

STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC)

Department of Agriculture

Market and Warren Streets, 1st Floor Auditorium

Trenton, NJ 08625

REGULAR MEETING

September 27, 2018

Chairman Fisher called the meeting to order at 9:09 a.m. The flag salute was conducted.

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

Roll call indicated the following:

Members Present

Chairman Douglas Fisher

Scott Ellis

Thomas Stanuikynas (rep. DCA Commissioner/Lt. Governor Sheila Y. Oliver) (left during closed session at 11:53 a.m.)

Alan Danser

Pete Johnson

Ralph Siegel (rep. Treasurer Elizabeth Maher Muoio)

Cecile Murphy (rep. NJDEP Commissioner Catherine R. McCabe) (left during closed session at 12:24 p.m.)

Brian Schilling (rep. Executive Dean Robert M. Goodman)

Jane Brodhecker

James Waltman

Members Absent

Denis Germano

Susan E. Payne, Executive Director

Jason Stypinski, Esq., Deputy Attorney General

Others present as recorded on the attendance sheet: Donna Rue, Public; Laurie Sobel, Middlesex CADB, and Katherine Fullerton, East Amwell Township.

Minutes

A. SADC Regular Meeting of July 26, 2018 (Open and Closed Sessions)

It was moved by Mr. Danser and seconded by Mr. Ellis to approve the Open and Closed Session minutes of the SADC regular meeting of July 26, 2018. The motion was approved. Ms. Murphy, Ms. Brodecker and Mr. Waltman abstained from the vote.

Report of the Chairman

Chairman Fisher stated that he gets asked often how agriculture is doing and his response is that agriculture is doing great! Currently the top-rated soil for agriculture is found in Kentucky. Chairman Fisher stated that this year has been a challenging year for farmers due to extreme weather conditions like severe cold and rain. It's particularly tough during this time of the year when it's agricultural tourism season as farmers gage their bottom line. Chairman Fisher commended the farmers on their consistent resiliency.

Report of the Executive Director

Ms. Payne stated that the CBT Funding has been approved by voters. When the enabling legislation for the Preserve New Jersey Act passed, that covered FY2016 through FY2019 and it set forth how much funding each of the programs will receive. We are currently in FY2019, and FY2020 is fast approaching, so the legislature is now dealing with the question of what the funding will be going forward. Currently under the Preserve New Jersey Act, Green Acres receives 60% of funding and Blue Acres receives 4%. Senator Smith has introduced S2920, which amends the Act by combining the Green Acres and Blue Acres percentages into one allocation of 62%. The proposed legislation also increases the share for historic preservation from 5% to 7% and holds Farmland Preservation constant at 31%. CBT funding in general will increase for all programs starting in 2020. If S2920 is enacted, it will give the Garden State Preservation Trust (GSPT) broad powers to monitor expenditure of funds and if any of the programs are not spending their funds in a timely fashion, it allows the GSPT, after a public hearing, to move money around from one program to another. The one thing that did not get addressed in S2920 was the dual

appraisal provisions in the Highlands. SADC is bringing this issue to the attention of the administration, as it is very important to the agricultural community. The Committee approved FY19 appropriations recommendations in July, so once the GSPT approves it, SADC can get appropriation bills approved through the legislature.

Ms. Payne stated that the GSPT put out a Farmland Preservation analysis by municipality. Mr. Siegel stated that the idea here is that any municipality can examine its preservation track record and use that to justify local matching funds and efforts. Any given town can look at the acres it preserved and the historic projects that it funded, with the hope that the town will renew or increase its matching funds. Ms. Payne then directed the Committee to the handouts that it received which shows the top 25 towns and counties in New Jersey to have farmland preserved and the 77 towns and counties that have over 1,000 acres preserved.

Ms. Payne gave the Committee an update on stewardship and monitoring of farms by SADC staff. Ms. Payne stated that historically, Gary Pohorely, who has since retired, monitored the approximate 500 SADC-held farmland preservation easements. Since Gary's retirement, staff is trying to use that same full-time employee (FTE) position to get more work done in the office as opposed to going out in the field. Ms. Payne asked Mr. Roohr to explain the monitoring program to the Committee.

Mr. Roohr stated that the SADC has entered into a pilot agreement with the Warren County Soil Conservation District (WCSCD), which currently does the monitoring for Warren and Sussex counties. Staff felt that using the WCSCD would be beneficial because the district has been the contracting monitoring group for the Warren County Agriculture Development Board (WCADB) for the last five years. Staff is familiar with the district's monitoring at the county level and can attest to its consistency and thorough detail, so piloting this arrangement with the WCSCD would be a huge benefit. There will be a total of 42 properties in both counties that the WCSCD will be monitoring which will include fee and direct easements, and the cost will be \$150 to \$160 per farm. If the monitoring is successful, staff will use this service in other counties. Getting people who live in these regions to do the monitoring will cut down on a lot of state travel time and keep things more efficient. Mr. Ellis asked Mr. Roohr why staff did not elect to use the CADBs from each county to do the monitoring. Mr. Roohr stated that in Warren County the CADB does not do the monitoring. The WCSCD is the contractor for the Warren CADB. Most CADBs have their hands full and couldn't take on the additional responsibility of monitoring the state's direct easement and fee simple farms.

Communications

Ms. Payne stated that there was a great article on the Johnson Farm that everyone should look at and she encouraged the Committee to read the remainder of the clips as there is important information about community solar, hemp legislation and other important information.

Public Comment

Ms. Donna Rue, owner of the Holland Ridge Farm, invited the Committee and the public to the Sunflower Festival on her farm in Cream Ridge, New Jersey. She stated that it's a nice environment of agricultural tourism and what can occur on a preserved farm.

New Business

A. Approval of SADC FY 2019 Administrative Budgets

- 1. Farmland Preservation Program**
- 2. Right to Farm Program**

Mr. Distaulo stated that staff has the new FY 2019 budget for office administration and the Right to Farm program. The new administrative budget has been simplified and consolidated into various high-level groups to make it easier to examine. The FY17 and FY18 budgets are listed based on what was expended and what was the anticipated budget. Regarding the estimated FY2019 budget for salaries, the SADC could spend up most of that budget, but due to staff members leaving and retiring and backfills coming in, there is usually a gap of a few FTEs that are missing, so the budget for salaries is a little short. The salary budget is also used to equal out the total budget authorization for the entire fiscal year, which is \$3.079M.

Ms. Payne stated that SADC staff has been working on the E-Farms project for the last 4 years to explore using the web to communicate with SADC partners which would eliminate all the paperwork that goes behind it. That project has halted because the Office of Information Technology (OIT) indicated that despite its best efforts, OIT is unable to complete the project for the SADC due to a high employee turnover rate, so it has informed the SADC of the need to seek outside resources. The funds not spent on salaried budget will be spent on outside vendors to complete the E-Farms project. Other than that, these numbers have remained consistent in previous years.

Mr. Distaulo stated that regarding the Right to Farm (RTF) budget, there are several people in the office now taking on the RTF tasks, so there is no permanent staff dedicated to the program. There has also been a lot of legal fees due to RTF cases. As a result, staff is spending less on salaries and more on legal fees. The rest of the costs go to office supplies and professional services.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve the SADC FY2019 Administrative Budgets for the Farmland Preservation Program and the Right to Farm Program. The motion was unanimously approved.

B. Eight Year Farmland Preservation Program- Enrollments, Renewals, Terminations, Withdrawals

1. Renewal

a. Formisano Farm, Buena Borough, Atlantic County

Mr. Kimmel stated that the Formisano Farm is being renewed for another term, this being the fourth renewal since 1986.

C. Review of Non-Agricultural Development Project in an Agricultural Development Area (ADA)

1. PSE&G- Metuchen-Trenton-Burlington Transmission Project- Segment 1B: Township of Plainsboro, Middlesex County

Note: Mr. Danser recused form the discussion as he is the Chairman of the Middlesex County Agriculture Development Board.

Mr. Bruder stated that PSE&G has proposed the replacement of an existing overhead power line, originally constructed in 1929, with a new electric transmission system that will run through the Metuchen Switching Station in Edison Township, Middlesex County, to the Burlington Switching Station in Burlington Township, Burlington County. The Metuchen-Trenton-Burlington (MTB) electric transmission system is a 55-mile long, 100-foot wide, 230kV utility corridor which will be supported by new 111 to 181-foot-tall monopole structures within PSE&G's existing right-of-way. Mr. Bruder stated that PSE&G's attorney, Thomas Letizia, Esq., from the law firm of Pepper Hamilton, was present to answer any questions the Committee may have. Mr. Bruder stated that for Segment 1B of the project, a 4.7-acre, approximately 2,000 linear foot, portion of PSE&G's right-of-way identified as Block 1902, Lot 2 and Block 3301, Lot 27 in the Township of Plainsboro, is located within Middlesex County's ADA and between parcels of the preserved Walker Gordon Farm. It is identified in Schedules B1 and B2 that the right-of way area within the

ADA currently contains four lattice towers which are proposed to be replaced with two monopole structures. All construction within the ADA, including access roads and temporary workspaces, will be within the existing right-of-way granted to PSE&G in the late 1920's. 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 agricultural preservation and development policies, and finds that Segment 1B of PSE&G's Metuchen-Trenton-Burlington Project in Middlesex County would not cause unreasonably adverse effects on the preserved farms, ADA or State agricultural preservation and development policies. Mr. Bruder also advised that 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, and PSE&G has evaluated all options for the project and determined that construction of Segment 1B, within its existing utility right-of-way, will have little or no permanent agricultural effects.

It was moved by Mr. Ellis and seconded by Mr. Stanuikynas to approve Resolution FY2018(1) granting approval for the proposed action of PSE&G's Metuchen-Trenton-Burlington (MTB) Project in Middlesex County to replace an electric transmission system in an Agricultural Development Area (ADA) and determining that it will not cause unreasonably adverse effects on preserved farms, the ADA or State agricultural preservation and development policies. The motion was unanimously approved. This action is not effective until the Governor's review period expires pursuant to N.J.S.A 4:1C-4f.

D. Resolution: County Planning Incentive Grant Program

Ms. Stanley referred the Committee to a request for final approval for Atlantic County under the County Planning Incentive Grant 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 Mr. Danser and seconded by Ms. Brodhecker to approve Resolution FY2018R9(2) granting final approval to the following application under the County Planning Incentive Grant Program, as presented, subject to any conditions of said resolution:

1. Atlantic County, FY2018R9(2)

The motion was approved. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division. A copy of Resolution FY2018R9(2) is attached to and is a part of these minutes.

E. Resolution: Municipal Planning Incentive Grant Program

Ms. Stanley referred the Committee to two requests for final approval for Hunterdon County and Cumberland County under the Municipal Planning Incentive Grant 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 Mr. Schilling to approve Resolution FY2018R9(3) and FY2018R9(4) granting final approval to the following applications under the Municipal Planning Incentive Grant Program, as presented, subject to any conditions of said resolutions:

1. Tewksbury Township, Hunterdon County, Resolution FY2018R9(3)
2. Hopewell Township, Cumberland County, Resolution FY2018R9(4)

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division. Copies of Resolution FY2018R9(3) and FY2018R9(4) are attached to and are a part of these minutes.

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

Ms. Mazzella referred the Committee to two requests for final approval under the County Planning Incentive Grant 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 Ms. Murphy and seconded by Mr. Schilling to approve Resolution FY2018R9(5) and FY2018R9(6) granting final approval to the following applications under the County Planning Incentive Grant Program, as presented, subject to any conditions of said resolutions:

1. Carolyn B Dare, SADC ID #17-0190-PG (Resolution FY2018R9(5))
Block 42, Lot 9, Upper Pittsgrove Township, Salem County, 23.8 Net Acres
2. Dennis J. Kelly Sr., SADC ID # (Resolution FY2018R9(6))
Block 24, Lot 3, Pilesgrove Township, Salem County, 85.8 Gross Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division. Copies of Resolution FY2018R9(5) and FY2018R9(6) are attached to and are a part of these minutes.

G. Resolutions of Final Approval: Municipal Planning Incentive Grant Program

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

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolution FY2018R9(7) and FY2018R9(8) granting final approval to the following applications under the Municipal Planning Incentive Grant Program, as presented, subject to any conditions of said resolutions:

1. Alice Miller, SADC ID #10-0417-PG, (Resolution FY2018(7))
Block 9, Lot 10, Alexandria Township, 65.3 Net Acres
2. Kurt and Donna Sickler, SADC ID #17-0188-PG, (Resolution FY2018(8))
Block 36, Lot 4, Alloway Township, 31.3 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division. Copies of Resolutions FY2018R9(7) and FY2018R9(8) are attached to and are a part of these minutes.

H. Resolutions of Final Approval: Direct Easement Purchase

Ms. Miller and Ms. Mandelbaum referred the Committee to four requests for final 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.

Note: Mr. Waltman recused from the discussion because the Harbourton Foundation of Hopewell Township, in Mercer County, provides financial support to the Stony Brook Millstone Watershed Association where Mr. Waltman is the Executive Director.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve Resolution FY2018R9(9), FY2018R9(10) and FY2018R9(12) granting final approval to the following applications under the Direct Easement Purchase Program, as presented, subject to any conditions of said resolutions:

1. The Estate of Daniel Varela, SADC ID #10-0245-DE (Resolution FY2018(9))
Block 32, Lots 5 & 6; and Block 33, Lot 12, Kingwood Township, Hunterdon County, 89.4 Net Acres
2. Woodmeier farm, LLC, SADC ID #10-0250-DE, (Resolution FY2018(10))
Block 19, Lot 3.01, West Amwell Township, Hunterdon County, 97.2 Net Acres
3. John B. III and Barbara M. Bitter (Owners), SADC ID #17-0321-DE, (Resolution FY2018(12))
Block 19, Lot 1; Block 21, Lot 13 and Block 6, Lot 3, Mannington Township, Salem County, 97.2 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division. Copies of Resolutions FY2018R9(9), FY2018R9(10) and FY2018R9(12) are attached to and are a part of these minutes.

It was moved by Mr. Schilling and seconded by Mr. Stanuikynas to approve Resolution FY2018R9(11) granting final approval to the following application under the Direct Easement Purchase Program, as presented and discussed, subject to any conditions of said resolution:

4. Harbourton Foundation, SADC ID #11-0042-DE, (Resolution FY2018R9(11))
Block 29, Lot 9, Hopewell Township, Mercer County, 78.5 Net Acres

The motion was approved. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division. A copy of Resolution FY2018R9(11) is attached to and is a part of these minutes.

I. Resolutions of Final Approval: Non-Profit Easement Purchase

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

Note: Mr. Waltman voted in opposition to the Hensler Farm application for final approval stating he is uncomfortable with the differing opinions between the Department of Environmental Protection (DEP) and its sister agency regarding Hensler Farm building a buffer around a stream.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve Resolution FY2018R9(13) granting final approval to the following application under the Non-Profit Easement Purchase Program, as presented and discussed, subject to any conditions of said resolution:

1. Hensler Farms LLC (TLCNJ), SADC ID #21-0038-NP, (Resolution FY2018R9(13))
Block 18, Lot 16, White Township, Warren County, 38.7 Gross Acres.

The motion was approved. Mr. Waltman voted in opposition. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division. A copy of Resolution FY2018R9(13) is attached to and is a part of these minutes.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2018R9(14) granting final approval to the following application under the Non-Profit Easement Purchase Program, as presented and discussed, subject to any conditions of said resolution:

2. Robert and Sharon Santini, SADC ID #21-0037-NP, (Resolution FY2018R9(14))
Block 45, Lot 26, Harmony Township, Warren County, 66.5 Net Acres.

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division. A copy of Resolutions FY2018R9(14) is attached to and is a part of these minutes.

J. Stewardship

1. Resolution: House Replacement

- Foxtail Water Services, LLC
Block 40, Lot 4, Alloway Township, Salem County
69.7 Acres

Mr. Roohr stated that on July 25, 2018, the SADC received an application from the Salem CADB on behalf of the owner of the Foxtail Water Services, LLC Farm to replace the existing single-family residence on the premises. The owner, Larry Massey, just purchased the preserved farm and wanted to install a modern barn for his larger equipment. The plan was to renovate the existing farm house and live in it, but as Mr. Massey began demolition he discovered that the residence is in a state of disrepair with significant termite and

structural damage including mold. Most importantly, there are substances in the old insulation that he is severely allergic to. Mr. Massey determined that he could not live in the existing house. Mr. Massey does not have the finances to build a brand-new house, so he proposed to replace the existing two-story residence of approximately 3,000 square feet on the premises with a 1,200 square foot, one bedroom, one-bathroom unit with an attached 15x15 enclosed sunroom. The SADC, after discussing the application and considering the terms of the Deed of Easement, found that the replacement of the single-family residence on the preserved premises will have a positive impact on the continued agricultural operation of the farm and granted an amended approval of Foxtail Water Service's application. The Committee discussed the need to ensure that this approval to relocate the housing opportunity into the barn does not in any way interfere with a future owner's ability to again relocate it to a single-family home elsewhere on the farm, subject to the Deed of Easement. Ms. Payne read the proposed language to effectuate the Committee's concern as an amendment to the draft resolution.

It was moved by Mr. Siegel and seconded by Ms. Murphy to approve Resolution FY2018R9(15), as amended, granting approval for Foxtail Water Services, LLC, to build a housing opportunity within a barn to replace the current residence on the premises and as such use the barn structure to contain the residential unit, that does not limit or extinguish the ability for the landowner, or any future landowner, to request to relocate that housing opportunity pursuant to the Deed of Easement. The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey This action is not effective until the Governor's review period expires pursuant to N.J.S.A.4:1C-4F.

K. Resolutions: Soil and Water Conservation Project Cost- Sharing

Mr. Clapp reviewed four applications for soil and water cost sharing grants for the installation of two underground drainage system, an irrigation system, and a water impoundment reservoir. Staff recommended approval of cost share funding for the following projects:

Note: Mr. Schilling recused from the discussion because of a potential employment conflict.

1. Robert G. Michisk, SADC ID #10-0094-EP, (Resolution FY2018R9(16))
Block 12, Lot 2, Raritan Township, Hunterdon County, 109.729 Acres
2. Paul and Barbara Shinn, SADC ID #03-00043-EP, (Resolution FY2018R9(18))
Block 1901, Lot 1.01, Springfield Township, Burlington County, 101.337

Acres

3. Alstede Farms, LLC, SADC ID #14-0121-EP, (Resolution FY2018R9(19))
Block 133, Lot 1, Boro of Chester, Morris County, 89.819 Acres

It was moved by Mr. Ellis and seconded by Mr. Waltman to approve Resolutions FY2018R9(16), FY2018R9(18), and FY2018R9(19) granting approval to approve soil and water conservation cost-share funding for those applications. The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A.4:1C-4F. Copies of Resolutions FY2018R9(16), FY2018R9(18), and FY2018R9(19) are attached to and are a part of these minutes.

4. Jean A. Robinson, SADC ID #03-0087-EP, (Resolution FY2018R9(17))
Block 700.1, Lot 1, North Hanover Township, Burlington County, 43.791 Acres

It was moved by Mr. Danser and seconded by Mr. Stanuikynas to approve Resolution FY2018R9(17) approving soil and water conservation cost-share funding for that application. The motion was approved. The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A.4:1C-4F.. A copy of Resolution FY2018R9(17) is attached to and is a part of these minutes.

L. Agricultural Development (Discussion Only)

1. Farmland Stewardship Deer Fencing Program Policy

Mr. Kimmel stated that at the June 28, 2018, meeting, the Committee directed staff to review and update the Farmland Stewardship Deer Fencing Program application, policy and fencing specifications to prepare for a second program round in the fall. The Committee's direction was to make the program documents more straightforward and revise them based on experiences from the first round of the pilot program. The proposed updates include limiting submission of financial documentation by business entities, viewing the SADC deer fencing installation video in lieu of attending a training, having clearer fencing specifications, and clarifying reimbursement amounts and conditions.

Mr. Clapp stated that in terms of the reimbursement, the policy will clarify that a grant recipient from a prior round is not eligible to receive additional grant funding for eight

years for the same farm property. Mr. Everett stated that if someone owns two separately preserved farms they could come in with two separate applications. If the owner has two or more farm parcels preserved by the same deed of easement, then the parcels are considered under common deed ownership.

Ms. Payne suggested that staff revisit the soil and water rules to make them clearer with respect to the use of the term “common deed ownership” and stated that the deer fence grants were put in place to improve permanently preserved farms. Ms. Payne also stated that soil and water regulations are different from deer fencing regulations and it is important to keep that in mind.

