

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

**REMOTE MEETING DUE TO CORONAVIRUS
EMERGENCY**

February 24, 2022

Secretary Fisher called the meeting to order at 9:02 a.m.

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

Roll call indicated the following:

Members Present

Chairman Fisher
Martin Bullock
Denis Germano
James Waltman
Gina Fischetti
Cecile Murphy
Richard Norz
Julie Krause
Brian Schilling
Scott Ellis (arrived at 9:03 a.m.)

Members Absent

Pete Johnson
Brian Schilling

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

Minutes

SADC Regular Meeting of January 27, 2021 (Open Session)

It was moved by Mr. Germano and seconded by Mr. Bullock to approve the Open Session minutes of the SADC regular meeting of January 27, 2022. Mr. Norz and Ms. Murphy abstained from the vote. The motion was unanimously approved.

Report of the Chairman

Secretary Fisher reported that two different versions of the Special Occasion Event (SOE) bills are proceeding in the legislature. Assemblyman Friedman is sponsoring a bill and, in the senate, a bill is under review by the Budget and Appropriations committee.

Chairman Fisher stated that a concern brought up at the State Board of Agriculture Convention was Right to Farm (RTF) and the need to heighten the awareness of RTF in general. The aquaculture industry is asking for RTF protection of its operations. Staff has been working on RTF eligibility for aquaculture .

Chairman Fisher congratulated staff who put together a beautiful edition of the SADC Annual report for the 2020-2021 fiscal years and thanked the committee members for all of the hard work that they do. Ms. Payne stated that Ms. Winzinger did a great job of putting the report together.

Chairman Fisher stated that Ms. Payne is going to discuss milestones at the SADC and what the future plans will be as we approach 250,000 acres of preserved farmland.

Report of the Executive Director

Ms. Payne reported that 2023 will be the 40th anniversary of the program and the signing of the Agriculture Retention and Development Act. SADC wants to celebrate with different events around the state to highlight the accomplishments of the program. One goal is to heighten the public's awareness of the program. The first initiative is a bumper sticker that reads "Preserved Farmland – Private Land, Public Legacy" which is the program's byline found on all of the preserved farmland signs. Ms. Payne asked the committee to share any ideas that it may have to celebrate the agency's 40th anniversary next year.

Ms. Payne addressed RTF protection for aquaculture. RTF eligibility requirements include that the land upon which the agricultural activity occurs needs to qualify for farmland assessment and that the land is zoned for agriculture. Aquaculture operations are primarily located in state waters, so neither RTF eligibility criterion applies to these operations. . Ms. Payne noted that staff is meeting tomorrow with staff of the Department of Agriculture to discuss aquaculture and the best approach to assist the industry's eligibility for RTF protection.

Ms. Payne stated that the draft regulation on Soil Protection Standards (SPS) is fully occupying the staff. There is a lot of detail and statistical analysis to think through and much time is needed to categorize the levels of disturbance, and how much is allowed. Staff is also considering the perspectives expressed by our partners like farmers, CADBs and non-profits. Staff will take the SPS draft to the subcommittee first to get its input and then bring the full draft rule to the SADC as soon as possible.

Chairman Fisher mentioned the recently donated Johnson Farm in Princeton and stated that he visited there a few years ago where he met with Ms. Johnson. He commented how she lovingly appreciated that property and he was pleased to see it become permanently preserved.

Ms. Payne stated that 800 acres of the Johnson Farm were donated to D&R Greenway for permanent preservation and noted that there is a nice video on the D&R Greenway website with Linda Mead, the organization's director, that talks about this along with some video footage of Ms. Johnson, who recently passed away.

Mr. Waltman stated that the farm is a spectacular piece of land and it was a very generous donation to conservation. Ms. Payne reached out to Ms. Mead to congratulate her on behalf of the SADC.

Ms. Payne outlined the delegation report and stated that it contains an update on certified values, direct easement purchase applications, a list of approved appraisers, the agriculture mediation program and the litigation spreadsheet.

Communications

Ms. Payne highlighted an article on agroforestry, an activity in which wooded lands are incorporated into agricultural operations.

Public Comment

Mr. Jason Menegus stated that he is on White Township's open space and farmland committee and on Warren County's ag development board. He expressed concerns about rezoning farmland as areas in need of redevelopment and devoting farmland to warehouse and solar energy uses. He stated that the SADC is probably not getting as many applications as in the past because of these other competing uses of farmland, and commented that more has to be preserved so the best farmland is not lost.

Chairman Fisher acknowledged Mr. Menegus concerns and stated that the SADC and Department of Agriculture are trying to address these issues. Mr. Fisher observed that the Department of Community Affairs (DCA) has turned down some requests to designate farmland as areas in need of redevelopment. He encouraged the public to write letters of concern when these issues arise. The secretary noted that warehouse development in NJ should only occur in places where it makes the most sense. Regarding solar, the SADC is constantly engaged in this area. Chairman Fisher thanked Mr. Menegus for raising valid points.

Mr. Waltman stated that he echoes the concerns of Mr. Menegus and commended him for bringing these issues to the committee's attention.

Old Business

A. Stewardship – Review of Activities

Hunter Farms, Montgomery Township, Somerset County, 101.46 Acres

Note: Mr. Norz recused due to his prior involvement in this matter as a member of the Somerset County Agriculture Development Board.

Mr. Roohr stated the Committee discussed this matter at the January 2022 meeting and voted to allow Hunter Farms 15 horse shows with 64 show days for the 2022 season, subject to a specified schedule for erecting and removing the show tents. Mr. Roohr reviewed the draft resolution memorializing the Committee's January 2022 action. He stated that the resolution

today has a calendar provided by Hunter Farms reflecting the show dates and the dates that the tents would go up and be brought down. He stated that staff recommends approving the resolution.

It was moved by Mr. Germano and seconded by Mr. Bullock to approve Resolution FY2022R2(1), granting approval to Hunter Farms for 15 horse shows, with 64 show days, for the 2022 season, subject to the specified schedule for erecting and removing the show tents, as presented, and subject to the conditions of said resolution.

1. Princeton Show Jumping, LLC/Hunter Farms
Block 26001, Lot 1.02
Montgomery Township, Somerset County
101.46 Acres

A roll call vote was taken. The motion was approved, with Mr. Waltman voting in the negative. A copy of Resolution FY2022R2(1) is attached to and made a part of these minutes.

Chairman Fisher stated that he hopes that everything will run smoothly going forward, that Hunter Farms will totally comply with what the SADC directed when it granted these new dates and he wished Hunter Farms continued success.

Mr. Sposaro thanked Chairman Fisher and stated that he appreciates all the work that was done by the SADC and staff.

Mr. Germano stated that it was decided a while ago to take another look at the 10% agricultural production requirement for Hunter Farms. He stated that was the foundation for approving Hunter Farms' horse show operation and hopes that staff is making good progress on that issue. Ms. Payne stated that staff looking to hire someone to assist on the analysis and to provide a report to the committee in a timely manner.

B. Stewardship – Residual Dwelling Site Opportunity (RDSO) Request

**Holly Acres, LLC, Elk Township, Gloucester County &
Upper Pittsgrove, Salem County**

Note: Mr. Ellis recused on this discussion for the reasons expressed at a prior meeting.

The SADC reviewed and approved a revised RDSO request for Holly Acres Farm at the January 2002 meeting that included enlarging the farm properties to which the RDSO will be associated and extinguishing all other residential opportunities. Mr. Willmott reviewed the draft resolution memorializing the Committee's prior action. He stated that staff recommends approving the resolution.

It was moved by Mr. Germano and seconded by Ms. Fischetti to approve Resolution FY2022R2(2), granting approval to Holly Acres for the RDSO request, presented, subject to any conditions of said resolution.

1. Holly Acres, LLC
Block 18, Lots 62 and 63
Upper Pittsgrove Township Salem County
Block 43, Lots 4 & 6
Elk Township, Gloucester County
145 Acres
SADC ID # 08-0012-DE

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R2(2) is attached to and a part of these minutes.

New Business

A. Stewardship

1. FY2021 Annual Monitoring Report

Mr. Roohr stated that Mr. Kimmel would be presenting the Annual Monitoring Report as he did the work to put the report together. More importantly, Mr. Roohr noted that this report reflects the best monitoring completion rates that staff has seen due to the work of Mr. Kimmel. He stated that Mr. Kimmel gave partners more attention than they were able to get in years past and the results are very impressive.

Mr. Kimmel stated that each year, the SADC, and its farmland preservation partners, the CADBs, and non-profits organizations, are required to monitor the farms on which they hold the farmland preservation deed of easement. Partners submit their monitoring reports to the SADC, inform the SADC of any concerns or violations observed during monitoring visits, and work with landowners and farmers to address the concerns. Mr. Kimmel reviewed the report and map detailing the status of the SADC's monitoring program which has reached a 97% monitoring compliance rate – the best since tracking the data began.

Chairman Fisher stated that Mr. Kimmel did a very thorough job on this report and he's glad to hear that the compliance rates are going well.

Ms. Payne stated that a motion will be needed to accept the report since it is an official correspondence to the state department of treasury regarding bond funds.

It was moved by Mr. Norz and seconded by Mr. Germano to approve the FY2021 Annual Monitoring Report. The motion was unanimously approved.

