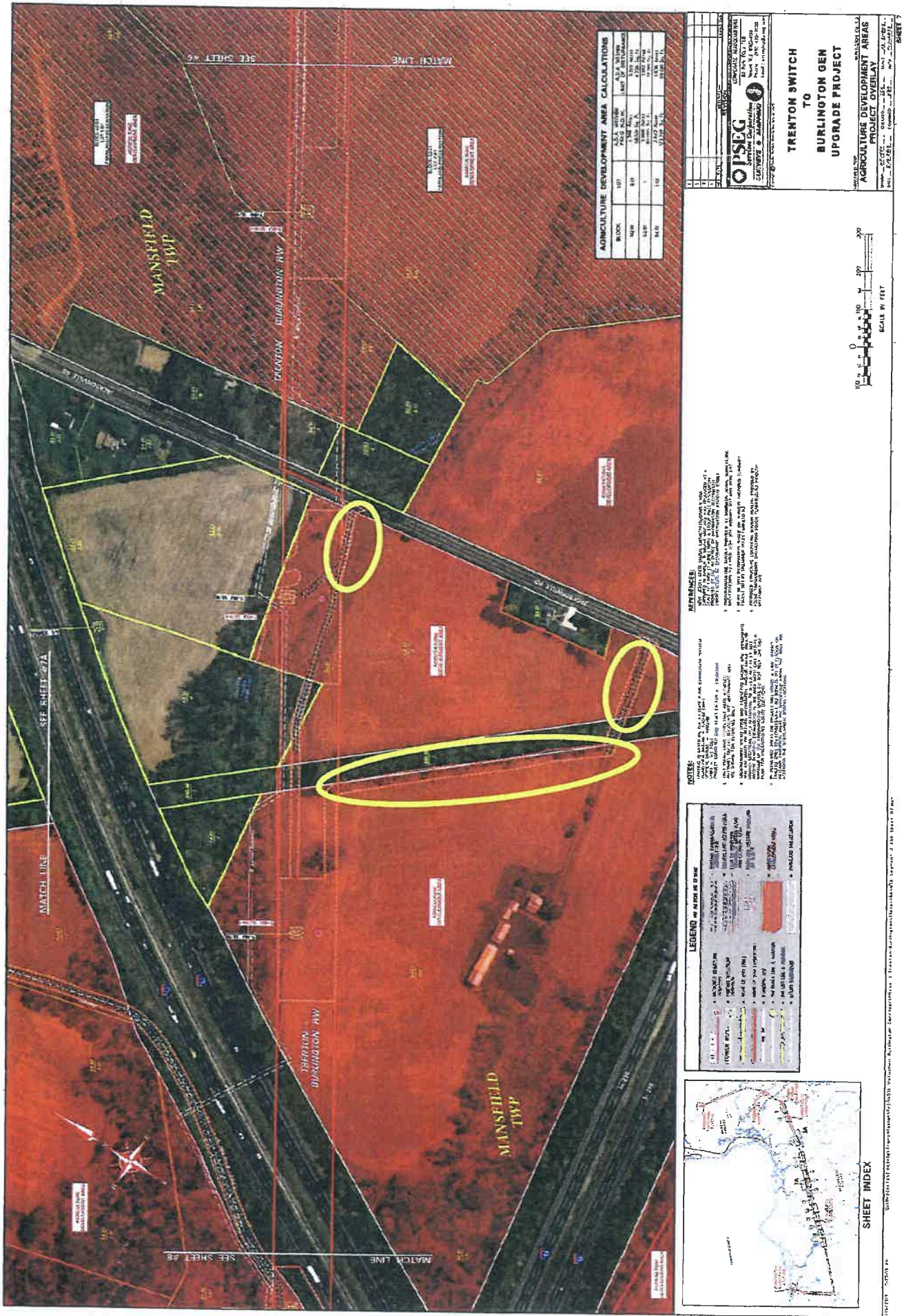
Monique Purcell, Acting Chairperson	YES
Cecile Murphy (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	ABSENT
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	ABSTAIN
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

AGRICULTURE DEVELOPMENT AREA
PSE&G TRANSMISSION UPGRADE PROJECT

AGRICULTURE DEVELOPMENT AREA CALCULATIONS									
SHEET	BLOCK	LOT	ASAP ROW	ASAP ROW	ASAP ROW	ASAP ROW	ASAP ROW	ASAP ROW	ASAP ROW
SHEET 1	1	1	1	1	1	1	1	1	1
SHEET 2	2	2	2	2	2	2	2	2	2
SHEET 3	3	3	3	3	3	3	3	3	3
SHEET 4	4	4	4	4	4	4	4	4	4
SHEET 5	5	5	5	5	5	5	5	5	5
SHEET 6	6	6	6	6	6	6	6	6	6
SHEET 7	7	7	7	7	7	7	7	7	7
SHEET 8	8	8	8	8	8	8	8	8	8
SHEET 9	9	9	9	9	9	9	9	9	9
SHEET 10	10	10	10	10	10	10	10	10	10
SHEET 11	11	11	11	11	11	11	11	11	11
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SHEET 16	16	16	16	16	16	16	16	16	16
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SHEET 19	19	19	19	19	19	19	19	19	19
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SHEET 26	26	26	26	26	26	26	26	26	26
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SHEET 154	154	154	154	154	154	154	154	154	154
SHEET 155	155	155	155	155	155	155	155	155	155
SHEET 156	156	156	1						



Schedule B1: Access outside of ROW on Block 53.01, Lot 1.02, Block 54.01/Lot 1.02, Mansfield Township



AGRICULTURE DEVELOPMENT AREA CALCULATIONS

BLOCK	LOT	ACRES	ADDITIONAL ACRES	TOTAL ACRES
53.01	1.02	1.02	0.00	1.02
54.01	1.02	1.02	0.00	1.02
TOTAL		2.04	0.00	2.04

LEGEND

SYMBOL	DESCRIPTION
[Red Hatched]	AGRICULTURE DEVELOPMENT AREA
[Blue Line]	DEER CREEK RD
[Black Line]	PROPERTY LINE
[Yellow Oval]	PROJECT AREA
[Green Area]	FORESTED AREA
[Brown Area]	WATER



- NOTES:**
1. ALL AREAS SHOWN ARE BASED ON THE LATEST AVAILABLE AERIAL PHOTOGRAPHY.
 2. THE PROJECT AREA IS SHOWN IN YELLOW OVALS.
 3. THE DEER CREEK RD IS SHOWN IN BLUE.
 4. THE PROPERTY LINES ARE SHOWN IN BLACK.
 5. THE FORESTED AREAS ARE SHOWN IN GREEN.
 6. THE WATER AREAS ARE SHOWN IN BROWN.

REFERENCE:

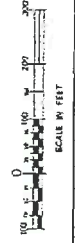
ALL AREAS SHOWN ARE BASED ON THE LATEST AVAILABLE AERIAL PHOTOGRAPHY. THE PROJECT AREA IS SHOWN IN YELLOW OVALS. THE DEER CREEK RD IS SHOWN IN BLUE. THE PROPERTY LINES ARE SHOWN IN BLACK. THE FORESTED AREAS ARE SHOWN IN GREEN. THE WATER AREAS ARE SHOWN IN BROWN.

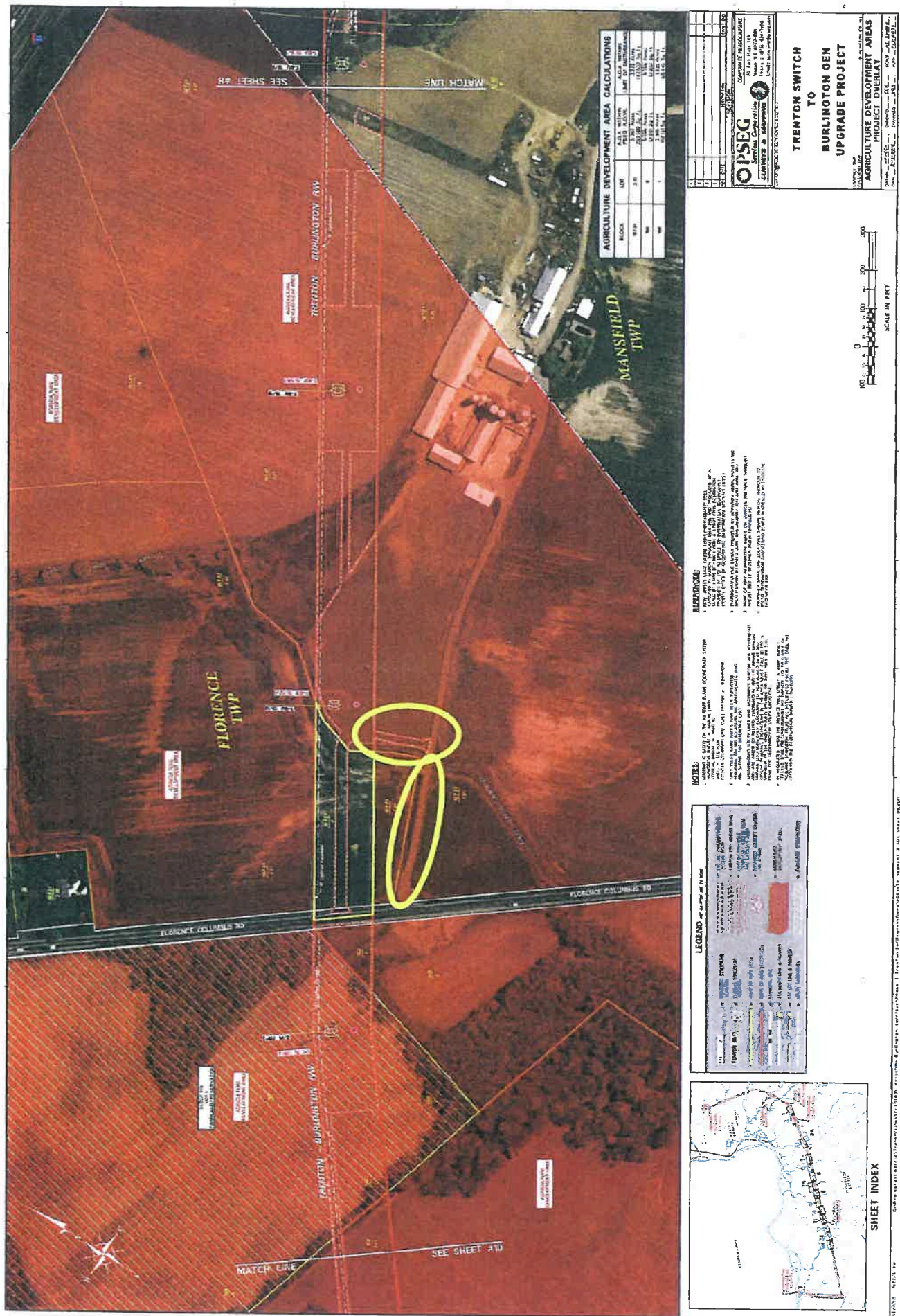
OPSEG
CONSTRUCTION & MAINTENANCE
 1000 N. 10TH ST.
 SUITE 100
 TRENTON, NJ 08611
 TEL: 609.642.1234
 FAX: 609.642.1235
 WWW.OPSEG.COM

TRENTON SWITCH TO BURLINGTON GEN UPGRADE PROJECT

AGRICULTURE DEVELOPMENT AREAS PROJECT OVERLAY

DATE: 08/11/2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]





STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2020R7(2)

Application to Exercise a Residual Dwelling Site Opportunity

Ben Acres, LLC

July 25, 2019

Subject Property: Block 22, Lot 4.01
 Block 23, Lot 11
 Mansfield Township, Burlington County
 185-Acres

WHEREAS, Ben Acres, LLC, hereinafter "Owner", is the record owner of Block 22, Lot 4.01 and Block 23, Lot 11, in Mansfield Township, Burlington County, by deed dated July 15, 2015, and recorded in the Burlington County Clerk's office in Deed Book 13180, Page 5039, totaling approximately 185 acres, hereinafter referred to as the "Premises", as shown in Schedule "A"; and

WHEREAS, a development easement on the approximately 185-acre Premises was conveyed to the Burlington County Board of Chosen Freeholders pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1 et seq. by Deed of Easement dated June 18, 1990, and recorded in the Burlington County Clerk's Office in Deed Book 4056, Page 59; and

WHEREAS, on June 24, 2019, the SADC received an application to exercise the Residual Dwelling Site Opportunity "RDSO" on the Premises from the Owner; and

WHEREAS, paragraph 12iii of the Deed of Easement states that two RDSOs have been allocated to the Premises; and

WHEREAS, the Deed of Easement does not specify a house size limitation; and

WHEREAS, the proposed location of the RDSO site is located adjacent to the farmstead complex on the Premises as shown in Schedule "A"; and

WHEREAS, the Owner is requesting the ability to construct a one-story, modular-style home of approximately 1,300 sq./ft., along with a 2,400 sq. ft. pole-barn style garage; and

WHEREAS, the Owner is currently farming 13 acres of grapes, raising 40 goats and 65 beef-cattle, and leases approximately 150 acres in hay and grain production to the previous landowner; and

WHEREAS, a portion of the hay and grain crops are custom raised for, and retained by, the Owner to feed his livestock and for sale; and

WHEREAS, the Owner plans to plant 2 additional acres in grapes and open a winery, within an existing barn, on the Premises in the Fall of 2020; and

WHEREAS, the Owner is regularly engaged in managing farm labor which at this time consists of 1 full-time and 3 part-time employees, and the day-to-day agricultural production activities on the farm which at this time consists of managing the existing vineyard, planting additional grapes and marketing and sales of the farm's livestock and hay; and

WHEREAS, the existing single-family residence on the farm is occupied by tenants; and

WHEREAS, the Owner has made significant improvements to the farm since the property was purchased in 2015, including, field and drainage clearing, tree maintenance and removal, installation of new barn roofs and siding, installation of livestock fencing, road and driveway restoration, and utility repairs; and

WHEREAS, the driveway to access the new home will extend approximately 350 feet off the existing farm driveway; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC, pursuant to Policy P-31 and the restrictions 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 shall be involved in the day-to-day production agricultural activities of the farm.
3. The Committee approves exercising the RDSO on the Premises as a residence for the Owner, who is directly involved in managing labor, sales, and the daily agricultural production activities of the farm.
4. The Committee finds that the location for the new house, as shown in the attached Schedule "A", minimizes the impact to the agriculture operation.

5. The SADC shall record a corrective deed of easement with the Burlington County Clerk's office showing that the RDSO allotted to the Premises has been exercised.
6. This approval is valid for a period of three years from the date of approval.
7. That this action is non-transferable.
8. The construction of the new residence is subject to all applicable local, State and Federal regulations.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

7/25/19
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Cecile Murphy (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	ABSENT
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	ABSENT
Denis C. Germano, Esq.	RECUSED
Peter Johnson	RECUSED
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

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Schedule A

S:\ACQUISITION\Burlington\VanMater, Charles\RDSO Schedule A.mxd



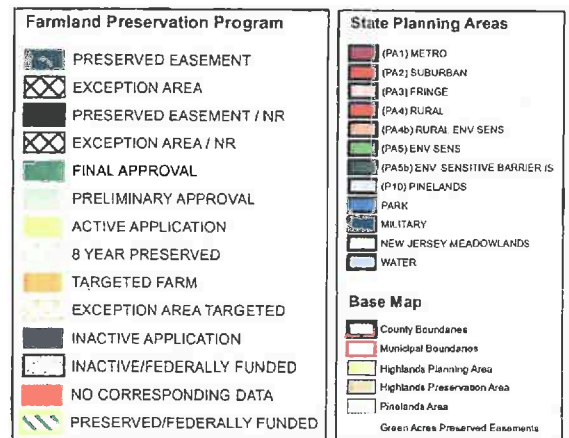
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ben Acres, LLC
Mansfield Township- Burlington County
Block 22, Lot 4.01
Block 23, Lot 11
185 Acres



0 180 360 720 1,080 Feet

7/10/2019



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2020R7(3)

Request to Replace a Single-Family Residence

Kero Farm

July 25, 2019

Subject Property:

Block 29, Lot 1

Knowlton Township, Warren County

33.29 Acres

WHEREAS, John Kero, hereinafter "Owner" is the current record owner of Block 29, Lot 1, in Knowlton Township, Warren County, by deed dated April 16, 2015, and recorded in the Warren County Clerk's office in Deed Book 2606, Page 272, hereinafter referred to as the "Premises", as shown in Schedule "A"; and

WHEREAS, the Premises totals 33.29 acres, as shown in Schedule "A"; and

WHEREAS, the current operation is in corn and hay production; and

WHEREAS, a development easement on the 33.29-acre Premises was conveyed to the Township of Knowlton, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated May 2, 2005, and recorded in the Warren County Clerk's Office on May 9, 2005, Deed Book 1999, Page 315; and

WHEREAS, the Deed of Easement was assigned to the Warren County Board of Chosen Freeholders on October 17, 2006, as recorded in document number 2006-00289309, recorded on November 11, 2006, in the Warren County Clerk's office in Deed Book 2115, Page 108; and

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

WHEREAS, on June 24, 2019, the SADC received a request from the Warren CADB, on behalf of the Owner, to replace a previously existing single-family residence on the Premises; and

WHEREAS, the previously existing residence in question was located at 12 Brugler Rd in Columbia, as shown in Schedule "A"; and

WHEREAS, paragraph 14ii of the Deed of Easement allows for the replacement of any existing single- family residential building anywhere on the Premises with the approval of the Grantee (Warren CADB) and the Committee; and

WHEREAS, SADC staff reviewed the previously existing residence and determined that it was not listed on the New Jersey or National Register of Historic Places; and

WHEREAS, the previously existing residence was demolished in August of 2016 because it was uninhabitable and had been abandoned; and

WHEREAS, the Owner proposes to replace the 2,538 sq. ft., previously existing residence with an approximately 1,705 sq. ft., 3- bedroom, ranch-style home, hereinafter referred to as the "Proposed Residence";

WHEREAS, the proposed residence will be built within the existing farmstead complex, approximately 175 ft from the previously existing residence, as shown in Schedule "A"; and

WHEREAS, the new residence will utilize the existing driveway and a new septic will be installed, as shown in Schedule "A"; and

WHEREAS, on June 20, 2019 the Warren CADB approved the Owner's request to replace a residence on the Premises.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of the single-family residence on the Premises with a new residence will have a positive impact on the continued agricultural operations of this farm by replacing an abandoned and uninhabitable residence with a new residence which shall service as the primary residence for the owner of the farm.
3. The Committee approves the construction of a three-bedroom residence, consisting of approximately 1,705 sq./ft., of heated living space to be constructed on the Premises as shown in Schedule "A" to replace the former residence.
4. This approval is valid for a period of three years from the date of this resolution.
5. This approval is non-transferable.
6. The construction of the new residence is subject to all applicable local, State and Federal regulations.

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

7/25/19

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

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Schedule A

S:\Planning Incentive Grant - 2007 rules Municipal\Warren\Knowlton\Bruglar-Kero\



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kero Farm
Knowlton Township- Warren County
Block 29, Lot 1
32.29 Acres



0 237.5 475 950 1,425 Feet

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
- (PA5B) ENV SENSITIVE BARRIER IS
- (P10) PINELANDS
- PARK
- MILITARY
- NEW JERSEY MEADOWLANDS
- WATER

Base Map

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

7/10/2019

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2020R7(4)

Request to Replace a Single-Family Residence

Smith Farm

July 25, 2019

Subject Property:

Block 37, Lot 13

Block 44, Lot 12

Harmony Township, Warren County

144.46 Acres

WHEREAS, James and Karen Smith, hereinafter "Owners" are the current record owners of Block 37, Lot 13 & Block 44, Lot 12, in Harmony Township, Warren County, by deed dated April 29, 2013, and recorded in the Warren County Clerk's office in Deed Book 2487, Page 97, hereinafter referred to as the "Premises", as shown in Schedule "A"; and

WHEREAS, the Premises totals 144.46 acres, as shown in Schedule "A"; and

WHEREAS, the current operation is in corn and soybean production; and

WHEREAS, a development easement on the 144.46-acre Premises was conveyed to the Warren County Board of Chosen Freeholders pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated October 12, 2000 and recorded in the Warren County Clerk's Office in Deed Book 1712, Page 253; and

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

WHEREAS, on June 24, 2019, the SADC received a request from the Warren CADB, on behalf of the Owners, to replace a previously existing single-family residence on the Premises; and

WHEREAS, the previously existing residence in question was located at 785 Harmony Station Rd in Phillipsburg as shown in Schedule "A"; and

WHEREAS, paragraph 14ii of the Deed of Easement allows for the replacement of any existing single- family residential building anywhere on the Premises with the approval of the Grantee (Warren CADB) and the Committee; and

WHEREAS, SADC staff reviewed the previously existing residence and determined that it was not listed on the New Jersey or National Register of Historic Places; and

WHEREAS, the previously existing residence was demolished in July 2018 because it was in a state of disrepair and uninhabitable due to structural damage and non-maintenance; and

WHEREAS, the Owner proposes to replace the 3,256 sq. ft., previously existing residence with an approximately 2,300 sq. ft., ranch-style home, with an approximately 1,000 sq. ft. attached garage, hereinafter referred to as the "Proposed Residence";

WHEREAS, the proposed new residence will be built within the existing farmstead complex, over the same footprint of the previously existing residence, in the vicinity of the barns, as shown in Schedule "A"; and

WHEREAS, the new residence will utilize the existing driveway and a new septic will be installed in the location as shown in Schedule "A"; and

WHEREAS, on June 20, 2019, the Warren CADB approved the Owner's request to replace a residence on the Premises; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of the single-family residence on the Premises with a new residence will have a positive impact on the continued agricultural operations of this farm by replacing a deteriorated residence with a new residence which shall service as the primary residence for the owners of the farm.
3. The Committee approves the construction of a three-bedroom residence, consisting of approximately 2,300 sq. ft., of heated living space with an attached 1,000 sq. ft. garage to be constructed on the Premises as shown in Schedule "A," to replace the former residence in that location.
4. This approval is valid for a period of three years from the date of this resolution.
5. This approval is non-transferable.
6. The construction of the new residence is subject to all applicable local, State and Federal regulations.