Mr. Clapp stated that in the last deer fencing funding round it wasn’t clear as to whether a fence needed to completely enclose an area, but that that is an important feature to ensure the fence is completely functional and effective. Further, deer fencing grants can only be used to pay for new deer fencing, not for repairs or reusing old materials.

For the Committee’s consideration, staff proposed a timeline for awarding second round grants including a delegation of approval authority to staff so that the process can be expedited. In October 2018, based on the review with the Committee today, staff will present a final the written policy and announce the second funding round; in November all applications will be due to the SADC; in December the funding approvals will commence for complete applications for those landowners conscious of tax issues; and funding decisions will be formally announced at the January 2019 Committee meeting. The Committee indicated support for the proposed changes to the deer fence policy and delegation authority. Ms. Payne indicated staff will present a resolution and final policy in October for approval. Chairman Fisher stated that the staff did great work here and that he appreciates the aggressive timeline to get this done.

M. Resolution: Agricultural Mediation Program

1. Recertification of Roster of Mediators for Fiscal Year 2019

Mr. Kimmel stated 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 by farmers and USDA agencies to help resolve USDA-related issues and by farmers, neighbors, and municipalities to help resolve Right to Farm-related issues. The program may also be used by farmers and private lenders to help resolve agricultural credit issues. Pursuant to the program’s regulations, the agricultural mediators’ certificates are to be renewed annually, provided the mediators continue to satisfy the program’s regulations. The SADC last recertified the roster on September 28, 2017.

Staff recommendation is to renew the certifications of the mediators, as they have continued to satisfy program requirements.

It was moved by Mr. Danser and seconded by Ms. Murphy to approve Resolution FY2018R9(20) approving the Renewal of Certification of Agricultural Mediation Program Mediators. The motion was unanimously approved. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. A copy of Resolution FY2018R9(20) is attached to and is a part of these minutes.

Public Comment

There was no public comment.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 a.m., Thursday, October 25, 2018

Location: Health/Agriculture Building, First Floor Auditorium

CLOSED SESSION

At 11:15 a.m. Ms. Payne read the following resolution to go into Closed Session:

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

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

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters – Certification of Values

1. County Planning Incentive Grant Program

Note: Mr. Waltman recused from the discussion because Gordon Gund provides financial support to the Stony Brook Millstone Watershed Association where Mr. Waltman is the Executive Director.

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

- a. Gordon Gund, SADC ID #18-0217-PG
Block 9, Lots 13.01, Franklin Township, Somerset County, 100.179 Net Acres

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

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

- b. David Schaeffer, SADC ID #17-0205-PG
Block 22, Lot 10, Pilesgrove Township, Salem County, 84.30 Acres
- c. John J. and Lori A. Moore, SADC ID #17-0194-PG
Block 3, Lot 9, Mannington Township, Salem County, 64.4 Net Acres
- d. Dykstra Properties, LLC, SADC ID #21-0608-PG
Block 601.2, Lot 44 and Block 601.03, Lot 48, Mansfield Township, Warren County, 289 Net Acres
- e. George W. & Terri Hitchner, SADC ID #06-0195-PG
Block 65, Lot 1, Hopewell Township, Cumberland County, 134 Net Acres
- f. Timothy and Katharine Martin, SADC ID #10-0422-PG
Block 1, Lot 1, East Amwell Township, Hunterdon County and Block 45, Lot 3, Delaware Township, Hunterdon County, 34.2 Net Acres
- g. Richard H. Melchert (Lot 4), SADC ID #17-0195-PG

Block 76, Lots 4 and 4.02, Upper Pittsgrove Township, Salem County, 77.3 Net Acres

- h. Robert Silva, et als., SADC ID #10-0419-PG
Block 10, Lot 43 and Block 14, Lot 20, Holland Township, Hunterdon County, 129.1 Net Acres
- i. Howard Grant and Elizabeth Harris, SADC ID #17-0186-PG
Block 25, Lot 1.09, Pilesgrove Township, Salem County, 80.5 Net Acres
- j. LaBarre Family L.P., SADC ID #21-0605-PG
Block 64, Lot 1, Knowlton Township, Warren County, and Block 600, Lot 2300, Hope Township, Warren County, 97.80 Net Acres
- k. Daniel J. & Heather L.S. Brown, SADC ID #08-0203-PG
Block 19, Lot 3, South Harrison Township, 8 Net Acres

2. Municipal Planning Incentive Grant Program

- a. George C. Georges, SADC ID #17-0192-PG
Block 84, Lot 1.01, Pilesgrove Township, Salem County, 36.40 Net Acres
- b. Benjamin L. Sr. & Charlotte Gentile, SADC ID #17-0189-PG
Block 37, Lots 13 and 14, Alloway Township, Salem County, 43.4 Net Acres

3. Direct Easement Purchase Program

- a. Duane A. and Lois H. Cruzan (Lot 10), SADC ID #06-0077-DE
Block 3, Lot 10, Stow Creek Township, Cumberland County, 110 Net Acres
- b. John A. & Elizabeth A. Barry, SADC ID # 06-0002-DE
Block 55, Lots 31 & 36, Dennis Township, Cape May, 64.8 Net Acres

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

ADJOURNMENT

The meeting was adjourned at 1:18 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 1B
IN
TOWNSHIP OF PLAINSBORO, MIDDLESEX COUNTY

RESOLUTION #FY2019R9(1)

September 27, 2018

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 the 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. Installing a parallel 230kV system within a new right-of-way and 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 the 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 required with continuation of a 138kV system and 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 1B, a 20-mile segment identified in Schedule A, being the subject of a NOI submitted to the Middlesex CADB and SADC by PSE&G on June 12, 2018; and

WHEREAS, for Segment 1B of the project, a 4.7-acre, approximately 2,000 linear foot, portion of PSE&G's right-of-way identified as Block 1902, Lot 2 and Block 3301, Lot 27 in the Township of Plainsboro, is located within Middlesex County's ADA and between parcels of the preserved Walker Gordon Farm, as identified in Schedules B1 and B2; and

WHEREAS, the right-of way area within the ADA currently contains four lattice towers which are proposed to be replaced with two monopole structures; and

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

WHEREAS, PSE&G has represented that, although no formal agreement currently exists, they will work with the farmer of the adjoining Walker Gordon farm to ensure that areas currently in row crops within the right-of-way will be permitted to continue in agriculture following construction; and

WHEREAS, at its September 12, 2018 meeting, the Middlesex CADB reviewed Segment 1B of the project, as described in the NOI, and found it would not cause unreasonably adverse effects on preserved farms, the ADA, or State agricultural preservation and development policies; and

WHEREAS, the SADC has reviewed the NOI submitted by PSE&G, consulted with the Middlesex CADB staff, 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 the Segment 1B of PSE&G's Metuchen-Trenton-Burlington Project in Middlesex 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 evaluated all options for the project and determined that construction of Segment 1B, within their existing utility rights-of-way, will have little or no permanent agricultural effects; and

BE IT FURTHER RESOLVED that the SADC recommends that PSE&G adhere to Soil Conservation District requirements and best management practices to prevent soil erosion and sedimentation, protect topsoil, avoid soil compaction, restore soil and replant disturbed areas with an appropriate herbaceous cover crop, where appropriate, and to avoid any unanticipated impacts on the adjacent preserved farm; 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 Middlesex 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.

9/27/2018
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

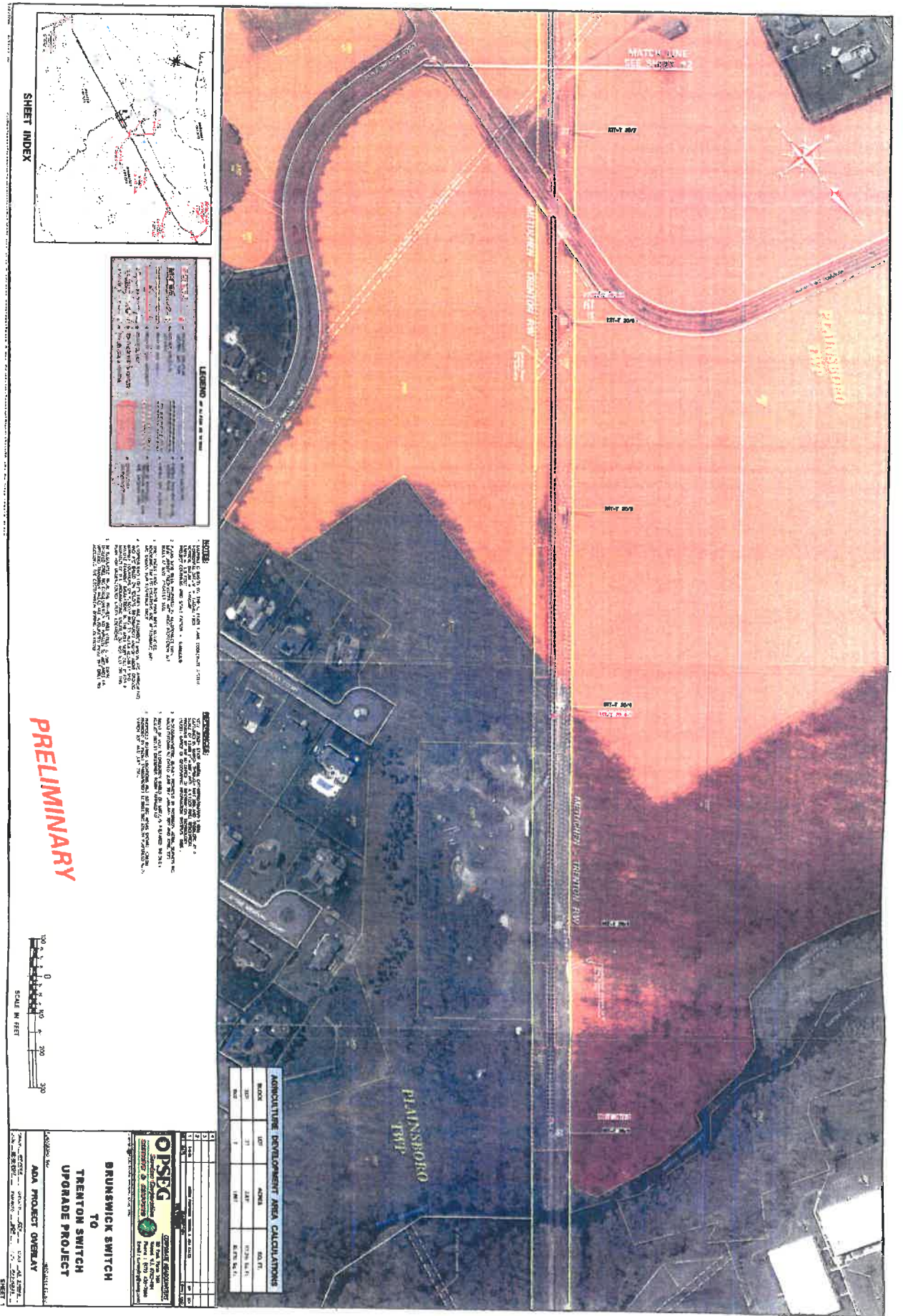
AGRICULTURE DEVELOPMENT AREA CALCULATIONS			
BLOCK	LOT	ACRES	SQ. FT.
226	21	2.80	57,750 Sq. Ft.
982	2	1.862	85,170 Sq. Ft.
TOTALS		4.662	142,920 Sq. Ft.

OPSEC
 Operations Security
 CONFIDENTIALITY & SECURITY

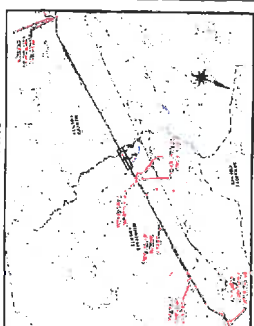


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ADA PROJECT OVERLAY



AGRICULTURE DEVELOPMENT AREA CALCULATIONS			
Block	Lot	Acres	Sq. Ft.
1027	2	1.00	10,431 Sq. Ft.



1. LINDSEY, R. B. and R. A. EMMETT. 1966. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 10: 167-170.

2. LINDSEY, R. B. and R. A. EMMETT. 1967. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 11: 167-170.

3. LINDSEY, R. B. and R. A. EMMETT. 1968. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 12: 167-170.

4. LINDSEY, R. B. and R. A. EMMETT. 1969. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 13: 167-170.

5. LINDSEY, R. B. and R. A. EMMETT. 1970. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 14: 167-170.

6. LINDSEY, R. B. and R. A. EMMETT. 1971. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 15: 167-170.

7. LINDSEY, R. B. and R. A. EMMETT. 1972. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 16: 167-170.

8. LINDSEY, R. B. and R. A. EMMETT. 1973. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 17: 167-170.

9. LINDSEY, R. B. and R. A. EMMETT. 1974. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 18: 167-170.

10. LINDSEY, R. B. and R. A. EMMETT. 1975. COEXISTENCE OF TWO SPECIES OF *Phrynosoma* IN THE CHIRICAHUA MOUNTAINS, ARIZONA. *Journal of Herpetology* 19: 167-170.

1. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.
2. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.
3. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.
4. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.
5. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.
6. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.
7. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.
8. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.
9. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.
10. "THEY'VE TAKEN THE BATTLE OF THE AIR," *Washington Post*, 1967.

PRELIMINARY



SCALE IN FEET



OpSeG
 On-Site Environmental
 Consulting & Assessment
 10000 Highway 101, Suite 200
 Dallas, TX 75243-2000
 Tel: (214) 343-0000
 Fax: (214) 343-0001
 Email: info@opseg.com

BRUNSWICK SWITCH
TO
TRENTON SWITCH
UPGRADE PROJECT

ADL PROJECT OVERLAY

MOBILE, N.J.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R9(2)

FINAL APPROVAL

Of

**ATLANTIC COUNTY
PLANNING INCENTIVE GRANT APPLICATION
INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLAN AND
PROJECT AREA SUMMARIES**

2013 FUNDING ROUND

September 27, 2018

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

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

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

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

WHEREAS, the application shall include a copy of the comprehensive farmland preservation plan element; an estimate of the cost of purchasing development easements on all the farms in a designated project area, to be determined in consultation with the CADB or through an appraisal

for the entire project area; and an inventory showing the characteristics of each farm in the project area which may include, but not be limited to, size, soils and agricultural use; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.4, the SADC specified that a county comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. A complete description of the county's agricultural resource base and industry trends;
2. A complete description of the county's past and future farmland preservation program activities, including program goals and objectives, and any proposed farmland preservation program project areas;
3. A description of the land use planning context for farmland preservation initiatives including identification of the county's adopted Agricultural Development Area (ADA) and consistency of the county's farmland preservation program with local, county, regional, and State planning and conservation efforts;
4. A complete discussion of the actions the county has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
5. A detailed map of, and county resolution approving, the adopted ADA of the county;
6. A summary identifying county funding dedicated to or available for, preservation of farmland through the State Farmland Preservation Program;
7. A funding plan for the preservation of land consistent with the county's one-, five-, and 10-year preservation projections;
8. The minimum eligibility criteria or standards as adopted by the county for solicitation and approval of farmland preservation program applications;
9. The adopted ranking criteria that the county will use to prioritize farms for county farmland preservation funding; and
10. Any other policies, guidelines or standards used by the county that affect farmland preservation application evaluation or selection; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.5, the SADC required the county to prepare a project area summary containing the following information for each project area designated within the county comprehensive farmland preservation plan:

1. An inventory of the number of farms or properties, and their individual and aggregate acreage, for targeted farms, farmland preservation applications with final approvals, preserved farms, lands enrolled in an eight-year farmland preservation program and preserved open space compatible with agriculture;
2. Aggregate size of the entire project area;
3. Density of the project area;
4. Soil productivity of the targeted farms;
5. An estimate of the cost of purchasing development easements on the targeted farms in the designated project area;
6. A multi-year plan for the purchase of development easements on the targeted farms in the project area, indicating the county's and, if appropriate, any other funding partner's share of the estimated purchase price, including an account of the estimated percentage of leveraged State funds and the time period of installment purchase agreements, where appropriate; and

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

WHEREAS, the *Guidelines* emphasize that these County Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the CADB, county Planning Board, the county Board of Agriculture, and municipal Agricultural Advisory Committees with at least two public meetings including a required public hearing prior to CADB adoption; and

WHEREAS, SADC staff have worked in partnership with county representatives to provide and identify sources for the latest data with respect to agricultural statistics, water resources, agricultural economic development, land use and resource conservation; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.6(a), the SADC received 15 county planning incentive grant applications for the 2009A County Planning Incentive Grant round; and

WHEREAS, the 2009A County Planning Incentive Grant round was the initial year of the program administered under the SADC's amended rules, effective July 2, 2007; and

WHEREAS, in addition to the 15 applications submitted for the 2009 County Planning Incentive Grant Program the SADC received an additional 2 county planning incentive grant applications from Bergen and Cumberland Counties for the 2010 County Planning Incentive Grant round and 1 county planning incentive grant application from Atlantic County for the 2013 County Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17.6(a); and

WHEREAS, the 18 total applications for the County Planning Incentive Grant Program identified 136 project areas targeted 5,241 farms and 241,804 acres at an estimated total cost of \$2,493,826,038, with a ten-year preservation goal of 135,939 acres, as summarized in the attached Schedule A; and

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

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

WHEREAS, on May 24, 2012, the SADC granted conditional preliminary approval to Atlantic County's planning incentive grant application received for the 2013 County Planning Incentive Grant funding round; and

WHEREAS, the conditions of preliminary approval for Atlantic County were as follows:

1. Submission of all required information identified in the FY 2013 County Planning Incentive Grant Application Review Checklist.
2. SADC determination that all of the components of the Comprehensive Farmland Preservation Plan are fully addressed and complete.
3. SADC determination that each designated project area is complete and technically accurate.
4. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the CADB after a properly noticed public meeting.
5. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan.

WHEREAS, SADC staff have since determined that Atlantic County has satisfied all requirements of the conditional preliminary approval;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Atlantic County Planning Incentive Grant application.