2. **Resolution: Division of Premises**
Patricia Toal-Kibort
Pittsgrove Township, Salem County

Mr. Willmott reviewed a request for the division of a 123-acre farm in order to convey 78 acres to the current tenant farmer of the property. He stated that staff recommends approving the division for the purpose of the conveyance of the 78 acres to an established farmer who farms 1200 acres in the area, including the subject farm, to expand his farming operation. Mr.

Willmott also noted the tenant has farmed and made investments in the land over the past 17 years. The requested division also allows the purchaser to continue to make long term investments and improvements necessary to increase the efficiency and production of the divided parcel.

It was moved by Mr. Germano and seconded by Mr. Ellis to approve Resolution FY2022R2(3), granting approval for division of premises, presented, subject to any conditions of said resolution.

1. Patricia Toal-Kibort, SADC ID#17-0276-DE, FY2022R2(3), Block 801, Lots 36, 37, & 48 Block 1002, Lots 12 & 13, Pittsgrove Township, Salem County, 122.739 Acres

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R2(3) is attached to and a part of these minutes.

B. Resolution of Final Approval: Direct Easement Purchase Program

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

It was moved by Mr. Bullock and seconded by Mr. Germano to approve Resolution FY2022R2(4) granting approval to the following application under the Direct Easement Program, as presented, subject to any condition of said resolution.

1. Hopewell Farmland Partnership (Cramer)
Block 16, Lot 4 & 5, Hopewell Township, Cumberland County, 120 acres
SADC ID# 06-0078-DE

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2022R2(4) is attached to and a part of these minutes.

Public Comment

An individual who did not provide her name suggested that the term “solar farm” be changed to “solar business” as a solar farm is no longer growing anything and is in fact, selling the solar output. This should then be considered a business and referred to as such. She also made suggestions concerning the conduct of virtual meetings.

Mr. Matt Gregg, president of the NJ Aquaculture Association, stated that aquaculture should be included in the RTF program and wants to find a path forward within RTF as it exists today. He mentioned a bill that was proposed last year providing RTF protection for aquaculture operations .

Chairman Fisher stated that staff is looking into ways to conduct a hybrid meeting that allows participation both in person and virtually.

CLOSED SESSION

At 10:56 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 personnel matters, any pending or anticipated litigation, including the Lebensfreude, LLC (Alstede) v. Morris CADB and SADC, the SADC v. Quaker Valley Farms litigation and any matters falling within the attorney-client privilege including advice on exception areas on preserved farms. The minutes of such meeting shall remain confidential until the Committee determines the need for confidentiality no longer exists.

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

ACTION AS A RESULT OF CLOSED SESSION

There was no action to be taken as a result of closed session.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 A.M., March 24, 2021

Location: TBA

ADJOURNMENT

The meeting was adjourned at 10:57 a.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2022R2(1)

Review of Activities Occurring on Preserved Farm

Princeton Show Jumping, LLC/Hunter Farms North Equine Activities

February 24, 2022

Subject Property:

Block 26001, Lot 1.02

Montgomery Township, Somerset County

101.46 Acres

WHEREAS, Princeton Show Jumping LLC, hereinafter (“Owner”) is the current record owner of Block 26001, Lot 1.02, in the Township of Montgomery, County of Somerset, as recorded in the Somerset County Clerk’s Office in Deed Book 6519, Page 3387 by deed dated May 7, 2012, totaling 101.46 acres, hereinafter referred to as the “Premises”, as shown in Schedule “A”; and

WHEREAS, a development easement on the Premises was conveyed by the State of New Jersey to the State Agriculture Development Committee on December 2, 2003, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded on May 28, 2004, in the Somerset County Clerk’s Office in Deed Book 5599, Page 859; and

WHEREAS, Andrew Philbrick is the sole owner of Princeton Show Jumping, LLC, hereinafter referred to as the “Owner;” and

WHEREAS, upon purchasing the Premises, the Owner began to develop the site with state-of-the-art sand rings and other infrastructure designed to create a premier hunter/jumper show, training and competition facility; and

WHEREAS, in May 2013, the Owner made a request to the Committee to utilize the Premises to host nine, 3- to 5-day, hunter/jumper shows consisting of 42 total show days, which are sanctioned and licensed by the U.S. Equine Federation (USEF); and

WHEREAS, on May 23, 2013, the Committee approved Resolution #FY2013R5(5), finding that the shows, as described by the Owner, were permissible activities attracting the public in an effort to increase the direct marketing and sales of the farm’s agricultural output; and

WHEREAS, since 2017 the SADC has been working with the Owner to address the Owner’s noncompliance with the Deed of Easement as well as various Committee approvals related to activities on the Premises including, but not limited to, impervious cover, stormwater requirements, soil restoration, conservation planning, and equine production; and

WHEREAS, at its September 26, 2019, meeting the SADC rescinded its May 23, 2013, resolution approving 9 shows and 42 show days, and decided that the approval of Owner's show calendars would be considered by the Committee on an annual basis; and

WHEREAS, for the 2020 show season, the SADC approved 9 shows and 42 show days; and

WHEREAS, for the 2021 show season, the SADC approved 14 shows and 67 show days; and

WHEREAS, at its October 28, 2021, meeting the SADC approved 9 shows and 42 show days for the 2022 show season; and

WHEREAS, at its October 28, 2021, meeting the SADC also directed staff to engage a qualified professional to assist the SADC in evaluating potential alternative standards to account for equine production; and

WHEREAS, the SADC provided for a one-year grace period allowing Hunter farms to continue its operations while these production standards are being reevaluated; and

WHEREAS, on December 3, 2021, the SADC's soil expert found that soil restoration work undertaken by the Owner on the Premises along Burnt Hill Road had been satisfactorily completed; and

WHEREAS, at its January 27, 2022, meeting, and in response to a request from the Owner dated January 5, 2022, the SADC approved an additional 6 shows and 22 shows days to be added to the 2022 show season for a total of 15 shows and 64 show days; and

WHEREAS, at its January 27, 2022, meeting the SADC approved a calendar of 2022 show dates which included revisions to the tent assembly and dismantling schedule, as shown in the revised calendar, Schedule "B"; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs and subparagraphs above are incorporated herein by reference.
2. The SADC finds that development and use of the Premises for breeding, raising, and training of the Owner's horses for sale, and the Owner's training of horses owned by others for which he has a commission agreement when those horses are sold, are consistent with the definition of agriculture use as defined in paragraph 2 of the Deed of Easement for the Premises.
3. The SADC finds that the use of the Premises to host nine (9) equine shows sanctioned by the USEF, totaling 42 show days, as approved in 2013, as a primary method of marketing the output of the Owner's farm management unit, is consistent with the terms of the Deed of Easement for the Premises.
4. The SADC acknowledges and approves the Owner's request for an additional six (6) horse shows totaling 22 show days for the 2022 season.

5. The SADC approves the calendar of events at Hunter Farms including the schedule of show dates, totaling 15 shows and 64 show days, as shown in Schedule "B".
6. The SADC approves the schedule of tent assembly and dismantling dates, as shown in Schedule "B".
7. The SADC finds that the Owner has addressed, to the Committee's reasonable satisfaction, stormwater compliance, impervious cover and restoration of the field along Burnt Hill Road.
8. No new site disturbances or site work shall be conducted on the Premises without the advance, written approval of the SADC.
9. This action 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.

2/24/2022
DATE



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Denis C. Germano, Esq.	YES
Pete Johnson	ABSENT
Cecile Murphy (rep. DEP Commissioner McCabe)	YES
Scott Ellis	YES
Brian Schilling (rep. Executive Dean Laura Lawson)	ABSENT
Julie Krause (rep. State Treasurer Muoio)	YES
James Waltman	NO
Richard Norz	RECUSE
Douglas Fisher, Chairperson	YES

S:\Stewardship of Preserved Farms\State Owned Land - DKNPDC\Treasury-NPDC\Selody-Hunter Farms\Post Closing-Stewardship-Hur

Schedule "A"



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Princeton Show Jumping
Block 26001, Lot 1.02
Montgomery Township, Somerset County
101.46 - Acres



0 270 540 1,080 1,620 Feet

7/28/2021



Schedule “B”

Hunter Farms

2022 Competition Dates and Tent Schedule

Tents Up April 15

April 20-24 ~ Princeton Spring Classic

April 27-May 1 ~ Princeton Spring Classic II

May 11-15 ~ Princeton Show Jumping May I

May 18-22 ~ Princeton Show Jumping May II

Tents Down May 24 (Total of 40 days tents up)

June 12 ~ Princeton Show Jumping June (One Day Show)

June 26 ~ Princeton Show Jumping June II (One Day Show)

Tents Up July 9

July 13-17 ~ Princeton Summer Welcome

July 20-24 ~ Princeton Classic Preview

July 27-31 ~ Princeton Summer Classic

Aug. 3-7 ~ Princeton Classic Finale

Aug. 24-28 ~ Princeton Summer Encore

Tents Down – not later than August 30 (Total of 54 days tents up)

Tents Up – not earlier than September 18

Sept 22-25 ~ Princeton Show Jumping Fall I

Sept 28-Oct. 2 ~ Princeton Show Jumping Fall II

Oct. 6-9 ~ Princeton Show Jumping Classic Fall III

Oct. 13-16 ~ Princeton Show Jumping Fall IV

Tents Down Oct 19 (Total of 32 days tents up)