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

7/25/19

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

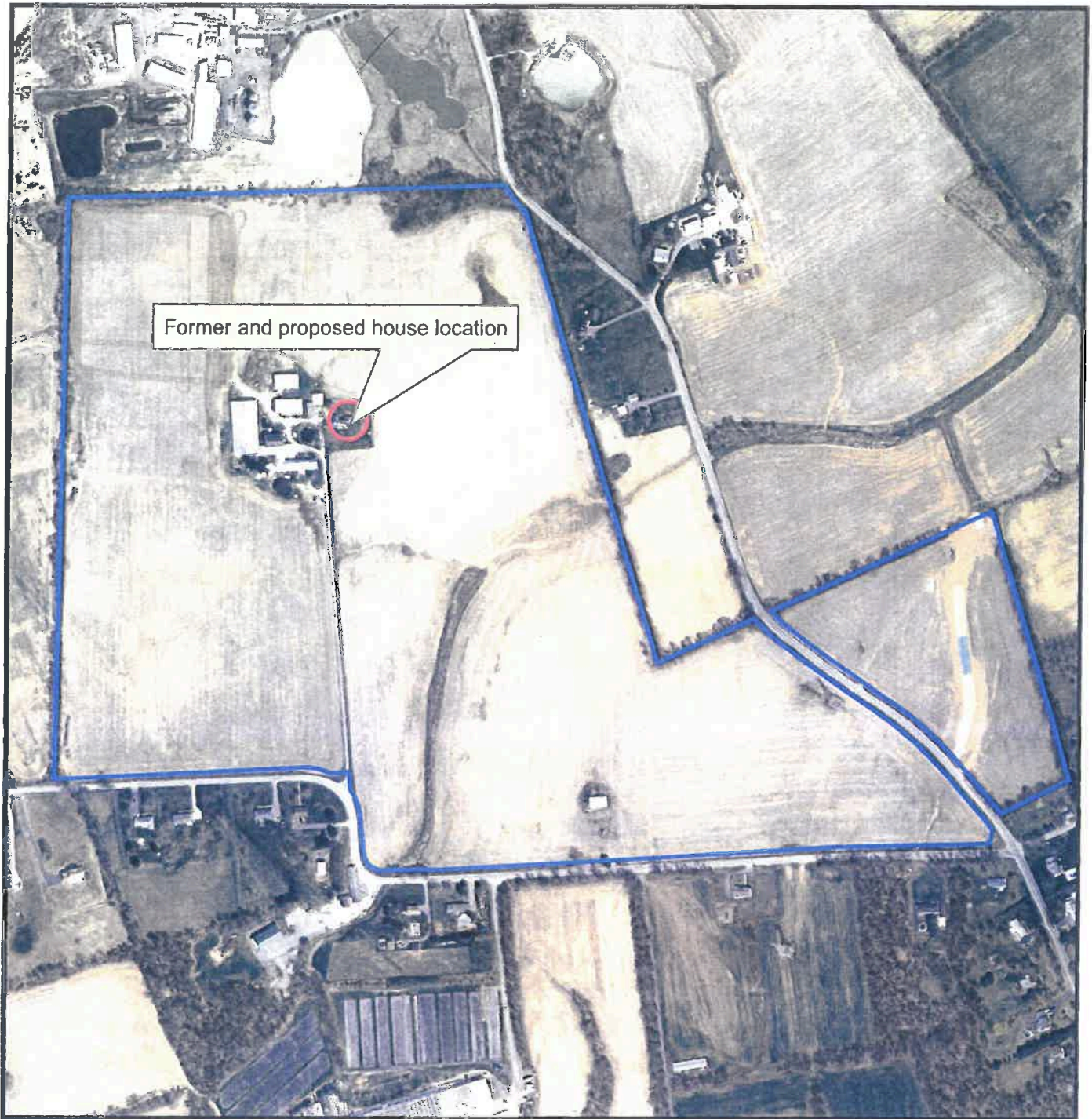
VOTE WAS RECORDED AS FOLLOWS:

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

S:\ACQUISITION\EP\98EPRND\WARREN\Heeres- Smith\Stewardship\heeres house replacement.doc

Schedule A

X:\projects\farmview.mxd



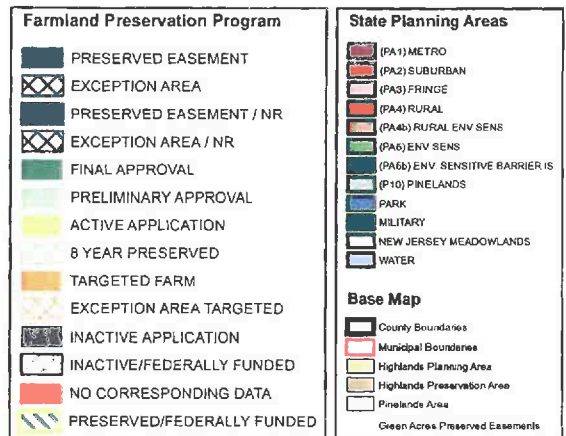
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Smith Farm
Harmony Township, Warren County
Block 37, Lot 13
Block 44, Lot 12
144.46 Acres



0 310 620 1,240 1,860 Feet

7/2/2019



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2020R7(5)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

W. PATRICK AND JOHANNA GIBERSON

JULY 25, 2019

WHEREAS, W. Patrick Giberson, hereinafter “Applicant” and Johanna Giberson ID# 03-0412-PG, are the current record owners of Block 794, Lot 7, Pemberton Township, Burlington County, hereinafter referred to as the “Premises”, by deed dated February 21, 1985, and recorded in the Burlington County Clerk’s Office in Deed Book 3002, Page 201; and

WHEREAS, the Premises totals approximately 236.845 acres, as shown in Schedule “A”; and

WHEREAS, the development easement on the Premises was conveyed to Burlington County on July 19, 2016, by the prior owner as recorded in Deed Book 13237, Page 2145; and

WHEREAS, Burlington County entered into a Cost Sharing Grant Agreement with SADC on November 30, 2017, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32, and N.J.A.C. 2:76 as recorded in Deed Book 13314, Page 1952; and

WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Burlington County, and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the Applicant is eligible for a cost share grant of up to \$53,684.50 expiring July 19th, 2024; and

WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“Application”); and

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to SADC Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
W. Patrick Giberson	03-0412-PG-01	\$22,241.92	2:90-2.15 Irrigation System

PROJECT DESCRIPTION:

Install 2 Typical Wells, 6 Inches Diameter, 2 Electric Powered Pumps, 10-40 HP, and 1240 feet of 8 Inch Diameter PVC Irrigation Pipeline.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

7/25/19
Date

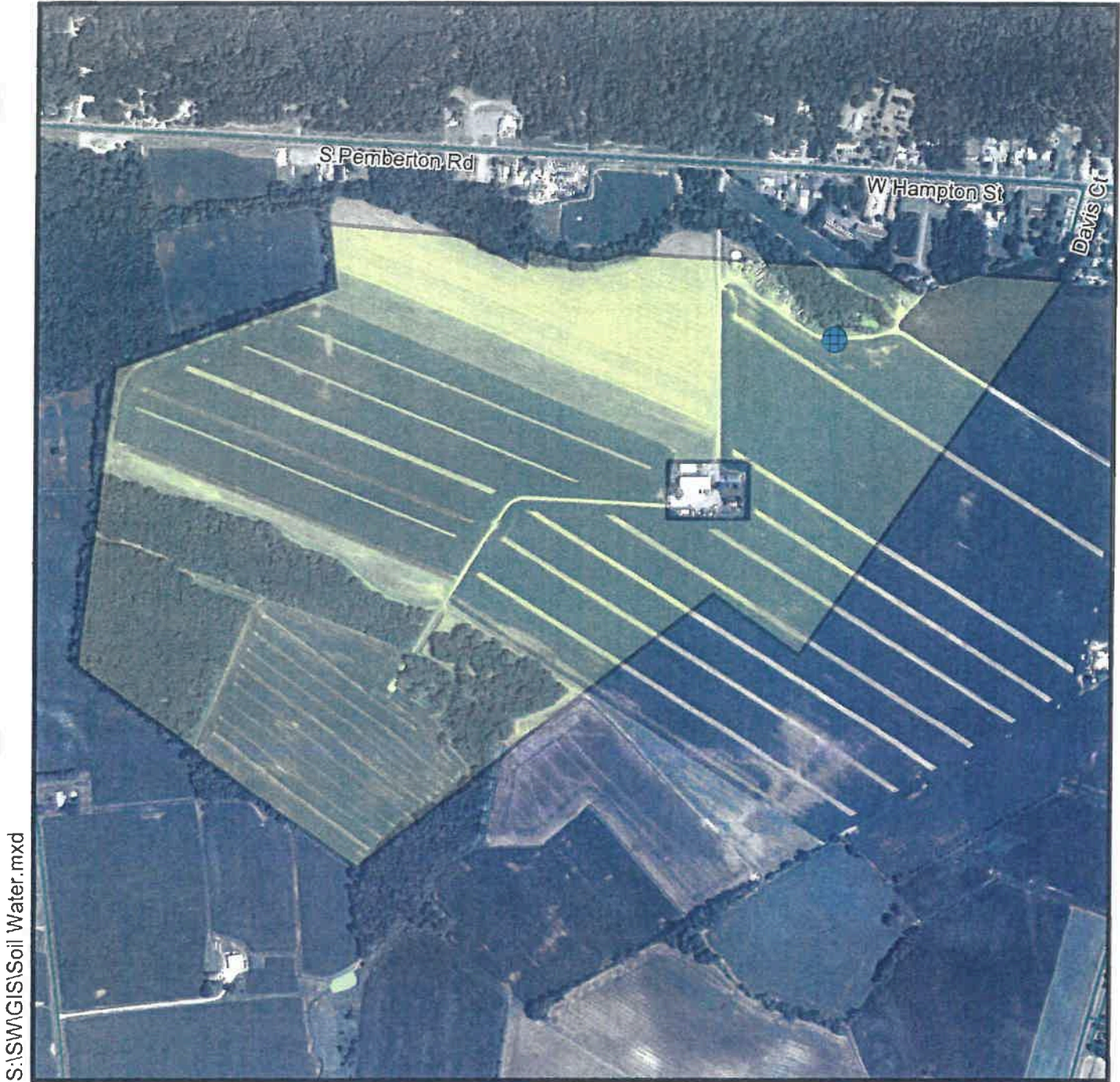


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

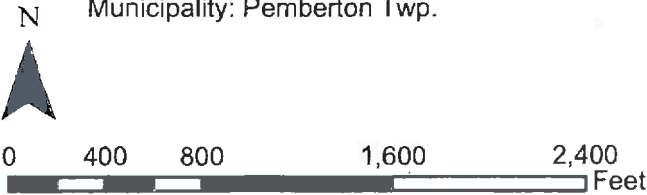
Monique Purcell, Acting Chairperson	YES
Cecile Murphy (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	ABSENT
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian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

Schedule A - Soil and Water Cost Share Grant



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Applicant: W. Patrick Giberson
Owner: W. Patrick and Johanna Giberson
Application Number: 03-0412-PG-01
County: Burlington
Municipality: Pemberton Twp.



7/8/2019

Legend

-  SW_Premises
- Practices**
-  2:90-2.15

Image: NJDEP 2017 Natural Color

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2020R7(6)

Renewal of Certification of Agricultural Mediation Program Mediators

July 25, 2019

WHEREAS, the State Agriculture Development Committee (SADC) coordinates the New Jersey Agricultural Mediation Program to help farmers and others resolve agricultural disputes quickly, amicably, and in a cost-effective manner; and

WHEREAS, pursuant to N.J.A.C. 2:76-18.10, the SADC shall annually review and renew the certificates of the program's certified mediators to insure satisfactory performance of mediation responsibilities; and

WHEREAS, the SADC last reviewed and renewed the certificates of the program's certified mediators on September 27, 2018 and

WHEREAS, pursuant to N.J.A.C. 2:76-18.10(a)1, in order to have his or her certification renewed, a certified mediator, if assigned a case during the fiscal year, must have satisfied the requirements of the program's regulations; and

WHEREAS, pursuant to N.J.A.C. 2:76-18.10(a)2, if a certified agricultural mediator has not been assigned a case during the fiscal year, his or her certification shall be renewed; and

WHEREAS, the following mediators have satisfied the requirements of the program's regulations and warrant certification as mediators for FY 2020: Megan Bucknum, Liza R. Clancy, Gaetano M. DeSapio, Esq., Michael Ennis, Gordon Geiger, Melvin Henninger, Tara Kenyon, Paul A. Massaro, Esq., Caroline Petrilla, Cari B. Rincker, Esq., Autherine Smith Scholl, and Loretta Yin, Esq.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC renews the certificates of the mediators noted above pursuant to N.J.A.C. 2:76-18.10.

3. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

7/25/19

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R7(7)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Cumberland County
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Sparacio, Anthony Jr. And Sparacio, Anthony III (Lot 40) ("Owners")
Deerfield Township, Cumberland County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#06-0185-PG**

July 25, 2019

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Cumberland County received SADC approval of its FY2020 PIG Plan application annual update on May 23, 2019; and

WHEREAS, on October 17, 2016 the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 4, Lot 40, Deerfield Township, Cumberland County, totaling approximately 12.106 gross survey acres hereinafter referred to as "the Property" (Schedule A); and

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

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

WHEREAS, at the time of application, the Property was in nursery 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 60.94 which exceeds 44, which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 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 Green Light Approval was conditioned upon the County clarifying ownership of the parcel prior to final approval by providing a deed that lists both Anthony Sparacio Jr. and Anthony Sparacio III as joint tenants for this parcel; and

WHEREAS, pursuant to Deed Book 4144, Page 7365, recorded on August 31, 2016, the property is owned by Anthony Sparacio, Jr. and Anthony Sparacio III as joint tenants with a right of survivorship; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on July 27, 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 June 1, 2018; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,000 per acre for the development easement for the Property; and

WHEREAS, on May 9, 2019, 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 February 7, 2018, the Deerfield Township Committee approved the application for the sale of development easement but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on October 10, 2017, the Cumberland County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on October 24, 2017, the County of Cumberland passed a resolution granting final approval and a commitment of funding for \$1,600 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 12.106 survey acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$41,160.40	(\$3,400/acre)
<u>Cumberland County</u>	<u>\$19,369.60</u>	<u>(\$1,600/acre)</u>
Total Easement Purchase	\$60,530.00	(\$5,000/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, Cumberland County is requesting \$41,160.40 in competitive grant funding, which is available at this time, and/or base grant funding that becomes available (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Property, comprising approximately 12.106 net survey easement acres, at a State cost share of \$3,400 per acre, (68% of certified easement value and purchase price), for a total grant of approximately \$41,160.40 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. The prior condition to clarify the ownership of the property prior to Final Approval has been resolved and is no longer a condition.
4. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
5. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
6. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
7. The SADC'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, and streams or water bodies on the boundaries as identified in Policy P-3-C.
8. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
11. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

7/25/19

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands

Schedule A

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Sparacio, Anthony III and Anthony Jr (#2)
Block 4 Lot 40 (12.3 ac)
Gross Total = 12.3 ac
Deerfield Twp., Cumberland County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJGIT/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.



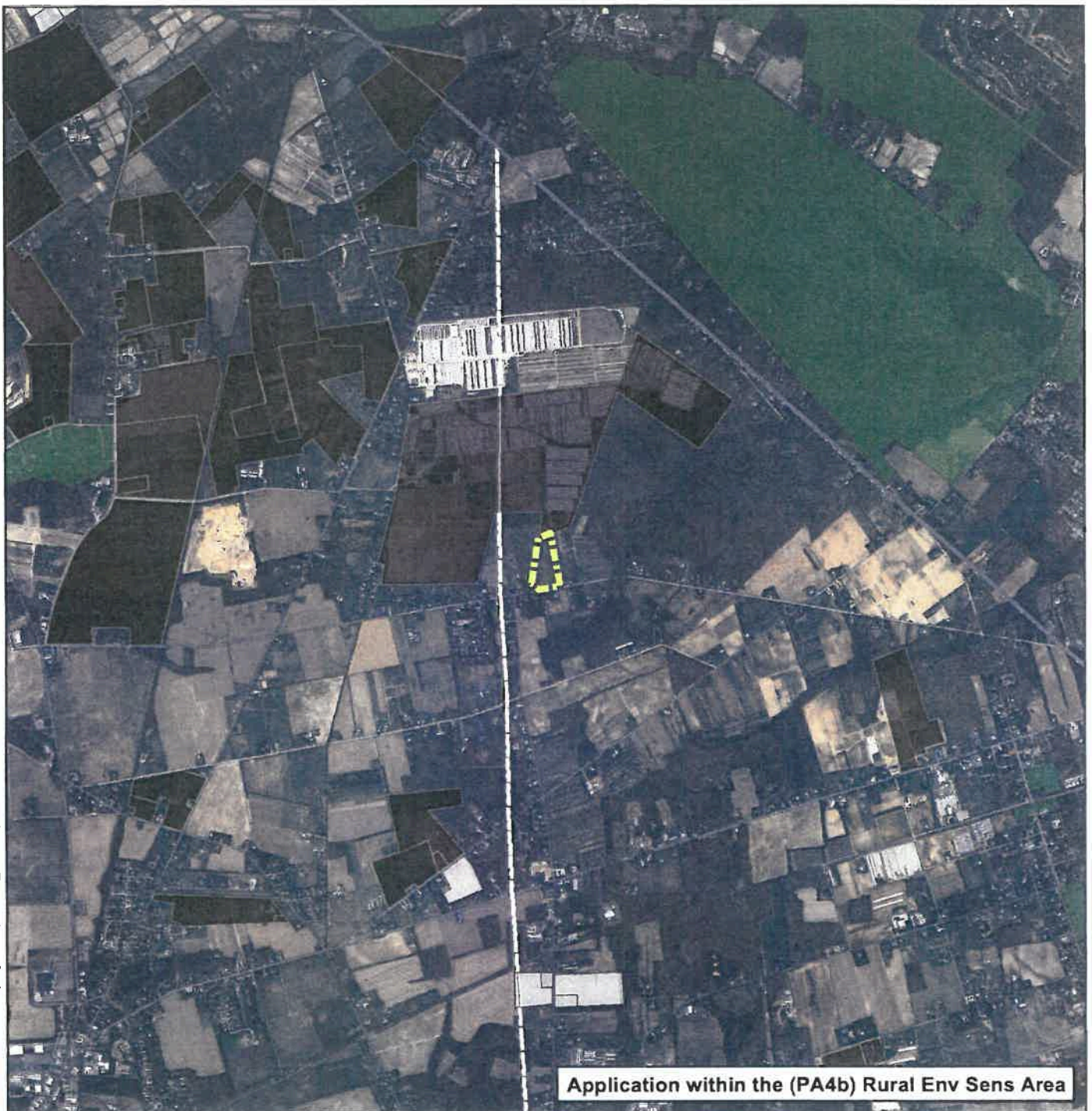
- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned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

November 2, 2016

Preserved Farms and Active Applications Within Two Miles

X:\counties\cumco\projects\sparacio_anthony2_2mile.mxd



FARMLAND PRESERVATION PROGRAM

NJ State Agriculture Development Committee

Sparacio, Anthony III and Anthony Jr (#2)
 Block 4 Lot 40 (12.3 ac)
 Gross Total = 12.3 ac
 Deerfield Twp., Cumberland County

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



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

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

November 2, 2016

Cumberland County

[illegible]

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Sparacio, Anthony, III & Anthony, Jr. (Lot 40)
06- 0185-PG
County PIG Program
12 Acres

Block 4	Lot 40	Deerfield Twp.	Cumberland County
SOILS:		Prime	100% * .15 = 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:		Cropland Harvested	94% * .15 = 14.10
		Other	1% * 0 = .00
		Woodlands	5% * 0 = .00
			TILLABLE SOILS SCORE: 14.10
FARM USE:		Ornament Nursery Products	12 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. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R7(8)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Salem County
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Vittori, Joel L. & Faith C. ("Owners")
Mannington Township, Salem County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#17-0209-PG**

JULY 25, 2019

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Salem County received SADC approval of its FY2020 PIG Plan application annual update on May 23, 2019; and

WHEREAS, on September 6, 2018, the SADC received an application for the sale of a development easement from Salem County for the subject farm identified as Block 21, Lot 3, Mannington Township, Salem County, totaling approximately 81.08 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Salem County's #2 Project Area; and

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

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

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

WHEREAS, the tenant farmer raises pheasants on a separate property and releases them for pheasant hunts on various properties in his farm management unit, including the Vittori farm; and

WHEREAS, if in the future the tenant farmer ceases to raise pheasants, hunting would remain a permitted recreational use on the Premises provided the property is utilized in its existing condition; and

WHEREAS, the Property has a quality score of 67.95 which exceeds 48, which is 70% of the County's average quality score as determined by the SADC July 27, 2017; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on December 3, 2018, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on February 28, 2019, the SADC certified a development easement value of \$5,100 per acre based on zoning and environmental regulations in place as of the current valuation date January 8, 2019; and

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

WHEREAS, on April 24, 2019 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 May 2, 2019, the Mannington Township Committee approved the application for the sale of development easement and a funding commitment of \$51 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on April 18, 2019, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,599 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final acreage increases, therefore, 83.512 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 83.512 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$288,116.40	(\$3,450/acre)
Salem County	\$133,535.69	(\$1,599/acre)
<u>Mannington Township</u>	<u>\$4,259.11</u>	<u>(\$51/acre)</u>
Total Easement Purchase	\$425,911.20	(\$5,100/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, Salem County is requesting \$288,116.40 in competitive grant funding, which is available at this time, and/or base grant funding that becomes available (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising approximately 83.512 net easement acres, at a State cost share of \$3,450 per acre, (67.65% of certified easement value and purchase price), for a total grant of approximately \$288,116.40 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. If in the future tenant farmer ceases to raise pheasants, hunting would remain a permitted recreational use on the Premises pursuant to the Deed of Easement.
4. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
5. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
6. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
7. The SADC'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, and streams or water bodies on the boundaries as identified in Policy P-3-C.
8. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

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

7/25/19

Date

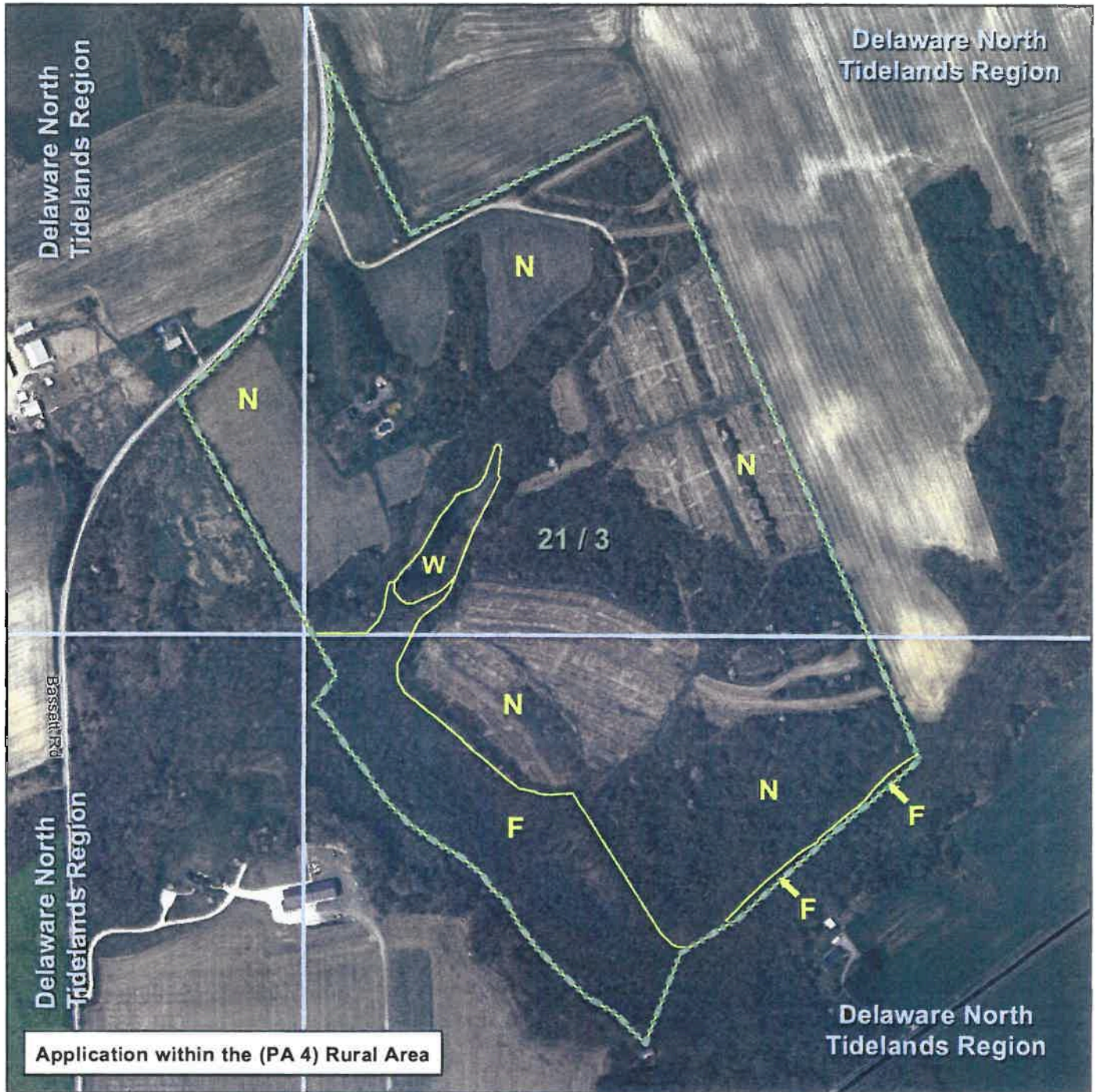


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

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

Vittori, Joel L. and Faith C.
 Block 21 Lot 3 (81.08 ac)
 Gross Total – 81.08
 Mannington Twp. Salem County