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17.8(a), and SADC Resolution #FY2012R5(6), and that the SADC's approval of State funding 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 will monitor the county's funding plan pursuant to N.J.A.C. 2:76-17.17 and adjust the eligibility of funds based on the county's progress in implementing the proposed funding plan. Each Planning Incentive Grant county should expend its grant funds within two years of the date the funds are appropriated. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within two years are subject to reappropriation and may no longer be available to the county; and

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

9/27/18

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue in Millions	Annual Tax for Farm Preservation in Millions
Atlantic	PA-A	81	992	\$3,967,200	\$4,000						
	PA-B	4	44	\$174,400	\$4,000						
	PA-C	18	348	\$1,390,400	\$4,000						
	PA-D	70	1,187	\$4,748,000	\$4,000						
	PA-E	17	424	\$1,694,400	\$4,000						
	PA-G	7	126	\$505,600	\$4,000						
	PA-H	3	69	\$411,360	\$6,000						
	PA-I	4	116	\$464,000	\$4,000						
	PA-J	8	198	\$792,000	\$4,000						
	PA-L	83	1,072	\$4,288,000	\$4,000						
	PA-M	133	1,896	\$7,583,200	\$4,000						
	PA-N	91	750	\$2,999,200	\$4,000						
	PA-P	1	962	\$5,773,800	\$6,000	150	450	700	0.1	\$0.40	No Set Amount
	PA-Q	8	165	\$992,400	\$6,000						
	PA-R	44	702	\$4,214,400	\$6,000						
	PA-S	36	503	\$3,020,400	\$6,000						
	PA-T	3	163	\$653,636	\$4,000						
	17	611	9,717	\$43,672,396	\$4,588						
Bergen	Paramus Borough	2	24	\$3,927,000	\$165,000						
	Oakland Borough	5	82	\$8,965,000	\$110,000						
	Saddle River	7	92	\$15,229,500	\$165,000						
	Franklin Lakes	7	94	\$13,195,000	\$140,000						
	Montvale Borough	2	43	\$5,325,000	\$125,000						
	Ramapo Valley	6	73	\$9,137,500	\$125,000						
	Masonius Brook	2	36	\$4,550,000	\$125,000						
	Various: Rivervale, Old Tappan, Norwood, Emerson, Closter	9	81	\$10,125,000	\$125,000						
	8	40	525	\$70,454,000	\$134,211	30	150	300	0.25	\$4.20	No Set Amount
Burlington	North	89	7,151	\$60,783,500	\$8,500						
	West	17	1,257	\$12,570,000	\$10,000						
	East	35	1,755	\$6,141,135	\$3,500						
	South	49	2,193	\$6,579,780	\$3,000						
	4	190	12,356	\$86,074,415	\$6,956	1,000	5,000	10,000	1.5	\$19.00	No Set Amount
Camden	Mullica River	2	317	\$1,111,085	\$3,505						
	Great Egg Harbor	9	316	\$6,459,966	\$20,430						

	Farm Belt	20	541	\$2,126,130									
	Winslow WMA Expansion	10	262	\$4,058,069									
	Great Swamp	20	1,252	\$8,309,960									
	5	61	2,688	\$22,065,210	\$8,209	258	1,393	3,147	2.0	\$6.80	No Set Amount		
Cape May	Lower	25	1,149	\$27,087,120	\$23,576								
	Middle	23	2,165	\$13,055,875	\$6,031								
	Upper	30	2,438	\$4,010,040	\$1,645								
	West Cape May	5	94	\$2,265,120	\$24,143								
	Dennis	36	2,667	\$7,985,861	\$2,994								
	Woodbine	7	224	\$1,423,201	\$6,359								
	6	126	8,736	\$55,827,216	\$6,390	242	968	1,210	1.0	\$4.75	No Set Amount		
Cumberland	Deerfield-Upper Deerfield North	94	2,920	\$15,542,000	\$5,323								
	Deerfield-Upper Deerfield South	28	941	\$5,001,850	\$5,315								
	Deerfield Central	7	88	\$466,400	\$5,300								
	Downe	8	266	\$878,500	\$3,303								
	Fairfield East	1	181	\$932,150	\$5,150								
	Fairfield-Lawrence	42	2,528	\$13,019,200	\$5,150								
	Fairfield-Millville	7	624	\$3,213,600	\$5,150								
	Greenwich	36	1,482	\$6,446,700	\$4,350								
	Hopewell South	38	1,232	\$4,866,400	\$3,950								
	Lawrence Central	2	96	\$369,600	\$3,850								
	Lawrence East	6	211	\$812,350	\$3,850								
	Lawrence West	11	319	\$1,228,150	\$3,850								
	Shiloh-Hopewell Central	31	1,398	\$6,221,100	\$4,450								
	Shiloh-Hopewell North	71	2,728	\$16,305,256	\$5,977								
	Stow Creek	80	3,320	\$16,377,560	\$4,933								
	Stow Creek North	9	503	\$2,481,299	\$4,933								
	Vineland	28	501	\$2,994,038	\$5,976								
	17	499	19,338	\$97,156,153	\$5,024	1,934	9,669	19,338	1.0	\$0.90	No Set Amount		
GloUCESTER	Chapel Heights	2	1	\$17,436	\$12,000								
	Delaware River	48	1,344	\$16,128,000	\$12,000								
	New Brooklyn	2	24	\$290,188	\$12,000								
	Oldmans Creek	69	2,132	\$25,587,719	\$12,000								
	Pinelands North	40	959	\$11,512,251	\$12,000								
	Pinelands South	216	3,371	\$40,457,101	\$12,000								
	Pitman Downer	5	42	\$508,149	\$12,000								
	Raccoon Creek	171	4,024	\$48,291,360	\$12,000								

[illegible]

	3	64	4,129	\$104,463,700	\$25,300	437	2,185	4,391	0.9	\$5.82	No Set Amount
Ocean	Plumsted Farm Belt	88	2,527	\$39,537,442	\$15,646						
	Central Jackson	14	246	\$6,932,034	\$28,179						
	Southern Jackson/Lakewood	20	241	\$9,508,173	\$39,453						
	North East Jackson	15	237	\$4,285,671	\$18,083						
	Toms River	13	187	\$21,505,000	\$115,000						
	Eastern Lakewood	3	48	\$5,160,000	\$107,500						
	Western Jackson	2	43	\$1,161,000	\$27,000						
	7	155	3,529	\$8,089,320	\$350,861	200	901	1,623	1.2	\$11,659	No Set Amount
Passaic	North	10	191	\$97,705	\$6,415						
	1	10	191	\$97,705	\$6,415	100	500	1,000	1.0	\$4,525	\$0,750
Salem	PA 1: Cohansey-Pole Tavern-Pine Hill	172	14,457	\$115,656,000	\$8,000						
	PA2: Mannington Meadows-Seven Stars-Algonkin Lake	108	9,169	\$73,352,000	\$8,000						
	PA 3: Maskells Mill-Hagerville-Mannington Meadows	149	11,605	\$92,840,000	\$8,000						
	3	429	30,924	\$247,390,000	\$8,000	2,600	13,000	26,000	2.0	\$1.05	\$1.05
Somerset	Millstone Valley East	61	1,720	\$27,793,910	\$16,159						
	Millstone Valley West	21	895	\$14,458,489	\$16,159						
	Eastern Montgomery	1	73	\$1,180,272	\$16,159						
	Pike Run	2	211	\$3,402,168	\$16,159						
	Bedens Brook	8	97	\$1,563,084	\$16,159						
	Bedens Brook East	7	219	\$3,539,037	\$16,159						
	Neshanic Valley North	81	4,008	\$64,769,344	\$16,159						
	Neshanic Valley South	12	417	\$6,744,548	\$16,159						
	Upper Raritan East	33	848	\$13,709,831	\$16,159						
	Upper Raritan West	32	5,470	\$88,384,957	\$16,159						
	Warren	2	25	\$411,253	\$16,159						
	Bernards Dead River	7	140	\$2,261,002	\$16,159						
	12	267	14,123	\$228,217,896	\$16,159	1,000	4,000	5,000	3.0	\$17.00	No Set Amount
Sussex	Central Kittatinny Valley	79	10,506	\$57,219,542	\$5,790						
	Eastern Highlands 1	17	2,354	\$7,297,400	\$3,100						
	Eastern Highlands 2	23	1,407	\$8,229,280	\$7,593						
	Kittatinny Valley East	31	5,610	\$29,071,020	\$5,182						
	Kittatinny Valley West 1	39	4,137	\$21,102,450	\$5,645						
	Kittatinny Valley West 2	3	4,919	\$26,488,815	\$5,385						
	Upper Delaware 1	13	501	\$1,039,575	\$2,075						
	Upper Delaware 2	25	822	\$4,443,732	\$5,406						

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STATE AGRICULTURE DEVELOPMENT COMMITTEE

**RESOLUTION #FY2019R9(3)
FINAL APPROVAL**

of the

**TEWKSBURY TOWNSHIP, HUNTERDON COUNTY
PLANNING INCENTIVE GRANT APPLICATION INCLUDING THE COMPREHENSIVE
FARMLAND PRESERVATION PLAN AND PROJECT AREA SUMMARY**

2009 PLANNING ROUND

SEPTEMBER 27, 2018

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

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

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

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

WHEREAS, a municipality applying for a grant to the SADC shall submit a copy of the municipal comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17A.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.4, the SADC specified that a municipal comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. The adopted farmland preservation plan element of the municipal master plan;
2. A map and description of the municipality's agricultural resource base including, at a minimum, the proposed farmland preservation project areas;
3. A description of the land use planning context for the municipality's farmland preservation initiatives including identification and detailed map of the county's adopted Agricultural Development Area (ADA) within the municipality, consistency of the municipality's farmland preservation program with county and other farmland preservation program initiatives and consistency with municipal, regional and State land use planning and conservation efforts;
4. A description of the municipality's past and future farmland preservation program activities, including program goals and objectives, including a summary of available municipal funding and approved funding policies in relation to the municipality's one-, five- and ten-year preservation projections;
5. A discussion of the actions the municipality has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
6. Other farmland preservation techniques being utilized or considered by the municipality;
7. A description of the policies, guidelines or standards used by the municipality in conducting its farmland preservation efforts, including any minimum eligibility criteria or standards used by the municipality for solicitation and approval of farmland preservation program applications in relation to SADC minimum eligibility criteria as described at N.J.A.C. 2:76-6.20, adopted ranking criteria in relation to SADC ranking factors at N.J.A.C. 2:76-6.16, and any other policies, guidelines or standards that affect application evaluation or selection;
8. A description of municipal staff and/or consultants used to facilitate the preservation of farms; and
9. Any other information as deemed appropriate by the municipality; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.5, the SADC required the municipality to prepare a project area summary containing the following information for each project area:

1. An inventory showing the number of farms or properties, and their individual and aggregate acreage, for targeted farms, farmland preservation applications with final approvals, preserved farms, lands enrolled in an eight-year farmland preservation program and preserved open space compatible with agriculture;
2. Aggregate size of the entire project area;
3. Density of the project area;

4. Soil productivity of the targeted farms;
5. An estimate of the cost of purchasing development easements on the targeted farms in the designated project area;
6. A multi-year plan for the purchase of development easements on the targeted farms in the project area, indicating the municipality's and, if appropriate, any other funding partner's share of the estimated purchase price, including an account of the estimated percentage of leveraged State funds and the time period of installment purchase agreements, where appropriate; and

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

WHEREAS, the *Guidelines* emphasize that these Municipal Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the municipal Agricultural Advisory Committee, municipal Planning Board, CADB, county Planning Board and the county Board of Agriculture, and where appropriate, in conjunction with surrounding municipalities and the County Comprehensive Farmland Preservation Plan, with at least two public meetings including a required public hearing prior to Planning Board adoption as an element of the municipal master plan; and

WHEREAS, SADC staff have worked in partnership with municipal representatives to provide and identify sources for the latest data with respect to agricultural statistics, water resources, agricultural economic development, land use and resource conservation; and

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

WHEREAS, in total, these 47 municipal planning incentive grant applications identified 113 project areas in 9 counties and targeted 2,554 farms and 106,212 acres at an estimated total cost of \$1,118,638,963, with a ten-year preservation goal of 63,578 acres as summarized in the attached Schedule A; and

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

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

WHEREAS, on May 22, 2008, the SADC granted conditional preliminary approval to Tewksbury Township's planning incentive grant application received for the 2009 Municipal Planning Incentive Grant planning round; and

WHEREAS, the conditions of preliminary approval for Tewksbury Township were as follows:

1. Submission of all required information identified in the FY 2009 Municipal Planning Incentive Grant Application Review Checklist within 60 days of the receipt of the correspondence accompanying the notice.
2. SADC determination that all of the components of the Comprehensive Farmland Preservation Plan are fully addressed and complete.
3. SADC determination that each designated project area is complete and technically accurate.
4. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the municipal Planning Board after a properly noticed public hearing.
5. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan.

WHEREAS, SADC staff have since determined that Tewksbury Township has satisfied all requirements of the conditional preliminary approval; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Tewksbury Township Planning Incentive Grant application submitted under the FY09 program planning round as summarized in the attached Schedule B; and

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a), and SADC Resolution #FY08R5(44); and

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

BE IT FURTHER RESOLVED, that the SADC will continue to assist municipalities with planning for agricultural retention, the promotion of natural resource conservation efforts, county and municipal coordination, and agricultural economic development and in strengthening of Right to Farm protections; 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.

____9/27/2018_____
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0_/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Cumberland											
Hopewell	1	27	1,231	5,465,640	5,689	158	788	1,231	0.00	\$0.007	No Set Amount
Upper Deerfield	1	51	3,418	20,535,644	9,422	396	1,979	3,958	0.00	\$0.050	\$0.050
Gloucester											
Elk	2	25	971	10,678,910	4,218	75	377	754	1.00	\$0.038	\$0.038
Franklin	5	125	4,870	29,061,000	10,260	598	1,799	3,290	1.00	\$0.123	\$0.655
Woolwich	3	91	2,541	38,108,550	5,183	265	1,920	3,984	5.00	\$0.567	No Set Amount
Hunterdon											
Alexandria	4	67	3,700	37,002,300	16,914	524	1,160	2,137	4.00	\$0.365	\$0.183
Delaware	2	25	1,792	25,088,000	23,439	300	1,500	1,500	6.00	\$0.478	No Set Amount
East Amwell	1	15	1,094	24,024,000	13,534	185	925	1,848	4.00	\$0.267	\$0.267
Franklin	1	14	1,433	12,897,000	10,644	286	573	573	3.00	\$0.162	No Set Amount
Holland	4	34	2,106	21,095,000	11,144	703	1,700	2,222	2.00	\$0.079	No Set Amount
Kingwood	1	31	2,436	24,364,800	12,485	170	679	849	3.00	\$0.184	No Set Amount
Raritan	4	23	1,554	31,079,000	6,111	100	300	600	1.50	\$0.602	No Set Amount
Readington	1	40	2,318	34,763,850	16,774	100	600	1,100	2.00	\$0.522	\$0.400
Tewksbury	3	88	1,864	33,552,000	4,237	100	300	1,000	5.00	\$0.679	No Set Amount
Union	3	19	558	5,580,000	3,803	70	325	600	2.00	\$0.137	\$0.007
West Amwell	1	6	586	5,857,500	13,982	35	329	563	6.00	\$0.305	\$0.250
Mercer											
Hopewell	1	8	796	15,917,200	10,761	150	500	854	3.00	\$1.191	No Set Amount
Monmouth											
Colts Neck	1	8	369	14,301,650	9,321	42	68	259	1.20	\$0.360	No Set Amount
Holmdel	1	10	317	19,790,625	2,109	11	25	85	2.50	\$1.033	No Set Amount
Howell	4	15	393	5,482,566	12,665	127	370	452	2.00	\$1.273	No Set Amount
Manalapan	1	38	1,318	26,342,650	9,223	131	659	1,318	2.00	\$1.286	No Set Amount
Marlboro	3	16	593	17,330,000	4,053	47	216	298	1.00	\$0.718	\$0.718
Millstone	4	57	3,245	64,900,000	14,476	40	200	400	6.00	\$1.110	No Set Amount
Upper Freehold	1	156	4,531	67,965,000	27,368	550	1,000	1,500	6.00	\$0.731	\$0.477
Salem											
Alloway	1	13	622	6,419,780	5,970	200	400	600	0.05	\$0.014	No Set Amount
Mannington	1	48	1076	6,842,700	23,706	25	125	250	2.00	\$0.038	\$0.038
Pilesgrove	4	58	4,281	39,569,100	9,949	203	1,304	2,608	3.00	\$0.143	\$0.143
Pittsgrove	2	248	5,076	38,067,600	13,881	255	1,018	3,054	1.00	\$0.060	No Set Amount
Upper Pittsgrove	1	210	9,348	7,011,000	24,167	700	3,500	7,000	1.90	\$0.068	\$0.068
Somerset											
Bedminster	1	117	5,655	169,650,000	10,180	500	2,706	2,706	1.50	\$0.365	No Set Amount
Bernards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3.030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1.500	No Set Amount

Franklin	2	26	700	16,584,000	18,931	508	644	830	5.00	\$4,480	No Set Amount
Hillsborough	3	8	169	3,378,200	3,494	100	500	1,000	2.80	\$1,529	No Set Amount
Montgomery	1	15	717	24,691,301	14,736	50	300	454	4.00	\$1,548	No Set Amount
Peapack & Gladstone	2	11	315	9,455,400	1,932	20	85	160	3.00	\$0,215	\$0,212
Sussex											
Frankford	4	88	4,208	26,297,500	10,140	63	350	700	0.05	\$0,080	\$0,080
Green	3	53	1,831	11,907,896	7,632	150	675	1,300	1.50	\$0,063	\$0,063
Warren											
Blairstown	4	72	2,065	14,455,000	10,409	100	500	1,000	2.00	\$0,144	Undetermined
Franklin	4	150	5,700	37,050,000	11,542	225	1,000	1,900	3.00	\$0,124	Undetermined
Freylinghuysen	7	76	2,744	17,838,145	11,029	45	220	430	2.00	\$0,058	\$0,058
Greenwich	1	21	1,283	14,337,360	3,453	174	1,092	1,573	4.00	\$0,239	\$0,239
Harmony	3	87	4,096	24,577,740	12,409	220	1,000	1,800	5.00	\$0,239	\$0,239
Hope	4	63	3,189	17,540,765	6,321	65	300	600	2.00	\$0,632	\$0,632
Knowlton	2	33	2,581	12,905,000	13,355	100	500	1,000	2.00	\$0,052	\$0,218
Pohatcong	4	16	1,116	8,118,343	8,156	100	500	1,000	0.50	\$0,174	\$0,174
White	4	104	4,132	20,759,168	13,595	150	700	1,300	2.00	\$0,112	\$0,112
Municipal Totals	113	2,554	106,212	1,118,638,963	498,471	9,434	36,143	63,578		\$27,175	
(47)											

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

Date: 9/14/18

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Tewksbury	Hunterdon	Northwest	38	497	\$8,946,000	1254						
		Oldwick	37	1221	\$21,978,000	2365						
		Pottersville	13	146	\$2,628,000	618						
	Total	3	88	1,864	\$33,552,000	4,237	100	300	1,000	5.00	\$0.679	No Set Amount

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**RESOLUTION#FY2019R9(4)
FINAL APPROVAL**

of the

**HOPEWELL TOWNSHIP, CUMBERLAND COUNTY
PLANNING INCENTIVE GRANT APPLICATION INCLUDING THE COMPREHENSIVE
FARMLAND PRESERVATION PLAN AND PROJECT AREA SUMMARY**

2013 PLANNING ROUND

SEPTEMBER 27, 2018

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

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

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

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

WHEREAS, a municipality applying for a grant to the SADC shall submit a copy of the municipal comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17A.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.4, the SADC specified that a municipal comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. The adopted farmland preservation plan element of the municipal master plan;
2. A map and description of the municipality's agricultural resource base including, at a minimum, the proposed farmland preservation project areas;
3. A description of the land use planning context for the municipality's farmland preservation initiatives including identification and detailed map of the county's adopted Agricultural Development Area (ADA) within the municipality, consistency of the municipality's farmland preservation program with county and other farmland preservation program initiatives and consistency with municipal, regional and State land use planning and conservation efforts;
4. A description of the municipality's past and future farmland preservation program activities, including program goals and objectives, including a summary of available municipal funding and approved funding policies in relation to the municipality's one-, five- and ten-year preservation projections;
5. A discussion of the actions the municipality has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
6. Other farmland preservation techniques being utilized or considered by the municipality;
7. A description of the policies, guidelines or standards used by the municipality in conducting its farmland preservation efforts, including any minimum eligibility criteria or standards used by the municipality for solicitation and approval of farmland preservation program applications in relation to SADC minimum eligibility criteria as described at N.J.A.C. 2:76-6.20, adopted ranking criteria in relation to SADC ranking factors at N.J.A.C. 2:76-6.16, and any other policies, guidelines or standards that affect application evaluation or selection;
8. A description of municipal staff and/or consultants used to facilitate the preservation of farms; and
9. Any other information as deemed appropriate by the municipality; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.5, the SADC required the municipality to prepare a project area summary containing the following information for each project area:

1. An inventory showing the number of farms or properties, and their individual and aggregate acreage, for targeted farms, farmland preservation applications with final approvals, preserved farms, lands enrolled in an eight-year farmland preservation program and preserved open space compatible with agriculture;
2. Aggregate size of the entire project area;
3. Density of the project area;

4. Soil productivity of the targeted farms;
5. An estimate of the cost of purchasing development easements on the targeted farms in the designated project area;
6. A multi-year plan for the purchase of development easements on the targeted farms in the project area, indicating the municipality's and, if appropriate, any other funding partner's share of the estimated purchase price, including an account of the estimated percentage of leveraged State funds and the time period of installment purchase agreements, where appropriate; and

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

WHEREAS, the *Guidelines* emphasize that these Municipal Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the municipal Agricultural Advisory Committee, municipal Planning Board, CADB, county Planning Board and the county Board of Agriculture, and where appropriate, in conjunction with surrounding municipalities and the County Comprehensive Farmland Preservation Plan, with at least two public meetings including a required public hearing prior to Planning Board adoption as an element of the municipal master plan; and

WHEREAS, SADC staff have worked in partnership with municipal representatives to provide and identify sources for the latest data with respect to agricultural statistics, water resources, agricultural economic development, land use and resource conservation; and

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

WHEREAS, in total, these 47 municipal planning incentive grant applications identified 113 project areas in 9 counties and targeted 2,554 farms and 106,212 acres at an estimated total cost of \$1,118,638,963, with a ten-year preservation goal of 63,578 acres as summarized in the attached Schedule A; and

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

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

WHEREAS, on May 24, 2012, the SADC granted conditional preliminary approval to Hopewell Township's planning incentive grant application received for the 2013 Municipal Planning Incentive Grant planning round; and

WHEREAS, the conditions of preliminary approval for Hopewell Township were as follows:

1. Submission of all required information identified in the FY 2013 Municipal Planning Incentive Grant Application Review Checklist within 60 days of the receipt of the correspondence accompanying the notice.
2. SADC determination that all of the components of the Comprehensive Farmland Preservation Plan are fully addressed and complete.
3. SADC determination that each designated project area is complete and technically accurate.
4. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the municipal Planning Board after a properly noticed public hearing.
5. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan.