Total number of days tents will up = 126 days

13 Multi-Day Shows

Ten 5-day shows = **50 days**; Three 4-day shows = **12 Days**; Two 1-day shows = **2 days**

Total 15 shows 64 days

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R2(2)**

Application to Exercise a Residual Dwelling Site Opportunity

Holly Acres, LLC

February 24, 2022

Subject Property: Block 18, Lots 62 & 63
 Upper Pittsgrove Township, Salem County
 Block 43, Lots 4 & 6
 Elk Township, Gloucester County
 145-Acres
 SADC ID# 08-0012-DE

WHEREAS, Holly Acres, LLC, hereinafter “Owner”, is the record owner of Block 43, Lots 4 & 6 in Elk Township, Gloucester County and Block 18, Lots 62 & 63 in Upper Pittsgrove Township, Salem County, by deed dated May 23, 2005, and recorded in the Gloucester County Clerk’s office in Deed Book 4057, Page 182 and deed dated May 23, 2005 recorded in the Salem County Clerk’s office in Deed Book 1199, Page 236, totaling approximately 145 acres, hereinafter referred to as “Parcel A”, as shown in Schedule “A”; and

WHEREAS, a development easement on the Premises was conveyed to the State Agriculture Development Committee on September 3, 2009, by Holly Acres, LLC pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq. as a Deed of Easement recorded in the Salem County Clerk’s Office on September 8, 2009, in Deed Book 3095, Page 609 and the Gloucester County Clerk’s Office on September 8, 2009, in Deed Book 4689, Page 269; and

WHEREAS, the Deed of Easement for the Premises identifies zero (0) existing single-family residences, zero (0) existing agricultural labor units, one (1) Residual Dwelling Site Opportunity “RDSO”, and no exception areas; and

WHEREAS, the SADC received an application from John Ackerman III, with permission of the Owner, to exercise the RDSO allocated to the Premises; and

WHEREAS, the members of Holly Acres, LLC are John Ackerman Jr. & Janice Ackerman; and

WHEREAS, the RDSO unit would be utilized by the Ackermans’ son, John Ackerman III, his wife Angela, hereinafter “Purchasers”, and their family; and

WHEREAS, the eligibility criteria to exercise and to continue to reside in an RDSO residence are set forth in N.J.A.C. 2:76-6.17; and

WHEREAS, N.J.A.C. 2:76-6.17, states that an RDSO may only be exercised if it is determined to be for an agricultural purpose and that the location minimizes any adverse impact on the agricultural operation; and

WHEREAS, the Owner's farm management unit is comprised of five contiguous preserved farms totaling approximately 644 easement acres; and

WHEREAS, in September 2021 the Owner expanded its farm management unit by purchasing the adjacent preserved farm known as the Koval-Dare Farm totaling approximately 93 acres, hereinafter referred to as "Parcel B", as shown in Schedule "A"; and

WHEREAS, the recently acquired Koval-Dare farm consists of Block 43, Lots 2 & 2.01 in Elk Township, Gloucester County and Block 18, Lots 58, 58.01, 59, 60, & 61 in Upper Pittsgrove Township, Salem County, and was acquired by the Owner through deeds dated September 17, 2021, and recorded in the Gloucester County Clerk's office in Deed Book 6552, Page 167 and Deed Book 6552, Page 176 and by deeds recorded in the Salem County Clerk's office in Deed Book 4604, Page 980 and Deed Book 4604, Page 986; and

WHEREAS, a development easement on Parcel B was conveyed to the State Agriculture Development Committee on June 28, 2019, by Louanne B. Koval & David Bruce Dare pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq. as a Deed of Easement recorded in the Salem County Clerk's Office on July 5, 2019, in Deed Book 4527, Page 1925 and the Gloucester County Clerk's Office on July 2, 2019, in Deed Book 6116, Page 82; and

WHEREAS, the Deed of Easement provides that Parcel B contains two (2) existing single-family residences, zero (0) existing agricultural labor units, no RDSOs, and no exception areas; and

WHEREAS, the application to exercise the RDSO states that the Owner is proposing to transfer Parcel A, at 145 acres and Parcel B, at 93 acres, to the Purchasers; and

WHEREAS, if Parcels A and B were transferred to the Purchasers, the newly configured farm unit, hereinafter referred to as "Parcel C" for reference purposes, would total approximately 238 acres as shown on Schedule "A"; and

WHEREAS, in the application, the Purchasers, on behalf of the Owner, are requesting the ability to exercise the existing RDSO as a two-story single-family residence with an unfinished basement for a house size not to exceed 6,500 sq./ft. of heated living space; and

WHEREAS, the proposed location of the RDSO residence and associated septic is in a wooded area, as shown in Schedule "A", and does not take land out of production; and

WHEREAS, an existing farm lane will be utilized as the driveway for access to the RDSO; and

WHEREAS, the proposed location was chosen to minimize impacts to the agricultural operation; and

WHEREAS, the Committee notes that in a prior application submitted and subsequently withdrawn by the Purchasers, on behalf of the Owner, the proposed size of the RDSO requested on Parcel A was excessive in comparison to the acreage in production solely from this parcel; and

WHEREAS, when Parcel A is joined with the adjacent Parcel B, the resultant Parcel C consists of enough production acreage to warrant a residential unit of this size; and

WHEREAS, as part of this transaction, the Owner and Purchasers have agreed to include a restriction in the deed conveying Parcels A and B prohibiting the parcels from being sold separate and apart from one another; and

WHEREAS, as part of this transaction the Owner and Purchasers have agreed to remove the two existing single-family residences on Parcel B and to include a restriction in the deed conveying Parcels A and B extinguishing the ability to rebuild those residences in the future; and

WHEREAS, Holly Acres, LLC is a family farming business run by the Ackermans who have grown the operation over a period of 21 years; and

WHEREAS, the Purchasers, on behalf of the Owner, submitted evidence of farm production consisting of over 400 acres of hay, corn, soybeans and wheat, exclusive of the recently acquired Parcel B; and

WHEREAS, the Owner certified that John Ackerman, III, is actively engaged in the day-to-day agricultural production activities on the Premises and the rest of the Holly Acres farm management unit since 2000, which consists of cultivating the land, disking the soil, planting, crop management, harvesting, combining, and acting as the point of contact for hay sales; and

WHEREAS, this statement is consistent with the narrative description provided by the Purchasers in the prior RDSO application and with staff's routine monitoring of the farm operation; and

WHEREAS, the Purchasers plan to continue to farm Parcel C along with the rest of the adjacent properties that make up the Holly Acres farm management unit;

WHEREAS, at its January 27, 2022, meeting the SADC approved the Purchaser's application to exercise the RDSO allocated to the Premises with conditions; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC, pursuant to N.J.S.A. 2:76-6.17, Policy P-31 and the restrictions contained in the Deed of Easement for Parcel A, finds that the construction and use of the residual dwelling site opportunity (RDSO) unit, as proposed by the Purchasers, on behalf of the Owner, is for agricultural purposes where at least one person residing in the residence shall be involved in the day-to-day production agricultural activities of the farm.
3. The Committee approves exercising the RDSO on Parcel A as a residence for John Ackerman, III, and his family, who will continue to be directly involved in the daily agricultural production activities on the newly-configured farm unit described for reference purposes as Parcel C.
4. The Committee finds that the location for the new house, as proposed by the Purchasers, on behalf of the Owner, and as shown in the attached Schedule "A", minimizes the impact to the agricultural operation.
5. This approval is issued only to the Purchasers, John Ackerman, III and Angela Ackerman, and their ability to construct the RDSO unit shall occur only after completion of the following:
 - 1) the incorporation of restrictions in the deed conveying Parcels A & B that they be permanently associated with one another, as shown on the attached Schedule "A ", and prohibiting any future conveyance of those parcels separate and apart from one another; and
 - 2) the removal of the two existing single-family residences that existed at the time of preservation on Parcel B prior to construction of the RDSO and the incorporation of a restriction in the deed conveying Parcels A and B extinguishing the right to replace those units in the future; and
 - 3) the Purchaser's submission of a draft deed transferring Parcels A and B to John Ackerman, III and Angela Ackerman, or to a legal entity in which John Ackerman, III and Angela Ackerman are the principals, in accordance with above paragraphs 1) and 2) and as further detailed in this approval; and
 - 4) the advance review and written approval by the SADC of the conveyance deed(s), conditions and restrictions set forth in paragraphs 1), 2) and 3); and
 - 5) the recording of the conveyance deed(s) set forth above; and

6) the recording by the SADC of a corrective deed of easement with the Salem and Gloucester County Clerk's offices showing the reduction in the RDSO allotted to Parcel A from one (1) to zero (0).

6. This approval is valid for a period of three years from the date of approval, during which the Purchasers shall initiate the requested action; for the purpose of this provision "initiate" means applying for applicable local, state or federal approvals necessary to effectuate the approved SADC action.
7. The Purchasers may request an extension of the approval by the SADC for a period of at least one year but not to exceed a total of two years; and
8. This action is non-transferable.
9. The construction of the new residence is conditioned upon the Purchasers securing a building permit and compliance with all other applicable local, State and Federal regulations.
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.