500 250 0 500 1,000 Feet

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

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



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

Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation Easement Data
 Protected Areas Database of the United States (PAD-US)
 NJDEP Wetlands Data
 NJ Highlands Council Data
 NJ Pinelands Commission PDC Data
 NJOTIS GIS 2015 Digital Aerial Image

Date: 9/17/2018

> Steele R

Preserved Farms and Active Applications Within Two Miles

X:\counties\sac\projects\Vittori_Joel_L_and_Faith_C_2Mile.mxd

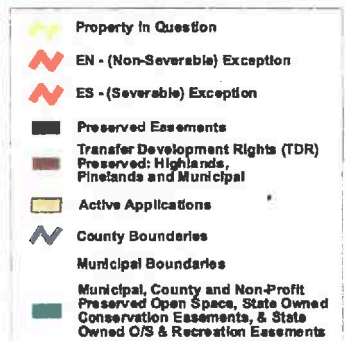


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Vittori, Joel L. and Faith C.
Block 21 Lot 3 (81.08 ac)
Gross Total – 81.08
Mannington Twp. Salem County

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

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



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

Date: 9/17/2018

SADC County Pig Financial Status
Schedule B

Salem County

SADC ID#	Farm	Acres	Pay	SADC			Federal Grant		Base Grant				Competitive Funds					
				Cost Basis	Cost Share		Total		Encumbered	PV	Expended	Balance	Encumbered	PV	Expended	FY11 Balance	FY13 Balance	FY17 Balance
							Federal Grant	Federal Grant		Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Fiscal Year 11	Fiscal Year 13
17-0123-PG	Greco	313.4310		1,597,937.10	1,080,957.45				1,122,906.00	1,080,957.45	1,080,957.45	3,617,339.97						
17-0121-PG	Prestige World Wide	61.3530	61.3172	364,362.12	228,361.54				242,925.50	228,361.54	228,361.54	2,536,382.52						
17-0122-PG	Dunham	38.4830	38.1450	217,426.50	143,043.75				146,775.00	143,043.75	143,043.75	2,308,020.98						
17-0125-PG	Mahoney	28.8220	28.6910	152,062.30	101,853.05				105,038.50	101,853.05	101,853.05	2,164,977.23						
17-0110-PG	Moore	149.7460	149.7460	756,217.30	512,880.05		498,292.54	254,955.29	511,523.76	257,924.76	257,924.76	1,805,199.42						
17-0134-PG	Dubois Props., LLC	31.2230	31.2230	246,661.70	151,431.55				149,865.00	151,431.55	151,431.55	1,653,767.87						
17-0127-PG	Brown	58.2580	58.2580	311,680.30	208,272.35				213,570.50	208,272.35	208,272.35	1,445,495.52						
17-0135-PG	Foggo, Harris, Allen	33.6790	33.6790	117,526.50	83,947.50				87,550.00	83,947.50	83,947.50	1,361,548.02						
17-0124-PG	Eckert, Hebert & Rowena	46.6520	46.6520	97,969.20	73,243.64				71,843.20	73,243.64	73,243.64	1,288,294.96						
17-0133-PG	Harris	49.3170	49.3170	172,609.50	123,292.50				123,292.50	123,292.50	123,292.50	1,165,002.46						
17-0146-PG	Basile	25.4830	25.4830	165,639.50	105,754.45				105,862.50	105,754.45	105,754.45	1,059,268.01						
17-0151-PG	Davis, Betty	42.0030	42.0030	214,215.30	144,910.35				55,248.01	59,248.01	59,248.01	1,000,000.00						
17-0157-PG	Bishop, Kevin & Jessica	30.5970	30.5970	137,686.50	94,850.70													
17-0163-PG	DuBois, Christian	29.7820	29.7820	235,277.80	144,442.70													
17-0161-PG	Harrell, Robert T. & George K.	89.2900	89.2900	500,024.00	228,189.98		271,834.02	102,183.02										
17-0164-PG	Sloat, Edward W. & Robert K.	49.8900	49.8900	254,439.00	172,120.50													
17-0165-PG	Brooks, Michael N.	65.4410	65.4410	222,699.40	75,319.00													
17-0165-PG	Moffett, James E. & Patricia M.	46.0300	46.0300	248,582.00	165,708.00													
17-0180-PG	Brown, Steven R. & Timothy G.	48.2390	48.2390	159,156.70	114,809.82													
17-0186-PG	Catalano, Joanne J.	198.0900	196.6110	858,771.77	388,134.69				400,707.75	388,134.69	388,134.69	611,865.31						
17-0189-PG	E&A Farms (Williams)	92.9240	91.9300	323,623.50	159,681.16				155,588.00	159,681.16	159,681.16	452,184.15						
17-0182-PG	Tica, Barry and Joanne	40.7350	40.7350	224,042.50	148,682.75				153,373.00	148,682.75	148,682.75	303,501.40						
17-0179-PG	Sorbello, Frank & Thomas	94.3980	94.3980	566,388.00	197,451.07				204,771.00	197,451.07	197,451.07	106,050.33						
17-0190-PG	Dare, Carolyn B.	20.9460	20.9460	150,811.20	94,257.00				94,257.00	94,257.00	94,257.00	11,753.33						
17-0206-PG	Kelly, Dennis J. Sr. (E&D Farm)	83.9230	83.9230	609,280.98	294,658.48				57,907.12	57,907.12	57,907.12	7,319.93						
17-0185-PG	Harris, Howard Grant & Elizabeth	79.2980	79.2980	495,612.50	247,867.50				7,319.93	7,319.93	7,319.93							
17-0194-PG	Moore, John J. & Lori A.	66.9280	66.9280	348,025.60	362,196.10													
17-0195-PG	Melchert, Richard H. (Lot 4)	77.4590	77.4590	585,678.80	362,196.10													
17-0198-PG	Ayers, Joseph P. (Lot 1)	50.8000	52.3200	183,120.00	91,560.00				183,120.00	39,240.00	39,240.00							
17-0205-PG	Schaeffer, David L.	84.3000	86.8300	690,298.50	321,039.17				389,259.33	102,257.00	102,257.00							
17-0209-PG	Vittori, Joel L. & Faith C.	81.0800	83.5120	425,911.20	298,116.40													
17-0207-PG	Morda, Mary Louise	84.2270	84.2270	703,295.45	351,647.73													
Closed	27	1,933.7810	1,920.5972	10,175,020.87	5,965,666.81		2,483,279.81	1,012,339.89										
Encumbered	5	348.6460	355.1280	2,161,813.85	1,167,172.12		904,027.05	217,301.30										
														617,339.97				
														-	21,652.92	69,015.23	2,505,331.85	
														-	93,155.90	897,277.99	4,009,566.11	
														1,052,363.30	1,127,087.75	2,820,548.95	2,000,000.00	
														-	-	-	2,820,548.95	2,000,000.00
														-	-	-	2,820,548.95	2,000,000.00
														-	-	-	2,820,548.95	2,000,000.00
														-	-	-	2,820,548.95	2,000,000.00
														-	-	-	2,820,548.95	2,000,000.00
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														-	-	-	2,820,548.95	2,000,000.00
														-	-	-	2,820,548.95	2,000,000.00
														-	-	-	2,820,548.95	2,000,000

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Vittori, Joel L. & Faith C.
17- 0209-PG
County PIG Program
81 Acres

Block 21	Lot 3	Mannington Twp.	Salem County
SOILS:		Other	22% * 0 = .00
		Prime	66% * .15 = 9.90
		Statewide	12% * .1 = 1.20
			SOIL SCORE: 11.10
TILLABLE SOILS:		Cropland Harvested	44% * .15 = 6.60
		Other	56% * 0 = .00
			TILLABLE SOILS SCORE: 6.60
FARM USE:		Hay	15 acres
		General-Primary Crops	55 acres
		Forest Nurseries & Gathers of Forest Pro	9 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. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R7(9)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Salem County
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Morda, Mary Louise ("Owner")
Pilesgrove Township, Salem County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#17-0207-PG**

July 25, 2019

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Salem County received SADC approval of its FY2020 PIG Plan application annual update on May 23, 2019; and

WHEREAS, on November 9, 2016 the SADC received an application for the sale of a development easement from Pilesgrove Township for the subject farm identified as Block 21, Lot 6, Pilesgrove Township, Salem County, totaling 88.227 gross survey acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, Salem County and Pilesgrove Township staff coordinated in the transfer of the application from the Municipal PIG program to the County PIG program and on April 26, 2018, the SADC received a letter from the County, signed by the landowner requesting the transfer to the County program; and

WHEREAS, the targeted Property is located in Salem County's #2 Project Area; and

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

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

WHEREAS, the Property has a quality score of 61.66 which exceeds 47, which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

WHEREAS, the original application for the Property included one (1), approximately 2 acre non-severable exception area for and limited to one future single family residential unit and to afford future flexibility of uses resulting in 86.227 net acres to be preserved; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on February 2, 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 December 7, 2017, the SADC certified a development easement value of \$8,500 per acre based on zoning and environmental regulations in place as of the current valuation date September 7, 2017; and

WHEREAS, subsequent to certification of value, the Owner requested to change the existing exception area from non-severable to severable, and add an additional approximately 2 acre severable exception area for and limited to one future single family residential unit resulting in approximately 84.227 net acres to be preserved; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 24, 2019, the SADC amended the certification of a development easement value to \$8,350 per acre based on zoning and environmental regulations in place as of the current valuation date September 7, 2017; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$8,350 per acre for the development easement for the Property; and

WHEREAS, a parcel application was submitted by the New Jersey Conservation Foundation (NJCF) to the FY2017 United States Department of Agriculture, Natural Resources Conservation Service (NRCS) for an Agricultural Land Easement (ALE) grant; and

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

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including no future division of the premises and a 5.33% maximum impervious coverage restriction (approximately 4.65 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the estimated ALE grant of \$4,175 per acre (50% of \$8,350) or approximately \$351,647.72 in total ALE funds will be utilized; and

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

WHEREAS, due to a shortage of available funds this final approval is conditioned upon ALE funding in an amount sufficient enough to cover the County and Township's cost share and any remaining funds will be used to offset the SADC grant needs; and

WHEREAS, on March 28, 2019, 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 March 12, 2019, the Pilesgrove Township Committee approved the application for the sale of development easement, but is not participating financially in the easement purchase due to the anticipated receipt of the ALE funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on April 18, 2019, the County of Salem passed a resolution granting final approval, but is not participating financially in the easement purchase due to the anticipated receipt of ALE funds; and

WHEREAS, the estimated cost share breakdown is as follows (based on 84.227 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$427,452.03	(\$5,075/acre)
<u>Salem County</u>	<u>\$275,843.42</u>	<u>(\$3,275/acre)</u>
Total Easement Purchase	\$703,295.45	(\$8,350/acre)

Estimated Cost share breakdown if the \$351,647.72 ALE Grant is finalized and applied:

	<u>Total</u>	<u>ALE \$</u>	<u>New Cost Share</u>	<u>Per/acre</u>
SADC	\$427,452.03	\$75,804.30	\$351,647.73	(\$4,175/acre)
Salem County	\$275,843.42	\$275,843.42	\$0	
<u>ALE Grant</u>			<u>\$351,647.72</u>	<u>(\$4,175/acre)</u>
TOTAL	\$	\$	\$703,295.45	(\$8,350/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, Salem County is requesting \$351,647.73 in competitive grant funding which is available at this time and/or base grant funding that becomes available (Schedule B);

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising approximately 84.227 net easement acres, at a State cost share of \$4,175 per acre, (60.78% of certified easement value and purchase price), for a total grant of approximately \$351,647.73 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. This approval is conditioned upon receipt of ALE funds sufficient enough to cover the Township and County's cost share or in absence of ALE funding a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the Township's and County's cost share.
4. If ALE funding is secured and approved for use by the SADC, said funding will first be used to reduce the county and municipal cost share and then, with the remaining funds (estimated \$75,804.29), reduce the SADC's cost share.
5. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
6. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
7. 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.
8. 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, and streams or water bodies on the boundaries as identified in Policy P-3-C.
9. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
10. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

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

7/25/19

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Project Map

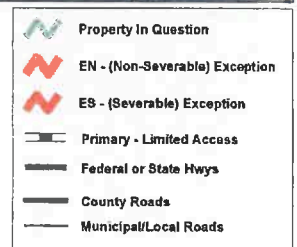
Schedule A

X:\counties\salco\projects\Morda, Mary Louise project map2.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Morda, Mary Louise
Block 21 Lots P/O 6 (87.4 ac);
P/O 6-ES (severable exceptions - 2.0 ac & 2.0 ac)
Gross Total = 91.4 ac
Pilesgrove Twp., Salem County



500 250 0 500 1,000 Feet

Sources:
Green Acres Conservation Easement Data
NJGIT/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.

August 29, 2018

Preserved Farms and Active Applications Within Two Miles ^{Salem County}

X:\counties\salco\projects\Morda, Mary Louise 2mile 2.mxd



Application within the (PA 4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Morda, Mary Louise
Block 21 Lots P/O 6 (87.4 ac);
P/O 6-ES (severable exceptions - 2.0 ac & 2.0 ac)
Gross Total = 91.4 ac
Pilesgrove Twp., Salem 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
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

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

October 18, 2018

Salem County

SADC ID#	Farm	Acres	Pay Acres	SADC		Cost Share	Federal Grant		Base Grant			Competitive Funds											
				Cost Basis	Cost Share		Total Federal Grant	SADC Federal Grant	Encumbered	Fiscal Year 09		Maximum Grant		Fund Balance									
										PV	Expended	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Encumbered	PV	Expended	FY11 Balance	FY13 Balance	FY17 Balance	FY18 Balance		
17-0123-PG	Greco	313,321.0	1,597,937.10	1,080,957.45					1,422,906.00	1,080,957.45	2,535,382.52	617,339.97			3,000,000.00								
17-0124-PG	Prestige World Wide	61,317.2	364,352.12	228,361.64					228,361.64	228,361.64	2,308,020.98	1,800,000.00			5,000,000.00								
17-0125-PG	Dunham	38,483.0	217,426.50	143,043.75					146,775.00	143,043.75	2,784,977.23	500,000.00			5,000,000.00								
17-0126-PG	Mahoney	28,822.0	152,062.30	101,853.05					106,038.50	101,853.05	2,063,124.16	1,000,000.00			5,000,000.00								
17-0127-PG	Moore	143,748.0	756,217.30	512,680.05					511,924.75	257,924.76	1,805,199.42				5,399,769.78								
17-0128-PG	Dubois Props., LLC	31,223.0	246,661.70	151,431.55					149,865.00	151,431.55	1,853,787.87				7,223,087.37								
17-0129-PG	Brown	58,258.0	311,680.30	208,272.35					213,570.50	208,272.35	1,445,495.52												
17-0130-PG	Foggy Harris, Allen	33,579.0	117,526.50	83,947.50					87,950.00	83,947.50	1,361,648.02												
17-0131-PG	Eckert, Hebert & Rowena Harris	48,317.0	172,609.50	73,243.64					71,843.20	73,243.64	1,288,294.96												
17-0132-PG	Basile	49,317.0	172,609.50	123,292.50					123,292.50	123,292.50	1,165,002.46												
17-0133-PG	Basile	25,483.0	165,639.50	105,754.45					106,862.50	105,754.45	1,059,248.01												
17-0134-PG	Basile	42,003.0	214,215.30	144,910.35					59,248.01	59,248.01	1,000,000.00												
17-0135-PG	Bishop, Kevin & Jessica	30,597.0	177,686.50	94,860.70																			
17-0136-PG	DuBois, Christian	23,782.0	235,277.80	144,442.70																			
17-0137-PG	Harrell, Robert T. & George K.	89,290.0	500,024.00	228,189.98					271,834.02	102,183.02													
17-0138-PG	Sloat, Edward W. & Robert K.	49,890.0	254,439.00	172,120.50					147,150.40	84,357.02													
17-0139-PG	Brooks, Michael N.	65,441.0	222,459.40	75,191.00																			
17-0140-PG	Moffett, James E. & Patricia M.	46,030.0	248,562.00	165,708.00																			
17-0141-PG	Brown, Steven R. & Timothy G.	49,239.0	159,188.70	114,808.82																			
17-0142-PG	Catalano, Joanne J.	198,090.0	836,771.77	388,134.69					470,637.08	203,664.42													
17-0143-PG	E&K Farms (Williams)	92,924.0	323,623.50	159,681.16					159,588.00	159,681.16	452,184.15												
17-0144-PG	Tice, Barry and Joanne	40,735.0	224,042.50	148,682.75					153,373.00	148,682.75	303,501.40												
17-0145-PG	Sorbellio, Frank & Thomas	94,338.0	566,388.00	197,451.07					204,371.00	197,451.07	106,050.33												
17-0146-PG	Dare, Carolyn B.	20,946.0	80,811.20	94,257.00					94,257.00	94,257.00	11,793.33												
17-0147-PG	Kelly, Dennis J. Sr. (E&D Farm)	83,923.0	690,280.98	294,559.48					314,711.50	57,907.12	7,319.93												
17-0148-PG	Harris, Howard Grant & Elizabeth	75,298.0	485,612.50	247,587.50					247,745.00	71,306.95													
17-0149-PG	Moore, John J. & Lori A.	65,928.0	348,025.60	362,188.00																			
17-0150-PG	Meichert, Richard H. (Lot 4)	77,159.0	585,678.80	324,266.10					183,120.00	39,240.00	-												
17-0151-PG	Ayris, Joseph P. (Lot 1)	50,800.0	183,120.00	51,560.00					321,039.17	102,257.00													
17-0152-PG	Schaeffer, David L.	84,300.0	690,296.50	321,039.17					369,259.33														
17-0209-PG	Vitoni, Joel L. & Faith C.	81,080.0	425,911.20	288,116.40																			
17-0207-PG	Morda, Mary Louise	84,227.0	703,295.45	351,647.73					351,647.72	75,804.30													
Closed		1,933,781.0	1,920,597.2	10,175,020.87	5,965,666.81	2,483,279.81	1,012,339.89	2,483,279.81	904,027.05	217,301.30													
Encumbered		348,648.0	355,128.0	2,161,813.85	1,167,172.12																		
																				</			

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Morda, Mary Louise
17- 0207-PG
County PIG Program
87 Acres

Block 21	Lot 6	Pilesgrove Twp.	Salem County
SOILS:		Other	6% * 0 = .00
		Prime	57% * .15 = 8.55
		Statewide	37% * .1 = 3.70
			SOIL SCORE: 12.25
TILLABLE SOILS:		Cropland Harvested	80% * .15 = 12.00
		Wetlands	2% * 0 = .00
		Woodlands	18% * 0 = .00
			TILLABLE SOILS SCORE: 12.00
FARM USE:		Soybeans-Cash Grain	89 acres FA sheet says 88.5 but there are only 71.5 ac tilled

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st two (2) acres for Future single family residence
Exception is severable
Exception is to be limited to one future single family residential unit(s)
 - 2nd two (2) acres for future single family residence
Exception is severable
Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions:
 1. FY17 ALE via NJCF subject to 5.33% maximum impervious cover restriction on the Premises.
 2. FY17 ALE via NJCF subject to no further subdivision
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R7(10)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Cumberland County
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
M. R. Dickinson & Son, Inc. ("Owner")
Stow Creek Township, Cumberland County

N.J.A.C. 2:76-17 et seq.
SADC ID#06-0184-PG

July 25, 2019

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Cumberland County received SADC approval of its FY2020 PIG Plan application annual update on May 23, 2019; and

WHEREAS, on September 9, 2016 the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 18, Lot 10, Stow Creek Township, Cumberland County, totaling approximately 61.74 net survey acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Cumberland County's Stow Creek Project Area; and

WHEREAS, the Property includes one (1), approximately 2 acre non-severable exception area for and limited to one future single family residential unit and to afford future flexibility of uses resulting in approximately 61.74 net acres to be preserved; and

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

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

WHEREAS, the Owner 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 57.76 which exceeds 44, which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on 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, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2017, the SADC certified a development easement value of \$5,100 per acre based on zoning and environmental regulations in place as of the current valuation date June 1, 2016; and

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

WHEREAS, on May 14, 2019, 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 May 14th, 2019 the Stow Creek Township Committee approved the application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 13, 2018, the Cumberland County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 27, 2018, the County of Cumberland passed a resolution granting final approval and a commitment of funding for \$1,650 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 61.74 survey acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$213,003	(\$3,450/acre)
<u>Cumberland County</u>	<u>\$101,871</u>	<u>(\$1,650/acre)</u>
Total Easement Purchase	\$314,874	(\$5,100/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, Cumberland County is requesting \$213,003 in competitive grant funding which is available at this time and/or base grant funding that becomes available (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Property, comprising of approximately 61.74 net survey easement acres, at a State cost share of \$3,450 per acre, (67.65% of certified easement value and purchase price), for a total grant of approximately \$213,003 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).

4. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC's cost share grant to the County for the 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, and streams or water bodies on the boundaries as identified in Policy P-3-C.
7. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

7-25-19

Date



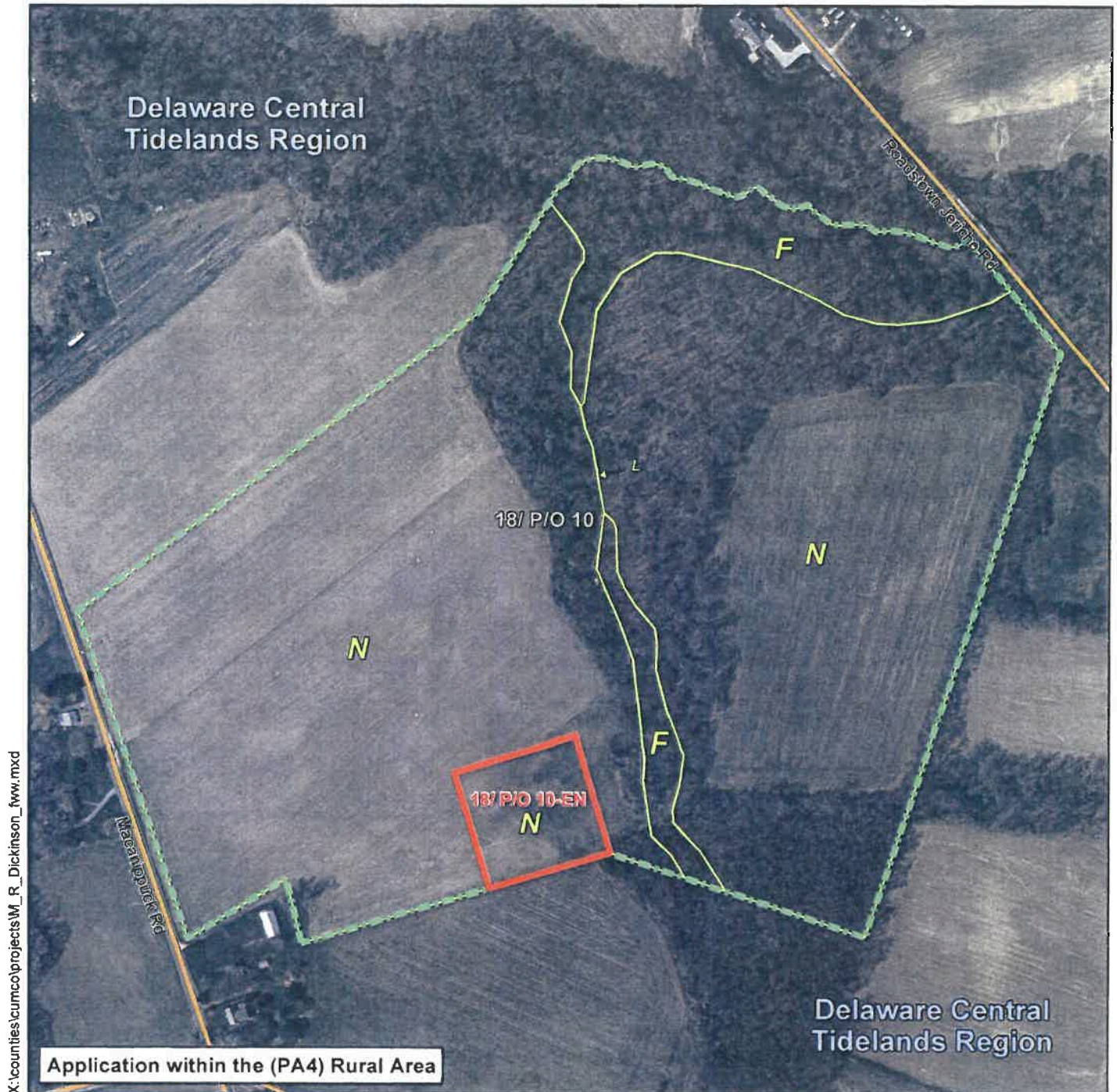
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands

Schedule 1A



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

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

M. R. Dickinson & Son, Inc./Dickinson Farm
Block 18 Lots P/O 10 (64.4 ac);
& P/O 10-EN (non-severable exception - 2.0 ac)
Gross Total = 66.4 ac
Stow Creek Twp., Cumberland 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.