WHEREAS, SADC staff have since determined that Hopewell Township has satisfied all requirements of the conditional preliminary approval; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Hopewell Township Planning Incentive Grant application submitted under the FY13 program planning round as summarized in the attached Schedule B:

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a), and SADC Resolution #FY2012R5(7); and

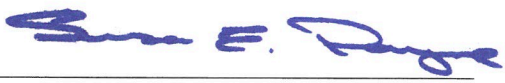
BE IT FURTHER RESOLVED, that the SADC will monitor the municipality's funding plan pursuant to N.J.A.C. 2:76-17A.17 and adjust the eligibility of funds based on the municipality's progress in implementing the proposed funding plan. Each Planning Incentive Grant municipality should expend its grant funds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

BE IT FURTHER RESOLVED, that the SADC will continue to assist municipalities with planning for agricultural retention, the promotion of natural resource conservation efforts, county and municipal coordination, and agricultural economic development and in strengthening of Right to Farm protections; 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.

____9/27/18____
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

Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0_/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Cumberland											
Hopewell	1	27	1,231	5,465,640	5,689	158	788	1,231	0.00	\$0.007	No Set Amount
Upper Deerfield	1	51	3,418	20,535,644	9,422	396	1,979	3,958	0.00	\$0.050	\$0.050
Gloucester											
Elk	2	25	971	10,678,910	4,218	75	377	754	1.00	\$0.038	\$0.038
Franklin	5	125	4,870	29,061,000	10,260	598	1,799	3,290	1.00	\$0.123	\$0.655
Woolwich	3	91	2,541	38,108,550	5,183	265	1,920	3,984	5.00	\$0.567	No Set Amount
Hunterdon											
Alexandria	4	67	3,700	37,002,300	16,914	524	1,160	2,137	4.00	\$0.365	\$0.183
Delaware	2	25	1,792	25,088,000	23,439	300	1,500	1,500	6.00	\$0.478	No Set Amount
East Amwell	1	15	1,094	24,024,000	13,534	185	925	1,848	4.00	\$0.267	\$0.267
Franklin	1	14	1,433	12,897,000	10,644	286	573	573	3.00	\$0.162	No Set Amount
Holland	4	34	2,106	21,095,000	11,144	703	1,700	2,222	2.00	\$0.079	No Set Amount
Kingwood	1	31	2,436	24,364,800	12,485	170	679	849	3.00	\$0.184	No Set Amount
Raritan	4	23	1,554	31,079,000	6,111	100	300	600	1.50	\$0.602	No Set Amount
Readington	1	40	2,318	34,763,850	16,774	100	600	1,100	2.00	\$0.522	\$0.400
Tewksbury	3	88	1,864	33,552,000	4,237	100	300	1,000	5.00	\$0.679	No Set Amount
Union	3	19	558	5,580,000	3,803	70	325	600	2.00	\$0.137	\$0.007
West Amwell	1	6	586	5,857,500	13,982	35	329	563	6.00	\$0.305	\$0.250
Mercer											
Hopewell	1	8	796	15,917,200	10,761	150	500	854	3.00	\$1.191	No Set Amount
Monmouth											
Colls Neck	1	8	369	14,301,650	9,321	42	68	259	1.20	\$0.360	No Set Amount
Holmdel	1	10	317	19,790,625	2,109	11	25	85	2.50	\$1.033	No Set Amount
Howell	4	15	393	5,482,566	12,665	127	370	452	2.00	\$1.273	No Set Amount
Manalapan	1	38	1,318	26,342,650	9,223	131	659	1,318	2.00	\$1.286	No Set Amount
Marlboro	3	16	593	17,330,000	4,053	47	216	298	1.00	\$0.718	\$0.718
Millstone	4	57	3,245	64,900,000	14,476	40	200	400	5.00	\$1.110	No Set Amount
Upper Freehold	1	156	4,531	67,965,000	27,368	550	1,000	1,500	6.00	\$0.731	\$0.477
Salem											
Alloway	1	13	622	6,419,780	5,970	200	400	600	0.05	\$0.014	No Set Amount
Mannington	1	48	1076	6,842,700	23,706	25	125	250	2.00	\$0.038	\$0.038
Pilesgrove	4	58	4,281	39,569,100	9,949	203	1,304	2,608	3.00	\$0.143	\$0.143
Pittsgrove	2	248	5,076	38,067,600	13,881	255	1,018	3,054	1.00	\$0.060	No Set Amount
Upper Pittsgrove	1	210	9,348	7,011,000	24,167	700	3,500	7,000	1.90	\$0.068	\$0.068
Somers											
Bedminster	1	117	5,655	169,650,000	10,180	500	2,706	2,706	1.50	\$0.365	No Set Amount
Bernards	1	25	538	\$40,323	3,798	165	165	200	4.0	\$3.030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1.500	No Set Amount

Franklin	2	26	700	16,584,000	18,931	508	644	830	5.00	\$4,480	No Set Amount
Hillsborough	3	8	169	3,378,200	3,494	100	500	1,000	2.80	\$1,529	No Set Amount
Montgomery	1	15	717	24,691,301	14,736	50	300	454	4.00	\$1,548	No Set Amount
Peapack & Gladstone	2	11	315	9,455,400	1,932	20	85	160	3.00	\$0,215	\$0,212
Sussex											
Frankford	4	88	4,208	26,297,500	10,140	63	350	700	0.05	\$0,080	\$0,080
Green	3	53	1,831	11,907,896	7,632	150	675	1,300	1.50	\$0,063	\$0,063
Warren											
Blairstown	4	72	2,065	14,455,000	10,409	100	500	1,000	2.00	\$0,144	Undetermined
Franklin	4	150	5,700	37,050,000	11,542	225	1,000	1,900	3.00	\$0,124	Undetermined
Freylinghuysen	7	76	2,744	17,838,145	11,029	45	220	430	2.00	\$0,058	\$0,058
Greenwich	1	21	1,283	14,337,360	3,453	174	1,092	1,573	4.00	\$0,239	\$0,239
Harmony	3	87	4,096	24,577,740	12,409	220	1,000	1,800	5.00	\$0,239	\$0,239
Hope	4	63	3,189	17,540,765	6,321	65	300	600	2.00	\$0,632	\$0,632
Knowlton	2	33	2,591	12,905,000	13,355	100	500	1,000	2.00	\$0,052	\$0,218
Pohatcong	4	16	1,116	8,118,343	8,156	100	500	1,000	0.50	\$0,174	\$0,174
White	4	104	4,132	20,759,168	13,595	150	700	1,300	2.00	\$0,112	\$0,112
Municipal Totals	113	2,554	106,212	1,118,638,963	498,471	9,434	36,143	63,578		\$27,175	
(47)											

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

Date: 9/14/18

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0_/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Hopewell	Cumberland	South	27	1,231	5,465,640	5,689						
Total		1	27	1,231	5,465,640	5,689	158	788	1,231	0.00	\$0.007	No Set Amount

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R9(5)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Salem County
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Dare, Carolyn B. ("Owner")
Upper Pittsgrove Township, Salem County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#17-0190-PG**

September 27, 2018

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 FY2019 PIG Plan application annual update on May 24, 2018; and

WHEREAS, on August 24, 2017, the SADC received an application for the sale of a development easement from Salem County for the subject farm identified as Block 42, Lot 9, Upper Pittsgrove Township, Salem County, totaling approximately 26.8 gross acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 3 acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 23.8 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 soybean production; and

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

WHEREAS, the Property has a quality score of 68.83 which exceeds 47, 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 4, 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 May 24, 2018, the SADC certified a development easement value of \$7,200 per acre based on zoning and environmental regulations in place as of the current valuation date January 19, 2018; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$7,200 per acre for the development easement for the Property; and

WHEREAS, on July 24, 2018, the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on July 10, 2018, the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,350 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 27, 2018, 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 July 18, 2018, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,350 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, 24.51 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 24.51 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$110,295.00	(\$4,500/acre)
Salem County	\$ 33,088.50	(\$1,350/acre)
<u>Upper Pittsgrove Township</u>	<u>\$ 33,088.50</u>	<u>(\$1,350/acre)</u>
Total Easement Purchase	\$176,472.00	(\$7,200/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, Salem County is requesting \$110,295.00 in base grant and competitive grant funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

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 24.51 net easement acres, at a State cost share of \$4,500 per acre, (62.50% of certified easement value and purchase price), for a total grant of approximately \$110,295.00 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.

9/27/18

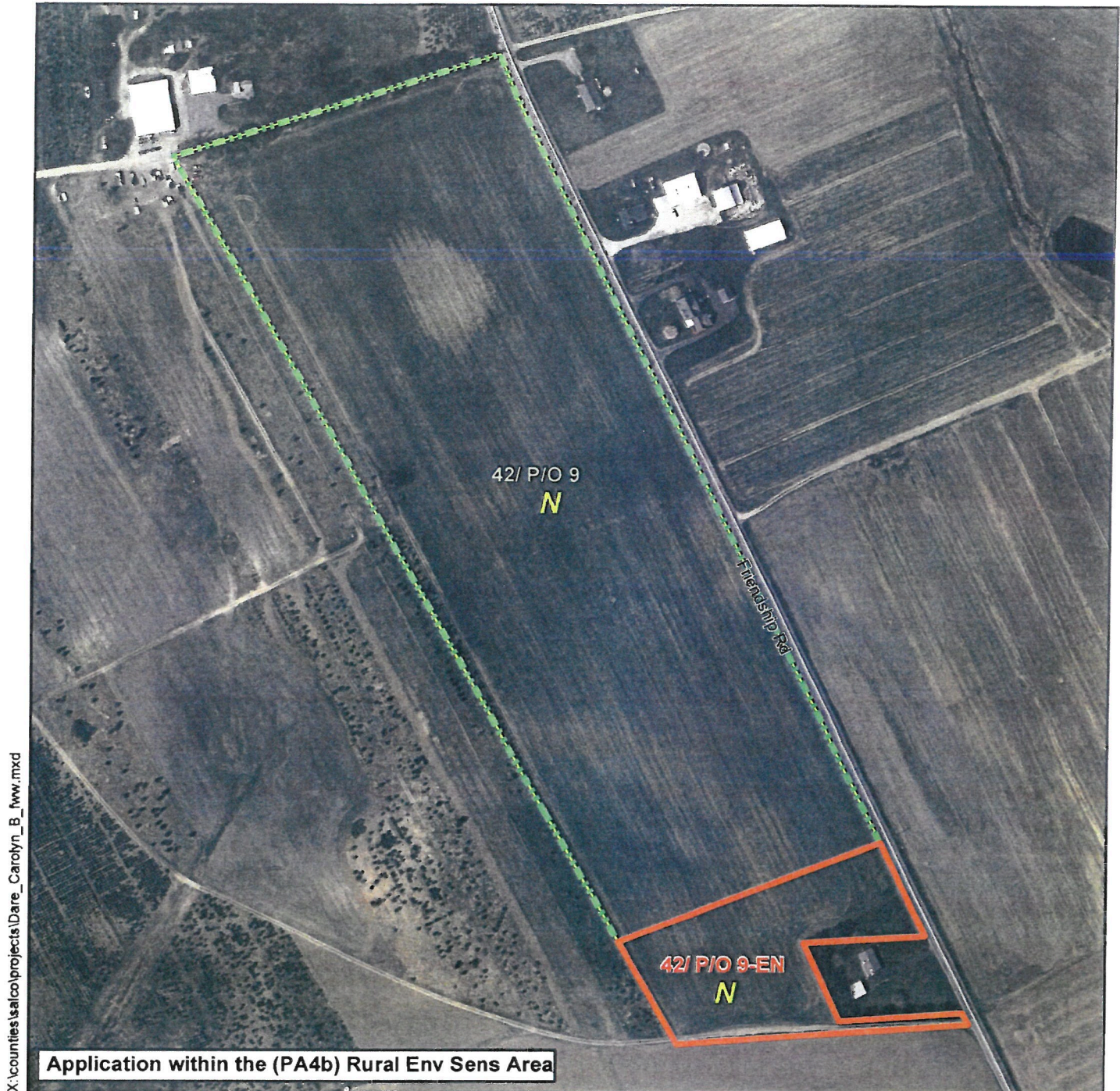
Date



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



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Dare, Carolyn B.
Block 42 Lots P/O 9 (23.8 ac)
and P/O 9-EN (non-severable exception - 3.0 ac)
Gross Total = 26.8 ac
Upper Pittsgrove Twp., Salem County

250 125 0 250 500 Feet

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



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 1, 2017

SADC County Financial Status
Schedule B

Salem County

SADC ID#	Farm	Municipality	Acres	SADC		Federal Grant		Base Grant			Competitive Funds								
				Cost Basis	Share	Total	Federal Grant	SADC	Fiscal Year 09			Maximum Grant			FY11 Balance	FY13 Balance	FY17 Balance		
									Encumbered	PV	Expended	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17				Encumbered	PV
17-0123-PG	Greco	Pittsgrove	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	Alloway	51.3530	364,352.12	228,361.54			242,925.50	228,361.54	228,361.54	2,536,382.52								
17-0122-PG	Dunham	Mannington	38.4830	217,426.50	143,043.75			146,775.00	143,043.75	143,043.75	2,164,977.23								
17-0125-PG	Mohoney	Mannington	28.8220	152,062.30	101,853.05			106,038.50	101,853.05	101,853.05	2,063,124.18								
17-0110-PG	Moore	Mannington	149.7460	756,217.30	512,880.05			511,523.75	257,924.76	1805,109.42									
17-0134-PG	Dubois Props., LLC	Pittsgrove	31.2230	246,661.70	151,431.55			149,865.00	151,431.55	165,376.87									
17-0127-PG	Brown	Upper Pittsgrove	58.2560	311,680.30	208,272.35			213,570.50	208,272.35	1,445,495.52									
17-0135-PG	Foggs, Harris, Allen	Quinton	33.5790	117,526.50	83,947.50			87,550.00	83,947.50	1,361,548.02									
17-0124-PG	Eckert, Hebert & Rowena	Elisiboro	46.6520	97,969.20	73,243.64			71,843.20	73,253.06	1,288,294.96									
17-0133-PG	Harris	Quinton	49.3170	172,609.50	123,292.50			123,292.50	123,292.50	1,165,002.46									
17-0146-PG	Basile	Upper Pittsgrove	25.4830	165,639.50	105,754.45			106,862.50	105,754.45	1,059,248.01									
17-0151-PG	Davis, Betty	Upper Pittsgrove	42.0030	214,215.30	144,910.35			59,248.01	59,248.01	1,000,000.00									
17-0157-PG	Bishop, Kevin & Jessica	Upper Pittsgrove	30.5970	137,666.50	94,850.70														
17-0163-PG	Dubois, Christian	Pittsgrove	29.7820	235,277.80	144,442.70														
17-0161-PG	Harrell, Robert T. & George K.	Upper Pittsgrove	89.2900	500,024.00	228,189.98														
17-0164-PG	Sloat, Edward W. & Robert K.	Mannington	49.8900	254,439.00	172,120.50														
17-0166-PG	Brooks, Michael N.	Upper Pittsgrove/Pittsgrove	65.4410	222,469.40	75,319.00														
17-0165-PG	Moffitt, James E. & Patricia M.	Upper Pittsgrove/Pittsgrove	46.0300	248,562.00	165,708.00														
17-0160-PG	Brown, Steven R. & Timothy G.	Upper Pittsgrove	48.2300	150,188.70	114,808.82														
17-0168-PG	Catalano, Joanne J.	Mannington	108.0600	859,771.77	398,134.69			400,707.75	388,134.69	611,865.31									
17-0169-PG	E&A Farms (Williams)	Quinton	92.8240	323,623.50	159,681.16			163,942.34	67,264.54	159,588.00	159,681.16	159,681.16	452,184.15						
17-0182-PG	Tice, Barry and Joanne	Upper Pittsgrove	40.3550	224,042.50	146,682.75			153,373.00	148,682.75	303,501.40									
17-0176-PG	Sorbelli, Frank & Thomas	Pittsgrove	97.5100	585,080.00	204,771.00			380,289.00	175,518.00	204,771.00									
17-0190-PG	Dare, Carolyn B.	Upper Pittsgrove	23.9000	176,472.00	110,295.00			88,730.40											
17-0206-PG	Kelly, Dennis J. Sr. (E&D Farm)	Pittsgrove	85.8000	641,566.20	310,693.90														
Closed			1,272,304.00	6,336,409.52	3,998,260.22	1,081,249.30	508,760.27												
Encumbered			484,174.00	2,645,101.17	1,277,386.16	1,181,798.38	235,978.10												
						Encumbered/Expended FY09				617,339.97									
						Encumbered/Expended FY11				1,500,000.00									
						Encumbered/Expended FY13				500,000.00									
						Encumbered/Expended FY17				303,501.40	538,817.44	159,881.16							
						Encumbered/Expended FY18													
						Total							0.00						

Schedule

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Dare, Carolyn B.
17- 0190-PG
County PIG Program
24 Acres

Block 42 Lot 9 Upper Pittsgrove Twp. Salem County

SOILS:	Prime	99% *	.15	=	14.85
	Statewide	1% *	.1	=	.10
					SOIL SCORE: 14.95
TILLABLE SOILS:	Cropland Harvested	100% *	.15	=	15.00
					TILLABLE SOILS SCORE: 15.00
FARM USE:	Soybeans-Cash Grain	25 acres			

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st three (3) acres for For a future single family residence
 - Exception is not to be severed from Premises
 - Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: 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 FY2019R9(6)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Salem County
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Kelly, Dennis J. Sr. (E&D Farm) ("Owner")
Pilesgrove Township, Salem County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#17-0206-PG**

September 24, 2018

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 FY2019 PIG Plan application annual update on May 24, 2018; and

WHEREAS, on July 22, 2016, the SADC received an application for the sale of a development easement from Pilesgrove Township for the subject farm identified as Block 24, Lot 3, Pilesgrove Township, Salem County, totaling approximately 85.8 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, on April 26, 2018, the SADC received a request from the County, Municipality, and Landowner asking for the transfer of this application to the County PIG program due to a lack of funding for the Pilesgrove Municipal PIG program; and

WHEREAS, the targeted Property is located in Salem County's #2 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 corn, soybeans, and wheat 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, the Property has a quality score of 66.48 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 August 29, 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 April 28, 2017, the SADC certified a development easement value of \$6,600 per acre based on zoning and environmental regulations in place as of the current valuation date December 7, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$7,260 per acre for the development easement for the Property, which is (higher than the certified easement, but not higher than the highest appraised value of \$7,500); and

WHEREAS, a parcel application was submitted by the New Jersey Conservation Foundation (NJCF) to the FY2017 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 5.33% maximum impervious coverage restriction (approximately 4.57 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 \$3,744.17 per acre (50% of \$7,488.34) or approximately \$330,872.30 in total ALE funds; 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 July 24, 2018, 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 26, 2018, 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 June 27, 2018, 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 July 18, 2018, the County of Salem passed a resolution granting final approval, but is not participating financially in the easement purchase due to the anticipated receipt of ALE funds; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 88.37 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 88.37 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$371,154.00	(\$4,200/acre based on certified value)
Salem County	\$106,044.00	(\$1,200/acre based on certified value)
<u>Pilesgrove Township</u>	<u>\$164,368.20</u>	<u>(\$1,860/acre based on the township's offer of \$7,260/acre)</u>
Total Easement Purchase	\$641,566.20	(\$7,260/acre)

Estimated Cost share breakdown if the \$314,731.18 ALE Grant is finalized and applied:

	<u>Total</u>	<u>ALE \$</u>	<u>New Cost Share</u>	<u>Per/acre</u>
SADC	\$371,154.00	\$ 60,460.10	\$310,693.90	(3,515.83/acre)
Salem County	\$106,044.00	\$106,044.00	\$0	
Pilesgrove Township	\$164,368.20	\$164,368.20	\$0	
<u>ALE Grant</u>			<u>\$330,872.30</u>	<u>(\$3,744.17/acre)</u>
TOTAL		\$330,872.30	\$641,566.20	(\$7,260.00/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, Salem County is requesting \$310,693.90 in competitive grant funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

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 88.37 easement acres, at a State cost share of \$3,515.83 per acre, (53.27% of certified easement value and 48.43% purchase price), for a total grant of approximately \$310,693.90 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 cost share and then, with the remaining funds (estimated \$60,460.10), 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.