2/24/2022

Date



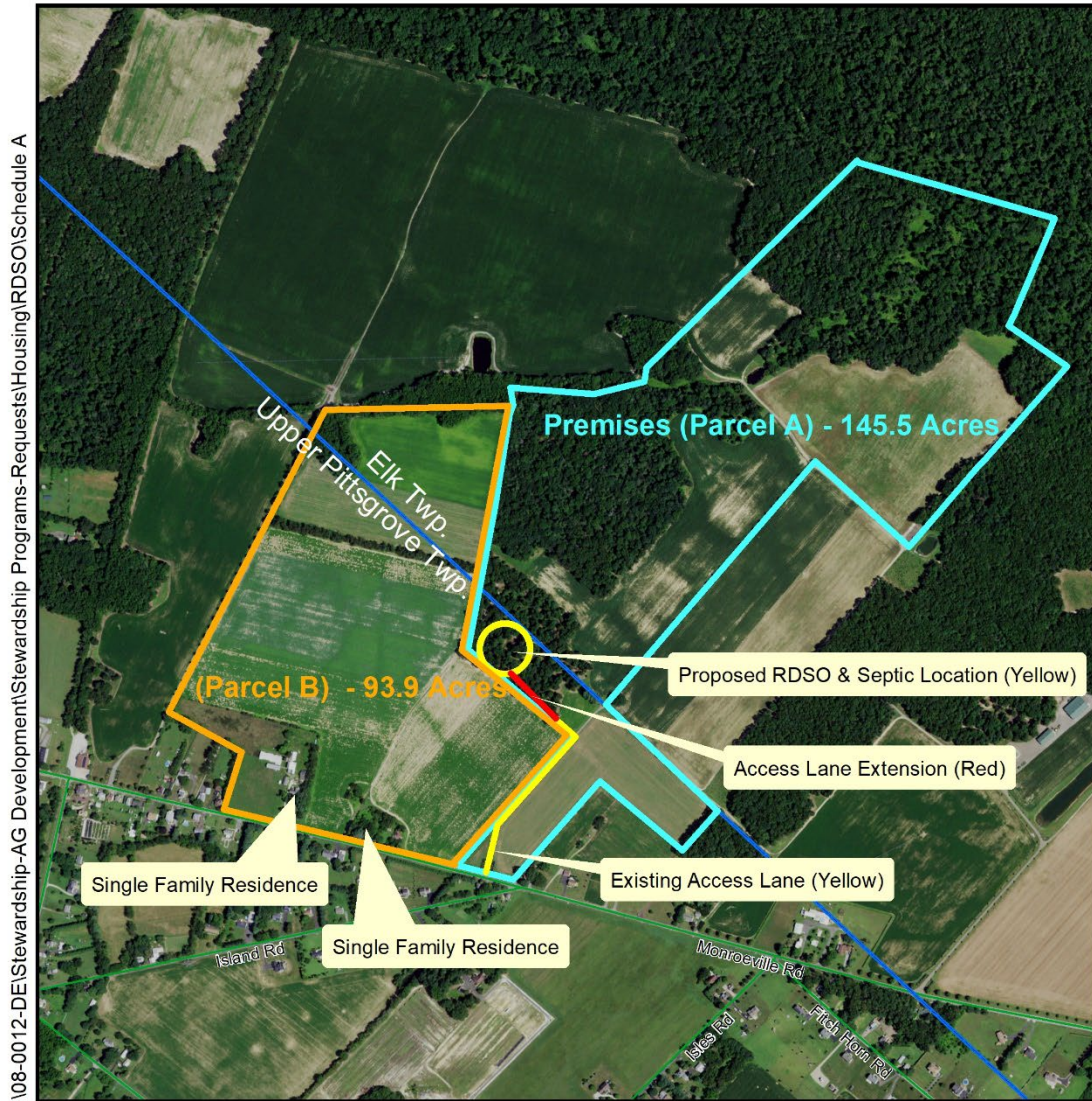
— Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

<https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm Documents/08-0012-DE/Stewardship-AG Development/Stewardship Programs-Requests/Housing/RDSO/08-0012-DE Holly Acres RDSO Resolution.doc>

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Holly Acres, LLC - Premises (Parcel A)
Block 18, Lots 62 & 63, Upper Pittsgrove Twp., Salem County
Block 43, Lots 4 & 6, Elk Twp., Gloucester County
145 Acres



Koval Dare (Parcel B)
Block 18, Lots 58, 58.01, 59, 60, & 61, Upper Pittsgrove Twp., Salem County
Block 43, Lots 2 & 2.01, Elk Township, Gloucester County
93 Acres

0 485 970 1,940 2,910 Feet

1/7/2022

Memo



To: SADC Members
From: David Kimmel, Agricultural Resource Specialist
Date: February 8, 2022
Re: FY 2021 Annual Monitoring Report

Each year, the SADC and its farmland preservation partners – County Agriculture Development Boards (CADBs) and non-profits organizations – are required to monitor the farms on which they hold the farmland preservation deed of easement. Partners submit their monitoring reports to the SADC, inform the SADC of any concerns or violations observed during monitoring visits, and work with landowners and farmers to address the concerns.

Please see attached for the FY 2021 Annual Monitoring Report. The report is based on the monitoring reports submitted by the SADC and partners as well as subsequent outreach communication and conversations with partners. It includes an overview of the requirements for monitoring, examines how monitoring went in FY 2021, and describes plans for continued improvements to the monitoring process.

FY 2021 Annual Monitoring Report
State Agriculture Development Committee
February 25, 2022

Contents:

- Monitoring Requirements
- Review of Monitoring in FY 2021
- SADC Monitoring in FY 2021, and 2022 Workplan
- Tax Compliance of SADC Related to Farmland Preservation Bond Funding
- Monitoring and Enforcement Methodology

Monitoring Requirements

Pursuant to N.J.A.C. 2:76-6.13, 2:76-6.18A, 2:76:16.5, and 2:76-17.16, the SADC, and the County Agriculture Development Boards (CADBs) and non-profits that receive SADC cost share grant funds for the acquisition of development easements, are required to monitor all lands to ensure compliance with the provisions of the Deed of Easement. Monitoring activities shall consist of the following:

1. An onsite inspection shall be performed at least once a year.
2. All inspections and monitoring shall be completed within the period commencing July 1 and ending June 30.
3. A written summary shall be provided to the Committee by July 15, verifying that the inspections were conducted during the scheduled period with a certification concerning whether the farm was in compliance with the provisions of the Deed of Easement.
4. The Board shall inform the SADC if any of the terms and conditions of the Deed of Easement were violated within 30 days of identifying such violation.
5. Appropriate action shall be taken within the Board's and/or County's authority to ensure that the terms and conditions of the Deed of Easement are enforced.
6. A database shall be maintained of all lands from which a development easement was acquired.
7. The SADC shall be annually informed of any record ownership changes which occur on lands from which development easements have been acquired.
8. The SADC shall be informed of any actions which require the SADC's review and/or approval.

Monitoring Completion Rates in FY 2021

The SADC has compiled easement monitoring statistics since 2010 to gauge the performance of holders of the farmland preservation deeds of easement, i.e., counties, non-profits, and the SADC. The monitoring completion rates in FY 2021 are detailed on the attached spreadsheet, **Attachment 1**, and summarized below.

County-Held Easements – The vast majority of easements (79%) are held by counties. The regulatory requirement for monitoring completion is 100%, and in FY 2021, this mark was met by fourteen (14) counties. Three (3) additional counties were close behind, finishing at 99% or 98%. One (1) county, Sussex, had a lower completion rate at 64%. Collectively, counties had a monitoring completion rate of 97%, their highest rate ever. **Attachment 2** shows the geography of monitoring completion rates for CADBs.

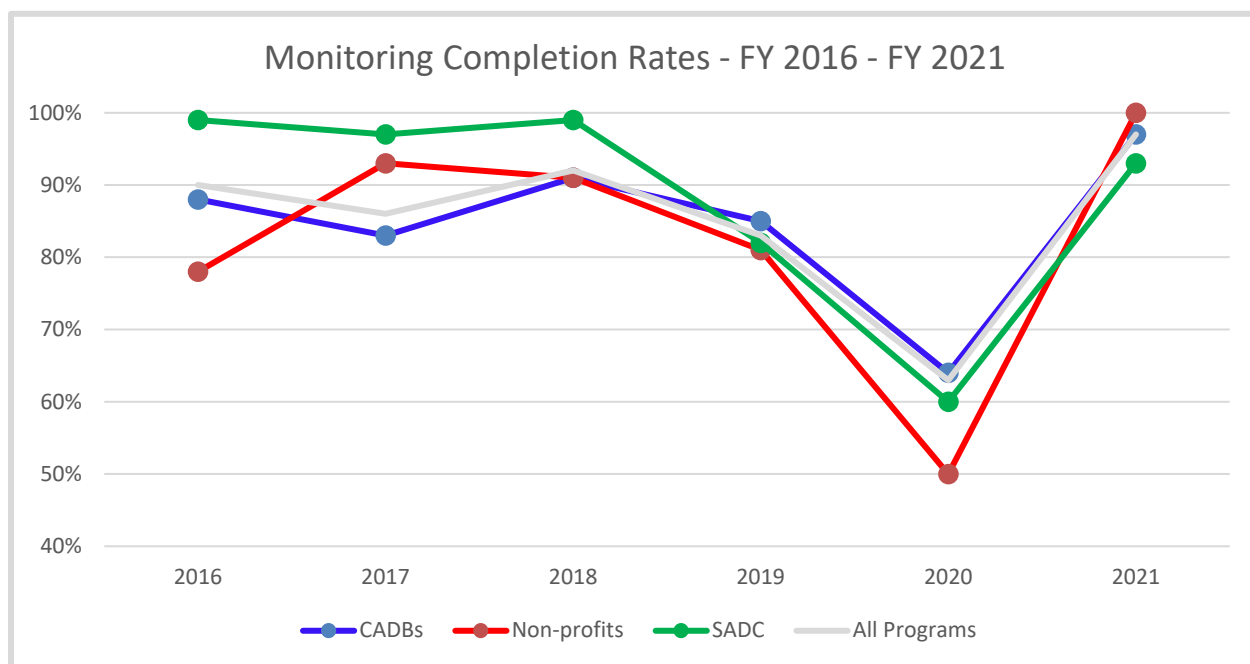
Non-Profit-Held Easements – Easements held by non-profits account for about 2% of the total number of easements. In FY 2021, non-profits monitored 100% of the farms on which they hold the farmland preservation deed of easement. This was non-profits' highest completion rate ever. As noted in past reports, not included in the non-profit completion rate calculation are any farms that a non-profit preserved and whose easements were then assigned by the non-profits to the counties after preservation. When the easement is assigned to another holder, something that is done officially through a recorded assignment document, the subsequent holder becomes responsible for the monitoring.