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

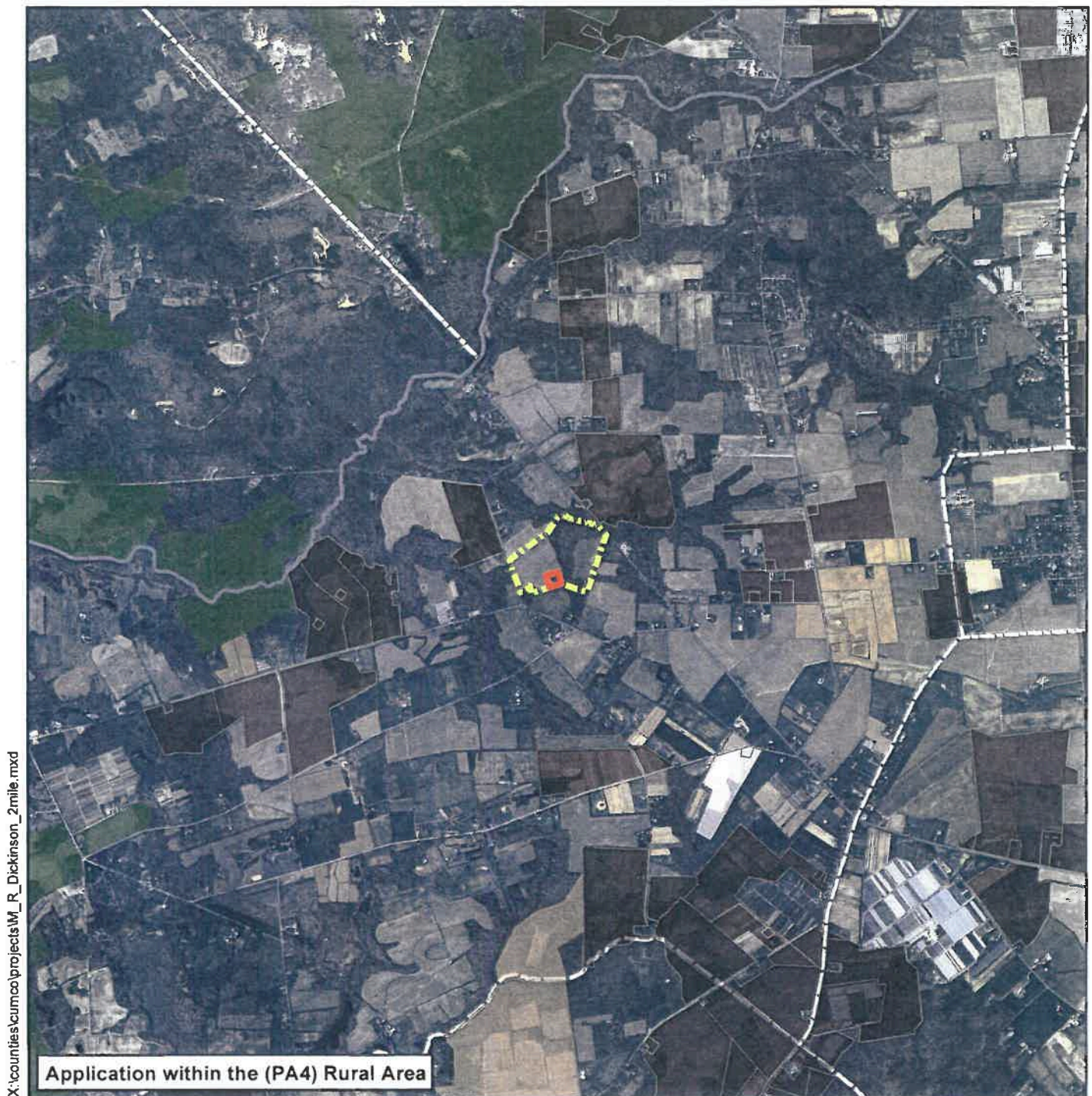
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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

November 3, 2016

Preserved Farms and Active Applications Within Two Miles

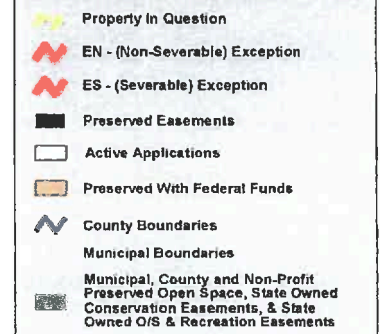


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

M. R. Dickinson & Son, Inc./Dickinson Farm
Block 18 Lots P/O 10 (64.4 ac);
& P/O 10-EN (non-severable exception - 2.0 ac)
Gross Total = 66.4 ac
Stow Creek Twp., Cumberland County

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

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



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

November 3, 2016

Cumberland County

S:\Fiscal\FISCAL County PIG Funding Status.xlsx

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State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

M. R. Dickinson & Son, Inc.
06- 0184-PG
County PIG Program
64 Acres

Block 18	Lot 10	Stow Creek Twp.	Cumberland County
SOILS:		Other	21% * 0 = .00
		Prime	69% * .15 = 10.35
		Statewide	10% * .1 = 1.00
			SOIL SCORE: 11.35
TILLABLE SOILS:		Cropland Harvested	61% * .15 = 9.15
		Wetlands	10% * 0 = .00
		Woodlands	29% * 0 = .00
			TILLABLE SOILS SCORE: 9.15
FARM USE:	Cash Grains	38 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st two (2) acres for Single family residence
 - Exception is not to be severed from Premises
 - Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

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

GENERAL INFORMATION

COUNTY OF Cumberland Stow Creek Twp. 0612

APPLICANT M. R. Dickinson & Son, Inc.

PRIORITIZATION SCORE

SOILS:	Other	21% *	0	=	.00
	Prime	69% *	.15	=	10.35
	Statewide	10% *	.1	=	1.00

SOIL SCORE: 11.35

TILLABLE SOILS:	Cropland Harvested	61% *	.15	=	9.15
	Wetlands	10% *	0	=	.00
	Woodlands	29% *	0	=	.00

TILLABLE SOILS SCORE: 9.15

BOUNDARIES AND BUFFERS:	Farmland (Unrestricted)	40% *	.06	=	2.40
	Residential Development	13% *	0	=	.00
	Streams and Wetlands	20% *	.18	=	3.60
	Woodlands	27% *	.06	=	1.62

BOUNDARIES AND BUFFERS SCORE: 7.62

CONTIGUOUS PROPERTIES / DENSITY:	M R Dickinson & Son, Inc	Restricted Farm or Current Application	2
	Hampton	Restricted Farm or Current Application	2
	Porter	Restricted Farm or Current Application	2
	Hasher	Restricted Farm or Current Application	2

DENSITY SCORE: 8.00

LOCAL COMMITMENT:	100% *	18	=	18.00
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LOCAL COMMITMENT SCORE: 18.00

SIZE:	SIZE SCORE:	2.88
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IMMIMENCE OF CHANGE: SADC Impact factor = .76

IMMINENCE OF CHANGE SCORE: .76

COUNTY RANKING:

EXCEPTIONS:	EXCEPTION SCORE:	.00
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TOTAL SCORE: 57.76

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R7(11)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Monmouth County
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
H.M.F. Associates ("Owners")
Holmdel & Marlboro Townships, Monmouth County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 13-0469-PG**

July 25, 2019

WHEREAS, on May 28, 2015, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Monmouth County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Monmouth County received SADC approval of its FY2020 PIG Plan application annual update on May 23, 2019; and

WHEREAS, on August 23, 2017 the SADC received an application for the sale of a development easement from Monmouth County for the subject farm identified as Block 15, Lot 2, Holmdel Township and Block 156, Lot 4, Marlboro Township, Monmouth County, totaling approximately 63 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Monmouth County's Colts Neck-Marlboro-Holmdel Project Area; and

WHEREAS, the Property includes one (1), approximately 1 acre non-severable exception area for and limited to one future single family residential unit and to afford future flexibility of uses resulting in approximately 62 net acres to be preserved; and

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

WHEREAS, there is a privately owned cemetery located on an interior lot that is not part of the Property; and

WHEREAS, an access easement for the benefit of said interior lot, to be reviewed and approved by SADC counsel, will be recorded prior to preservation; and

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

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

WHEREAS, the Property has a quality score of 68.64 which exceeds 54, which is 70% of the County's average quality score as determined by the SADC July 28, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on April 2, 2018 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 25, 2018 the SADC certified a development easement value of \$39,800 per acre based on zoning and environmental regulations in place as of the current valuation date April 17, 2018; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owners accepted the County's offer of \$39,800 per acre for the development easement for the Property; and

WHEREAS, on May 17, 2019 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on April 23, 2019, the Holmdel Township Committee approved the application for the sale of development easement and a funding commitment of \$6,368 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 21, 2019, the Marlboro Township Committee approved the application for the sale of development easement but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 5, 2019, the Monmouth County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 16, 2019, the County of Monmouth passed a resolution granting final approval and a commitment of funding for \$9,552 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 63.86 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 63.86 net acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$1,524,976.80	(\$23,880/acre)
Monmouth County	\$ 609,990.72	(\$9,552/acre)
<u>Holmdel Township</u>	<u>\$ 406,660.48</u>	<u>(\$6,368/acre)</u>
Total Easement Purchase	\$2,541,628.00	(\$39,800/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, Monmouth County is requesting \$524,976.80 in competitive grant funding, which is available at this time, and \$1,000,000 in base grant 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 subject to available funds and consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Monmouth County for the purchase of a development easement on the Property, comprising approximately 62 net easement acres, at a State cost share of \$23,880 per acre, (60% of certified easement value and purchase price), for a total grant of approximately 1,524,976.80 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. The access easement to the cemetery lot must be reviewed and approved by SADC counsel prior to preservation.
4. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
5. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
6. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
7. The SADC'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, and streams or water bodies on the boundaries as identified in Policy P-3-C.
8. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

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

7/25/19

Date

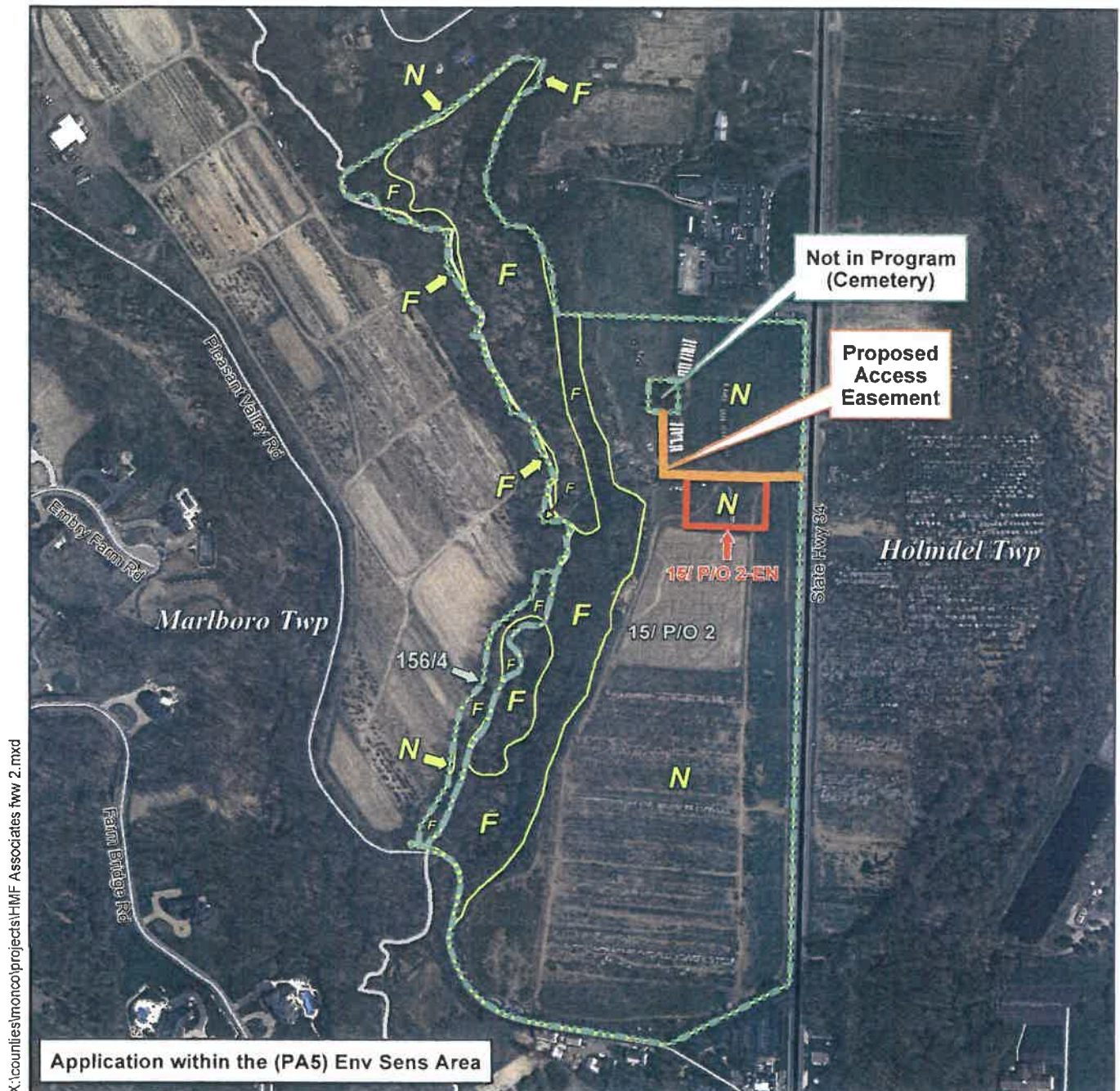


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands



X:\counties\monrco\projects\HMF Associates fww 2.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

H.M.F. Associates
Holmdel Twp. - Block 15 Lots P/O 2 (61.1 ac);
& P/O 2-EN (non-severable exception - 1.0 ac)
Marlboro Twp. - Block 156 Lot 4 (1.7 ac)
Gross Total = 63.8 ac
Monmouth County

500 250 0 500 1,000 Feet

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

May 1, 2019

Preserved Farms and Active Applications Within Two Miles

X:\counties\monco\projects\HMF Associates 2mile 2.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

H.M.F. Associates

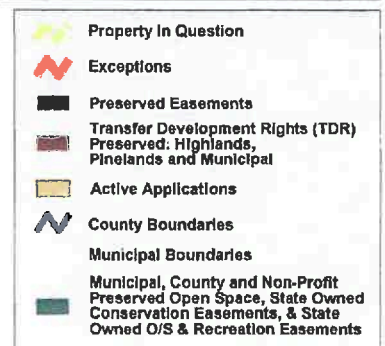
Holmdel Twp. - Block 15 Lots P/O 2 (61.1 ac);
& P/O 2-EN (non-severable exception - 1.0 ac)

Marlboro Twp. - Block 156 Lot 4 (1.7 ac)

Gross Total = 63.8 ac

Monmouth County

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



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

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

May 1, 2019

Monmouth County

S:\Fiscal\FISCAL County PIG Funding Status.xlsx

J. McNeill

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

H.M.F. Associates
13- 0469-PG
County PIG Program
62 Acres

Block 15	Lot 2	Holmdel Twp.	Monmouth County
Block 156	Lot 4	Marlboro Twp.	Monmouth County
SOILS:		Other	29% * 0 = .00
		Prime	61% * .15 = 9.15
		Statewide	10% * .1 = 1.00
			SOIL SCORE: 10.15
TILLABLE SOILS:		Cropland Harvested	64% * .15 = 9.60
		Other	1% * 0 = .00
		Woodlands	35% * 0 = .00
			TILLABLE SOILS SCORE: 9.60
FARM USE:		Corn-Cash Grain	3 acres
		Hay	5 acres
		Ornament Nursery Products	49 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 flexibility and future SF residence
 - Exception is not to be severed from Premises
 - Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. Access easement to cemetery must be approved by SADC
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R7(12)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Somerset County
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Gund, Gordon ("Owner")
Franklin Township, Somerset County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 18-0217-PG**

July 25, 2019

WHEREAS, on May 28, 2015, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Somerset 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, Somerset County received SADC approval of its FY2020 PIG Plan application annual update on May 23, 2019; and

WHEREAS, on April 26, 2017 the SADC received an application for the sale of a development easement from Somerset County for the subject farm identified as Block 9, Lot 13.01, Franklin Township, Somerset County, totaling approximately 109.179 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Somerset County's Millstone Valley East Project Area; and

WHEREAS, the Property includes one (1), approximately 3 acre non-severable exception area for one future single family residential unit and one (1) approximately 6 acre severable exception area for future open space and limited to zero (0) residential units, resulting in approximately 100.179 net acres to be preserved; and

WHEREAS, the Owner is not required or restricted to the sale of the severable exception as open space and will not be selling or subdividing it in the foreseeable future; however the County wanted to retain the ability to purchase it in fee or obtain an easement in the future as a connector for open space and the parties understand there will be no access easement or availability through the preserved farm should the severable exception be sold in the future; and

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

WHEREAS, the Owner and County have identified the location a future driveway to the exception area and are relieved from the approval process required in SADC Policy P-41 so long as the driveway is constructed in the location set forth on Schedule A; and

WHEREAS, the Owner and County have indicated that no access to the 6 acre severable exception area through Lot 13.01 is planned or will be required; and

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

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

WHEREAS, the Property has a quality score of 72.65 which exceeds 45, which is 70% of the County's average quality score as determined by the SADC July 28, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on December 7, 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 September 27, 2018 the SADC certified a development easement value of \$15,000 per acre based on zoning and environmental regulations in place as of the current valuation date April 20, 2018; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$15,000 per acre for the development easement for the Property; and

WHEREAS, on April 30, 2019, 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 June 11, 2019, the Franklin Township Committee approved the application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 28, 2019, the Somerset County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on February 26, 2019, the County of Somerset passed a resolution granting final approval and a commitment of funding for \$6,000 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 100.179 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$901,611	(\$9,000/acre)
<u>Somerset County</u>	<u>\$601,074</u>	<u>(\$6,000/acre)</u>
Total Easement Purchase	\$1,502,685	(\$15,000/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, Somerset County is requesting \$901,611 in base grant funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Somerset County for the purchase of a development easement on the Property, comprising approximately 100.179 net easement acres, at a State cost share of \$9,000 per acre, (60% of certified easement value and purchase price), for a total grant of approximately \$901,611 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. The Landowner and County have identified the location a future driveway to the exception area and are relieved from the approval process required in SADC Policy P-41 so long as the driveway is constructed in the location set forth on Schedule A.
4. The Landowner and County have indicated that no access to the 6 acre severable exception area through Lot 13.01 is planned or will be required.
5. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
6. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
7. The SADC'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, and streams or water bodies on the boundaries as identified in Policy P-3-C.
8. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and

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

7/25/19

Date



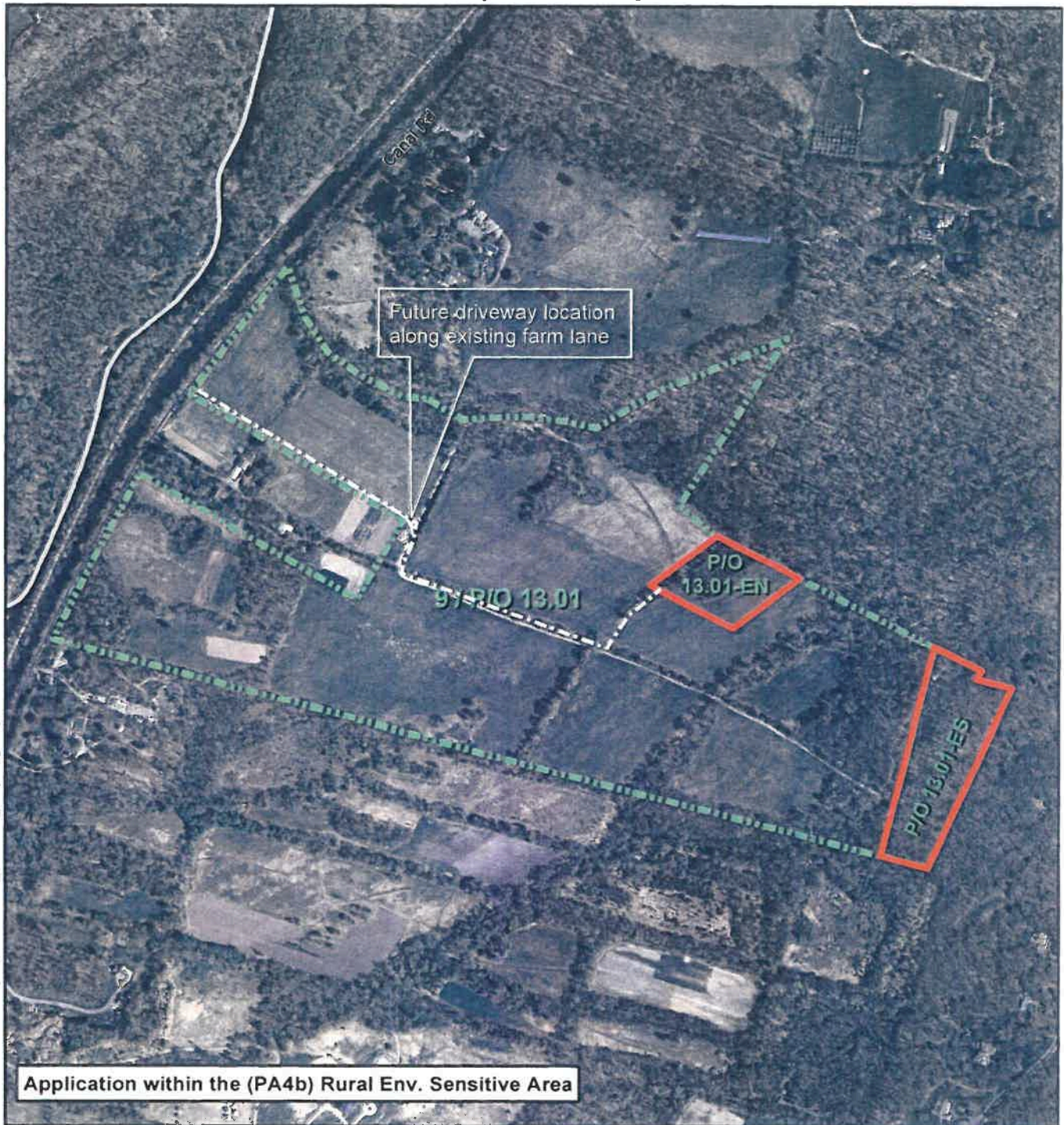
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Project Map

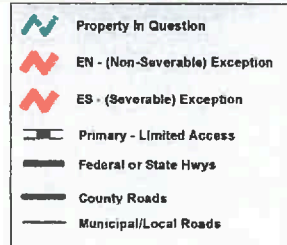
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Gund, Gordon
Block 9 P/O lot 13.01 (99.17 ac), P/O Lot 13.01-EN (non-severable exception – 3.01 ac)
& P/O 13.01-ES (severable exception – 6.01 ac)
Gross total – 108.19 ac
Franklin Twp. Somerset County