9/27/18
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

Wetlands

Schedule A

X:\counties\sac\projects\Kelly_Dennis_J_Sr_(E&D_Farm)_www.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kelly, Dennis J. Sr. (E&D Farm)
Block 24 Lot 3 (85.8 ac)
Gross Total = 85.8 ac
Pilesgrove Twp., Salem County

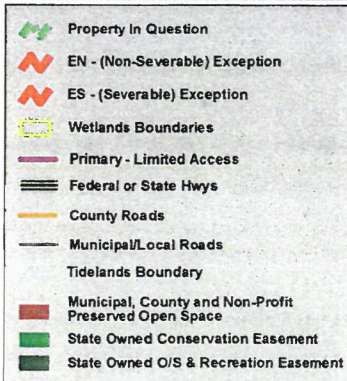
500 250 0 500 1,000 Feet

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

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.

Application within the (PA 4) Rural Area



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

August 10, 2016

SADC County Financial Status

Salem County

SADC ID#	Farm	Municipality	Acres	SADC		Total Federal Grant	Federal Grant		Base Grant			Competitive Funds																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
				Cost Basis	Cost Share		Federal Grant	SADC	Encumbered	PV	Expended	Balance	Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 15	Fiscal Year 17	Maximum Grant	Encumbered	PV	Expended	FY11 Balance	FY13 Balance	FY17 Balance																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
17-0123-PG	Greco	Pittsgrove	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																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Kelly, Dennis J. Sr., (E & D Farm)
17- 0206-PG
County PIG Program
86 Acres

Block 24	Lot 3	Pilesgrove Twp.	Salem County
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SOILS:	Other	9% * 0	= .00
	Prime	74% * .15	= 11.10
	Statewide	17% * .1	= 1.70
			SOIL SCORE: 12.80

TILLABLE SOILS:	Cropland Harvested	87% * .15	= 13.05
	Other	6% * 0	= .00
	Wetlands	6% * 0	= .00
	Woodlands	1% * 0	= .00
			TILLABLE SOILS SCORE: 13.05

FARM USE:	Corn-Cash Grain	46 acres
	Soybeans-Cash Grain	18 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:
 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 FY2019R9(7)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Alexandria Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Miller, Alice C. ("Owner")
Alexandria Township, Hunterdon County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 10-0417-PG**

SEPTEMBER 27, 2018

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Alexandria Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and

WHEREAS, on August 31, 2017 the SADC received an application for the sale of a development easement from Alexandria Township for the subject farm identified as Block 9, Lot 10 and Block 10, Lot 74, Alexandria, Hunterdon County, totaling approximately 66.8 gross acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 1.5 acre non-severable exception area for one existing single family residential unit and to afford future flexibility of uses resulting in approximately 65.3 net acres to be preserved; and

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on November 14, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 28, 2018 the SADC certified a development easement value of \$7,700 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$5,900 per acre based on zoning and environmental regulations in place as of the current valuation date March 2018; and

WHEREAS, the Owner accepted the Township's offer of \$7,700 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on August 8, 2018, the Alexandria Township Committee approved the application for the sale of development easement and a funding commitment of \$1,475 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on September 13, 2018, the Hunterdon 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 September 18, 2018, the County of Hunterdon passed a resolution granting final approval and a commitment of funding for \$1,475 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 65.3 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$310,175	(\$4,750/acre)
Hunterdon County	\$ 96,317.50	(\$1,475/acre)
<u>Alexandria Township</u>	<u>\$ 96,317.50</u>	<u>(\$1,475/acre)</u>
Total Easement Purchase	\$502,810	(\$7,700/acre)

WHEREAS, Alexandria Township is requesting \$4,750 per acre or approximately \$310,175 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

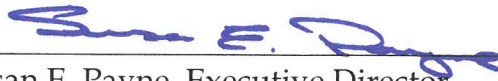
WHEREAS, pursuant to N.J.A.C. 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

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 Alexandria Township for the purchase of a development easement on the Property, comprising approximately 65.3 net easement acres, at a State cost share of \$4,750 per acre, (61.69% of certified easement value and purchase price), for a total grant of approximately \$310,175 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 Hunterdon 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.

9/27/18

Date



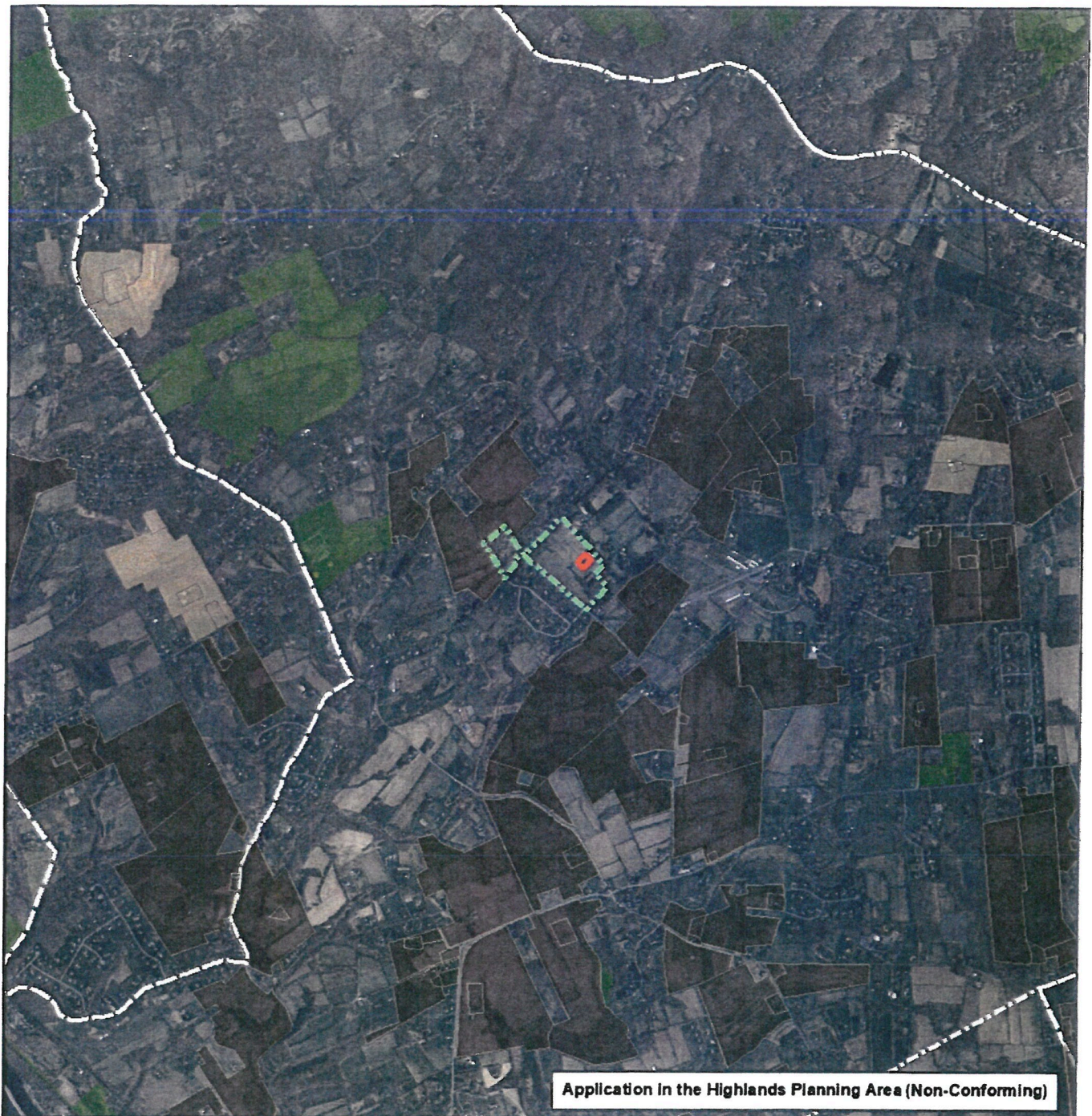
Susan E. Payne, Executive Director
State Agriculture Development Committee

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

Preserved Farms and Active Applications Within Two Miles

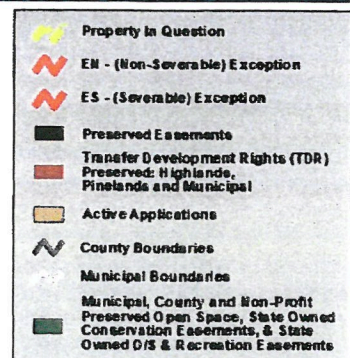
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Miller, Alice C.
Block 9 Lot 10 (14.0 ac); Block 10 Lots P/O 74 (51.3 ac)
& P/O 74-EN (non-severable exception - 1.5 ac)
Gross Total = 66.8 ac
Alexandria Twp., Hunterdon 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
NJDOTGIS 2015 Digital Aerial Image

Date: 11/6/2017

Wetlands



X:\counties\huncot\project\Miller_Alice_C_17nw.mxd

Application in the Highlands Planning Area (Non-Conforming)

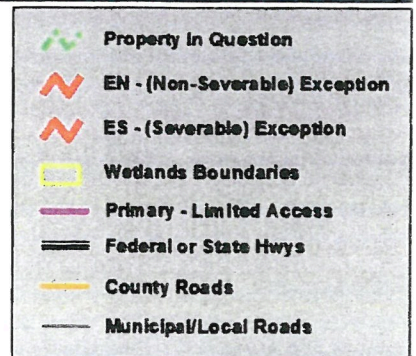
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Miller, Alice C.
Block 9 Lot 10 (14.0 ac); Block 10 Lots P/O 74 (51.3 ac)
& P/O 74-EN (non-severable exception - 1.5 ac)
Gross Total = 66.8 ac
Alexandria Twp., Hunterdon 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 control, 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

October 24, 2017

SADC Municipal Pig Financial Status Schedule B

Alexandria Township, Hunterdon County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant			
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
10-0275-PG	Rosenfield	26.2390	236,475.80	141,885.48				Fiscal Year 09		750,000.00
10-0332-PG	Kappus	17.9850	137,585.25	84,979.13			141,885.48	Fiscal Year 11		500,000.00
10-0343-PG	Hahola North	42.3150	351,214.50	213,690.75			84,979.13	Fiscal Year 13		500,000.00
10-0347-PG	Hahola South	14.2880	129,874.50	77,924.70			213,690.75	Fiscal Year 17		250,000.00
10-0352-PG	Jacobson	29.4480	329,797.00	197,878.20			77,924.70			
10-0371-PG	Kluber, Peter W. & Ellen	50.6610	490,790.90	294,474.54			197,878.20			
10-0369-PG	Alexandria Twp. (B11, L16)	79.2280	407,044.15	274,826.88			294,474.54			
10-0358-PG	Grefe, P & L (Lot 14)	18.2320	180,496.80	108,298.08			274,826.88			
10-0359-PG	Grefe, P & L (Lot 14.01)	25.0510	237,984.50	142,790.70			108,298.08			
	Grefe ancillary						142,790.70			
10-0417-PG	Miller, Alice C.	65.3000	502,810.00	310,175.00			7,365.00			
							310,175.00			
Closed	9	303.4470	2,501,263.400	1,536,748.454						
Encumbered	1	65.3000	502,810.000	310,175.000						
			Encumber/Expended FY09	-			-	-	750,000.00	-
			Encumber/Expended FY11	-			-	-	500,000.00	-
			Encumber/Expended FY13	205,886.54			-	-	294,113.46	-
			Encumber/Expended FY17	-			-	-	104,288.46	-
			Total							145,711.54

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Miller, Alice C.
10- 0417-PG
PIG EP - Municipal 2007 Rule
64 Acres

Block 9	Lot 10	Alexandria Twp.	Hunterdon County
Block 10	Lot 74	Alexandria Twp.	Hunterdon County

SOILS:	Other	6% * 0	=	.00
	Prime	68% * .15	=	10.20
	Statewide	26% * .1	=	2.60

SOIL SCORE: 12.80

TILLABLE SOILS:	Cropland Harvested	60% * .15	=	9.00
	Other	10% * 0	=	.00
	Permanent Pasture	13% * .02	=	.26
	Woodlands	17% * 0	=	.00

TILLABLE SOILS SCORE: 9.26

FARM USE:	Hay	40 acres
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In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st (1.495) acres for existing single family residential unit
Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-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 FY2019R9(8)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Alloway Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Sickler, Kurt & Donna ("Owners")
Alloway Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID#17-0188-PG**

September 27, 2018

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Alloway Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and

WHEREAS, on August 10, 2017, the SADC received an application for the sale of a development easement from Alloway Township for the subject farm identified as Block 36, Lot 4, Alloway Township, Salem County, totaling approximately 33.3 gross acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes 1 (one), 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 31.3 net acres to be preserved; and

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on November 27, 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. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 27, 2018, the SADC certified a development easement value of \$6,700 per acre based on zoning and environmental regulations in place as of the current valuation date February 8, 2018; and

WHEREAS, the Owner accepted the Township's offer of \$6,700 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 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 6% maximum impervious coverage restriction (approximately 1.87 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 \$3,594.25 per acre (50% of \$7,188.50) or approximately \$112,500.02 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, pursuant to N.J.A.C. 2:76-17.13, on August 16, 2018, the Alloway 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 June 27, 2018, 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 July 18, 2018, the County of Salem passed a resolution granting final approval, but is not participating financially in the easement purchase due to anticipated receipt of ALE funds; and

WHEREAS, the estimated cost share breakdown is as follows (based on approximately 31.3 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$133,025.00	(\$4,250/acre)
Salem County	\$ 38,342.50	(\$1,225/acre)
<u>Alloway Township</u>	<u>\$ 38,342.50</u>	<u>(\$1,225/acre)</u>
Total Easement Purchase	\$209,710.00	(\$6,700/acre)

Estimated Cost share breakdown if the \$112,500.02 ALE Grant is finalized and applied:

	<u>Total</u>	<u>ALE \$</u>	<u>New Cost Share</u>	<u>Per/acre</u>
SADC	\$133,025.00	\$ 35,815.02	\$97,209.98	(\$3,105.75/acre)
Salem County	\$ 38,342.50	\$ 38,342.50	\$0	
Alloway Township	\$ 38,342.50	\$ 38,342.50	\$0	
<u>ALE Grant</u>			<u>\$112,500.02</u>	<u>(\$3,594.25 /acre)</u>
TOTAL		\$112,500.02	\$209,710.00	(\$6,700/acre)

WHEREAS, Alloway Township is requesting \$3,105.75 per acre or approximately \$97,209.98 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

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 Alloway Township for the purchase of a development easement on the Property, comprising approximately 31.3 net easement acres, at a State cost share of \$3,105.75 per acre, (46.35% of certified easement value and purchase price), for a total grant of approximately \$97,209.98 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 \$35,815.02), reduce the SADC's cost share.
5. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
6. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
7. 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.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
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.

9/27/18
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

Wetlands

Schedule A



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Application within the (PA 4) Rural Area

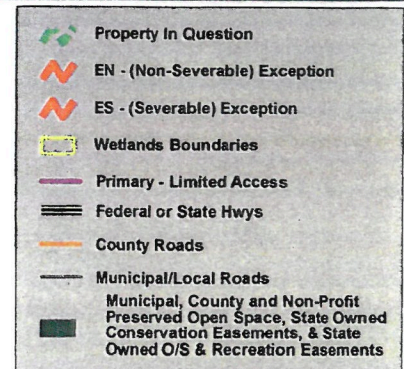
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Sickler, Kurt and Donna
Block 36 Lots P/O 4 (31.3 ac)
and P/O 4-EN (nonseverable exception - 2.0 ac)
Gross Total - 33.3 ac
Alloway Twp., Salem County



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



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

November 17, 2017

SADC Municipal Financial Status
Schedule B

Alloway Township, Salem County

SADC ID#	Farm	Acres	SADC		Federal Grant		Grant			
			Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
17-0116-PG	Yanus	81.0470	461,523.30	303,633.75			303,633.75	303,633.75	303,633.75	946,366.25
17-0115-PG	Sickler	11.4920	75,847.20	48,266.40			48,266.40	48,266.40	48,266.40	898,099.85
	Yanus ancillary								6,710.00	891,389.85
	Sickler ancillary								3,245.50	888,144.35
17-0132-PG	Chard	24.0670	168,469.00	105,894.80	84,234.50	21,660.30	105,894.80	84,234.50	84,234.50	803,909.85
17-0140-PG	Ray	63.4350	386,172.70	195,848.04	190,324.66	54,214.61	250,062.65	196,232.07	195,848.04	608,061.81
	Ray ancillary								5,100.00	602,961.81
	Reprogram FY17								107,677.78	495,284.03
	Chard ancillary								7,585.00	487,699.03
17-0171-PG	McAlonan, Raymond A. & Regina M. (Lot 3.01)	13.2410	91,952.00	41,210.97	57,798.40	16,587.43	41,945.96	41,210.97	41,210.97	446,488.06
17-0172-PG	McAlonan, Raymond A. & Regina M. (Lot 10.01)	28.5460	185,549.00	83,952.93	101,596.07	34,512.97	83,952.93	83,952.93	83,952.93	362,535.13
17-0142-PG	Robbins, Joseph & Williams, Chloe L.	48.9550	244,775.00	115,069.47	129,705.53	51,377.53	113,975.00	115,069.47	115,069.47	247,465.66
17-0188-PG	Sickler, Kurt & Donna	31.3000	209,710.00	97,209.98	112,500.02	35,815.02	97,209.98			150,255.68
Closed		7	1,823,998.20	991,086.33	676,159.18	214,167.86				
Encumbered		1	209,710.00	97,209.98	112,500.02	35,815.02				
					Encumber/Expended FY09		97,209.98	-	750,000.00	-
					Encumber/Expended FY11		-	-	252,534.34	150,255.68
					Encumber/Expended FY13		-	-	-	-
					Encumber/Expended FY17		-	-	-	-
					Total					150,255.68

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Sickler, Kurt & Donna
17- 0188-PG
PIG EP - Municipal 2007 Rule
31 Acres

Block 36	Lot 4	Alloway Twp.	Salem County				
SOILS:		Prime	93% *	.15	=	13.95	
		Statewide	7% *	.1	=	.70	
						SOIL SCORE:	14.65
TILLABLE SOILS:		Cropland Harvested	95% *	.15	=	14.25	
		Other	5% *	0	=	.00	
						TILLABLE SOILS SCORE:	14.25
FARM USE:		Soybeans-Cash Grain				32 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st two (2) acres for existing single family home
 - Exception is not to be severed from Premises
 - Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions:
 1. FY16 ALE via NJCF subject to 6% maximum impervious cover restriction on the Premises.
 2. FY16 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 #FY2019R9(9)

**Final Review and Approval
SADC Easement Purchase**

**On the Property of
Varela, Daniel - Estate of**

SEPTEMBER 27, 2018

Subject Property: Varela, Daniel - Estate of
Block 32, Lots 5 & 6 and Block 33, Lot 12
Kingwood Township, Hunterdon County
SADC ID#: 10-0245-DE
Approximately 89.4 Net Easement Acres

WHEREAS, on July 24, 2017, the State Agriculture Development Committee ("SADC") received a development easement sale application from Varela, Daniel - Estate of, hereinafter "Owners," identified as Block 32, Lots 5 & 6 and Block 33, Lot 12, Kingwood Township, Hunterdon County, hereinafter "the Property," totaling approximately 91.4 Gross Acres, identified in (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 1.5-acre non-severable exception area for and restricted to one (1) single family residential unit and one approximately 0.5-acre nonseverable exception are for flexibility of use and restricted to zero (0) single family residential uses, resulting in approximately 89.4 net acres to be preserved; and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 25, 2013, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Hunterdon County (minimum acreage of 49 and minimum quality score of 60) because it is approximately 89.4 net easement acres and has a quality score of 66.88; and

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

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

WHEREAS, on June 28, 2018, the SADC certified the development easement value at \$7,000 per acre based on current zoning and environmental conditions as of April 2018; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$7,000 per acre; and

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

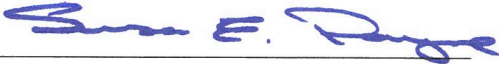
WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$7,000 per acre for a total of approximately \$625,800 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the 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.
4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
5. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.