SADC-Held Easements – The SADC holds the second-highest total number of easements (about 19%) and had a 93% monitoring completion rate in FY 2021. This rate was much higher than the rate in FY 2020, when the SADC had a 64% completion rate because of the pandemic.

Cumulative Completion Rates – Overall, the FY 2021 monitoring completion rate was 97%.

Review of Monitoring in FY 2021

In terms of monitoring completion rates, FY 2021 was the best year on record. It far exceeded the FY 2020 completion rate of 63%, which was lower because of the pandemic, and it surpassed the 80%-90% completion rates of pre-pandemic years. More CADBs had 100% or near-100% completion rates in FY 2021 than in any previous year.



In part, the higher completion rates may be due to some preservation partners having started their monitoring inspections early in FY 2021. Some partners, who had paused their

monitoring during the first half of 2020 as the COVID-19 pandemic took hold, resumed their monitoring in the summer and fall of 2020 (July 1 was the first day of FY 2021) as things settled down. Two partners, the Mercer and Ocean CADBs, even monitored their farms twice in FY 2021. They did inspections early in the fiscal year because they had not been able to do inspections the previous year, and then they did inspections again towards the end of the fiscal year to get back on their regular cycles.

The SADC also attributes the higher completion rates to greater communication and outreach with its partners. In Spring 2021, the SADC emailed each partner a detailed, updated list of the farms on which it held the easement. The lists included the ID#s and monitoring e-Form PINs for all the farms and noted which, if any, related ID#s were no longer applicable. The email also outlined all known divisions of premises and the ID#s and PINs of the “child” farms that resulted when the “parent” farms were divided. The SADC also had phone conversations with many partners and provided all partners with reminders about the deadlines for completing their monitoring visits (June 30) and submitting reports (July 15).

The Sussex CADB said that its 64% monitoring completion rate in FY 2021 was due to having gotten a late start on monitoring. It used to organize its monitoring around the calendar year rather than the fiscal year. Starting in FY 2022, the CADB began monitoring using the fiscal year, and it expects to have a 100% completion rate this year.

For a breakdown of easement-related concerns noted during monitoring inspections in FY 2021, see **Attachment 3 – Reported Issues From Monitoring (Potential Concerns and Violations Observed)**. As in past years, conservation issues (erosion and water management/drainage) was at the top of the list, with such issues comprising more than a third of all concerns observed (34.5%). Next was dumping (18.9% of all concerns observed) followed by overgrown fields, unapproved solar, non-agricultural Uses, and encroachment (each about 7-9% of all concerns observed).

Monitoring Survey – Feedback from Partners

The SADC conducted an online survey with partners from December 2021 – January 2022 to learn more about how monitoring went in FY 2021. The survey asked for feedback on the e-Form, trends they were seeing regarding issues with farms, specific issues they were working to resolve, topics they would like to see as part of a monitoring training, and ideas for improving the monitoring process. Thirty-five (35) people responded, including representatives from 16 out of 18 CADBs, 7 out of 8 Non-Profits, all Soil Conservation Districts, and several SADC staff members.

Slightly more than half of all CADB and non-profit respondents (14/27) either noted having an issue with the e-Form or suggested ways to make the e-Form more user-friendly.

In terms of trends people have seen regarding issues or concerns with farms, slightly more than a quarter of all respondents (9/35) highlighted erosion and conservation issues. Additional concerns noted by multiple respondents as trends included dumping, overgrown fields, neighbor issues, non-agricultural uses, and new landowners needing a copy of the deed of easement, not understanding the restrictions, and needing education on farmland preservation. Other issues, noted by single respondents, included manure management, deer management, farm structures falling apart, farmers getting older, large house replacement requests, estate buyers, nearby warehouse development, soil/leaf importation, mulching, and taking on food and animal waste that was leading to complaints.

Regarding what topics people would like to see as part of a monitoring training, many respondents said that an overview of the monitoring process would be helpful, including: what issues to focus on and what to look for, how to interpret the deed of easement, and what the expectations are for a typical monitoring inspection. Many people also were interested in the standards for what constitutes a concern for different types of issues, e.g., erosion, dumping, and bringing in fill. They noted that if everyone had the same understanding, there would be greater consistency to everyone's monitoring inspections. In addition to wanting to learn how to identify erosion and conservation concerns, several people said they would like assistance with how to deal with the issues (and any other issues) after the inspections and how to provide follow-up guidance to landowners. A few people were interested in more information on USDA financial and technical assistance programs and the post-preservation cost-share grant programs available through the SADC, i.e., the Soil and Water Conservation Grant and Deer Fencing Grant Programs. Some additional, specific topics of interest that were noted included the soil protection standards, special occasion events, equine uses, buildings, allowable activities in general, how to deescalate neighbor issues, and the relationship between wetlands/modified agricultural wetlands rules and the deed of easement. Some people also were interested in information on remote monitoring and/or using drones, and one person noted an interest in digital tools that could help with monitoring.

In terms of other feedback on how monitoring could be improved, people suggested additional e-Form improvements, additional monitoring process and educational materials (a monitoring checklist, training videos, guidance documents for counties, and general documents that could be provided to landowners), greater GIS incorporation into the monitoring process (such as for building outlines rather than having to list structures and dimensions on the e-Form), and an interactive landing page on which partners could see their list of farms and which ones had or had not been monitored.

SADC Monitoring in FY 2021, and 2022-2023 Workplan

In FY 2021, the SADC continued to contract with three soil conservation districts (SCDs) to assist with the monitoring of SADC-held easements. The Upper Delaware Conservation

District assisted with monitoring in Warren, Sussex, and Morris Counties and the northern portion of Hunterdon County; the Freehold SCD assisted with monitoring in Mercer, Middlesex, Monmouth, and Ocean Counties; and the Cape-Atlantic SCD assisted with monitoring in Atlantic, Cape May, and Cumberland Counties. SADC Stewardship and Agricultural Development staff were responsible for monitoring the SADC-held easements in the remaining counties, i.e., Salem, Gloucester, Camden, Burlington, Somerset, and southern Hunterdon.

The SADC renewed its partnership with the districts to have them cover the same areas in FY 2022. New with the FY 2022 contracts is that the districts now have been integrated into using SADC SharePoint. Previously, they would send a flash drive with their inspection photos in the mail at the end of the fiscal year. Now, they upload their photos and follow-up letters into SharePoint immediately after an inspection, a helpful efficiency to the process. For a geographical breakdown of the SADC monitoring assignments in FY 2021 and FY 2022, see **Attachment 6**.

In FY 2022 and FY 2023, the SADC will continue to work with its partners to maintain high monitoring rates and improve the monitoring process. The SADC also will continue its outreach efforts and provide additional monitoring education, e.g., develop monitoring handbook guidance, conduct monitoring-related training, check in with partners to discuss monitoring concerns or issues, and provide training as needed on how to use the monitoring e-Form. The SADC also again will provide each partner with an updated list of the preserved farms on which it holds the easement and the farms' e-Form PINs. In addition to providing handbook guidance and group training, the SADC could offer to join partners on a portion of their monitoring visits one day to provide feedback and promote consistency around the state. The SADC will consider ways to improve the user-friendliness and functionality of the e-Form too. Altogether, these efforts should help improve the system of farmland preservation monitoring in New Jersey.

Tax Compliance of SADC Related to Farmland Preservation Bond Funding

Pursuant to a directive by the New Jersey Department of the Treasury relative to post-issuance compliance with tax-exempt bond issuances pursuant to Section 141 of the Internal Revenue Code, this FY 2021 Annual Monitoring Report details the number and nature of routine requests that came before the SADC versus SADC 'Reviews of Activities' that might involve a change in use, i.e., easement violations. See the following attachments for this FY 2021 information:

- Attachment 3** - Reported Issues From Monitoring (Potential Concerns and Violations Observed)
- Attachment 4** - Routine Stewardship Matters and Concerns Acted Upon by the SADC
- Attachment 5** - Stewardship Concerns Pending

Monitoring and Enforcement Methodology

Some of the concerns tallied in FY 2021 were discovered in previous years. Since 2011, a total of 21,921 monitoring inspections have been conducted, with only 14 properties resulting in Committee findings of violation. This outcome reflects not only sound stewardship by New Jersey's farmers, but also the dedication of the SADC, CADBs, and non-profits to resolving issues and concerns amicably. Generally, the SADC stewardship process includes the following steps:

- Conduct annual monitoring visit with the landowner present (if the landowner desires to be present);
- Follow-up with the landowner if concerns are noted;
- Coordinate with the grantee if concerns are noted (if CADB or non-profit partner holds the easement);
- Provide ample time for the landowner and/or grantee to address concerns;
- Provide technical assistance to assist the landowner and grantee in achieving compliance; and
- Take action if necessary (with the grantee taking the lead if it holds the easement).