500 250 0 500 1,000 Feet



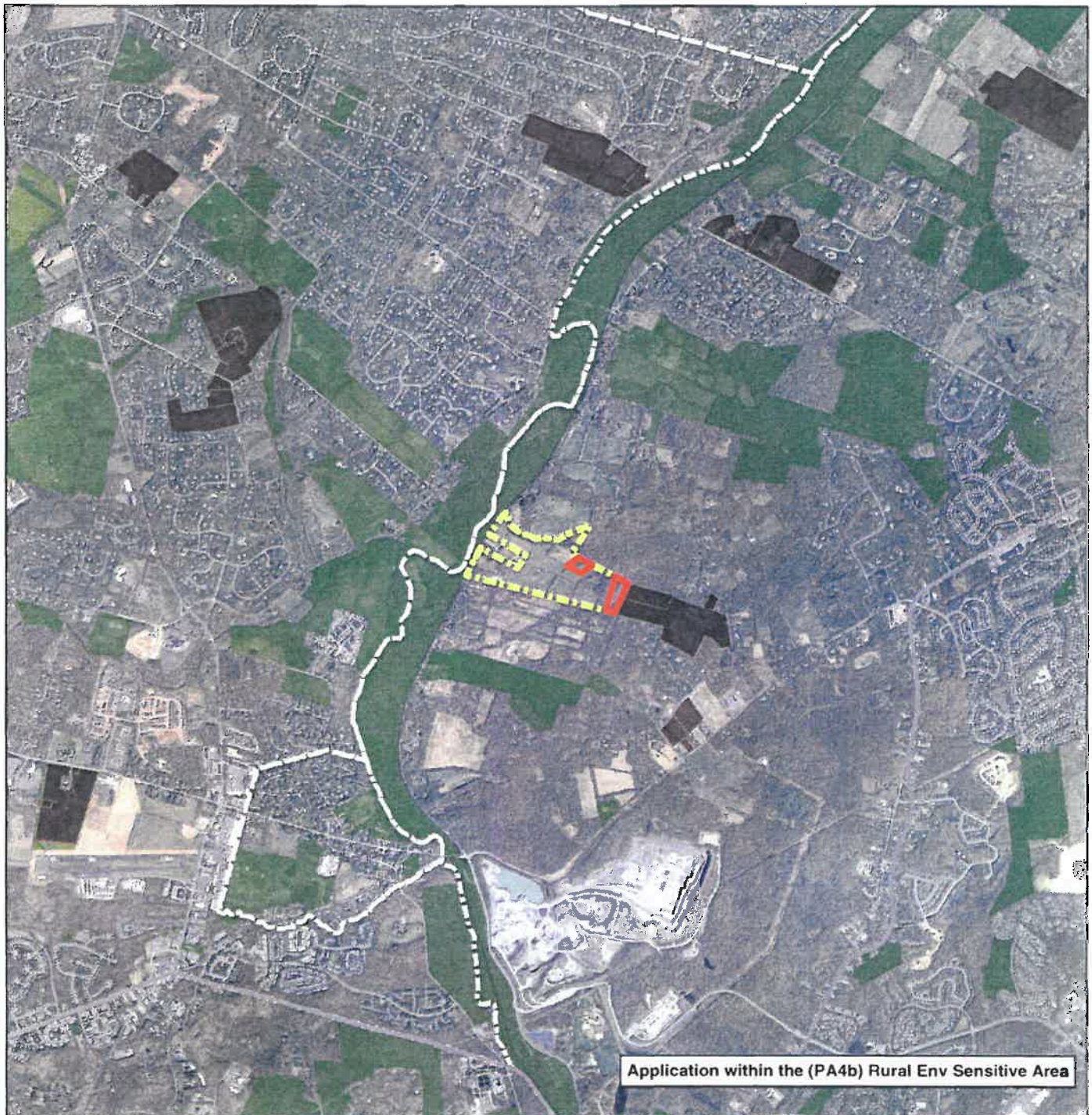
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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

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

Date: 11/3/2017

Preserved Farms and Active Applications Within Two Miles

X:\counties\somco\projects\Gund_Gordon_2Mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Gund, Gordon
Block 9 P/O lot 13.01 (99.17 ac), P/O Lot 13.01-EN (non-severable exception – 3.01 ac)
& P/O 13.01-ES (severable exception – 6.01 ac)
Gross total – 108.19 ac
Franklin Twp. Somerset 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
NJGIS/OGIS 2015 Digital Aerial Image

Date: 11/3/2017

Somerset County

[illegible]

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Schedule C

Gund, Gordon
18- 0217-PG
County PIG Program
99 Acres

Block 9	Lot 13.01	Franklin Twp.	Somerset County
SOILS:		Local	7% * .05 = .35
		Other	3% * 0 = .00
		Prime	20% * .15 = 3.00
		Statewide	70% * .1 = 7.00
			SOIL SCORE: 10.35
TILLABLE SOILS:		Cropland Harvested	68% * .15 = 10.20
		Woodlands	32% * 0 = .00
			TILLABLE SOILS SCORE: 10.20
FARM USE:	Hay		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 (3.01) acres for Future single family residence
Exception is not to be severed from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be limited to one future single family residential unit(s)
 - 2nd (6.01) acres for Potential for future open space
Exception is severable
Exception is restricted to zero (0) residential units
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R7(13)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Millstone Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Peplowski, Raymond and Jean ("Owners")
Millstone Township, Monmouth County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 13-0466-PG**

July 25, 2019

WHEREAS, on May 25, 2017, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Millstone Township, Monmouth County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Millstone Township received SADC approval of its FY2020 PIG Plan application annual update on May 23, 2019; and

WHEREAS, on July 28, 2017 the SADC received an application for the sale of a development easement from Millstone Township for the subject farm identified as Block 35, Lot 11, Millstone Township, Monmouth County, totaling approximately 9.6 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Millstone Township's Clarksburg West Project Area; and

WHEREAS, the Property includes two (2) non-severable exception areas: one (1) approximately 0.25 acre non-severable exception area for and limited to zero (0) residential units and to afford future flexibility of uses and one (1) 0.75 acre non-severable exception for and limited to 1 future single family residential unit and to afford future flexibility of uses, resulting in approximately 8.6 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area zero (0) exceptions, zero (0) housing opportunities, zero (0) Residual Dwelling Site Opportunity (RDSO), zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in long straw and grass production; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on July 3, 2018 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 28, 2019 the SADC certified a development easement value of \$35,000 per acre based on zoning and environmental regulations in place as of the current valuation date August 14, 2018; and

WHEREAS, the Owners accepted the Township's offer of \$35,000 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on June 5, 2019, the Millstone Township Committee approved the application for the sale of development easement and a funding commitment of \$5,600 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 4, 2019, the Monmouth County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 27, 2019, the County of Monmouth passed a resolution granting final approval and a commitment of funding for \$8,400 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 8.6 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$180,600	(\$21,000/acre)
Monmouth County	\$ 72,240	(\$8,400/acre)
Millstone Township	\$ 48,160	(\$5,600/acre)
Total Easement Purchase	\$301,000	(\$35,000/acre)

WHEREAS, Millstone Township is requesting \$21,000 per acre or approximately \$180,600 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.

2. The SADC grants final approval to provide a cost share grant to Millstone Township for the purchase of a development easement on the Property, comprising approximately 8.6 net easement acres, at a State cost share of \$21,000 per acre, (60% of certified easement value and purchase price), for a total grant of approximately \$180,600 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
4. The SADC will be providing its grant directly to Monmouth County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
5. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

7/25/19

Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Peplowski, Raymond and Jean
Block 35 Lots P/O 11 (8.0 ac);
& P/O 11-EN (non-severable exceptions - 0.25 & 0.75 ac)
Gross Total = 9.0 ac
Millstone Twp., Monmouth County

150 75 0 150 300 Feet

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

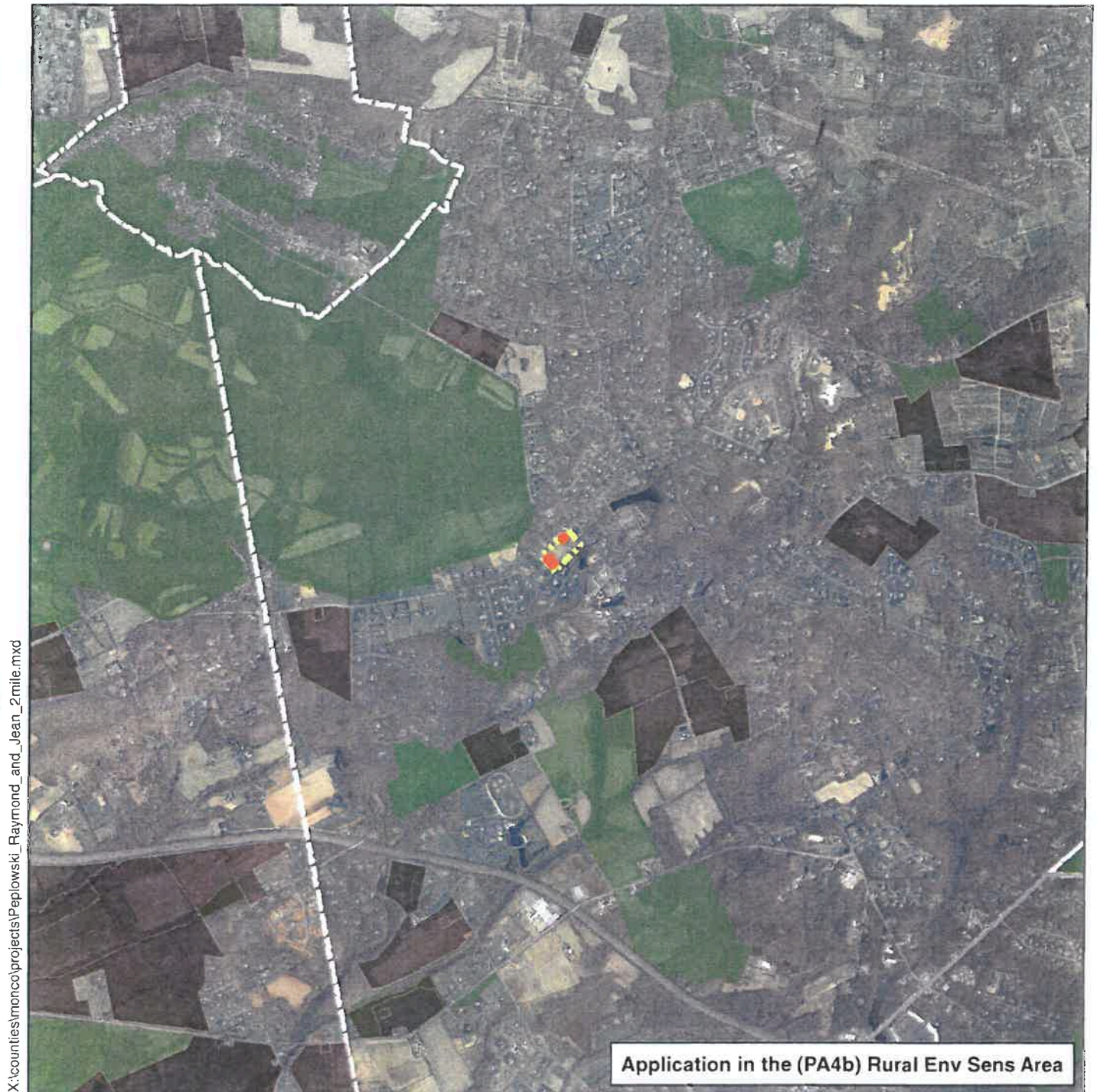
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- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads

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

December 27, 2017

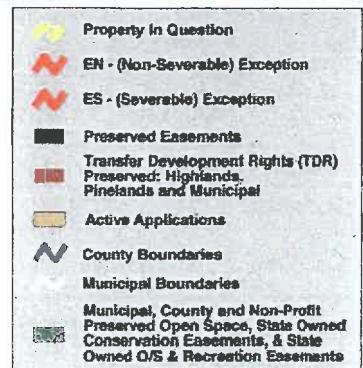
Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Peplowski, Raymond and Jean
Block 35 Lots P/O 11 (8.0 ac);
& P/O 11-EN (non-severable exceptions - 0.25 & 0.75 ac)
Gross Total = 9.0 ac
Millstone Twp., Monmouth County

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



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

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

December 27, 2017

SADC Municipal Financial Status Schedule B

Millstone Township, Monmouth County

SADC ID#	Farm	Acres	Pay Acres	SADC			Federal Grant		Grant			
				Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance	
13-0409-PG	Perlman	40.0000	25.0730	877,555.00	526,533.00			526,533.00	526,533.00	526,533.00	1,750,000.00	750,000.00
13-0447-PG	Kaut	55.8170	55.8170	745,156.95	447,094.17			447,094.17	447,094.17	447,094.17	1,223,467.00	500,000.00
	Kaut ancillary											500,000.00
	Reprogram FY17*											
13-0466-PG	Peplowski, Raymond R. & Jean	8.6000	8.6000	301,000.00	180,600.00			180,600.00		268,394.33	500,000.00	319,400.00
Closed	2	95.8170	80.8900	1,622,711.95	973,627.17							
Encumbered	1	8.6000	8.6000	301,000.00	180,600.00							
							Encumber/Expended FY09	-	-	750,000.00	-	-
							Encumber/Expended FY11	-	-	500,000.00	-	-
							Encumber/Expended FY13	-	-	-	-	-
							Encumber/Expended FY17	-	-	-	-	-
							Total	180,600.00	-	-	319,400.00	319,400.00

* In fiscal year 2017 the SADC reallocated the remaining fiscal year 2011 grant funds for Millstone Township and made them available for farmland preservation in other areas of the program.

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Peplowski, Raymond & Jean
13- 0466-PG
PIG EP - Municipal 2007 Rule
8 Acres

Block 35	Lot 11	Millstone Twp.	Monmouth County
SOILS:		Other	10% * 0 = .00
		Prime	90% * .15 = 13.50
			SOIL SCORE: 13.50
TILLABLE SOILS:		Cropland Harvested	87% * .15 = 13.05
		Woodlands	13% * 0 = .00
			TILLABLE SOILS SCORE: 13.05
FARM USE:	Crop Planting, Cultivating & Protecting	8 acres	Cover crops

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 (.25) acres for Flexibility in possible future non-ag use
Exception is not to be severed from Premises
exception is restricted to saero (0) residential units
 - 2nd (.75) acres for Future single family residential unit
Exception is not to be severed from Premises
Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R7(14)
FINAL REVIEW AND APPROVAL OF A NONPROFIT GRANT TO
The Lamington Conservancy
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Jones-Chubb (Lamington Conservancy)
FY11 and FY16 Non Profit Rounds – SADC #18-0006-NP**

JULY 25, 2019

WHEREAS, on December 10, 2010 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from Lamington Conservancy for the Jones-Chubb farm identified as Block 37 Lot 4, Bedminster Township, Somerset County, totaling approximately 49.037 gross survey acres hereinafter referred to as "Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), 0.33 acre non-severable exception area for an existing heliport and restricted to zero (0) residential units, resulting in approximately 48.707 net acres to be preserved, with 48.584 payable acres due to title deductions for boundary water and sight line easements; and

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

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

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

WHEREAS, on May 24, 2018 the SADC granted amended preliminary approval by Resolution #FY2018R5 (8) to the Jones-Chubb application recognizing certain changes to the application and maintaining \$1,000,000 formerly appropriated for the acquisition of development easement on Jones-Chubb farm (Schedule B); and

WHEREAS, the May 24, 2018 amended preliminary approval was conditioned upon NJCF and Chubb resolving an ownership discrepancy prior to requesting Final Approval and this condition has been satisfied; 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 67.73 which is greater than 70% of the County average quality score of 46 as determined by the Committee on July 28, 2011; and

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

WHEREAS, the Highlands Council approved Resolution 2019-2 authorizing a Highlands Grant for the Jones-Chubb farm of \$400,000 or 50 percent of the final purchase price, whichever is less; and

WHEREAS, to qualify for the Highlands dual appraisal provision the owner of the property to be preserved must be the same person as, or an immediate family member of, the owner of the property as of January 1, 2004; and

WHEREAS, the record owner as of January 1, 2004, The Chubb Corporation, converted into ACE INA Holdings, Inc. in 2016 and prior to determining whether the owner qualified for the dual appraisal provision, the owner waived the right to the appraisal based on January 1, 2004 valuation pursuant to N.J.S.A. 13:8C-38 j (1); 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; and

WHEREAS, on January 7, 2019 the SADC acknowledged the development easement value of the Property to be \$38,300 per acre based on current zoning and environmental regulations in place as of August 2018; and

WHEREAS, the landowner has agreed to a sales price of \$1,669,500 or approximately \$34,363.16 per acre, which is an amount less than the certified value; and

WHEREAS, pursuant to N.J.A.C 2:76-12.2 (c), a nonprofit may use as its matching share a donation of all or a portion of the easement cost by the landowner; and

WHEREAS, the SADC advised Lamington Conservancy 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 eligible costs and subject to available funds; and

WHEREAS, on February 9, 2019, Lamington Conservancy informed the SADC that it will accept the SADC cost share of \$19,150 per acre; and

WHEREAS, on June 24, 2019 the Somerset County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property and on July 23, 2019 the Board of Chosen Freeholders passed a resolution to

provide \$339,116.40 for Lamington Conservancy's easement acquisition on the Jones-Chubb farm and agreed to accept assignment of the development easement and be responsible for annual monitoring; and

WHEREAS, the cost share breakdown with the landowner donation of \$191,267.20 is as follows (based on 48.584 survey acres):

	<u>Total</u>	
SADC	\$ 930,383.60	(\$ 19,150/acre and 55.7% of purchase price)
Highlands Grant	\$ 400,000.00	(approximately 24% of purchase price)
<u>Somerset County</u>	<u>\$ 339,116.40</u>	<u>(approximately 20.3% of purchase price)</u>
Total Easement Purchase	\$1,669,500.00	(\$ 34,363.16 /acre)

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 Lamington Conservancy for up to 50% of the eligible ancillary costs which will be deducted from its FY11 and FY16 appropriations, subject to the availability of funds; and

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

WHEREAS, Lamington Conservancy will assign the Deed of Easement to the County of Somerset immediately after closing on the Deed of Easement; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to Lamington Conservancy for the Jones Chubb farm easement acquisition application subject to compliance with N.J.A.C. 2:76-16.
3. The SADC approves the assignment of the Deed of Easement from Lamington Conservancy to Somerset County subject to the SADC review and approval in advance of all documentation to accomplish the assignment including, but not limited to, review of survey, title, and assignment document.
4. The SADC shall provide a cost share grant not to exceed \$19,150 per acre (total of approximately \$930,383.60 based on 48.584 acres) to Lamington Conservancy for the development easement acquisition on the Jones-Chubb farm, subject to the availability of funds.
5. The application is subject to the conditions contained in (Schedule C).
6. 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.

7. The SADC's cost share grant to Lamington Conservancy 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.
8. The SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute all documents necessary to provide a grant to Lamington Conservancy for the acquisition of a development easement on the Jones-Chubb farm.
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
11. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

7/25/19

Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

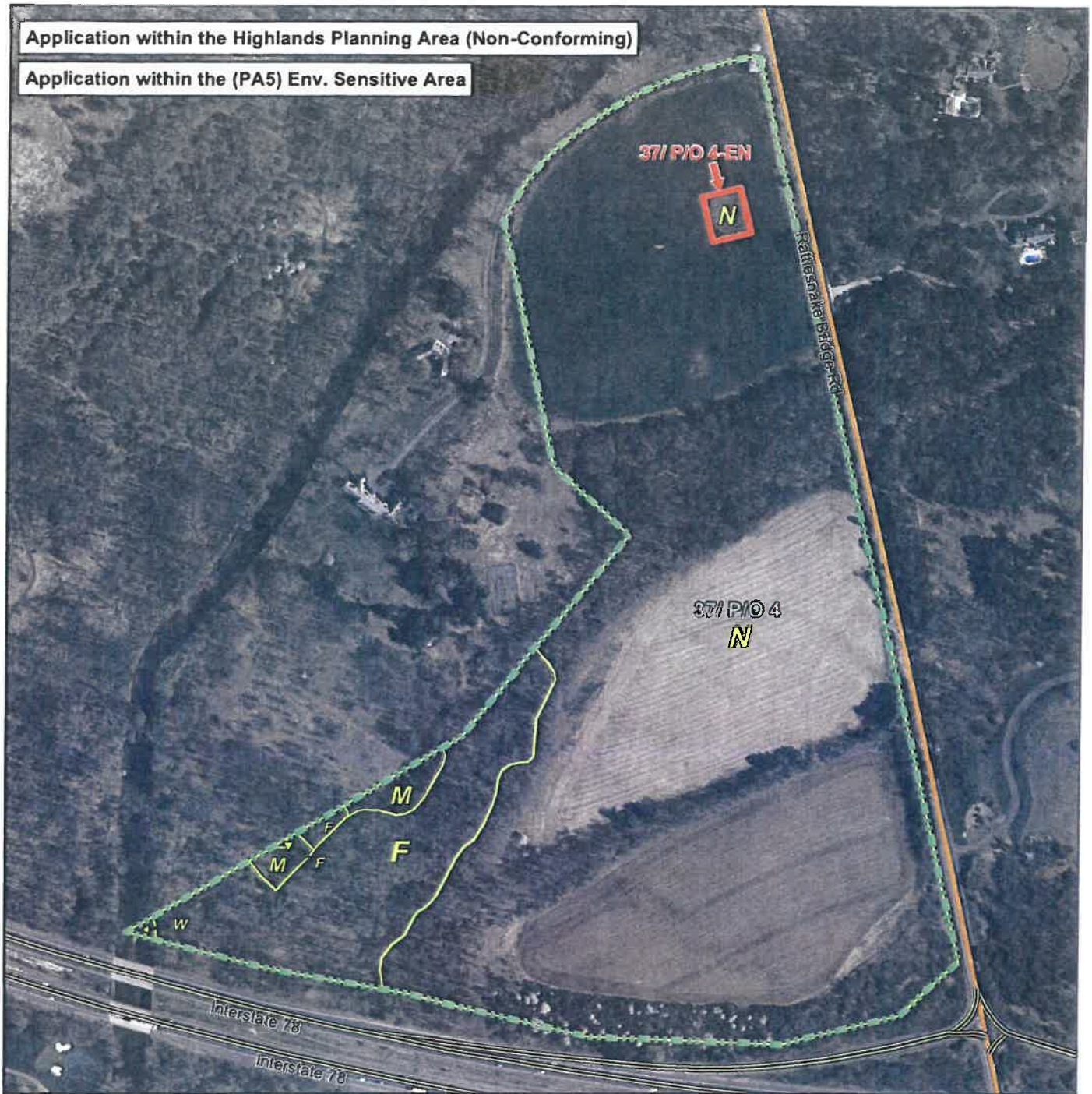
VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands

Schedule A

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jones-Chubb (Lamington Conservancy)
Block 37 Lots P/O 4 (51.3 ac) &
P/O 4-EN (non-severable exception – 0.25 ac)
Gross total = 51.6 ac
Bedminster Twp., Somerset County