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

____9/27/18____
Date

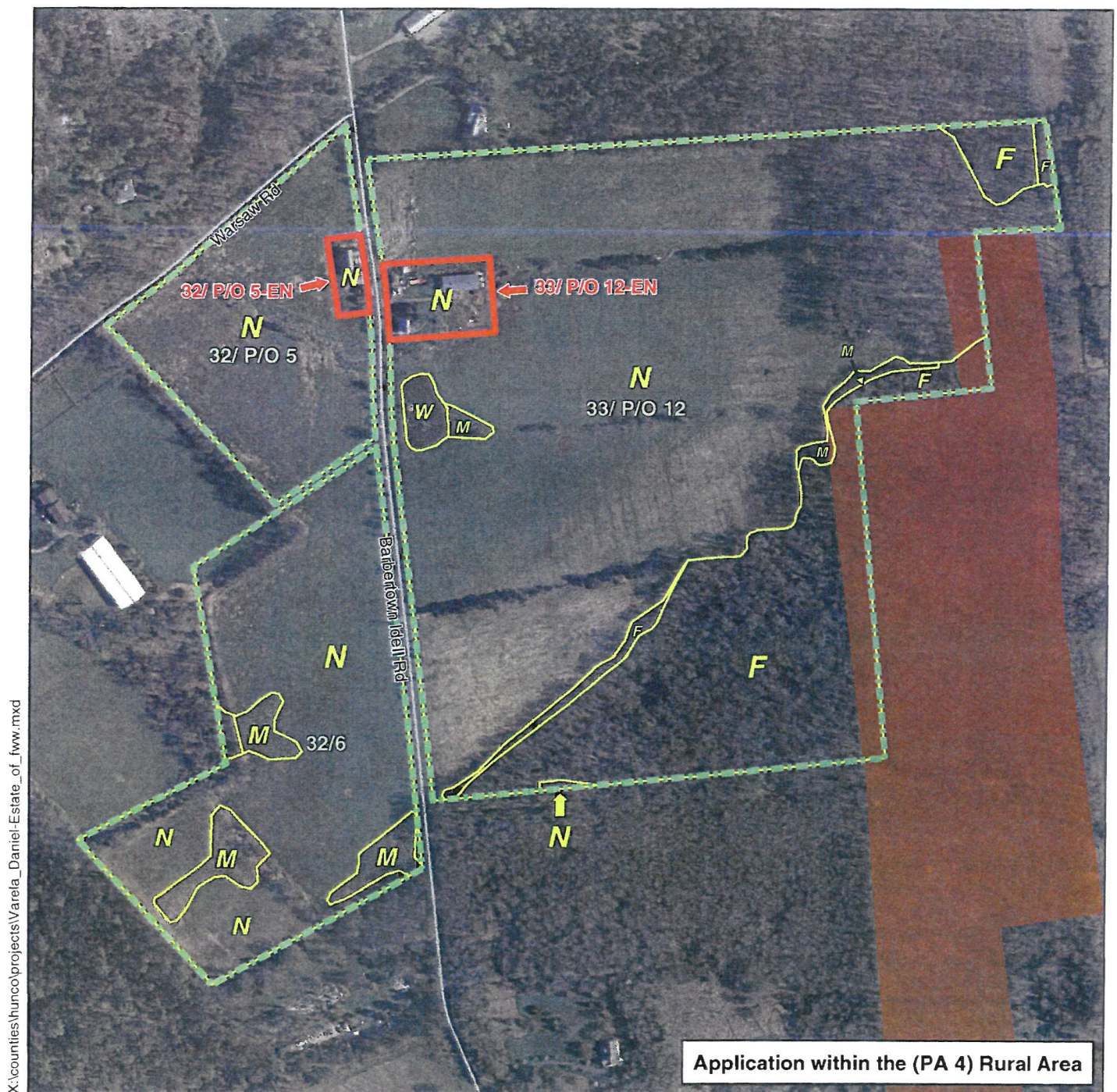


Susan E. Payne, Executive Director
State Agriculture Development Committee

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

Wetlands



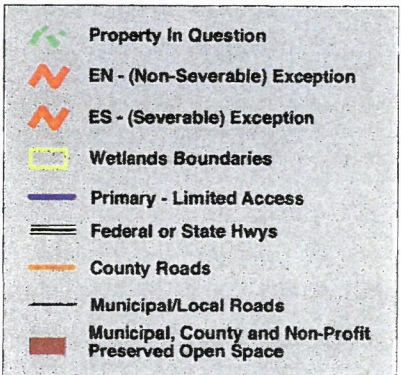
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Varella, Daniel - Estate of
Block 32 Lots P/O 5 (9.8 ac);
P/O 5-EN (non-severable exceptions - 0.5 ac) & 6 (18.2 ac)
Block 33 Lots P/O 12 (61.4 ac); &
P/O 12-EN (non-severable exception - 1.5 ac)
Gross Total = 91.4 ac
Kingwood Twp., Hunterdon County

500 250 0 500 1,000 Feet

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

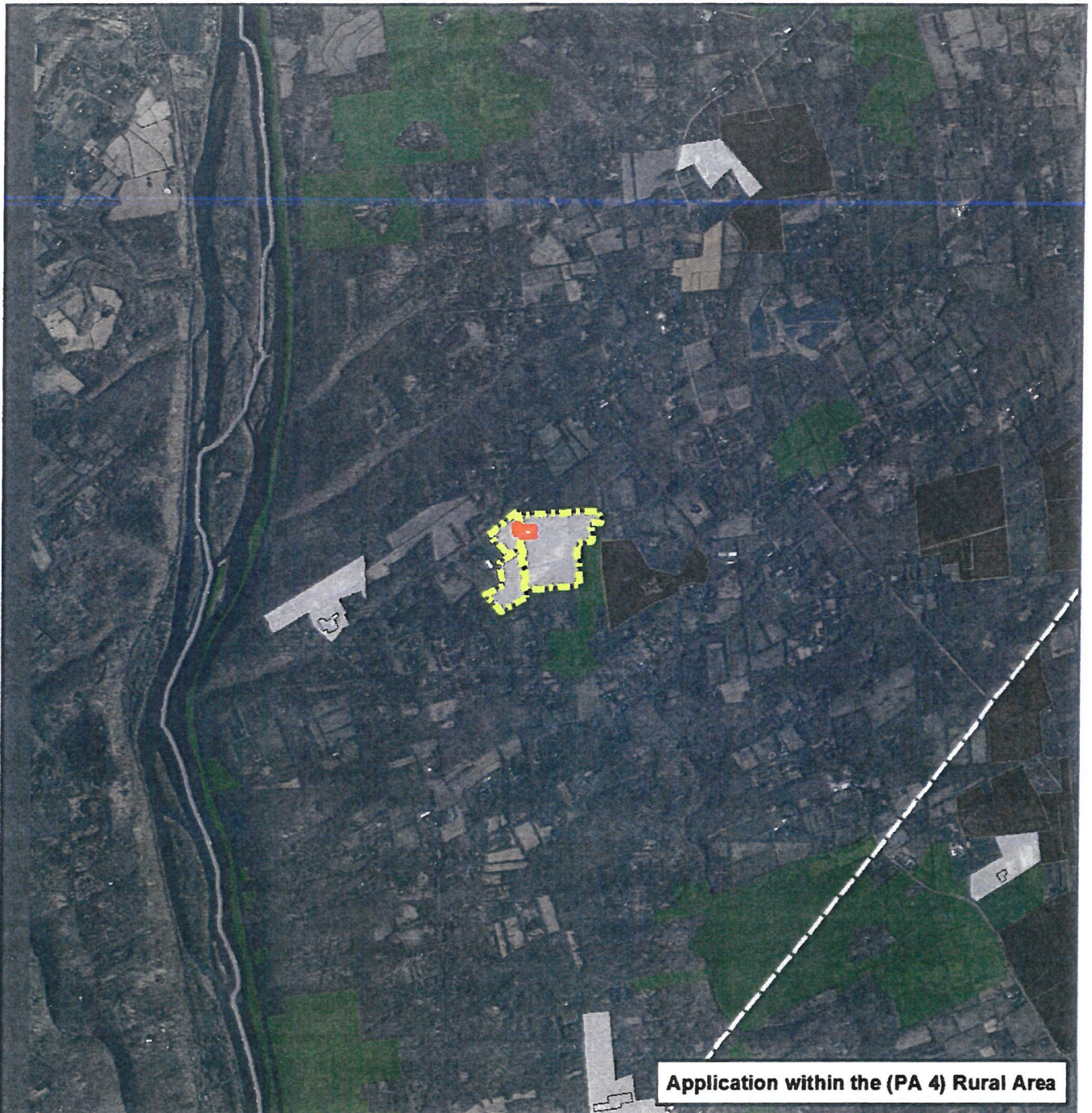
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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

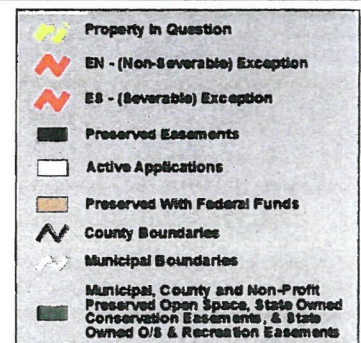
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Varela, Daniel - Estate of
Block 32 Lots P/O 5 (9.8 ac);
P/O 5-EN (non-severable exceptions - 0.5 ac) & 6 (18.2 ac)
Block 33 Lots P/O 12 (61.4 ac); &
P/O 12-EN (non-severable exception - 1.5 ac)
Gross Total = 91.4 ac
Kingwood Twp., Hunterdon 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
Grass Acres Conservation Easement Data
NJOT/OGIS 2015 Digital Aerial Images

July 19, 2017

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Varela, Daniel - Estate of
Easement Purchase - SADC
89 Acres

Block 32	Lot 5	Kingwood Twp.	Hunterdon County
Block 32	Lot 6	Kingwood Twp.	Hunterdon County
Block 33	Lot 12	Kingwood Twp.	Hunterdon County

SOILS:	Other	18% *	0	=	.00
	Statewide	82% *	.1	=	8.20

SOIL SCORE: 8.20

TILLABLE SOILS:	Cropland Harvested	70% *	.15	=	10.50
	Wetlands	18% *	0	=	.00
	Woodlands	12% *	0	=	.00

TILLABLE SOILS SCORE: 10.50

FARM USE:	Beef Cattle Feedlots	91 acres
	Berry	acres
	Vegtable & Melons	acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (.5) acres for Flexibility
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 future single family residential unit(s)
 - 2nd (1.5) acres for Residence and flexibility
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 one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R9(10)

**Final Review and Approval
SADC Easement Purchase**

**On the Property of
Woodmeier Farms, LLC ("Owner")**

September 27, 2018

Subject Property: **Woodmeier Farms, LLC ("Owner")**
Block 19, Lot 3.01
West Amwell Township, Hunterdon County
SADC ID#: 10-0250-DE
Approximately 67.2 Net Easement Acres

WHEREAS, on August 14, 2017, the State Agriculture Development Committee ("SADC") received a development easement sale application from Woodmeier Farms, LLC, hereinafter "Owner," identified as Block 19, Lot 3.01, West Amwell Township, Hunterdon County, hereinafter "the Property," totaling approximately 68.2 gross acres, identified in (Schedule A); and

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

WHEREAS, the original application proposed the existing single-family residence to remain on the easement area, and subsequent to the SADC certification of market value (CMV) and offer acceptance the Owner has requested a 1-acre nonseverable exception area; and

WHEREAS, it is the opinion of the SADC appraisal manager that this change has no impact on the SADC's certified market value; and

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area for one existing single family residential unit and to afford future flexibility of uses resulting in approximately 67.2 net acres to be preserved; and

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

WHEREAS, the Property is currently an equine operation with approximately 30.5 acres in equine production as pasture and hay (Schedule B); and

WHEREAS, equine service activities, including boarding training and workshops, take place within the 2.6 acres of the Property; and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 25, 2013, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Hunterdon County (minimum acreage of 49 and minimum quality score of 60) because it is approximately 67.2 net easement acres and has a quality score of 65.27; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 28, 2018 the SADC certified a development easement value of \$5,400 per acre based on zoning and environmental regulations in place as of the current valuation date April 2018; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$5,400 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$5,400 per acre for a total of approximately \$368,280 subject to the conditions contained in (Schedule B).
3. The original application, offer acceptance and Certification of Market Value are

hereby amended to reflect the aforesaid addition of the non-severable exception area.

4. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
5. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/27/18

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

Wetlands and C-1 Streams



FARMLAND PRESERVATION PROGRAM

NJ State Agriculture Development Committee

Woodmeier Farms, LLC
 Block 19 Lot 3.01 (67.2 ac); P/O 3.01 (nonseverable exception - 1.0 ac)
 Gross Total = 68.2 ac
 West Amwell Twp., Hunterdon County

500 250 0 500 1000 Feet

Source:
 NJ Farmland Preservation Program
 Green Acres Conservation System Data
 NJDEP Wetlands Data
 NHDOTGIS 2015 Digital Aerial Image

DISCLAIMER: Any use of the product with respect to accuracy, and precision shall be the sole responsibility of the user. The configuration and presentation of data on this map is the sole responsibility of the user and does not constitute a warranty. The geographic accuracy and precision of the GIS data contained in this file and map shall not be construed to be a statement of fact or a representation of fact. The user shall be responsible for the accuracy and precision of the data and for the use of the data. The user shall be responsible for the accuracy and precision of the data and for the use of the data. The user shall be responsible for the accuracy and precision of the data and for the use of the data.



Wetlands Legend:
 F - Freshwater Wetlands
 W - Wetlands
 C-1 - C-1 Wetlands
 T - Total Wetlands
 S - 300 Ft Buffer
 U - Water

September 12, 2017

Preserved Farms and Active Applications Within Two Miles

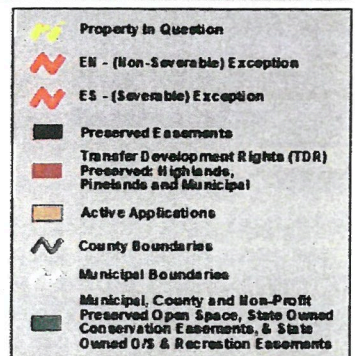
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Woodmeier Farms, LLC
Block 19 Lot 3.01 (67.2 ac); P/O 3.01 (nonseverable exception - 1.0 ac)
Gross Total = 68.2 ac
West Amwell Twp., Hunterdon 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
NCHITOGIS 2015 Digital Aerial Image

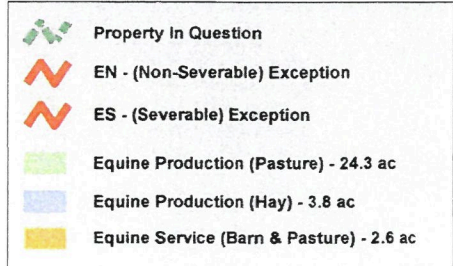
September 27, 2017

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FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Woodmeier Farms, LLC
 Block 19 Lots P/O 3.01 (67.2 ac)
 & P/O 3.01-EN (non-severable exception - 1.0 ac)
 Gross Total = 68.2 ac
 West Amwell Twp., Hunterdon County



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

Sources:
 NJDOT Road Data
 NJGIT/OGIS 2015 Digital Aerial Image

September 10, 2018

SCHEDULE B

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

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

Horseback riding lessons, boarding, training and schooling horses and workshops, occur in an approximately 2.6 acre area and barns stalls, as depicted on the survey dated _____, prepared by _____.

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

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

Schedule D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Woodmeier Farms, LLC
Easement Purchase - SADC
67 Acres

Block 19	Lot 3.01	West Amwell Twp.	Hunterdon County
SOILS:		Other	5% * 0 = .00
		Statewide	95% * .1 = 9.50
			SOIL SCORE: 9.50
TILLABLE SOILS:		Cropland Harvested	75% * .15 = 11.25
		Wetlands	9% * 0 = .00
		Woodlands	16% * 0 = .00
			TILLABLE SOILS SCORE: 11.25
FARM USE:	Horse & Other Equine		acres
	Hay		acres
	Chicken Eggs		acres

This final approval is subject to the following:

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

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R9(11)

**Final Review and Approval
SADC Easement Purchase**

**On the Property of
Harbourton Foundation ("Owner")**

September 27, 2018

Subject Property: **Harbourton Foundation ("Owner")**
Block 29, Lot 9
Hopewell Township, Mercer County
SADC ID#: 11-0042-DE
Approximately 79 Net Easement Acres

WHEREAS, on September 11, 2017, the State Agriculture Development Committee ("SADC") received a development easement sale application from Harbourton Foundation, hereinafter "Owner," identified as Block 29, Lot 9, Hopewell Township, Mercer County, hereinafter "the Property," totaling approximately 81.5 gross acres, identified in (Schedule A); and

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

WHEREAS, the original application, Option Agreement and Certification of Market Value included one (1), approximately 3-acre non-severable exception area for and limited to one future single family residential unit resulting in approximately 78.5 net acres to be preserved; and

WHEREAS, the landowner will be required to obtain approval from the SADC to locate the driveway to access the non-severable exception area if it is not determined prior to closing as per SADC Policy P-41 (Schedule C); and

WHEREAS, during the SADC's preparation of this Final Approval, the landowner requested a change in the location of the one non-severable exception area; and

WHEREAS, the said change in location increases the availability of tillable acreage and has no effect on the previously-acknowledged access to the non-severable exception area; and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 27, 2017, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Mercer County (minimum acreage of 54 and minimum quality score of 64) because it is approximately 78.5 net easement acres and has a quality score of 65.81; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on July 26, 2018 the SADC certified a development easement value of \$10,900 per acre based on zoning and environmental regulations in place as of the current valuation date of May 27, 2018; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$10,900 per acre; and

WHEREAS, the SADC's Option Agreement, certification of the development easement, and offer to purchase the easement were conditioned upon the Owner submitting documentation establishing authority to enter into agreement prior to SADC Final Approval; and

WHEREAS, the Owner has submitted the 12/21/82 certificate of incorporation, the 3/8/13 amendment to certificate of incorporation and the by-laws, and counsel has reviewed and approved said documentation, therefore the prior condition has been met; and

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

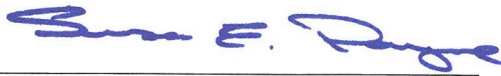
WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$10,900 per acre for a total of approximately \$855,650 subject to the conditions contained in (Schedule B).
3. The prior condition to submit the Owner's documentation establishing authority to enter into agreement, the 12/21/82 certificate of incorporation, the 3/8/13 amendment to certificate of incorporation, and the by-laws and any amendments and restatements thereto prior to Final Approval has been resolved and is no longer a condition.
4. The original application, Option Agreement and Certification of Market Value are hereby amended to reflect the aforesaid change in location of the non-severable exception area.
5. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
6. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
7. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

9/27/18
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	RECUSED

Project Map

Schedule A

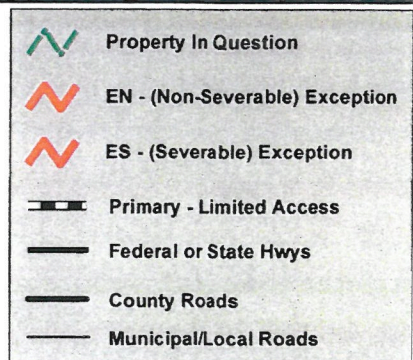
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Harbourton Foundation
Block 29 Lots P/O 9 (78.5 ac);
P/O 9-EN (non-severable exception - 3.0 ac)
Gross Total = 81.5 ac
Hopewell Twp., Mercer County

500 250 0 500 1,000 Feet



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

June 11, 2018

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Schedule B

Harbourton Foundation
Easement Purchase - SADC
79 Acres

Block 29	Lot 9	Hopewell Twp.	Mercer County	
SOILS:		Local	2% * .05	= .10
		Prime	66% * .15	= 9.90
		Statewide	32% * .1	= 3.20
			SOIL SCORE:	13.20
TILLABLE SOILS:		Cropland Harvested	43% * .15	= 6.45
		Wetlands	.5% * 0	= .00
		Woodlands	56.5% * 0	= .00
			TILLABLE SOILS SCORE:	6.45
FARM USE:		Soybeans-Cash Grain	35 acres	

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st three (3) acres for future single family 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:
 1. The Option Agreement and Certified Market Value were conditioned upon Harbourton Foundation submitting documentation establishing authority to enter into agreement prior to SADC Final Approval.