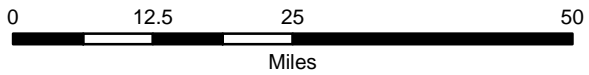
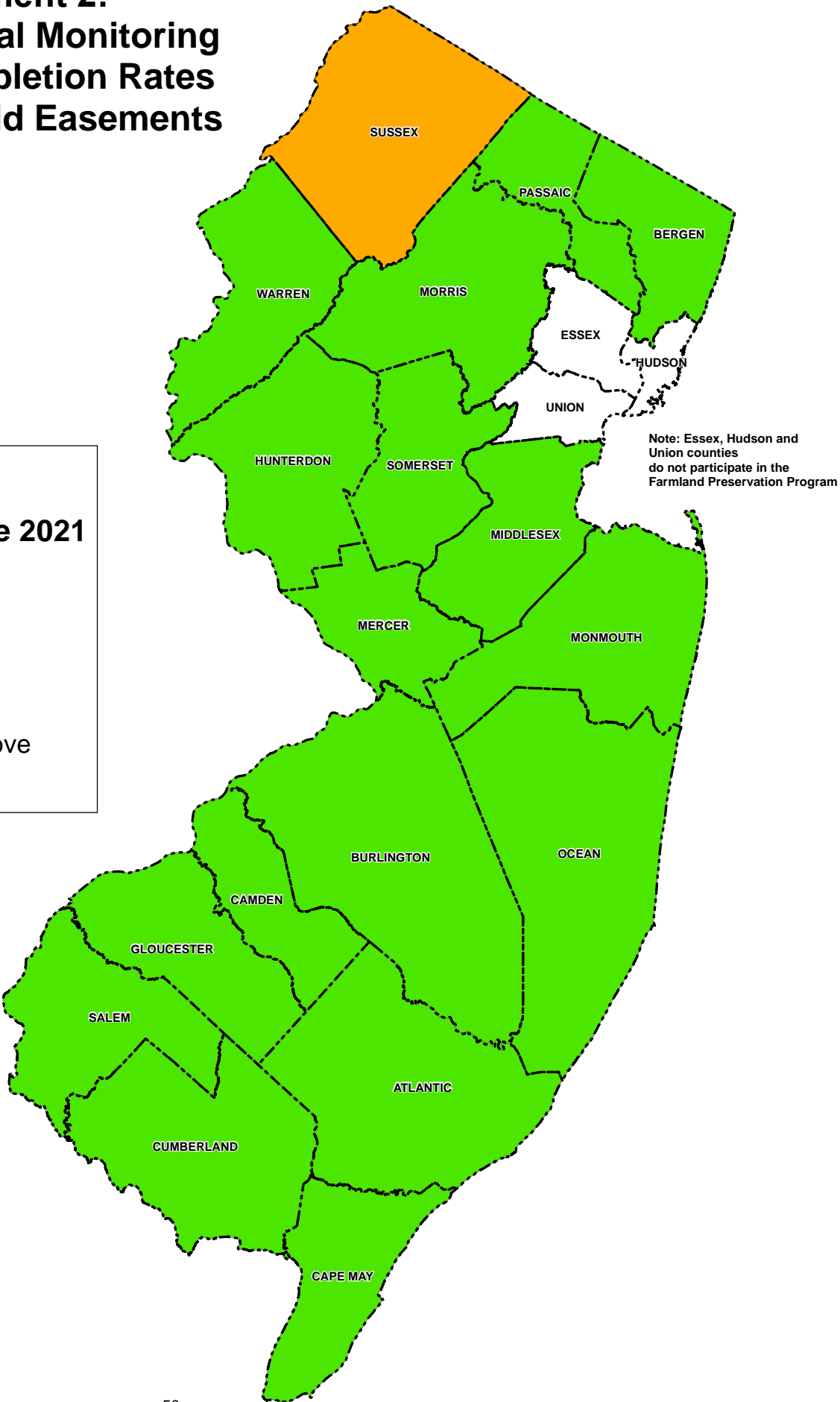
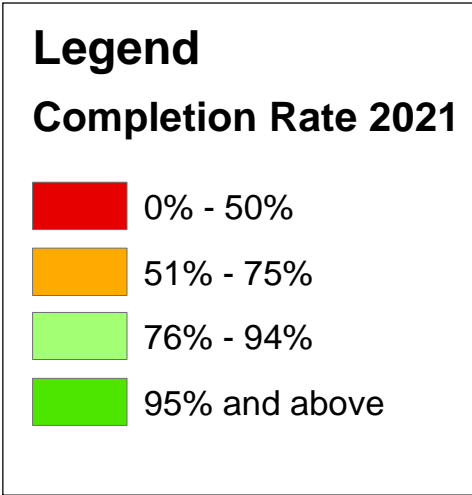
In most cases, any concerns noted during routine monitoring visits are resolved relatively easily. Sometimes the landowner or farmer will address the issues, and sometimes a concern ceases to be an issue once the easement holder performs additional research, e.g., locating past approvals from CADBs or the SADC for a use, structure, or something else. Only a handful of concerns ever evolve into a violation, a result that often requires legal remedies.

https://sonj.sharepoint.com/sites/AG/SADC/Monitor/Reports/AnnualMonitoringReport_SADC/FY2021_Report/MemoToSADC.docx

Attachment 1 - Easement Monitoring Data for FY 2021 and the Three Preceding Years

		2018			2019			2020		2021				2011-2021			
Easement Holder	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³		Farms to Monitor	Farms Completed	Comp. Rate ³	e-Forms Usage
County Agriculture Development Board																	
Atlantic	11	11	100%	11	11	100%	11	0	0%	12	12	100%		125	89	71%	Yes
Bergen	8	7	88%	8	8	100%	8	0	0%	8	8	100%		84	74	88%	Yes
Burlington	214	231	108%	230	218	95%	231	146	63%	234	234	100%		2209	2122	96%	Yes
Camden	6	0	0%	6	0	0%	6	0	0%	6	6	100%		58	12	21%	Yes
Cape May	48	44	92%	49	49	100%	50	0	0%	50	50	100%		511	421	82%	Yes
Cumberland ⁵	172	170	99%	180	180	100%	190	188	99%	195	195	100%		1664	1273	77%	No
Gloucester	172	180	105%	192	125	65%	196	155	79%	192	191	99%		1712	1078	63%	Yes
Hunterdon	301	243	81%	309	247	80%	316	285	90%	310	309	100%		3059	2204	72%	Yes
Mercer	90	83	92%	92	82	89%	92	0	0%	85	84	99%		915	803	88%	Yes
Middlesex	52	48	92%	54	50	93%	54	2	4%	51	51	100%		526	456	87%	Yes
Monmouth	179	166	93%	180	173	96%	182	142	78%	186	186	100%		1863	1711	92%	Yes
Morris ¹	110	110	100%	113	108	96%	113	97	86%	115	115	100%		1168	1085	93%	No
Ocean	46	45	98%	46	40	87%	47	1	2%	48	48	100%		486	426	88%	Yes
Passaic	2	0	0%	2	0	0%	2	0	0%	2	2	100%		17	4	24%	Yes
Salem	166	73	44%	181	121	67%	196	0	0%	199	199	100%		1601	1095	68%	Yes
Somerset	92	70	76%	93	50	54%	93	4	4%	98	96	98%		949	724	76%	Yes
Sussex	137	126	92%	140	100	71%	143	133	93%	148	95	64%		1448	1001	69%	Yes
Warren ⁶	223	232	104%	230	245	107%	239	239	100%	264	264	100%		2285	2210	97%	Yes
County - Totals & Completion Rates	2,029	1,839	91%	2,116	1,807	85%	2169	1392	64%	2203	2145	97%		20,680	16,788	81%	89%
Non-Profits²	Farms to Monitor	Farms Completed	Comp. Rate³	Farms to Monitor	Farms Completed	Comp. Rate³	Farms to Monitor	Farms Completed	Comp. Rate³	Farms to Monitor	Farms Completed	Comp. Rate³		Farms to Monitor	Farms Completed	Comp. Rate	e-Forms Usage
D&R Greenway	5	5	100%	5	5	100%	5	5	100%	5	5	100%		48	41	85%	Yes
NJ Conservation Foundation	22	20	91%	22	21	95%	23	6	26%	26	26	100%		191	132	69%	Yes
Ridge & Valley Conservancy	5	5	100%	5	2	40%	2	2	100%	2	2	100%		47	34	72%	Yes
Monmouth Conservation Foundation ⁵	4	4	100%	5	5	100%	5	2	40%	7	7	100%		34	29	85%	No
Nature Conservancy	0	0	4-ATS	0	0	4-ATS	0	0	4-ATS	0	0	n/a - ATS		2	0	n/a	n/a
Hunterdon Land Trust ⁶	7	6	86%	7	5	71%	5	5	100%	5	5	100%		64	44	69%	Yes