250 125 0 250 500 Feet

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

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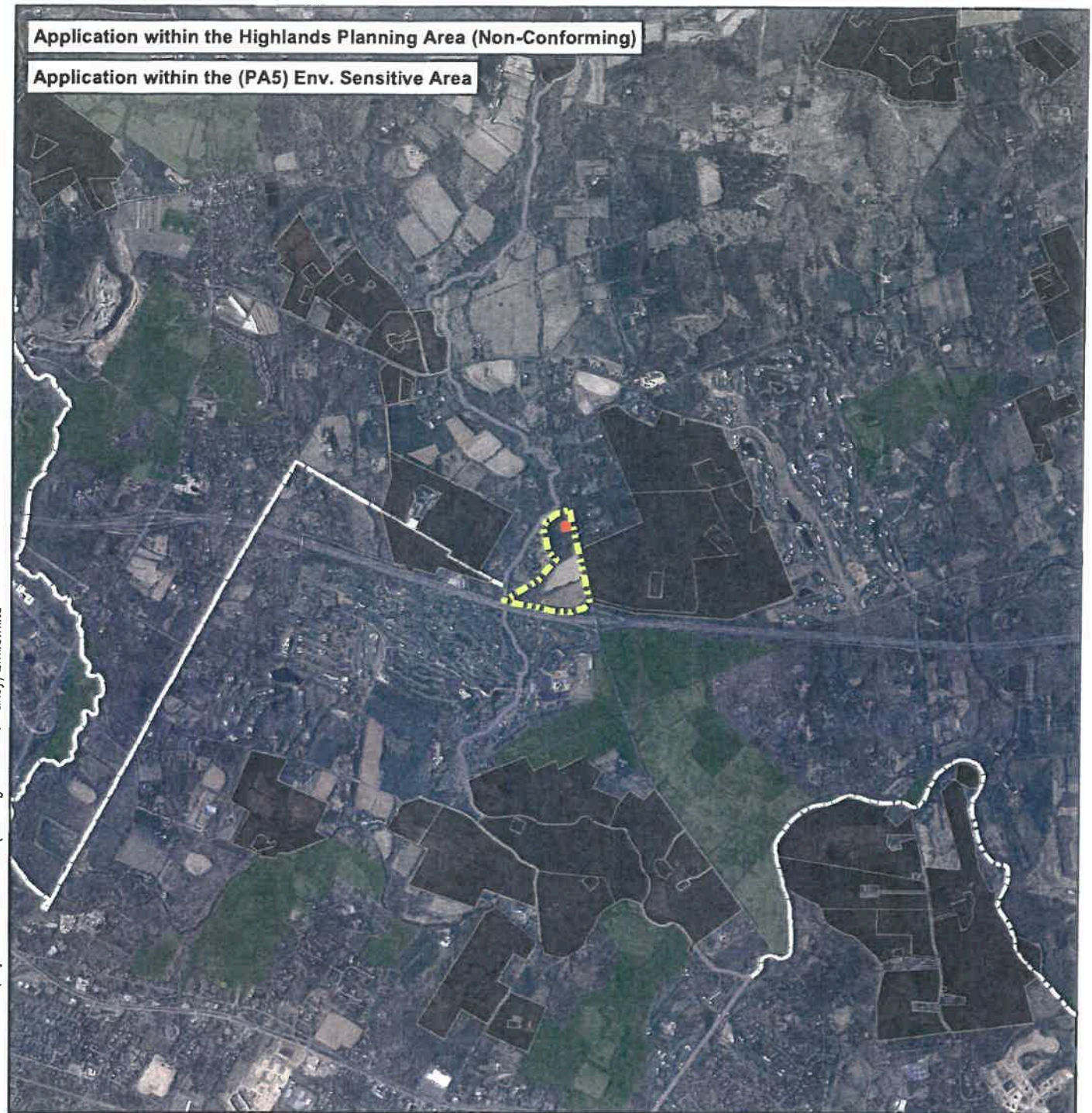
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- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads

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

April 27, 2018

Preserved Farms and Active Applications Within Two Miles

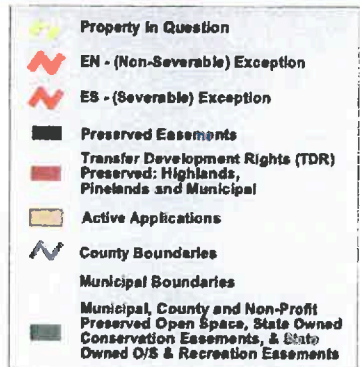
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jones-Chubb (Lamington Conservancy)
Block 37 Lots P/O 4 (51.3 ac) &
P/O 4-EN (non-severable exception – 0.25 ac)
Gross total = 51.6 ac
Bedminster Twp., Somerset County

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



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

April 27, 2018

RESOLUTION FY2018R5(8)
AMENDED PRELIMINARY APPROVAL
of
FY2011 & FY2016 Non Profit Round Preliminary Approvals

for the
Jones-Chubb (Lamington Conservancy)
Bedminster Township, Somerset County
SADC #18-0006-NP

MAY 24, 2018

Amendment Synopsis:

- Recognize a change in applicant from Lamington Conservancy/Jones to Lamington Conservancy/New Jersey Conservation Foundation (NJCF).
- Recognize a reduction in application acreage from approximately 93.91 to approximately 51.3 net acres due to the removal of Block 48, lot 3, Bedminster Township and Block 48, Lot 5.01, Tewksbury Township from the application.
- Recognize the addition of one (1), 0.25-acre non-severable exception restricted to one (1) heliport.
- Recognized maintaining the existing total grant amount of \$1M.

WHEREAS, on December 17, 2010, the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from Lamington Conservancy for the Jones-Chubb farm identified as Block 37, Lots 3 and 4, Bedminster Township, Somerset County, and Block 48, Lot 5.01, Tewksbury Township, Hunterdon County, totaling approximately 93.91 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, Mr. Jones owned both Block 37, Lot 3, Bedminster Township, Somerset County and Block 48, Lot 5.01, Tewksbury Township, Hunterdon County and was the contract purchaser for Block 37, Lot 4, Bedminster Township, Somerset County which was owned by The Chubb Corporation; and

WHEREAS, on April 28, 2011 the SADC granted preliminary approval by Resolution #FY2011R4(7) which included \$500,000 for the acquisition of a development easement on the Jones-Chubb farm (Schedule C); and

WHEREAS, on May 14, 2015, the SADC, received a supplemental request from Lamington Conservancy for additional funding needed to purchase the easement on the Jones-Chubb farm; and

WHEREAS, on November 12, 2015 the SADC granted preliminary approval by Resolution #FY2016R11(11) which included an additional \$500,000 for the acquisition of a development easement on the Jones-Chubb farm (Schedule D); and

WHEREAS, subsequently, the contract between Mr. Jones and The Chubb Corporation expired for Lot 4 in Bedminster, Mr. Jones agreed to donate an easement on Lot 5.01 in Tewksbury to the Tewksbury Land Trust and Mr. Jones removed Lot 3 from application; and

WHEREAS, on April 12, 2018, the SADC, received an amended application from Lamington Conservancy for Block 37, Lot 4, Bedminster Township, Somerset County, totaling approximately 51.3 net acres hereinafter referred to as "Property" (Schedule B); and

WHEREAS, NJCF has entered into a contract with Chubb INA Holdings, Inc. for fee simple title to the Property which includes approval to facilitate an application for the sale of the development easement through Lamington Conservancy; and

WHEREAS, NJCF has applied to Lamington Conservancy for the sale of the development easement on Block 37, Lot 4, Bedminster Township, Somerset County; and

WHEREAS, because the contract purchase agreement for Lot 4 states that the parties are NJCF and Chubb INA Holdings, Inc., but the deed for Lot 4 names The Chubb Corporation as the property owner, this preliminary approval is conditioned on NJCF and Chubb resolving the discrepancy to the satisfaction of the Committee prior to requesting SADC Final Approval; and

WHEREAS, the Property includes one (1), 0.25-acre non-severable exception restricted to one (1) heliport; 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 the amended application the Property was in grain and hay production and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; 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 original quality score was 67.11 and this change to the application results in a quality score of 67.63 which continues to meet the standards as required in the SADC preliminary approval by Resolution # FY2011R4(7); and

WHEREAS, the contract purchaser (NJCF) 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. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to Lamington Conservancy for up to 50% of the eligible ancillary costs which will be deducted from its appropriations and subject to the availability of funds (Schedule D); and

NOW THEREFORE BE IT RESOLVED, staff's recommendation is to grant amended preliminary approval to the Lamington Conservancy for Jones-Chubb farm, and to advise Lamington Conservancy that it can proceed with appraisals; and

NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to Lamington Conservancy for Jones-Chubb farm easement acquisition amended application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, this preliminary approval is conditioned on NJCF and Chubb resolving the discrepancy to the satisfaction of the Committee prior to requesting SADC Final Approval; and

BE IT FURTHER RESOLVED, that one (1), 0.25-acre non-severable exception restricted to one (1) heliport is recognized; and

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

BE IT FURTHER RESOLVED, that all other provisions of the April 28, 2011 FY 2011 and November 12, 2015 FY2016 Nonprofit Round Preliminary Approvals shall remain in effect; and

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

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

5/24/18

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

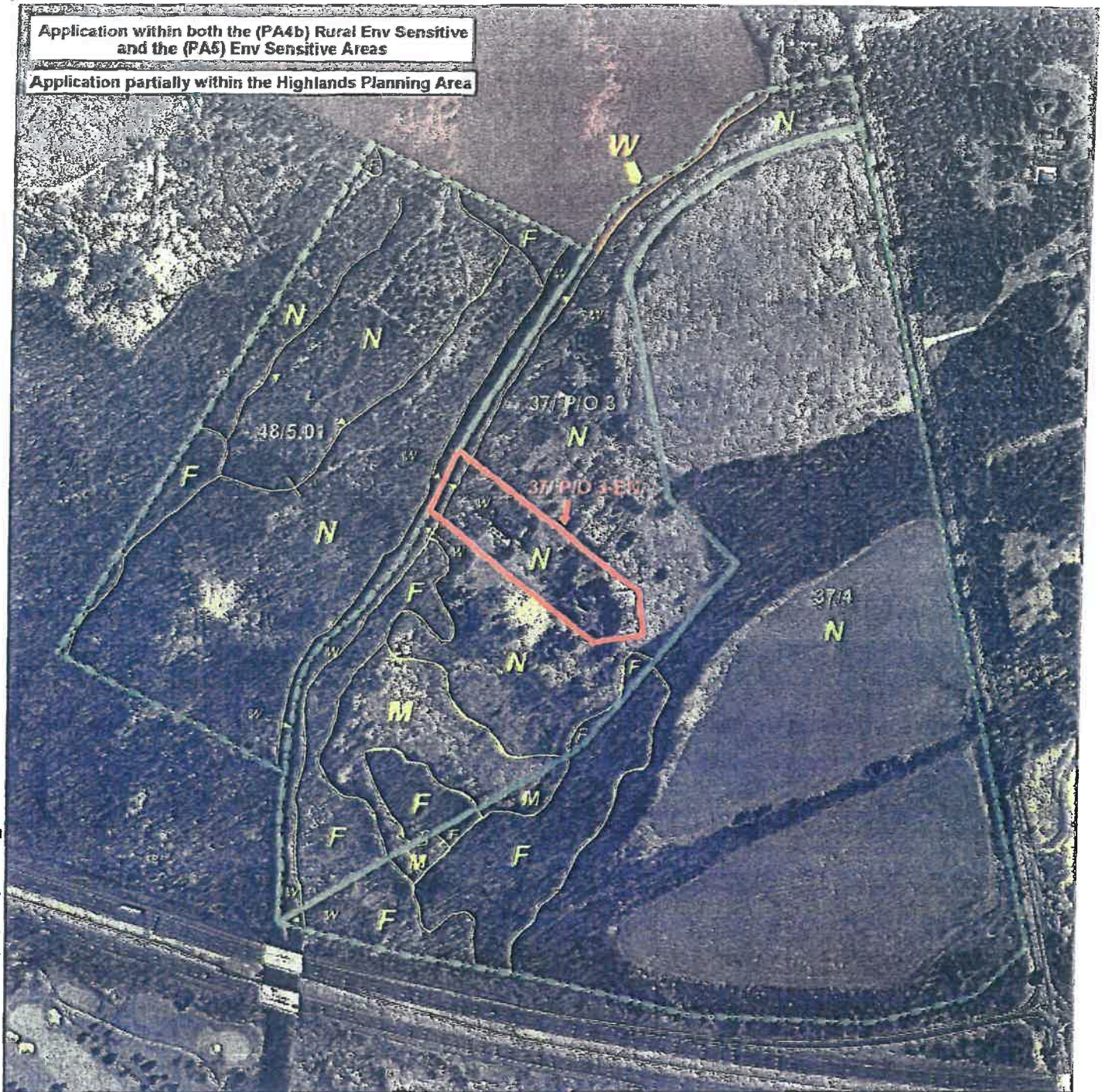
VOTE WAS RECORDED AS FOLLOWS:

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

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

Application partially within the Highlands Planning Area

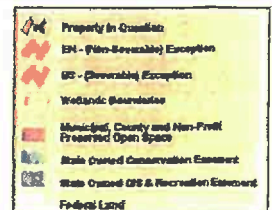
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jones/Chubb/Lamington Conservancy
Block 37 Lots P/O 3 (22.9 ac)
& P/O 3-EN (non-severable exception - 2.6 ac) & 4 (51.6 ac)
Bedminster Twp., Somerset County
Block 48 Lot 5.01 (23.3 ac)
Tewksbury Twp., Hunterdon County
Gross Total = 100.4 ac

500 250 0 500 1,000 Feet



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

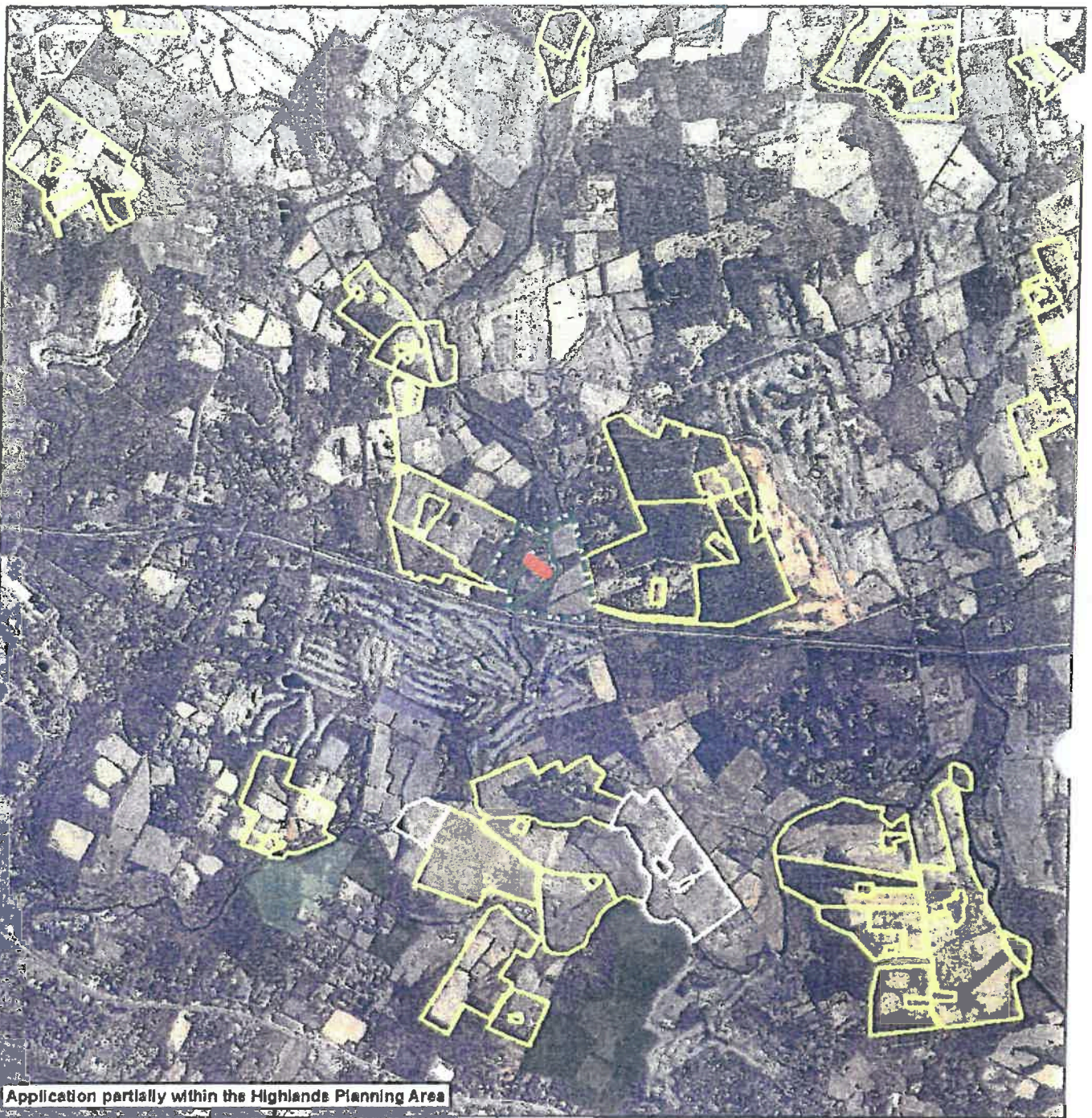
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Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJGIS 2007/2008 Digital/Aerial Image

March 1, 2011

Preserved Farms and Active Applications Within Two Miles

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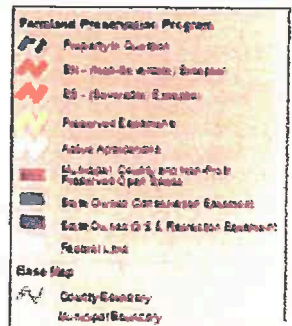
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jones/Chubb/Lamington Conservancy
Block 37 Lots P/O 3 (22.9 ac)
& P/O 3-EN (non-severable exception - 2.6 ac) & 4 (51.6 ac)
Bedminster Twp., Somerset County
Block 48 Lot 5.01 (23.3 ac)
Tewksbury Twp., Hunterdon County
Gross Total = 100.4 ac

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

NOTE:

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

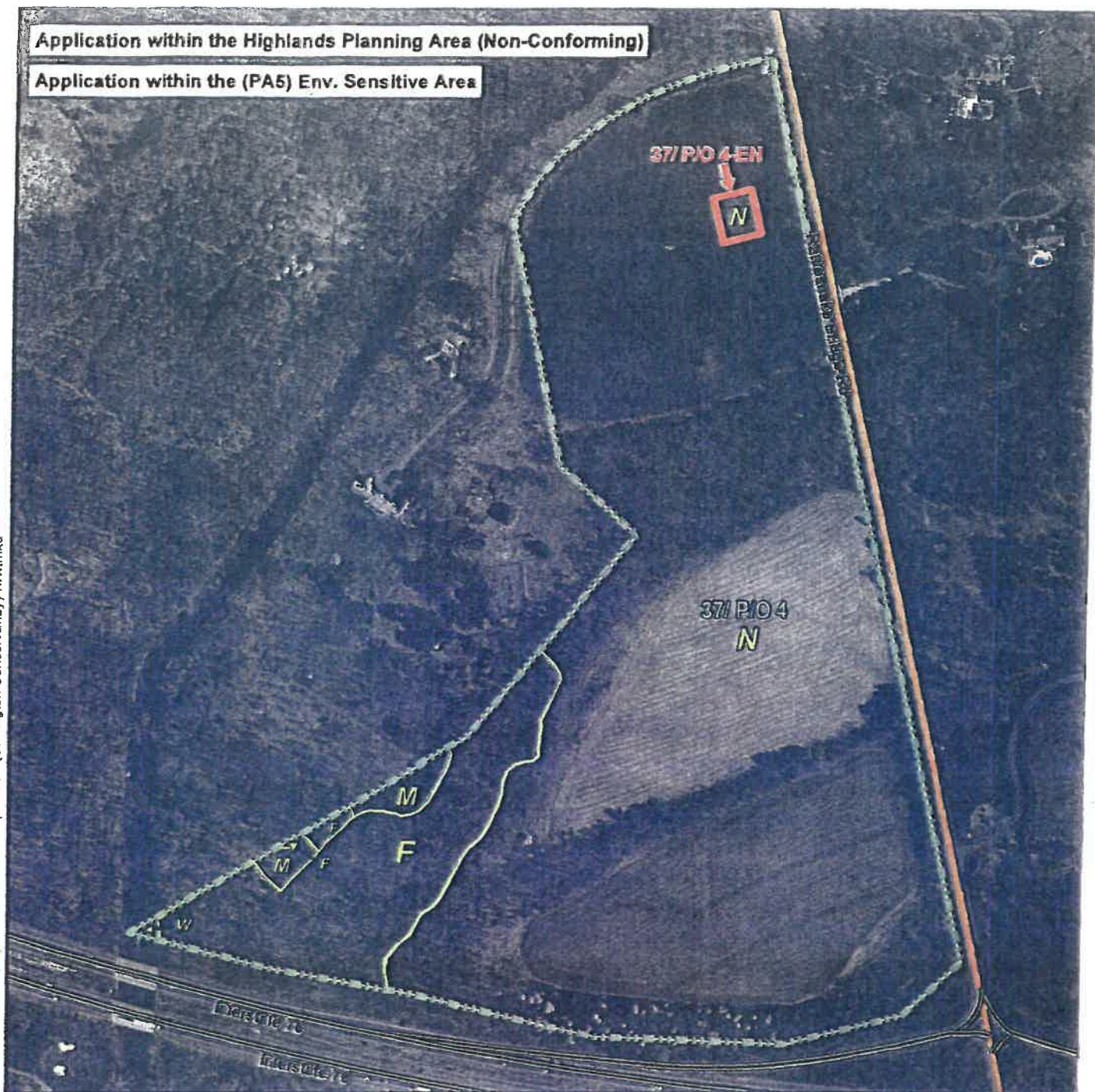


Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NOIIT-CGIS 2007-2008 Digital Aerial Image
March 1, 2011

Application within the Highlands Planning Area (Non-Conforming)

Application within the (PA5) Env. Sensitive Area

X:\counties\comco\projects\The Chubb Corporation (Lamington Conservancy) fww.mxd



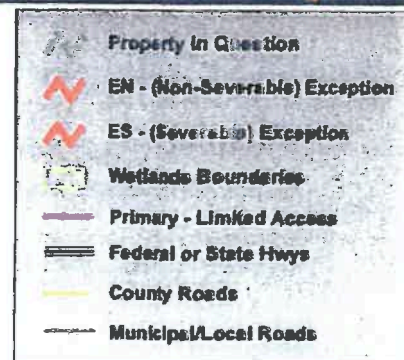
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jones-Chubb (Lamington Conservancy)
Block 37 Lots P/O 4 (51.3 ac) &
P/O 4-EN (non-severable exception – 0.25 ac)
Gross total = 51.6 ac
Bedminster Twp., Somerset County

250 125 0 250 500 Feet

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

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

STATE AGRICULTURE DEVELOPMENT COMMITTEE

#FY2011R4(7)

PRELIMINARY REVIEW AND APPROVAL**For the
NONPROFIT ACQUISITION OF FEE SIMPLE AND DEVELOPMENT EASEMENT
PROJECTS****2011 FY FUNDING ROUND****April 28, 2011**

WHEREAS, the State Agriculture Development Committee, "SADC" is authorized under the Garden State Preservation Trust Act, P.L. 1999, c.152, to provide a grant to qualified nonprofit organizations for up to 50 percent of the cost of acquisition of the development easements or up to 50 percent of the cost of acquisition of fee simple titles to farmland from willing sellers; and

WHEREAS, the SADC provided notice of available grants as published in the New Jersey Register on September 7, 2010 in a total amount to be determined by the SADC and an application deadline of December 20, 2010 for the FY2011 Nonprofit Grant Round; and

WHEREAS, eight nonprofit organizations submitted 32 applications for easement/fee simple purchase located in seven counties totaling approximately 2,300 acres; and

WHEREAS, one application was not located within an agriculture development area (ADA); one application did not meet the minimum eligibility criteria and one application was withdrawn leaving 29 applications as identified on Schedule A; and

WHEREAS, the SADC has recommended a funding allocation of \$8,831,000 for the FY2011 nonprofit program; and

WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) staff is recommending 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, all 29 applications are greater or equal to 70% of the County average quality score referenced above; and

WHEREAS, all 29 applications pending meet the minimum eligibility criteria set forth in N.J.A.C. 6.20; and

WHEREAS, Monmouth Conservation Foundation; Montgomery Friends; Ridge and Valley Conservancy and Lamington Conservancy have each submitted one farm each; and