Harbourton Foundation submitted the 1/12/18 unanimous written consent, the 12/21/82 certificate of incorporation, the 3/8/13 certificate of amendment to the certificate of incorporation, and the by-laws, amendments, and restatements.

SADC counsel has reviewed the documentation and determined that the Harbourton Foundation has the authority to enter into agreement and the prior condition has been met.
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

POLICY

Access to Exception AreasI. Purpose

To establish a policy on access to exception areas, as defined in N.J.A.C. 2:76-6.2. Access means lanes or driveways that provide vehicular ingress and egress to and from the exception area.

II. Authority

N.J.A.C. 2:76-6.2
N.J.A.C. 2:76-10.6

III. Policy

A. Severable Exception Areas

For exception areas that may be severed and subdivided from the preserved property, access to the area must be included within the exception area. The access, however, shall not interfere with the agricultural operation. Furthermore, approvals of exception areas shall be conditioned upon the landowner acknowledging a right of individuals to cross the access for agricultural purposes. This condition will be included in the Deed of Easement provision relating to the exception area.

B. Non-severable Exception Areas

1. For exception areas that may not be severed or subdivided from the preserved property, access to the exception area must be included within the exception area if the access is used for exclusively non-agricultural purposes (i.e., if the access is used only to provide ingress and egress to and from non-agricultural uses on the exception area). For the purposes of this policy, residential buildings on non-severable exception areas are deemed to be associated with the agricultural operation on the preserved farm and hence are not considered non-agricultural uses.

For exception areas that may not be severed or subdivided from the preserved property, access to the exception area does not need to be included within the exception area if the lane or driveway provides access to any portion of the farm used for agricultural production or to an agricultural use on the exception area, including, but not limited to, farm markets.

2. Landowners who would like to construct a lane or driveway to access a non-severable exception area must obtain the approval of the SADC and the appropriate CADB. In deciding whether to grant approval, the SADC and CADBs shall consider how much agricultural land will be displaced by the driveway, whether the driveway interferes with, or acts as a barrier to, the agricultural operation.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R9(12)

**Final Review and Approval
SADC Easement Purchase**

**On the Property of
Bitter, John B. III & Barbara M. ("Owners")**

September 27, 2018

Subject Property: Bitter, John B. III & Barbara M. ("Owners")
Block 19, Lot 1; Block 21, Lot 13; Block 6, Lot 3
Mannington Township, Salem County
SADC ID#17-0321-DE
Approximately 147 Gross Easement Acres

WHEREAS, on August 10, 2017, the State Agriculture Development Committee ("SADC") received a development easement sale application from John B. Bitter, III and Barbara M. Bitter, hereinafter "Owners," identified as Block 19, Lot 1, Block 21, Lot 13, and Block 6, Lot 3, in Mannington Township, Salem County, hereinafter "the Property," totaling approximately 147 gross acres, identified in (Schedule A); and

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

WHEREAS, the Property includes zero (0) exceptions, 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 beef cattle, corn, soybean, and hay production; and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 25, 2013, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Salem County (minimum acreage of 92 and minimum quality score of 61) because it is approximately 147 net easement acres and has a quality score of 69.90; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 28, 2018 the SADC certified a development easement value of \$5,600 per acre based on zoning and environmental regulations in place as of the current valuation date April 11, 2018; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$5,600 per acre; and

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

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

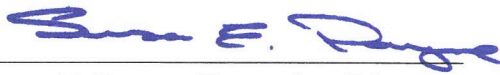
NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$5,600 per acre for a total of approximately \$823,200 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved, 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.
4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
5. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.
6. This approval is considered a final agency decision appealable to the Appellate

Division of the Superior Court of New Jersey.

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

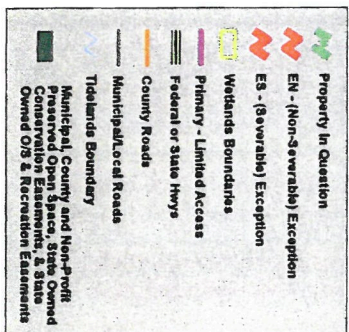
9/27/18
Date


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

S:\DIRECT EASEMENT PURCHASE\All Counties\SALEM\Bitter, John B. III & Barbara M\Final Approvals\Bitter, John B. III & Barbara M. DE FA.doc



Bitter, John B. III & Barbara M.
Block 19 Lot 1 (112.9 ac)
Block 21 Lot 13 (27.8 ac) & Block 6 Lot 3 (6.3 ac)
Gross Total – 147.0 ac
Mannington Twp. Salem County



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

DISCLAIMER
The company makes no warranty, either expressed or implied, for the use of the product with respect to accuracy and precision that are the sole responsibility of the user. The product is not intended for use in applications where high accuracy and precision are required. The product is intended for use in applications where approximate accuracy and precision are required. The product is not intended for use in applications where high accuracy and precision are required. The product is not intended for use in applications where high accuracy and precision are required.

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Bitter, John B. III & Barbara M.
Easement Purchase - SADC
147 Acres

Block 19	Lot 1	Mannington Twp.	Salem County
Block 21	Lot 13	Mannington Twp.	Salem County
Block 6	Lot 3	Mannington Twp.	Salem County

SOILS:	Other	11% *	0	=	.00
	Prime	72% *	.15	=	10.80
	Statewide	17% *	.1	=	1.70

SOIL SCORE: 12.50

TILLABLE SOILS:	Cropland Harvested	89% *	.15	=	13.35
	Wetlands	7% *	0	=	.00
	Woodlands	4% *	0	=	.00

TILLABLE SOILS SCORE: 13.35

FARM USE:	Corn-Cash Grain	20 acres
	Soybeans-Cash Grain	35 acres
	Hay	6 acres
	Beef Cattle Except Feedlots	34 acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 1 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R9(13)
FINAL REVIEW AND APPROVAL OF A NONPROFIT GRANT TO
THE LAND CONSERVANCY OF NEW JERSEY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Hensler Farms, LLC (TLC-NJ)**

FY18 Non Profit Round – SADC #21-0038-NP

SEPTEMBER 27, 2018

WHEREAS, on April 3, 2017 the State Agriculture Development Committee (“SADC”), received a non-profit cost share grant application from The Land Conservancy of New Jersey (TLC-NJ) for the Hensler Farms, LLC farm identified as Block 18 Lot 16, White Township, Warren County, totaling approximately 38.7 gross acres hereinafter referred to as “Property” (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 1-acre and one (1) approximately 2-acre non-severable exception areas which are limited to only one (1) future single family residential unit (not one for each) and to afford future flexibility of uses resulting in approximately 35.7 net acres to be preserved. Once a single family residential unit is constructed within one of the exception areas, the option to place a single family residential unit on the other exception area will be extinguished; 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 25, 2017 the SADC granted preliminary approval by Resolution #FY2017R5(6) to TLC-NJ applications and appropriated \$251,902 for the acquisition of development easement on two farms including the Hensler Farms, LLC; 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 54.87 which is greater than 70% of the County average quality score of 44 as determined by the Committee on July 28, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on July 26, 2018 the SADC certified a development easement value of \$3,700 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,300 per acre based on zoning and environmental regulations in place as of the current valuation date April 2018; and

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

WHEREAS, on August 15, 2018, TLC-NJ informed the SADC that it will accept the SADC cost share of \$1,850 per acre; and

WHEREAS, on March 14, 2018 the Warren County Board of Chosen Freeholders granted approval to provide 50% matching funds for TLC-NJ's easement acquisition on the Hensler Farm, LLC and agreed to accept assignment of the development easement from TLC-NJ and be responsible for annual monitoring; and

WHEREAS, the cost share breakdown based on 35.7 acres is as follows:

	<u>Total</u>	<u>Per/acre</u>
SADC	\$ 66,045	(\$1,850/acre or 50% total cost)
Other Entity	\$ 66,045	(\$1,850/acre or 50% total cost)
Total Easement Purchase	\$132,090	(\$3,700/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 TLC-NJ 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

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

WHEREAS, TLC-NJ is under agreement with the County and will assign the Deed of Easement to Warren County 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 TLC-NJ for the Hensler Farms, LLC 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 TLC-NJ to Warren County provided the SADC reviews and approves in advance all documentation to accomplish the assignment including, but not limited to, review of survey, title, and assignment document.

4. The SADC shall provide a cost share grant not to exceed \$1,850 per acre (total of approximately \$66,045 based on 35.7 acres) to TLC-NJ for the development easement acquisition on the Hensler farm LLC, 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 TLC-NJ 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 TLC-NJ for the acquisition of a development easement on Hensler Farms, LLC.
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.

9/27/18

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	OPPOSED

Preserved Farms and Active Applications Within Two Miles

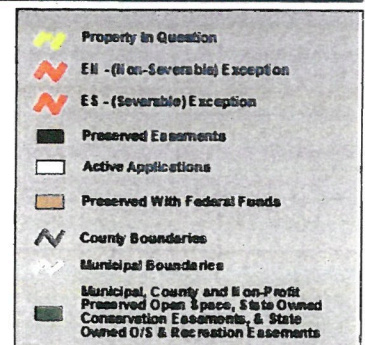


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Hensler Farm LLC (TLCNJ)
Block 18 P/O lot 16 (35.7 ac) & P/O Lot 16-EN (non-severable exceptions – 3.0 ac)
Gross Total – 38.7 ac
White Twp. Warren County

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

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



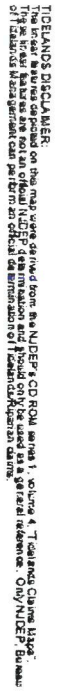
Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOTD GIS 2015 Digital Aerial Image

Date: 4/11/2017



Hensler Farm LLC (TLCNJ)

White Twp. Warren County

[illegible]

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Hensler Farm LLC (TLCNJ)
21- 0038-NP
No Value Selected Easement Purchase - Nonprofit
36 Acres

Block 18	Lot 16	White Twp.	Warren County
SOILS:		Other	52% * 0 = .00
		Prime	37% * .15 = 5.55
		Statewide	11% * .1 = 1.10
			SOIL SCORE: 6.65
TILLABLE SOILS:		Cropland Harvested	60% * .15 = 9.00
		Wetlands	2% * 0 = .00
		Woodlands	38% * 0 = .00
			TILLABLE SOILS SCORE: 9.00

FARM USE:

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for Possible future single family home
Exception is not to be severable from Premises
2 exception areas were requested to provide future building options. Only one residence may be constructed.
 - 2nd two (2) acres for Possible future single family home
Exception is not to be severable from Premises
2 exception areas were requested to provide future building options. Only one residence may be constructed.
 - 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 of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Warren Harmony Twp. 2110

APPLICANT Santini, Robert & Sharon (TLCNJ-Heeres)

PRIORITIZATION SCORE

SOILS:	Other	32% *	0	=	.00
	Prime	26% *	.15	=	3.90
	Statewide	42% *	.1	=	4.20

SOIL SCORE: 8.10

TILLABLE SOILS:	Cropland Harvested	75% *	.15	=	11.25
	Woodlands	25% *	0	=	.00

TILLABLE SOILS SCORE: 11.25

BOUNDARIES	Deed Restricted Farmland (Permanent)	22% *	.2	=	4.40
AND BUFFERS:	EP Applications	17% *	.13	=	2.21
	Residential Development	14% *	0	=	.00
	Farmland (Unrestricted)	45% *	.06	=	2.70
	Woodlands	2% *	.06	=	.12

BOUNDARIES AND BUFFERS SCORE: 9.43

CONTIGUOUS	DENJOE INVESTMENT CO	Restricted Farm or Current Application	2
PROPERTIES	SAKELE BROTHERS	Restricted Farm or Current Application	2
/ DENSITY:	NJCF (Magyar Farm)	Restricted Farm or Current Application	2
	JANSEN, PETER C	Restricted Farm or Current Application	2
	KINNEY, DARREN	Restricted Farm or Current Application	2

DENSITY SCORE: 10.00

LOCAL COMMITMENT: 100% * 20 = 20.00

LOCAL COMMITMENT SCORE: 20.00

SIZE: SIZE SCORE: 3.42

IMMIMENCE OF CHANGE: IMMINENCE OF CHANGE SCORE: .00

COUNTY RANKING:

EXCEPTIONS: EXCEPTION SCORE: -2.00

TOTAL SCORE: 60.20

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R9(14)
FINAL REVIEW AND APPROVAL OF A NONPROFIT GRANT TO
THE LAND CONSERVANCY OF NEW JERSEY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Santini, Robert & Sharon (TLCNJ-Heeres Farm)
FY18 Non Profit Round – SADC #21-0037-NP**

SEPTEMBER 27, 2018

WHEREAS, on April 3, 2017 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from The Land Conservancy of New Jersey (TLC-NJ) for the Santini farm identified as Block 45 Lot26, Harmony Township, Warren County, totaling approximately 66.5 net acres hereinafter referred to as "Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area for and limited to one (1) future single family residential unit and one (1), approximately 0.5-acre severable exception area for the existing gas infrastructure and zero (0) residential uses and to afford future flexibility of uses resulting in approximately 65 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 Owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, on May 25, 2017 the SADC granted preliminary approval by Resolution #FY2017R5(6) to TLC-NJ applications and appropriated \$251,902 for the acquisition of development easement on two farms including the Santini farm; and

WHEREAS, at this time \$66,045 for the Hensler Farms LLC has received final approval, therefore approximately \$185,857 is still available; and

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

WHEREAS, the Property has a quality score of 60.2 which is greater than 70% of the County average quality score of 44 as determined by the Committee on July 28, 2016; 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 July 27, 2018 the SADC acknowledged the development easement value of the Property to be \$3,600 per acre based on current zoning and environmental regulations in place as of April 2018; and

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

WHEREAS, on August 15, 2018, TLC-NJ informed the SADC that it will accept the SADC cost share of \$1,800 per acre; and

WHEREAS, on March 14, 2018 the Warren County Board of Chosen Freeholders granted approval to provide 50% matching funds for TLC-NJ's easement acquisition on the Santini farm and agreed to accept assignment of the development easement from TLC-NJ and be responsible for annual monitoring; and

WHEREAS, the cost share breakdown based on approximately 35 acres is as follows:

	<u>Total</u>	<u>Per/acre</u>
SADC	\$ 63,000	(\$1,800/acre or 50% total cost)
Other Entity	\$ 63,000	(\$1,800/acre or 50% total cost)
Total Easement Purchase	\$126,000	(\$3,600/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 TLC-NJ 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

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

WHEREAS, TLC-NJ is under contract with the County and will assign the Deed of Easement to Warren County 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 TLC-NJ for the Santini 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 TLC-NJ to Warren County provided the SADC reviews and approves in advance all documentation to

accomplish the assignment including, but not limited to, review of survey, title, and assignment document.

4. The SADC shall provide a cost share grant not to exceed \$1,800 per acre (total of approximately \$63,000 based on 35 acres) to TLC-NJ for the development easement acquisition on the Santini 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 TLC-NJ 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 TLC-NJ for the acquisition of a development easement on the Santini 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.

9/27/18

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

Preserved Farms and Active Applications Within Two Miles

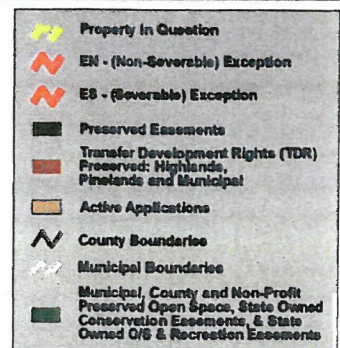
X:\counties\warco\projects\Santini, Robert & Sharon (TLCNJ-Heeres) 2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Santini, Robert & Sharon (TLCNJ-Heeres)
Block 45 Lots P/O 26 (65.0 ac); P/O 26-ES (severable exception (0.6 ac)
& P/O 26-EN (non-severable exception - 1.0 ac)
Gross Total = 66.6 ac
Harmony Twp., Warren County

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

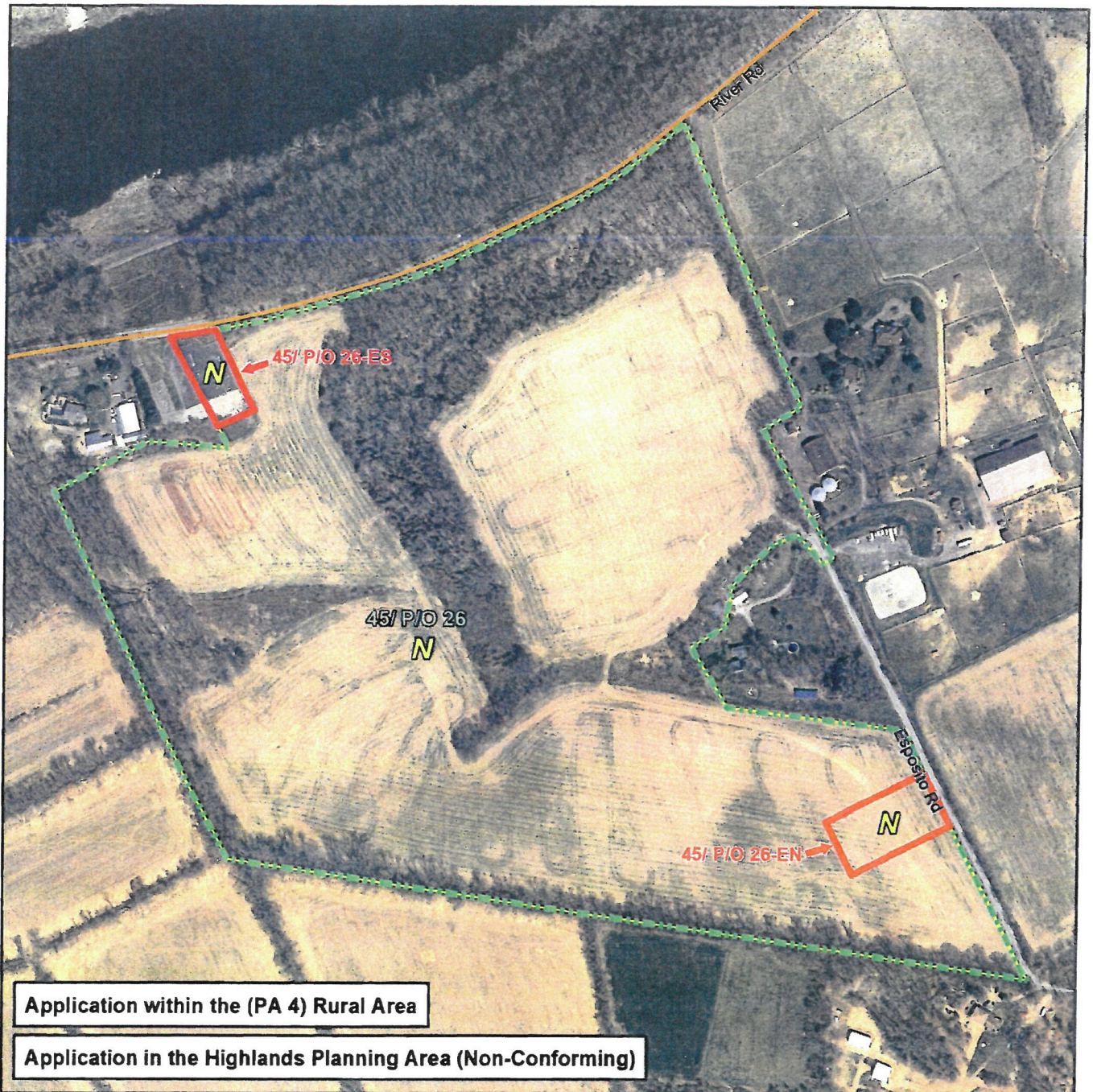


NOTE:
The parcel location, and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

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

August 20, 2016

Wetlands



FARMLAND PRESERVATION PROGRAM

NJ State Agriculture Development Committee

Santini, Robert & Sharon (TLCNJ-Heeres)
 Block 45 Lots P/O 26 (65.0 ac); P/O 26-ES (severable exception (0.6 ac)
 & P/O 26-EN (non-severable exception - 1.0 ac)
 Gross Total = 66.6 ac
 Harmony Twp., Warren County

250 125 0 250 500 Feet

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
 NJOT/OGIS 2015 Digital Aerial Image

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



	Property In Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundaries
	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

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Santini, Robert & Sharon (TLCNJ-Heeres)

21- 0037-NP

No Value Selected Easement Purchase - Nonprofit
63 Acres

Block 45	Lot 26	Harmony Twp.	Warren County
SOILS:		Other	32% * 0 = .00
		Prime	26% * .15 = 3.90
		Statewide	42% * .1 = 4.20
			SOIL SCORE: 8.10
TILLABLE SOILS:		Cropland Harvested	75% * .15 = 11.25
		Woodlands	25% * 0 = .00
			TILLABLE SOILS SCORE: 11.25
FARM USE:	Corn-Cash Grain	49 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (.6) acres for facilities related to the gas line easrment
Exception is severable
Exception is to be limited to zero future single family residential unit(s)
Exception is for gas line facilities.
 - 2nd (1.03) acres for Future single family residence
Exception is not to be severable from Premises
Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No 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 of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Warren Harmony Twp. 2110
APPLICANT Santini, Robert & Sharon (TLCNJ-Heeres)

PRIORITIZATION SCORE

SOILS:	Other	32% *	0	=	.00
	Prime	26% *	.15	=	3.90
	Statewide	42% *	.1	=	4.20

SOIL SCORE: 8.10

TILLABLE SOILS:	Cropland Harvested	75% *	.15	=	11.25
	Woodlands	25% *	0	=	.00

TILLABLE SOILS SCORE: 11.25

BOUNDARIES	Deed Restricted Farmland (Permanent)	22% *	.2	=	4.40
AND BUFFERS:	EP Applications	17% *	.13	=	2.21
	Residential Development	14% *	0	=	.00
	Farmland (Unrestricted)	45% *	.06	=	2.70
	Woodlands	2% *	.06	=	.12

BOUNDARIES AND BUFFERS SCORE: 9.43

CONTIGUOUS	DENJOE INVESTMENT CO	Restricted Farm or Current Application	2
PROPERTIES	SAKELE BROTHERS	Restricted Farm or Current Application	2
/ DENSITY:	NJCF (Magyar Farm)	Restricted Farm or Current Application	2
	JANSEN, PETER C	Restricted Farm or Current Application	2
	KINNEY, DARREN	Restricted Farm or Current Application	2

DENSITY SCORE: 10.00

LOCAL COMMITMENT: 100% * 20 = 20.00

LOCAL COMMITMENT SCORE: 20.00

SIZE: SIZE SCORE: 3.42

IMMIMENCE OF CHANGE: IMMIMENCE OF CHANGE SCORE: .00

COUNTY RANKING:

EXCEPTIONS: EXCEPTION SCORE: -2.00

TOTAL SCORE: 60.20

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R9(15)

Request to Replace a Single-Family Residence

Foxtail Water Services, L.L.C.