**Attachment 2:
FY 2021 Annual Monitoring
Report - Completion Rates
for County Held Easements**



Attachment 3 - Issues Reported From Monitoring in FY 2021

Issues Reported from Monitoring in FY 2021*	Concerns	As % of Total Concerns	County and Non-Profit Held Easement Concerns	SADC Held Easement Concerns	CADB, Non-Profit & SADC Suspected Violations	As % of Total Suspected Violations
Conservation (Erosion, Water Management/Drainage)	81	34.3%	49	32	6	23.08%
Dumping/Trash	44	18.6%	39	5	6	23.08%
Overgrown Fields	21	8.9%	12	9	3	11.54%
Unapproved Solar	19	8.1%	11	8	0	0.00%
Non-Agricultural Use	17	7.2%	11	6	4	15.38%
Encroachment	17	7.2%	16	1	0	0.00%
Fallow Fields	12	5.1%	8	4	0	0.00%
Soil Disturbance	7	3.0%	5	2	3	11.54%
Manure Management	6	2.5%	2	4	1	3.85%
Neighbor Issues	5	2.1%	5	0	0	0.00%
Ag Labor Housing	4	1.7%	3	1	1	3.85%
Unapproved Structure	1	0.4%	1	0	0	0.00%
Unapproved Residence	1	0.4%	0	1	2	7.69%
Unapproved Division	1	0.4%	0	1	0	0.00%
Total Number of Concerns	236	100%	162	74	26	100.00%
Total Monitoring Visits with a Potential Concern or Violation Observed (as reported through e-Forms, and by Morris and Cumberland reports)	210					
Total Monitoring Visits (e-Forms and other reports - includes Morris and Cumberland, which didn't use the e-Form)	2,695					
Percent of Monitoring Visits with a Potential Concern or Violation Observed	7.79%					
*All issues (concerns and violations) are as reported in monitoring forms submitted by the inspection staff of CADBs, Non-Profits, and the SADC.						
Further review and actual determinations are pending regarding concerns on certain SADC-held easement farms. Most County and non-profit-held easement concerns/violations are handled at the local level.						
<u>Sub-Chart for: Conservation (Erosion, Water Management/Drainage)*</u>						
*Breakdown of the "Conservation" category in the chart above	Concerns	As % of Total Concerns	County and Non-Profit Held Easement Concerns	SADC Held Easement Concerns	CADB, Non-Profit & SADC Suspected Violations	As % of Total Suspected Violations
Conservation - Erosion	71	30.1%	42	29	6	23.08%
Conservation - Water Management/Drainage	10	4.2%	7	3	0	0.00%
Conservation Issues - Subtotal	81	34.3%	49	32	6	23.08%

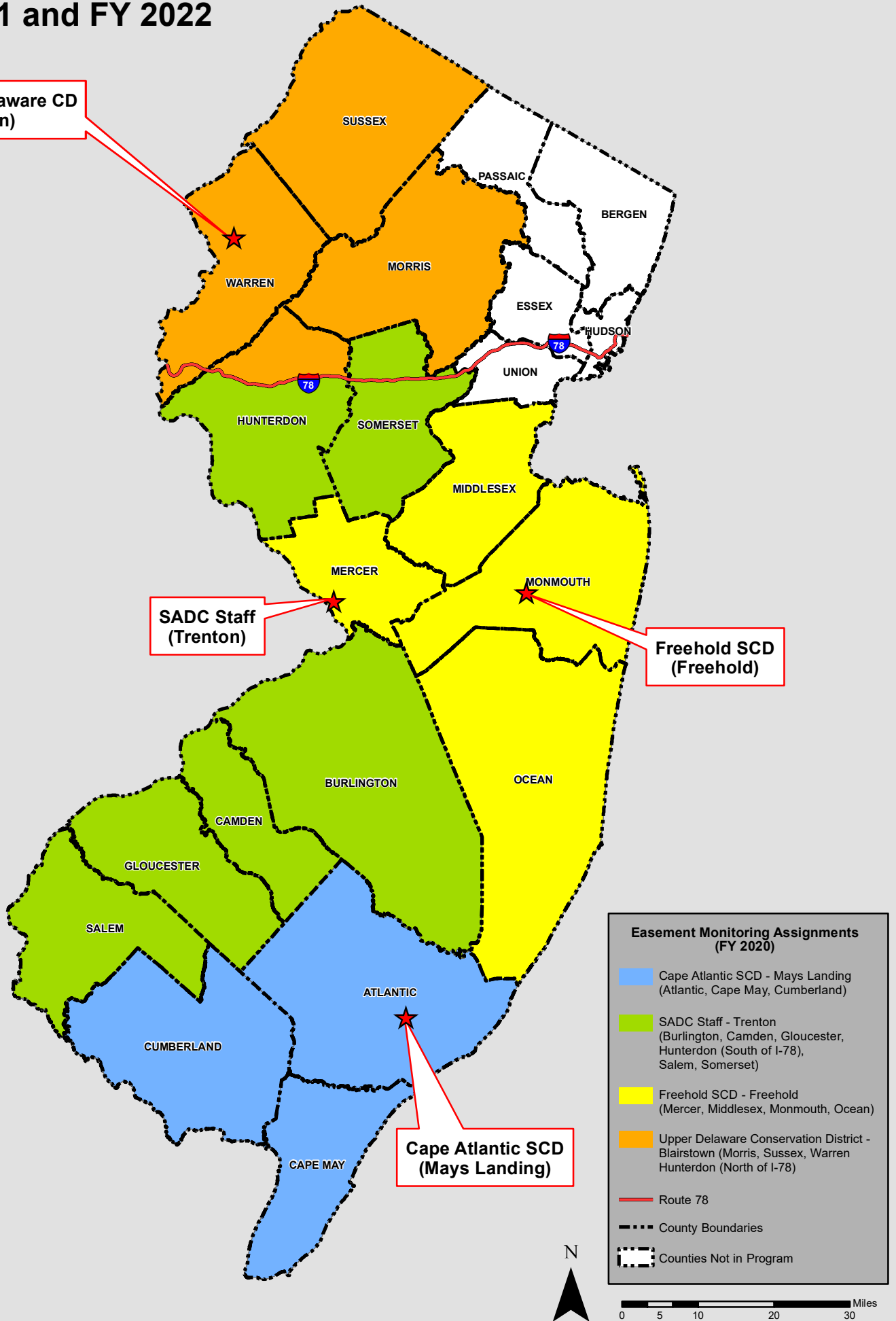
Attachment 4 - Routine Matters, and Concerns, Acted Upon by the SADC in FY 2021

Routine Stewardship Matters Acted Upon by the SADC in FY 2021	Number	Approved/Denied	Property
Division of Premises	0	0/0	
New House Construction	6	6/0	Grumpy Farm LLC
			Hansen Farm
			Canhouse Properties, LLC/Mehaffey Farm
			Virag
			Kelly, Dennis
			Martin
Ag Labor Housing	1	1/0	Mada Farms, LLC (Verdi)
Solar	2	2/0	DLS Roof Mounted.
			Benioff
Rural Microenterprise	1	1/0	Hogan Vet Clinic, Pheasant Hill Farm, LLC
Commercial Non-Agricultural Use - Renewal	1	1/0	MJC Properties
RDSO (Residual Dwelling Site Opportunity)	1	1/0	Kelly, Dennis
Septic Replacement Outside Exception Area	0	0/0	
Total	12	12/0	
Stewardship Concerns Brought to the SADC in FY 2021	Number	Status	Properties/Issue
Review of Activities	0		
Deed of Easement Concerns	4	Ongoing Review	Princeton Show Jumping
		Active Litigation	Van Doren
		Active Litigation	Lebensfreude, LLC
		Active Litigation	Quaker Valley Farms
Total Monitoring Inspections this FY	1,729		
Percent Monitoring Inspections Resulting in Review of Activities this FY	0.00%		