WHEREAS, Hunterdon Land Trust Alliance (HLTA); New Jersey Conservation Foundation (NJCF); The Land Conservancy of New Jersey (TLCNJ) and Delaware and Raritan Greenway (D&R) have submitted multiple farms; and

WHEREAS, SADC staff is recommending the following allocations for the Non Profit entities that submitted only one farm application each, with allocations representing an amount equal to the amount requested by the Non Profit, or \$500,000, whichever is less:

- \$411,000 to the Monmouth Conservation Foundation
- \$500,000 to Montgomery Friends
- \$ 87,000 to Ridge and Valley Conservancy
- \$500,000 to Lamington Conservancy; and ~~\$~~
\$1,498,000

WHEREAS, staff is recommending that the balance of the funds proposed to be allocated to the Non Profits, or \$7,333,000 (\$8,831,000 minus \$1,498,000) be awarded to HLTA, NJCF, TLCNJ, and D&R based on the following factors (Schedule B):

- performance of the nonprofit in previous rounds (2005-09)
- total acres submitted in the current round
- total estimated cost of the farms submitted

WHEREAS, applying equal weight to each of these three factors yields the following grant allocation, as set forth more specifically in Schedule B:

- \$1,445,000 to the Hunterdon Land Trust Alliance
- \$2,552,000 to the New Jersey Conservation Foundation
- \$1,393,000 to The Land Conservancy of New Jersey
- \$1,943,000 to Delaware and Raritan Greenway;
\$7,333,000

NOW THEREFORE BE IT FURTHER RESOLVED, that the SADC grants preliminary approval of the nonprofit projects and grant amounts identified in Schedule A; and

BE IT FURTHER RESOLVED, that each nonprofit organization should expend its grant funds within two years of the appropriation of the grant, that to be considered expended a closing must have been completed with the SADC; and that any funds that are not expended within two years of the date of the grant appropriation are subject to reappropriation and may no longer be available to the nonprofit; and

BE IT FURTHER RESOLVED, that this approval is subject to N.J.A.C. 2:76- 12, 13, 14, 15, and 16 and all other rules and regulations as established by the SADC; and

BE IT FURTHER RESOLVED, that SADC's approval is subject to the Garden State Preservation Trust approval, the Legislative appropriation of funds and the Governor signing the respective appropriation bills; and

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

4/28/11

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

Monique Purcell, Acting Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	ABSENT
James Waltman	ABSENT
Denis C. Germano	ABSENT
Torrey Reade	YES

the date A

20	Non Profit Round	Score	Min. Elig. Criteria Met?	Acq. Type	County	Municipality	Block	Lot	Net Acres	Total Estimated Cost	SADC Grant Requested (50%)	Grant Amount
\$8.2 M Funding Distribution												
Hunterdon Land Trust Alliance												
Lanwin Development	72.64	Yes	EP	Hun	East Amwell Twp.	17	16		98			
Tristensky	71.38	Yes	FS	Hun	Kingwood Twp.	24	13, 13.1		27			
Horoschak	63.55	Yes	EP	Hun	Franklin Twp.	49	16, 18		130			
Crouse	50.02	Yes	EP	Hun	Alexandria Twp.	3; 4	56; 20.02		94			
Serra (inadequate filled acres)	48.95	No	EP	Hun	Clinton Twp.	10	2		27	\$3,506,000	\$1,753,000	\$1,445,000
Past Performance: 73.89%												
New Jersey Conservation Foundation												
MacCarone	72.51	Yes	EP	Glo	Woolwich Twp.	1	3		122			
Joyce	68.14	Yes	EP	Sal	Upper Pittsgrove Twp.	11	6, 6.02		55			
Miller	67.6	Yes	EP	Sal	Upper Pittsgrove Twp.	34	17		98			
Sorbello	66.98	Yes	EP	Sal	Pittsgrove Twp.	28	3.07		44			
Dougan	66.14	Yes	EP	Sal	Quinton Twp.	14	23		148			
Fisher	64.06	Yes	EP	Hun	Delaware Twp.	21	2.02-2.05		24			
Conley	62.97	Yes	EP	Hun	Delaware Twp.	6	12		110			
						12	33.01					
						5	10					
						5	11.03, 11.04					
Lanza	57.45	Yes	EP	Sal	Pittsgrove Twp.	12	3.01		41			
Fox	51.85	Yes	EP	Sal	Quinton Twp.	35	72		59			
						50	5, 5.03					
										\$9,500,000	\$4,750,000	\$2,552,000
Past Performance: 69.69%												
Monmouth Conservation Foundation												
Conover	53.1	Yes	EP	Mon	Wall Twp.	772	3		33	\$822,000	\$411,000	\$411,000
Past Performance: 80.08%												
Monmouth Friends												
Webster	58.45	Yes	EP	Som	Montgomery Twp.	33001	22, 22.01		40	\$1,000,000	\$500,000	\$500,000
Howard (not within ADA)	47.76	No	EP	Som	Montgomery Twp.	21007	6.7		35			
Past Performance: No History												

2011FY Non Profit Round											
\$8.2 M Funding Distribution											
Organization Name/Farm Name	Score	Min. Elig. Criteria Met?	Acq. Type	County	Municipality	Block	Lot	Net Acres	Total Estimated Cost	SADC Grant Requested (50%)	Grant Amount
Windkissed Ridge and Valley Conservancy	62.34	Yes	EP	War	Frelinghuysen Twp.	901	1	17	\$173,000	\$86,500	\$87,000
Past Performance: 0%											
Mannington Conservancy											
Jones	67.11	Yes	EP	Som	Bedminster Twp.	37	3, 4				
						48	5.01	94	\$2,294,200	\$1,147,100	\$500,000
Past Performance: 0%											
The Land Conservancy of New Jersey											
Williams	59.76	Yes	EP	Sus	Frankford Twp.	19	8	36			
Allison	51.04	Yes	EP	Sus	Layayette Twp.	23	2.03, 3, 9	137			
McCain	42.71	Yes	EP	Sus	Frankford Twp.	48	20, 20.07	76			
McMahon	41.37	Yes	EP	Sus	Frankford Twp.	25	4	52			
CF Investment	36.76	Yes	EP	Sus	Stillwater Twp.	2602	3.01	88			
Syberg	35.33	Yes	EP	Sus	Stillwater Twp.	3805	4.01	111	\$2,785,000	\$1,392,500	\$1,393,000
Past Performance: 73.48%											
Delaware and Haritan Greenway											
DePalma	76.44	Yes	EP	Sal	Mannington Twp.	23: 39	12: 15	124			
Battisto	75.51	Yes	EP	Sal	Mannington Twp.	39	13	58			
Carpenter, J. III	71.64	Yes	EP	Sal	Mannington Twp.	23	15	35			
Carpenter, John	65.15	Yes	EP	Sal	Mannington Twp.	39	12	68			
Waddington	58.42	Yes	EP	Sal	Pilesgrove Twp.	29	12	62			
Spina	56.16	Yes	EP	Sal	Mannington Twp.	1	7				
						25	5, 6, 6.01	174			
Catalano (withdrawn application)	61.78	Yes	EP	Sal	Mannington Twp.	1705	6.20	199	\$5,196,000	\$2,598,000	\$1,943,000
Past Performance: 84.51%											
											\$8,831,000
total applications = 32											

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R11(11)

PRELIMINARY REVIEW AND APPROVAL

**For the
NONPROFIT ACQUISITION OF DEVELOPMENT EASEMENT PROJECTS
2016 FY FUNDING ROUND**

November 12, 2015

WHEREAS, the State Agriculture Development Committee, "SADC" is authorized under the Garden State Preservation Trust Act, P.L. 1999, c.152, to provide a grant to qualified nonprofit organizations for up to 50 percent of the cost of acquisition of the development easements or up to 50 percent of the cost of acquisition of fee simple titles to farmland from willing sellers; and

WHEREAS, the SADC provided notice of available grants as published in the New Jersey Register on February 17, 2015 in a total amount to be determined by the SADC and an application deadline of May 18, 2015 for the FY2016 Nonprofit Grant Round; and

WHEREAS, four nonprofit organizations submitted 10 applications for easement purchase located in five counties; and

WHEREAS, one application (Strang) was submitted in both the nonprofit and state direct easement rounds and will be progressing in the state direct easement round, leaving 9 applications (657 acres) in the nonprofit round (Schedule A); and

WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) staff is recommending 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, all 9 applications are greater or equal to 70% of the County average quality score as determined on July 24, 2014; and

WHEREAS, all 9 applications pending meet the minimum eligibility criteria set forth in N.J.A.C. 6.20; and

WHEREAS, as per N.J.A.C. 2:76-13.3 the total nonprofit cost submitted is \$7,067,440 based on estimated easement values and ancillary costs; and

WHEREAS, SADC staff has reviewed the estimated costs submitted by the nonprofits and adjusted as deemed appropriate to better reflect current market values; and

WHEREAS, SADC staff is recommending the following allocations to be conditionally awarded to the nonprofits submitting applications as set forth more specifically in Schedule A:

- \$ 750,000 to New Jersey Conservation Foundation
 - \$ 225,000 to Monmouth Conservation Foundation
 - \$1,425,000 to The Land Conservancy of New Jersey
 - \$ 500,000 to Lamington Conservancy
- \$2,900,000

NOW THEREFORE BE IT FURTHER RESOLVED, that the SADC grants preliminary approval of the nonprofit projects and grant amounts identified in Schedule A; and

BE IT FURTHER RESOLVED, that this approval is subject to N.J.A.C. 2:76- 12, 13, 14, 15, and 16 and all other rules and regulations as established by the SADC; and

BE IT FURTHER RESOLVED, the SADC's approval is conditioned upon subsequent SADC recommendation that \$2.9 million be appropriated to the FY2016 Nonprofit Round, subsequent Legislative appropriation of funds and funding availability as determined by the State Treasurer; and

BE IT FURTHER RESOLVED, any funds that are not expended within two years of the date of the grant appropriation are subject to reappropriation and may no longer be available to the nonprofit; and

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

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

11-12-15

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

FY2016 Non Profit Round											
Organization Name/Farm Name		Score	Min. Elig. Criteria Met?	Acq. Type	County	Municipality	Block	Lot	Net Acres	Nonprofit Total Estimated Cost	Proposed SADC Grant
New Jersey Conservation Foundation											
1	Strang (being processed through State Direct Acquisition Program)										
2	Ostrum	70.22	yes	EP	Sal	Pilesgrove	26	2.09	44.67	\$821,400 *	
3	Skalski	64.05	yes	EP	Hun	Tewksbury	42	9 & 27	44.93	\$919,050	
										\$1,740,450	\$ 750,000
Mohamouth Conservation Foundation											
4	Felgus	53.77	yes	EP	Mon	Howell Twp.	151	12.02	21	\$425,000	\$ 225,000
The Land Conservancy of New Jersey											
5	Shoemaker I	54.41	yes	EP	War	White Twp.	62	9.01,9.02,20,24	114.8	\$771,460	
6	Shoemaker II	70.88	yes	EP	War	White Twp.	62	24.04	12	\$98,000	
7	Tjalma II	60.22	yes	EP	War	Harmony	35	6, 6.04, & 6.05	60.78	\$384,680	
8	Tjalma III	58.03	yes	EP	War	Harmony	25	19	36.32	\$201,600	
9	Murian	59.68	yes	EP	War	Frelinghuysen	301	6	251.5	\$1,421,250	
										\$2,876,990	\$ 1,425,000
Laningham Conservancy											
10	Jones (This is an application in the 2011 round. SADC approved \$500,000. Nonprofit is seeking additional funding to complete the transaction)	71.26	yes	EP	Som.	Bedminster	37	3 & 4	70.56	\$2,025,000	\$ 500,000
total applications = 9											
									657	\$7,067,440	\$2,900,000
* SADC staff suggests \$580,000 is a better estimate for this farm due to lack of valid subdivision approvals as suggested by the applicant.											

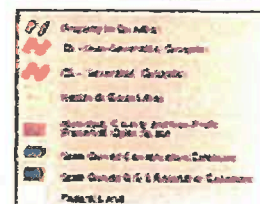
Wetlands



Application partially within the Highlands Planning Area

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Jones/Chubb/Lamington Conservancy
Block 37 Lots P/O 3 (22.9 ac)
& P/O 3-EN (non-severable exception - 2.6 ac) & 4 (51.6 ac)
Bedminster Twp., Somerset County
Block 48 Lot 5.01 (23.3 ac)
Tewksbury Twp., Hunterdon County
Gross Total = 100.4 ac

[illegible][illegible]

Sources:
- 1932 Cashmaster V. e. mcs Gaa
- 1932 Cashmaster V. e. mcs Gaa
- 1932 Cashmaster V. e. mcs Gaa

J. K. K. K. K.

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Jones-Chubb (Lamington Conservancy)
18- 0006-NP
FY 2011 Easement Purchase - Nonprofit
51 Acres

Block 37 Lot 4 Bedminster Twp. Somerset County

SOILS:	Local	33% *	.05	=	1.65
	Prime	31% *	.15	=	4.65
	Statewide	36% *	.1	=	3.60

SOIL SCORE: 9.90

TILLABLE SOILS:	Cropland Harvested	59% *	.15	=	8.85
	Wetlands	16% *	0	=	.00
	Woodlands	25% *	0	=	.00

TILLABLE SOILS SCORE: 8.85

FARM USE:	Hay	9 acres
	Corn-Cash Grain	22 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:
Hunting License
 - b. Exceptions:
 - 1st (.33) acres for existing heliport
Exception is not to be severable from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be limited to zero existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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 FY2020R7(15)
FINAL REVIEW AND APPROVAL OF A NONPROFIT GRANT TO
New Jersey Conservation Foundation
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Wentzell, Kenneth S.**

FY18 Non Profit Round - SADC #17-0056-NP

July 25, 2019

WHEREAS, on April 3, 2017 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from New Jersey Conservation Foundation (NJCF) for the Kenneth S. Wentzell farm identified as Block 40, Lot 20, Pilesgrove Township, Salem County, totaling approximately 23 gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property includes one (1), approximately 2-acre non-severable exception area for and limited to one existing single family residential unit and to afford future flexibility of uses resulting in approximately 21 net acres to be preserved; and

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

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

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

WHEREAS, on May 25, 2017, the SADC granted preliminary approval by Resolution #FY2076R5 (6) to the Wentzell application and appropriated \$212,500 for the acquisition of development easement on two farms including the Wentzell 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 70.03 which is greater than 70% of the County average quality score of 48 as determined by the Committee on July 28, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-15.1, on October 25, 2018, the SADC certified a development easement value of \$7,400 per acre based on zoning and environmental regulations in place as of the current valuation date August 30, 2018; 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; and

WHEREAS, the Owner accepted NJCF's offer of \$7,675 per acre for the development easement on the Property, which is higher than the certified easement value but less than the highest appraised easement value of \$7,950; and

WHEREAS, pursuant to N.J.A.C. 2:76-15.2, on June 5, 2019, NJCF informed the SADC that it will accept the SADC cost share of \$3,700 per acre; and

WHEREAS, a parcel application was submitted by NJCF to the FY2018 States Department of Agriculture, Natural Resources Conservation Service (NRCS), Agriculture Conservation Easement Program (ACEP) for an Agricultural Land Easement (ALE) grant; and

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

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including no future division of the premises and a 5.67% maximum impervious coverage restriction (approximately 1.19 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the estimated ALE grant of \$3,975 per acre (50% of \$7,950) or approximately \$83,475 in total ALE funds will be utilized; and

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

WHEREAS, the cost share breakdown based on 21 acres is as follows:

	<u>Total</u>	<u>Per/acre</u>
SADC	\$77,700	(\$3,700/acre based on CMV of \$7,400/acre)
ALE	<u>\$83,475</u>	<u>(\$3,975/acre based on \$7,950/acre)</u>
Total Easement Purchase	\$161,175	(\$7,675/acre)

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 FY18 appropriation and subject to the availability of funds; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to NJCF for the Wentzell farm easement acquisition application subject to compliance with N.J.A.C. 2:76-16.
3. This approval is conditioned upon receipt of ALE or other funds sufficient to cover the remaining 50% cost share.
4. The SADC shall provide a cost share grant not to exceed \$3,700 per acre (total of approximately \$77,700 based on 21 acres) to NJCF for the development easement acquisition on the Wentzell farm, subject to the availability of funds.
5. The application is subject to the conditions contained in (Schedule B).
6. 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.
7. The SADC's cost share grant to NJCF 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.
8. The SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute all documents necessary to provide a grant to NJCF for the acquisition of a development easement on the Wentzell farm.
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

____7/25/19____
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

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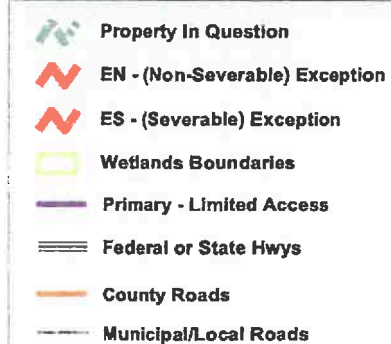
FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Wentzell, Kenneth S
 Block 40 Lots P/O 20 (21.0 ac) &
 P/O 20-EN (non-severable exception - 2.0 ac)
 Gross Total = 23.0 ac
 Pilesgrove Twp., Salem County

200 100 0 200 400 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

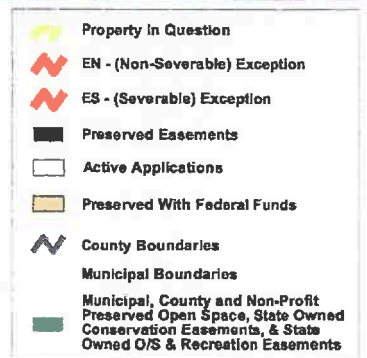
Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Wentzell, Kenneth S
Block 40 Lots P/O 20 (21.0 ac) &
P/O 20-EN (non-severable exception - 2.0 ac)
Gross Total = 23.0 ac
Pilesgrove Twp., Salem County

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



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

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

April 17, 2017

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Wentzell, Kenneth S.
17- 0053-NP
No Value Selected Easement Purchase - Nonprofit
21 Acres

Block 40	Lot 20	Pilesgrove Twp.	Salem County
SOILS:		Prime	74% * .15 = 11.10
		Statewide	26% * .1 = 2.60
			SOIL SCORE: 13.70
TILLABLE SOILS:		Cropland Harvested	96% * .15 = 14.40
		Woodlands	4% * 0 = .00
			TILLABLE SOILS SCORE: 14.40
FARM USE:	Corn-Cash Grain	12 acres	
	Hay	8 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 Existing buildings - 1 dwelling
 - Exception is not to be severable from Premises
 - Exception is to be limited to one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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 #FY2020R7(16)

**Preliminary Approval
SADC Easement Purchase
of an
"ALTERNATE" FARM**

**On the Property of
Riggs Holdings, LLC**

July 25, 2019

Subject Property: Riggs Holdings LLC
Block 53, Lots 20 & 20.01; Block 61, Lot 2 Salem County, Quinton
Township
Block 109, Lots 3 & 3.01, Salem County, Alloway Township
SADC ID# 17-0323-DE

WHEREAS, pursuant to N.J.A.C. 2:76-11.3, an owner of farmland may offer to sell to the State Agriculture Development Committee ("SADC") a development easement on the farmland; and

WHEREAS, on August 31, 2017, the SADC received a development easement sale application from Riggs Holdings LLC, hereinafter "Owner," identified as Block 53, Lots 20 & 20.01; Block 61, Lot 2 in Quinton Township, Salem County, & Block 109, Lots 3 & 3.01 in Alloway Township, Salem County, hereinafter "the Property," totaling approximately 188 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes two (2), approximately 3 acre severable exception areas, each for and limited to one future single family residential unit and to afford future flexibility of uses resulting in approximately 182 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes one (1) Residual Dwelling Site Opportunity (RDSO), zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to N.J.A.C. 2:76-11.5 and the State Acquisition Selection Criteria approved by the SADC on July 27, 2017, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff finds that the Property, has a quality score of 54.71 and contains approximately 182 net acres (Schedule B); and

WHEREAS, the Property does not meet the SADC's Salem County minimum ranking criteria for the "Priority" category which requires a quality score of at least 62 combined

with at least 92 acres, however it is higher than the minimum quality score of 48 and 67 acres needed for an "Alternate" farm designation, therefore, this farm is categorized as an "Alternate" farm, requiring SADC preliminary approval; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and pursuant to N.J.A.C. 2:76-11.6(b)i. there are no "priority" ranked applications that have not already been selected for processing at this time; and

WHEREAS, because this 188 acre farm meets the priority acreage, has approximately 67% Prime soils and is within the County Agriculture Development Area, SADC staff recommends selecting the Property for processing as an "alternate" farm; and

NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:

1. Enter into a 120 day option agreement with the Owner;
2. Secure two independent appraisals to estimate the fair market value of the Property;
3. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC

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.