September 27, 2018

Subject Property:

Block 40, Lot 4
Alloway Township, Salem County
69.7 Acres

WHEREAS, Foxtail Water Services, L.L.C., hereinafter "Owner" is the current record owner of Block 40, Lot 4, as identified in the Township of Alloway, County of Salem, as recorded in the Salem County Clerk's office by deed dated April 10, 2018, in Deed Book 4405, Page 799, totaling 69.7 acres, hereinafter referred to as "Premises", as shown in Schedule "A;" and

WHEREAS, Larry Massey, Jr., is the Principal of Foxtail Water Services, L.L.C.; and

WHEREAS, the development easement on the Premises was conveyed to the County of Salem by the former owner, Clementine Elwell, on June 26, 2013, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., as a Deed of Easement, recorded in Deed Book 3630, Page 262; and

WHEREAS, Mr. Massey has farmed his entire life and manages the Premises as a hay and grain operation; and

WHEREAS, on July 25, 2018, the SADC received a request from the Salem CADB, on behalf of the Owner, to replace the existing single-family residence on the Premises; and

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

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

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

WHEREAS, the residence that exists on the Premises is in a state of disrepair with significant termite and structural damage; and

WHEREAS, the Owner proposes to replace the existing two-story residence of approximately 3,000 sq./ft. on the Premises with a 1,200 sq./ft. one bedroom, one bathroom unit to be constructed within a new pole barn with an attached 15' x 15' enclosed sunroom; and

WHEREAS, the proposed new residence and barn will be built within the existing farmstead complex area as shown Schedule "A"; and

WHEREAS, the new residence will utilize existing driveways; and

WHEREAS, the Owner has requested to keep the existing farmhouse up until the new residence is completed; and

NOW THEREFORE BE IT RESOLVED, the WHEREAS paragraphs above are incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of the single-family residence on the Premises with a new 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 serve as the primary residence for the owner/operator of the farm; and

BE IT FURTHER RESOLVED, that the Committee approves the construction of a one-bedroom residence, consisting of approximately 1,200 sq./ft. heated living space to be constructed within a new pole barn with an attached 15' x 15' enclosed sunroom, in the location shown in Schedule "A," to replace the current residence on the Premises; and

BE IT FURTHER RESOLVED, that this approval to relocate the housing opportunity within a barn does not limit or extinguish the ability of this landowner, or any future landowner, to request to relocate the housing opportunity to a different location in the future, compliant with the terms of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the existing residence must be removed within 60 days of receipt of the certificate of occupancy for the new residence; and

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

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

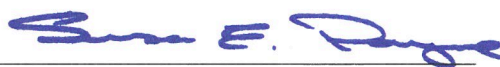
BE IT FURTHER RESOLVED, that the construction of the new residence is subject to all applicable local, State and Federal regulations; and

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

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

____9/27/18____

Date



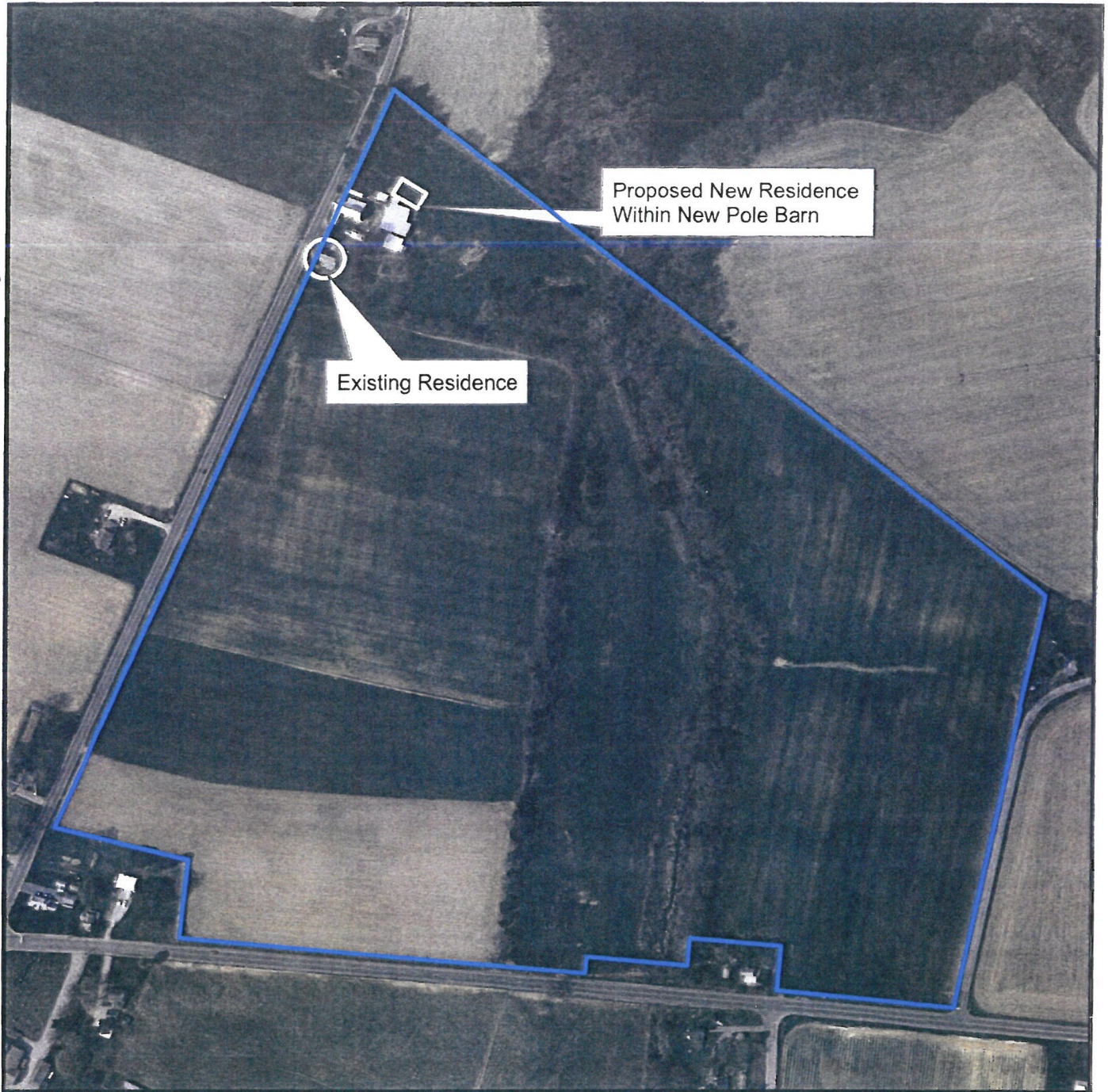
Susan E. Payne, Executive Director
State Agriculture Development Committee

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

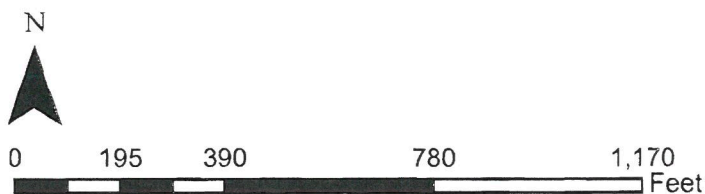
Schedule "A"

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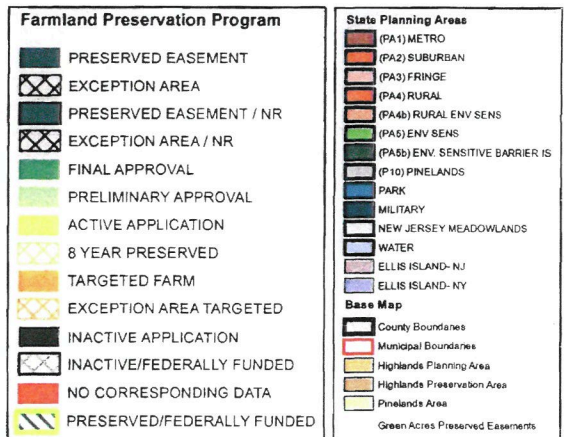


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Foxtail Water Services LLC/Massey
Block 40, Lot 4
Alloway Township, Salem County
69.7 Acres



8/30/2018



**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2019R9(16)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT
NEW REQUEST**

**HUNTERDON COUNTY
ROBERT G. MICHISK**

SEPTEMBER 27, 2018

WHEREAS, Robert G. Michisk, hereinafter (“Applicant”) and Karl D. Zschack SADC ID# 10-0094-EP, are the current record owners of Block 12, Lot 2, as identified in the Township of Raritan, County of Hunterdon, as recorded in the Hunterdon County Clerk’s Office by deed dated 12/6/2012, in Deed Book 2299, Page 545, totaling approximately 109.729 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Hunterdon County on 7/11/2002, by the previous owner, Stefanja Chwat, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 2042, Page 355, and;

WHEREAS, the above 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. 2:90-2.1 et seq. and N.J.A.C. 2:90-3.1 et seq.; 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 the Hunterdon County Agriculture Development Board 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 \$40,972.90 expiring July 11, 2026 under the current cost-share formula; 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 State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines a soil and water conservation project 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 above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or

disapprove applications for project funding authorized and 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 landowners for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that 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 landowners 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>
Robert G. Michisk	10-0094-EP-01	\$4,522.50	2:90-2.18 Underground Drainage System

PROJECT DESCRIPTION:

Installation of 1500 feet enveloped corrugated plastic pipe, single wall, less than or equal to 6 inches.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

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.

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

9/27/18
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

Schedule A - Soil and Water Cost Share Grant

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Robert G. Michisk
Owner: Robert G. Michisk and Karl D. Zschack
Application Number: 10-0094-EP-01
County: Hunterdon
Municipality: Raritan

Legend

PracticePoints

Practice Code

 2:90-2.18

 SW_Premises



0 300 600 1,200 1,800 Feet

8/23/2018

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R9(17)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

JEAN A. ROBSON

SEPTEMBER 27, 2018

WHEREAS, JEAN A. ROBSON, hereinafter ("Applicant") SADC ID# 03-0087-EP, is the current record owner of Block 700.01, Lot 1, as identified in the Township of North Hanover, as recorded in the Burlington Clerk's Office by deed dated September 6, 2005, in Deed Book 6340, Page 536, totaling approximately 43.791 acres, hereinafter referred to as "Premises", see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Burlington County on September 8, 1993, by the previous owners, Helen and Donald Rahilly, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 4617, Page 167, and;

WHEREAS, the above 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 the Burlington County Agriculture Development Board and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the original Premises consisted of 232.63 acres and is subject to an approved subdivision; and

WHEREAS, N.J.A.C. 2:76-5.9 states that a subdivision does not alter the total eligibility for soil and water cost-share funding as determined at program enrollment and further requires funding to be reallocated pro rata on a per acre basis after subdivision; and

WHEREAS, the subdivided Premises consists of 18.82% of the original Premises and the original Premises was eligible for a cost share grant of \$53,263.00. Therefore, the applicant is eligible for a cost-share grant of up to \$10,024.10 expiring September 8, 2025, under the current cost-share formula; 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 State Agriculture Development Committee (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 above farm and identified herein; 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 for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that 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 landowners 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>
Jean A. Robson	03-0087-EP-01	\$5,256.25	2:90-2.15 Irrigation System

PROJECT DESCRIPTION:

Install a 300-foot deep, 4” cased well, 3 HP electric pump and variable frequency drive.

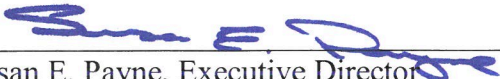
BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

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.

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

9/27/18
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)	RECUSED
James Waltman	YES

Schedule A - Soil and Water Cost Share Grant



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: NEIL D AND JEAN A ROBSON
Owner: NEIL D AND JEAN A ROBSON
Application Number: 03-0087-EP-01
County: BURLINGTON
Municipality: NORTH HANOVER TWP.

Legend

PracticePoints

Practice Code

 2:90-2.15

 SW_Premises_6_13_18

 SW_Premises

Image: NJDEP 2015 Natural Color



0 300 600 1,200 1,800 Feet

9/12/2018

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2019R9(18)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT
NEW REQUEST**

**BURLINGTON COUNTY
PAUL AND BARBARA SHINN**

SEPTEMBER 27, 2018

WHEREAS, PAUL AND BARBARA SHINN, hereinafter (“Applicant”) SADC ID# 03-0043-EP, are the current record owners of Block 1901, Lot 1.01, as identified in the Township of Springfield, as recorded in the Burlington County Clerk’s Office by deed dated July 31, 1995, in Deed Book 5005, Page 224, totaling approximately 101.337 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Burlington County on January 18, 1996, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 5100, Page 157, and;

WHEREAS, the above 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 the Burlington County Agriculture Development Board 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 \$40,133.70 expiring January 18, 2020 under the current cost-share formula; 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 State Agriculture Development Committee (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 above farm and identified herein; 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 for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that 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 landowners 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>
Paul and Barbara Shinn	03-0043-EP-01	\$4,473.30	2:90-2.18 Underground Drainage System

PROJECT DESCRIPTION:

Installation of 1860 linear of feet corrugated plastic pipe, single wall, less than or equal to 6 inches.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

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.

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

9/27/18
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

Schedule A - Soil and Water Cost Share Grant



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: PAUL AND BARB SHINN
Owner: PAUL AND BARB SHINN
Application Number: 03-0043-EP-01
County: BURLINGTON
Municipality: SPRINGFIELD TWP.

Legend

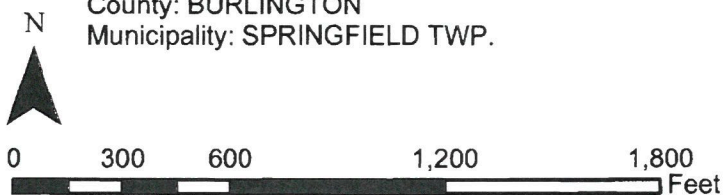
PracticePoints

Practice Code

 2:90-2.18

 SW_Premises

Image: NJDEP 2015 Natural Color



9/12/2018

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2019R9(19)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT
NEW REQUEST**

**MORRIS COUNTY
ALSTEDE FARMS, LLC**

SEPTEMBER 27, 2018

WHEREAS, ALSTEDE FARMS LLC, hereinafter (“Applicant”) SADC ID# 14-0121-EP, is the agent for LEBENSFREUDE LLC., current record owner of Block 15, Lots 28.01, 28.02, as identified in the Township of Chester, and Block 133, Lot 1 as identified in the Boro of Chester, County of Morris, as recorded in the Morris County Clerk’s Office by deed dated 12/24/2014, in Deed Book 22692, Page 205, totaling approximately 89.819 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Morris County on December 28, 2006, by the previous owner, Hideaway Farms, LLC., pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 20702, Page 315, and;

WHEREAS, the above 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 the Morris County Agriculture Development Board 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 \$37,963.80 expiring December 28, 2022 under the current cost-share formula; 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 State Agriculture Development Committee (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 above farm and identified herein; 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 for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that 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 landowners 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>
ALSTED FARM, LLC.	14-0121-EP-01	\$4,205.34	2:90-2.14 Water Impoundment Reservoir

PROJECT DESCRIPTION:

Repair an existing water impoundment (irrigation) reservoir by removing and spreading approximately 1532 cubic yards of accumulated sediment.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

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

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.

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



9/27/18

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

Schedule A - Soil and Water Cost Share Grant

S:\SWGIS\Soil Water.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Alstede Farms, LLC.
Owner: Lebensfreude, LLC.
Application Number: 14-0121-EP-01
County: Morris
Municipality: Chester Twp, Chester Boro

Legend

PracticePoints

Practice Code

 2:90-2.14

 SW_Premises_6_13_18

Image: NJDEP 2015 Natural Color



0 300 600 1,200 1,800 Feet

9/11/2018

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2019R9(20)

Renewal of Certification of Agricultural Mediation Program Mediators

September 27, 2018

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 28, 2017 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

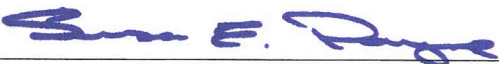
WHEREAS, the mediators listed below have satisfied the requirements of the program's regulations and therefore warrant certification as mediators for FY 2018.

NOW THEREFORE BE IT RESOLVED, that the SADC renews the certificates of the following certified mediators pursuant to N.J.A.C. 2:76-18.10: Megan Bucknum, Liza Clancy, Gaetano DeSapio, Michael Ennis, Gordon Geiger, Melvin Henninger, Tara Kenyon, Paul Massaro, Caroline Petrilla, Cari Rincker, Autherine Smith Scholl, and Loretta Yin.

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

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

9/27/18
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

New Jersey Agricultural Mediation Program
Cases With Requests for Mediation and Cases With Mediation Sessions Held
Between May 10th, 2000 and September 9th, 2018

State Fiscal Year	Cases with Requests for Mediation				Cases with Mediation Sessions Held			
	USDA Related Cases	RTF Related Cases	General Ag Related Cases	Total Cases with Requests	USDA Related Cases	RTF Related Cases	General Ag Related Cases	Total Cases with Sessions Held
2000	3	0	0	3	1	0	0	1
2001	2	4	0	6	2	2	0	4
2002	7	3	0	10	2	3	0	5
2003	3	2	0	5	1	1	0	2
2004	4	2	0	6	2	0	0	2
2005	1	4	0	5	1	3	0	4
2006	2	3	1	6	1	1	1	3
2007	3	6	1	10	3	3	1	7
2008	0	3	2	5	0	2	2	4
2009	5	6	0	11	4	4	0	8
2010	3	12	0	15	2	6	0	8
2011	6	7	0	13	4	2	0	6
2012	9	6	2	17	8	5	1	14
2013	2	6	0	8	1	2	0	3
2014	2	2	0	4	1	1	0	2
2015	10	7	1	18	6	6	0	12
2016	7	9	3	19	6	4	1	11
2017	5	8	2	15	4	2	1	7
2018	2	3	1	6	1	1	0	2
2019	0	2	1	3	0	1	0	1