7/25/19
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

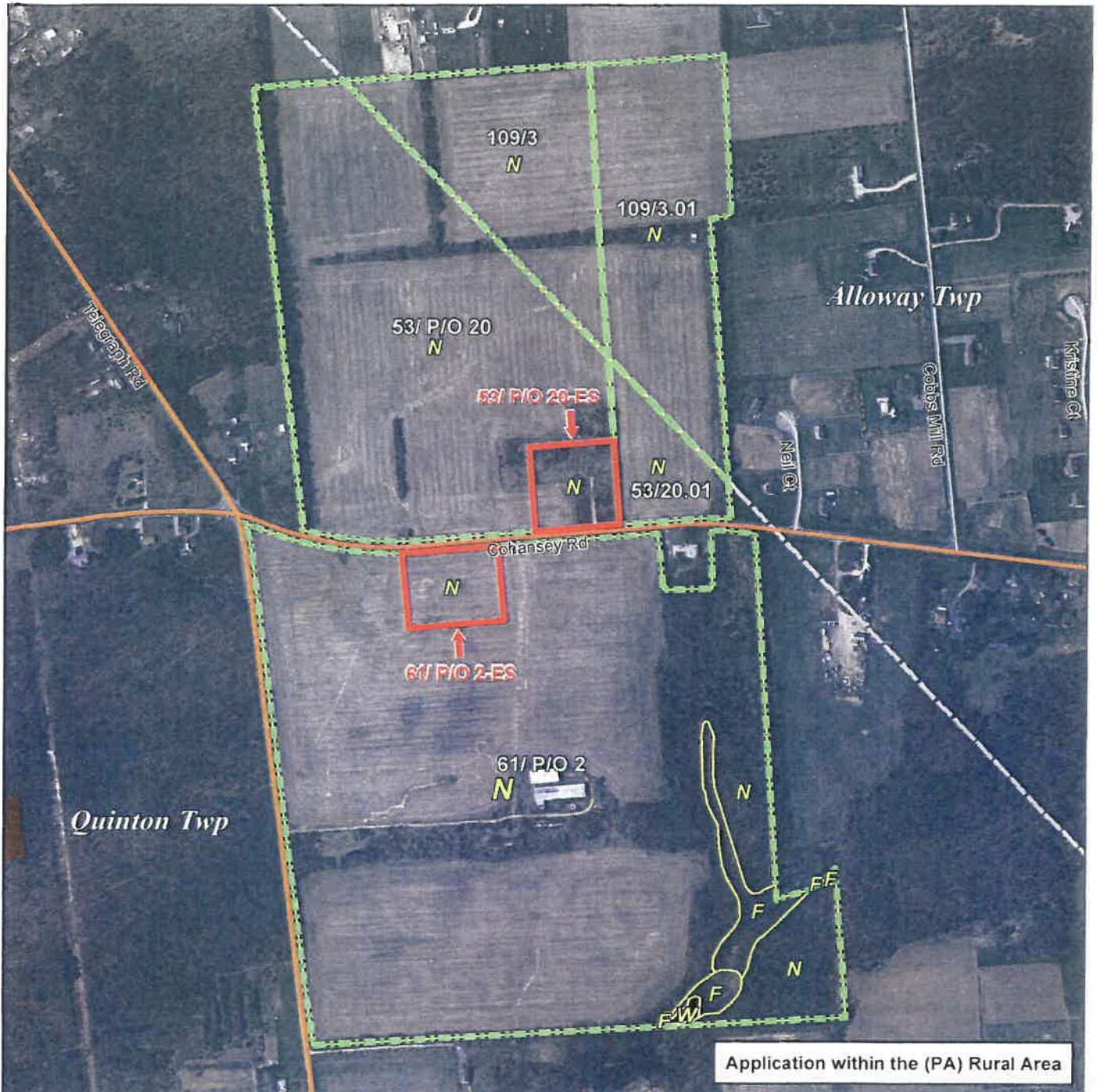
VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands and C-1 Streams

Schedule A

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Riggs Holding, LLC
 Quinton Twp. - Block 53 Lots 20.01 (4.7 ac); P/O 20 (44.3 ac);
 & P/O 20-ES (severable exception - 3.0 ac); and
 Block 61 Lots P/O 2 (100.0 ac) & P/O 2-ES (severable exception - 3.0 ac)
 Alloway Twp. - Block 109 Lots 3 (14.9 ac) & 3.01 (18.1 ac)
 Gross Total = 188.0 ac
 Salem 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 - Tidal Wetlands
 N - Non-Wetlands
 B - 300' Buffer
 W - Water

September 11, 2017

Preserved Farms and Active Applications Within Two Miles

X:\counties\salco\projects\Riggs_Holding_LLC_2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Riggs Holding, LLC

Quinton Twp. - Block 53 Lots 20.01 (4.7 ac); P/O 20 (44.3 ac);

& P/O 20-ES (severable exception - 3.0 ac); and

Block 61 Lots P/O 2 (100.0 ac) & P/O 2-ES (severable exception - 3.0 ac)

Alloway Twp. - Block 109 Lots 3 (14.9 ac) & 3.01 (18.1 ac)

Gross Total = 188.0 ac

Salem County

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

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



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

October 2, 2017

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

GENERAL INFORMATION

COUNTY OF Salem Quinton Twp. 1711

APPLICANT Riggs Holding, LLC

PRIORITIZATION SCORE

SOILS:	Other	5% *	0	=	.00
	Prime	67% *	.15	=	10.05
	Statewide	4% *	.1	=	.40
	Unique zero	24% *	0	=	.00

SOIL SCORE: 10.45

TILLABLE SOILS:	Cropland Harvested	79% *	.15	=	11.85
	Other	1% *	0	=	.00
	Wetlands	2% *	0	=	.00
	Woodlands	18% *	0	=	.00

TILLABLE SOILS SCORE: 11.85

BOUNDARIES	Farmland (Unrestricted)	40% *	.06	=	2.40
AND BUFFERS:	Residential Development	36% *	0	=	.00
	Streams and Wetlands	6% *	.18	=	1.08
	Woodlands	18% *	.06	=	1.08

BOUNDARIES AND BUFFERS SCORE: 4.56

CONTIGUOUS	Riggs Holdings	Restricted Farm or Current Application	2
PROPERTIES	Thundergut Pond	Restricted Farm or Current Application	2
/ DENSITY:	Alloways Creek Greenway	Restricted Farm or Current Application	2

DENSITY SCORE: 6.00

LOCAL COMMITMENT:	60% *	16	=	9.60
	40% *	19	=	7.60

LOCAL COMMITMENT SCORE: 17.20

SIZE: SIZE SCORE: 7.40

IMMIMENCE OF CHANGE: SADC Impact factor = 1.25

IMMINENCE OF CHANGE SCORE: 1.25

COUNTY RANKING:

EXCEPTIONS: EXCEPTION SCORE: -4.00

TOTAL SCORE: 54.71

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2020R7(17)**

**Preliminary Approval
SADC Easement Purchase
of an
“ALTERNATE” FARM**

**On the Property of
Ware, Lee R. (“Owner”)**

July 25, 2019

Subject Property: **Ware, Lee R.**
Block 34, Lots 12 & 12.04
Elsinboro Township, Salem County
SADC ID#17-0345-DE
Approximately 67.9 Net Easement Acres

WHEREAS, pursuant to N.J.A.C. 2:76-11.3, an owner of farmland may offer to sell to the State Agriculture Development Committee (“SADC”) a development easement on the farmland; and

WHEREAS, on April 4, 2019, the SADC received a development easement sale application from Lee R. Ware, hereinafter “Owner,” identified as Block 34, Lots 12 & 12.04 in Elsinboro Township, Salem County, hereinafter “the Property,” totaling approximately 86.4 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes one (1), approximately 18.5 acre +/- non-severable conservation exception area (CEA) for and limited to conservation purposes with zero (0) residential opportunities resulting in approximately 67.9 net acres to be preserved; and

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

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

WHEREAS, staff evaluated this application for the sale of development easement was evaluated pursuant to N.J.A.C. 2:76-11.5 and the State Acquisition Selection Criteria approved by the SADC on July 27, 2017, which categorizes applications into “Priority”, “Alternate” and “Other” groups; and

WHEREAS, the Property has a quality score of 69.29 and contains approximately 67.9 net acres (Schedule B); and

WHEREAS, the Property exceeds the SADC's Salem County minimum ranking criteria for the "Priority" category which requires a quality score of at least 61, however, it falls below the required 92 acres; and

WHEREAS, both the quality score and acreage exceed the "Alternate" farm standards, therefore, this farm is categorized as an "Alternate" farm, requiring SADC preliminary approval; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, on August 25, 2017 the SADC entered into an agreement with the United States Natural Resources Conservation Service (NRCS) for a Regional Conservation Partnership Program (RCPP) to restore and preserve wetlands through the Agricultural Conservation Easement Program (ACEP) - Wetlands Reserve Easements (WRE) on farms located in Salem County; and

WHEREAS, the CEA on the Property has been identified as a candidate for NRCS's WRE program because the acreage is modified agricultural wetlands, where the hydrology has been significantly degraded and can be restored, and on April 17, 2019 NRCS confirmed the CEA is eligible; and

WHEREAS, the SADC, owner and NRCS have agreed to coordinate an application for WRE during the next available NRCS funding cycle anticipated in October 2019; and

WHEREAS, the NRCS through the WRE program will compensate the owner to permanently preserve the CRE area and also provide additional funding after preservation for the restoration of this area; and

WHEREAS, this preliminary approval is conditioned on the owner and NRCS entering into an agreement securing the WRE details and funding prior to receiving SADC Final Approval; and

WHEREAS, at this time the WRE easement purchase grant for the CEA is estimated at approximately \$99,900; and

WHEREAS, per selection procedures approved by the SADC on September 20, 2017, SADC's "Partnership Pool" funding may be utilized for farms that leverage SADC funds by utilizing non-SADC funding, including those that do not meet SADC's "Priority" criteria; and

WHEREAS, because WRE grant funding will be utilized to leverage SADC funding this farm will utilize SADC's "Partnership Pool" as per the Direct Easement selection procedures approved by the SADC on September 20, 2017; and

NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:

1. Utilize SADC's "Partnership Pool" funding used only for transactions that leverage SADC funds through the use of non-SADC funding;
2. Enter into a 120 day option agreement with the Landowner;
3. Secure two independent appraisals to estimate the fair market value of the Property;
4. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC;
5. Preliminary Approval is conditioned on the owner and NRCS entering into an agreement prior to SADC Final Approval.

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.

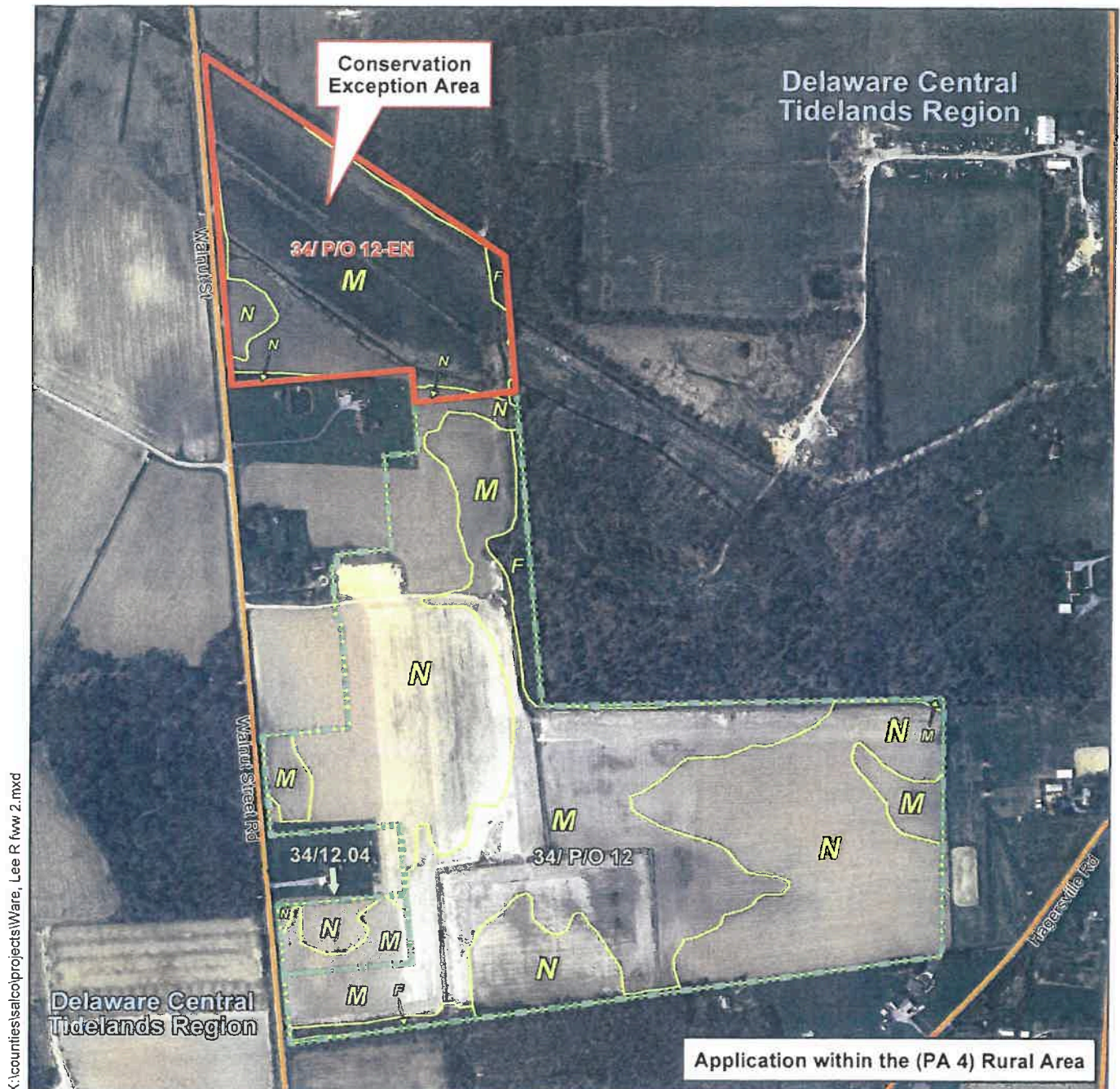
7/25/19
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Wetlands



FARMLAND PRESERVATION PROGRAM

NJ State Agriculture Development Committee

Ware, Lee R.

Block 34 Lots 12.04 (2.6 ac); P/O 12 (65.3 ac)
& P/O 12-EN (non-severable exception - 18.5 ac)

Gross Total = 86.4 ac

Elsinboro Twp., Salem County

500 250 0 500 1,000 Feet

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

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

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
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Tidelands Boundary

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

Preserved Farms and Active Applications Within Two Miles

70000000

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ware, Lee R.
Block 34 Lots 12.04 (2.6 ac); P/O 12 (65.3 ac)
& P/O 12-EN (non-severable exception - 18.5 ac)
Gross Total = 86.4 ac
Elsinboro Twp., Salem County



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



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

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

May 13, 2019

Schedule B

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

GENERAL INFORMATION

COUNTY OF Salem Elsinboro Twp. 1703

APPLICANT Ware, Lee R.

PRIORITIZATION SCORE

SOILS:	Other	6% *	0	=	.00
	Prime	58% *	.15	=	8.70
	Statewide	36% *	.1	=	3.60

SOIL SCORE: 12.30

TILLABLE SOILS:	Cropland Harvested	96% *	.15	=	14.40
	Wetlands	3% *	0	=	.00
	Woodlands	1% *	0	=	.00

TILLABLE SOILS SCORE: 14.40

BOUNDARIES	Deed Restricted Farmland (Permanent)	19% *	.2	=	3.80
AND BUFFERS:	Farmland (Unrestricted)	9% *	.06	=	.54
	Residential Development	22% *	0	=	.00
	Streams and Wetlands	46% *	.18	=	8.28
	Woodlands	4% *	.06	=	.24

BOUNDARIES AND BUFFERS SCORE: 12.86

CONTIGUOUS	Ware, L	Restricted Farm or Current Application	2
PROPERTIES	Ware, C	Restricted Farm or Current Application	2
/ DENSITY:	Vengenoek	Restricted Farm or Current Application	2
	Shuman	No Points	0
	Ayars	Restricted Farm or Current Application	2

DENSITY SCORE: 8.00

LOCAL COMMITMENT:	100% *	18	=	18.00
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LOCAL COMMITMENT SCORE: 18.00

SIZE:	SIZE SCORE:	2.76
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IMMIMENCE OF CHANGE: SADC Impact factor = .97

IMMINENCE OF CHANGE SCORE: .97

COUNTY RANKING:

EXCEPTIONS:	EXCEPTION SCORE:	.00
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TOTAL SCORE: 69.29

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2020R7(18)

**Preliminary Approval
SADC Easement Purchase
of an
"OTHER" FARM**

**On the Property of
Bowlby, Donald and Lillis - Estate of (Lot 19.02)**

JULY 25, 2019

Subject Property: **Bowlby, Donald and Lillis - Estate of**
Block 71, Lot 19.02 - Raritan Township, Hunterdon County
SADC ID#:10-0269-DE
Approximately 18.8 Net Easement Acres

WHEREAS, pursuant to N.J.A.C. 2:76-11.3, an owner of farmland may offer to sell to the State Agriculture Development Committee ("SADC") a development easement on the farmland; and

WHEREAS, on April 1, 2019, the SADC received three (3) individual development easement sale applications from the Estate of Donald and Lillis Bowlby, hereinafter "Owner," identified as Block 71, Lot 19, 19.02 and 81, Raritan Township, Hunterdon County, totaling approximately 174 gross acres, identified in (Schedule A); and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to N.J.A.C. 2:76-11.5 and the State Acquisition Selection Criteria approved by the SADC on July 27, 2017, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the applications for Lot 19 and Lot 81 rank as "Priority Farms" and have been selected for appraisal in the Direct Easement Program; and

WHEREAS, staff finds that Lot 19.02 (herein after "the Property"), has a quality score of 65.42 and contains approximately 20.8 acres (Schedule B); and

WHEREAS, the Property includes one (1), approximate 2-acre non-severable exception area for and limited to one (1) future single family residential unit, resulting in approximately 18.8 net acres to be preserved (Schedule C); and

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

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

WHEREAS, the Property does not meet the SADC's Hunterdon County minimum ranking criteria for size in the "Priority" (49 acres) or "Alternate" (36 acres) categories, although it's quality score is higher than 58, which is the minimum score required to be considered a "Priority" farm, therefore the Property is categorized as an "Other" farm, requiring SADC preliminary approval; and

WHEREAS, because this 18.8 acre farm has a quality score higher than the County minimum for a "Priority" farm and is contiguous with 2 other Direct Easement application selections from the same Owner, SADC staff recommends selecting the Property for processing as an "other" farm to expedite and promote consistency with the application process; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and pursuant to N.J.A.C. 2:76-11.6(b)i. there are no "priority" ranked applications that have not already been selected for processing at this time; and

WHEREAS, as per selection procedures approved by the SADC on September 20, 2017, SADC's "Partnership Pool" funding may be utilized for Direct Easement Purchase program applications that leverage SADC funds by utilizing non-SADC funding, including those that do not meet SADC's "Priority" criteria; and

WHEREAS, due to the need for partnership funding on Lot 19.02 and uncertainty of funding for the other 2 farms, the SADC staff forwarded the 3 individual applications to Hunterdon County to determine if the County would be interested in providing a cost share contribution and on May 9, 2019 the County Agriculture Development Board (CADB) granted preliminary approval during its annual application "Planting Round" and on July 2, 2019 the County Board of Chosen Freeholders granted preliminary approval for a 20 percent County cost share on the three Bowlby farms; and

WHEREAS, because this Property is an "Other Farm" and County funding has been preliminarily secured to leverage SADC funding, this farm will utilize SADC's "Partnership Pool" as per the Direct Easement selection procedures approved by the SADC on September 20, 2017; and

WHEREAS, this preliminary approval of Lot 19.02, is conditioned upon:

- 1) receipt of a grant from the County of Hunterdon equal to approximately 20 percent of the easement cost; and
- 2) the preservation of Lot 19 and Lot 81 either prior to or simultaneous with the closing on the subject farm.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:
 - a) Utilize SADC's "Partnership Pool" funding used only for transactions that leverage SADC funds through the use of non-SADC funding;
 - b) Enter into a 120 day option agreement with the Landowner;
 - c) Secure two independent appraisals to estimate the fair market value of the Property;
 - d) Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.
3. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

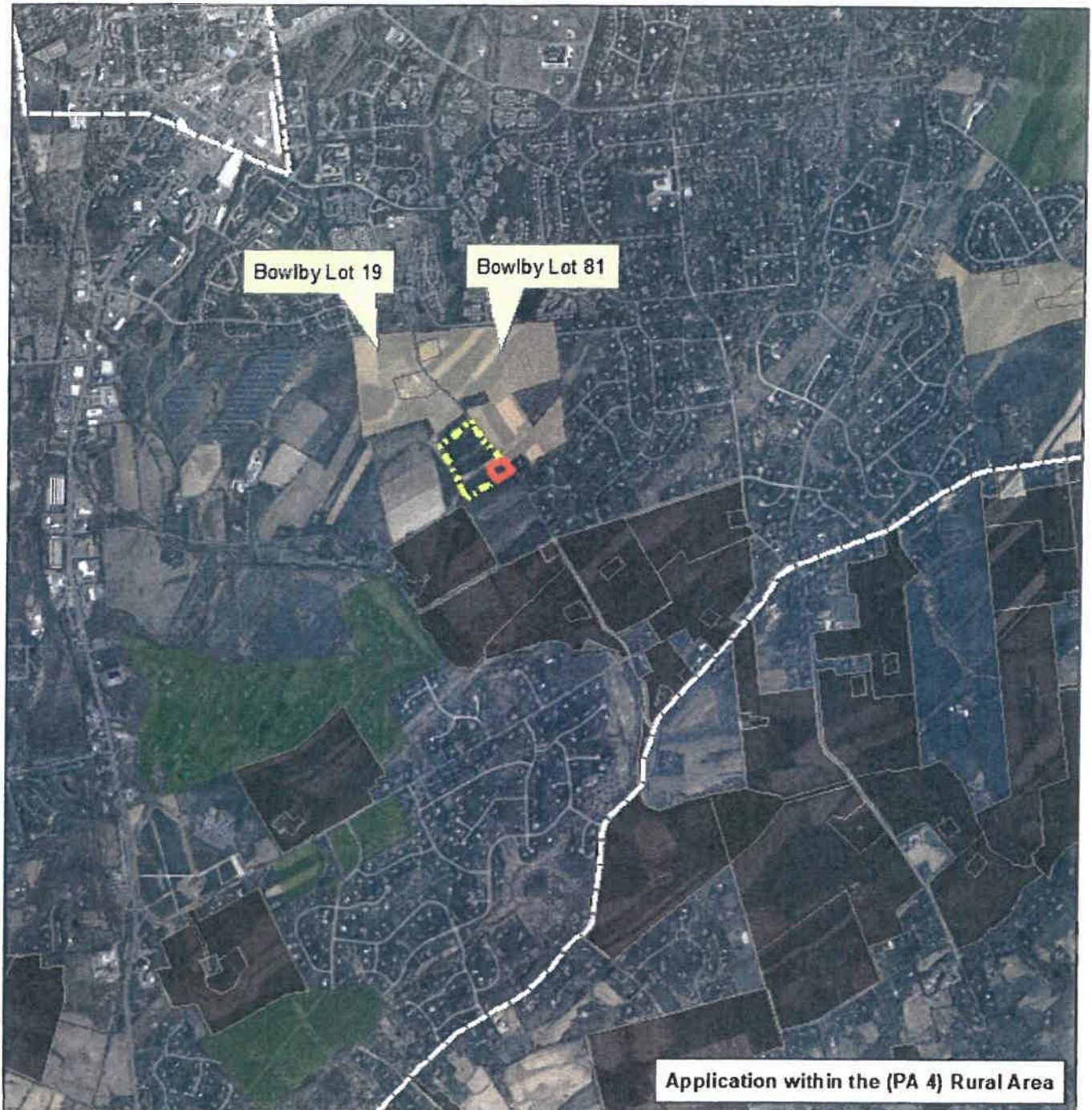
7/25/19
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

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Application within the (PA 4) Rural Area

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

Bowlby, Donald & Lillis - Estate of (Lot 19.02)
Block 71 Lots P/O 19.02 (18.8 ac)
& P/O 19.02-EN (non-severable exception - 2.0 ac)
Gross Total = 20.8 ac
Raritan Twp., Hunterdon County

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



Source:
(1) Farmland Preservation Program
Green Acres Conservation Easement Data
(2) NJ State Agriculture Development Committee
(3) NJ State Agriculture Development Committee
(4) NJ State Agriculture Development Committee

April 17, 2014

NOTE:
The parcel boundaries shown on this map are approximate and should not be used to determine the exact location of the parcel boundaries. The map is for informational purposes only and should not be used for legal purposes.

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

Schedule B

GENERAL INFORMATION

COUNTY OF Hunterdon Raritan Twp. 1021
APPLICANT Bowlby, Donald & Lillis - Estate of (Lot 19.02)

PRIORITIZATION SCORE

SOILS:	Other	14% *	0	=	.00
	Prime	14% *	.15	=	2.10
	Statewide	72% *	.1	=	7.20

SOIL SCORE: 9.30

TILLABLE SOILS:	Cropland Harvested	83% *	.15	=	12.45
	Other	17% *	0	=	.00

TILLABLE SOILS SCORE: 12.45

BOUNDARIES AND BUFFERS:	EP Applications	24% *	.13	=	3.12
	Farmland (Unrestricted)	18% *	.06	=	1.08
	Residential Development	29% *	0	=	.00
	Streams and Wetlands	26% *	.18	=	4.68
	Woodlands	3% *	.06	=	.18

BOUNDARIES AND BUFFERS SCORE: 9.06

CONTIGUOUS PROPERTIES / DENSITY:	Bowlby (Lot 19.02)	Restricted Farm or Current Application	2
	Kuhl Makarick Props	Restricted Farm or Current Application	2
	Kuhl Rubin Props	Restricted Farm or Current Application	2
	Quick River/Whitehall	Restricted Farm or Current Application	2
	Lee	Restricted Farm or Current Application	2

DENSITY SCORE: 10.00

LOCAL COMMITMENT:	100% *	20	=	20.00
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LOCAL COMMITMENT SCORE: 20.00

SIZE:	SIZE SCORE:	1.36
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IMMIMENCE OF CHANGE: SADC Impact factor = 3.25

IMMINENCE OF CHANGE SCORE: 3.25

COUNTY RANKING:

EXCEPTIONS:	EXCEPTION SCORE:	.00
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TOTAL SCORE: 65.42

Wetlands

X:\counties\hunc\projects\Bowlby, Donald & Lillis - Estate of (Lot 19.02) fww.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Bowlby, Donald & Lillis - Estate of (Lot 19.02)
Block 71 Lots P/O 19.02 (18.8 ac)
& P/O 19.02-EN (non-severable exception - 2.0 ac)
Gross Total = 20.8 ac
Raritan Twp., Hunterdon County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJDEP Wetlands Data
NJOT/IGIS 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
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads

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