Attachment 5: Stewardship Concerns Pending - As of Feburary 1, 2022

Stewardship Concerns Pending (Current as of February 1, 2022)													
<u>SADC ID#</u>	<u>Easement Holder</u>	<u>County</u>	<u>Municipality</u>	<u>Property</u>	<u>Block</u>	<u>Lot</u>	<u>Closing Date</u>	<u>State Funding</u>	<u>Source of State Funding</u>	<u>Issue</u>	<u>Paragraph(s) of DOE Out of Compliance</u>	<u>FY Issue Identified</u>	<u>Status</u>
01-0004-PN	SADC	Atlantic	Hammonton Town	Pleasantdale	4901 5402 5501 5504	9 & 27 3 14 & 15 4	05/02/03	\$283,309.00	FY 2002 Garden State Fund	Unapproved Division of Premises	15	2021	SADC working with landowner to resolve.
06-0094-EP	County	Cumberland	Lawrence	Riggins	3	10	08/27/03	\$39,872.64	2003 Garden State Fund	Fallow fields	2	2020	CADB working with landowner to remediate.
14-0121-EP	County	Morris	Chester	Alstede (Hideaway Farm LLC #1)	15	28.01, 28.02	12/28/06	\$1,562,850.60	FY2007 GSPT	Non-ag use/Barn events	1, 2, 3, 4	2019	Active Litigation
18-0020-EP	County	Somerset	Hillsborough	Osterman/ Mueller	173	9.07	10/06/99	\$277,531.80	1995 Bond Fund	Importation of Fill/ Non-Ag Use/ Unapproved Residence/ Dumping	1, 2, 3, 4, 5, 6, 7	2019	CADB working with owner to resolve. Consent order signed.
08-0010-EP	County	Gloucester	South Harrison	Sorbello	6	8	12/29/97	\$111,120.90	1989 Bond Fund	House not completely on exception area		2018	Under CADB and SADC Review
08-0010-EP	County	Gloucester	South Harrison	Sorbello	6	8	12/29/97	\$111,120.90	1989 Bond Fund	Non-Ag Use/ Farm Market and Barn	1,2, 3, 4	2018	Under CADB and SADC Review
13-0159-EP	County	Monmouth	Manalapan	Casola	4.01;12	11.01;12 .03	02/07/02	\$3,504,508.82	FY2000 GSPT	Non- Ag use/Store	1, 2, 3, 4	2018	Under CADB and SADC Review
10-0244-DE	SADC	Hunterdon	East Amwell	Van Doren	20	11;16;16 .01;30	04/27/18	\$1,378,683.60	2015 Garden State Fund	Erosion	7	2018	Active Litigation
14-0131-EP	County	Morris	Harding	Picozzi	8	2; 2.01; 2.02	05/15/09	\$732,975.00	FY2006 GSPT	Non-ag use/Hockey rink in barn	Non-ag use/Hockey rink in barn	2017	Active Litigation
05-0049-EP	County	Cape May	West Cape May	Willow Creek/ Wilde	73;74	9;2	06/11/07	\$533,999.92	FY2005 GSPT	Unapproved Ag Labor Unit	1, 3, 12	2016	Landowner refuses to respond to requests to make application for ag labor unit.
18-0029-EP	County	Somerset	Branchburg	Taverner	77	36.03	03/31/92	\$1,780,363.50	1989 Bond Fund	Owner living in Ag labor unit/ Non-Ag uses	1, 2, 3, 4, 14	2016	CADB working with owner to resolve. Consent order signed.
18-0010-DN	SADC	Somerset	Montgomery	Hunter Farms	26001	1.02	12/02/03	\$0.00	Donation-state	Non-ag use/Horse shows	1, 2, 3, 4	2016	Under SADC review. SADC established requirements for stormwater compliance, impervious cover compliance and soil remediation. Owner working toward compliance.
18-0002-NP	Township	Somerset	Montgomery	Raymond/ Greenburg/ MFOS	31001	20 & 20.01	02/27/07	\$429,960.00	FY2000 GSPT	Importation of Fill	1, 2, 5, 6, 7	2015	Resolved.
19-0038-EP	County	Sussex	Hampton	Kolich/ Neppl	3105	1.01	01/15/02	\$141,912.81	FY2000 GSPT	Unapproved Residence (apartment rental)	1, 3, 12	2015	Pending review with County.
21-0477-PG	County	Warren	Greenwich	Riewerts-Tribble/ Schuster	44	5; 24	06/30/10	\$213,234.10	FY2007 GSPT	Relocation of Driveway	1, 2, 9, 13, 15c	2012	Active Litigation
03-0029-FS	County	Burlington	Pemberton	Dragon Land/Sybron	780	1, 2, 3 & 5	06/29/05	\$393,504.57	FY2003 GSPT	Erosion	1, 2, 3, 4, 5, 6	2011	County taking legal action against landowner.
10-0020-EP	County	Hunterdon	Franklin	Quaker Valley Farms/ Mathews	37	42	09/22/93	\$241,608.04	1989 Bond Fund	Soil Disturbance	1, 2, 3, 4, 5, 6	2008	Active Litigation

SADC Easement Monitoring Assignments FY 2021 and FY 2022



**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R2(3)**

**Request for Division of Premises
Patricia Toal-Kibort Farm**

February 24, 2022

**Subject Property:
Patricia Toal-Kibort
Block 801, Lots 36, 37, & 48
Block 1002, Lots 12 & 13
Pittsgrove Township, Salem County
122.739 – Acres
SADC ID 17-0276-DE**

WHEREAS, Patricia Toal-Kibort hereinafter “Owner” is the record owner of Block 801, Lots 36, 37, & 48 and Block 1002, Lots 12 & 13, Pittsgrove Township, Salem County, hereinafter referred to as the “Premises”, by deed dated June 20, 2007, and recorded in the Salem County Clerk’s office in Deed Book 1281, Page 1 and by deed dated August 8, 2007, and recorded in the Salem County Clerk’s office in Deed Book 1285, Page 343; and

WHEREAS, the Premises consists of approximately 122.739 acres as shown on Schedule “A”; and

WHEREAS, a development easement on the Premises was conveyed to the State Agriculture Development Committee pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1 C-1, et seq., by Deed of Easement dated January 7, 2015, and recorded in the Salem County Clerk's Office in Deed Book 4035, Page 220; and

WHEREAS, on December 10, 2021, the SADC received a request for a division of the Premises from the Owner; and

WHEREAS, the Owner proposes to divide the Premises along existing lot lines, as shown on Schedule “A”, creating an approximately 78.60-acre parcel to the northeast (Parcel-A) and an approximately 44.13-acre parcel to the southwest (Parcel-B); and

WHEREAS, Parcel-A & Parcel-B are non-contiguous parcels separated by unrelated tracts of farmland; and

WHEREAS, the Owner intends to retain ownership of Parcel-B and to transfer Parcel-A to the tenant farmer Edward Olbrich hereinafter “Purchaser”; and

WHEREAS, the Purchaser is a long time tenant and local farmer who farms approximately 1,200 acres in the area including the Premises; and

WHEREAS, the Premises is currently in grain & vegetable production; and

WHEREAS, the Purchaser has been farming Parcel-A for the past 17 years and has made long term investments in the property for agricultural purposes which include: deer fencing, a water diversion, and irrigation systems; and

WHEREAS, the acquisition of Parcel-A will increase the Purchaser's landholdings through the addition of approximately 78.60-acres on which he intends to continue farming in vegetable & grain production; and

WHEREAS, paragraph 15 of the Deed of Easement states that no division of the Premises shall be permitted without the approval in writing of the Grantee (SADC); and

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

WHEREAS, the Deed of Easement for the Premises identifies zero (0) existing single-family residences, zero (0) existing agricultural labor units, no RDSO's, a 3.13-acre severable exception area and a 1.00-acre non-severable exception; and

WHEREAS, the Owner will retain the 3.13-acre severable exception area, which will be subdivided prior to the transfer of Parcel-A to the purchaser; and

WHEREAS, the resulting Parcel-A is an approximately 78.60-acre property that is 67% (53-acres) tillable with 100% (78.60 acres) prime soils, as defined by the NJ Natural Resources Conservation Service; and

WHEREAS, the resulting Parcel-A is improved with deer fence and irrigation and has no future housing opportunities; and

WHEREAS, the resulting Parcel-B is an approximately 44.13-acre property that is 100% tillable with 100% (44.13 acres) prime and statewide important soils combined, as defined by the NJ Natural Resources Conservation Service; and

WHEREAS, the resulting Parcel-B has no improvements and a 1-acre non-severable exception area with the ability to construct one single-family residence; and

WHEREAS, the Owner intends to retain Parcel-B, and continue to rent the property to the Purchaser; and

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

Parcel-A contains significant acreage of tillable, quality soils (100% prime soils) consisting of approximately 53-acres (67%) of tillable ground, no improvements, and no housing opportunity; and

Parcel-B, contains significant acreage of tillable, quality soils (100% prime and statewide important soils combined), consisting of approximately 44.13-acres (100%) tillable acres of ground with no improvements and a one-acre non-severable exception area with a future housing opportunity; and

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

- 1) The sale of Parcel-A, allows an established farmer who farms 1,200 acres in the area including farmland that is adjacent to Parcel-A to expand his farming operation and own the land that he has farmed and made investments in as the tenant farmer over the past 17 years; and
- 2) The acquisition of Parcel-A by the Purchaser allows him to continue to make long term investments and improvements necessary to increase the efficiency and production of this parcel; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC finds that the division, as described herein, for the purpose of selling Parcel-A to the tenant farmer (the Purchaser), so he can own the farmland that he has invested in and farmed for the past 17 years is for an agricultural purpose.
3. The SADC finds that Parcel-A and Parcel-B are agriculturally viable parcels capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions.
4. The SADC approves the division of Premises as follows:

Parcel-A – Block 1002, Lots 12 & 13 and Block 801, Lots 36 & 37 (approximately 78.60 acres) with no exception area, and no improvements as shown on Schedule “B”.

Parcel-B – Block 801, Lot 48 (approximately 45.13 acres) with no improvements and a one-acre non-severable exception area, as shown on Schedule “C”.

5. This approval shall not be valid until the SADC’s resolution of approval is recorded with the Salem County Clerk’s office.
6. This approval is valid for a period of three years from the date of this resolution.
7. Eligible funding for state soil and water conservation cost share practices shall be reallocated to the respective parcels.
8. This approval is non-transferable.
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.

____ 2/24/2022 ____
Date



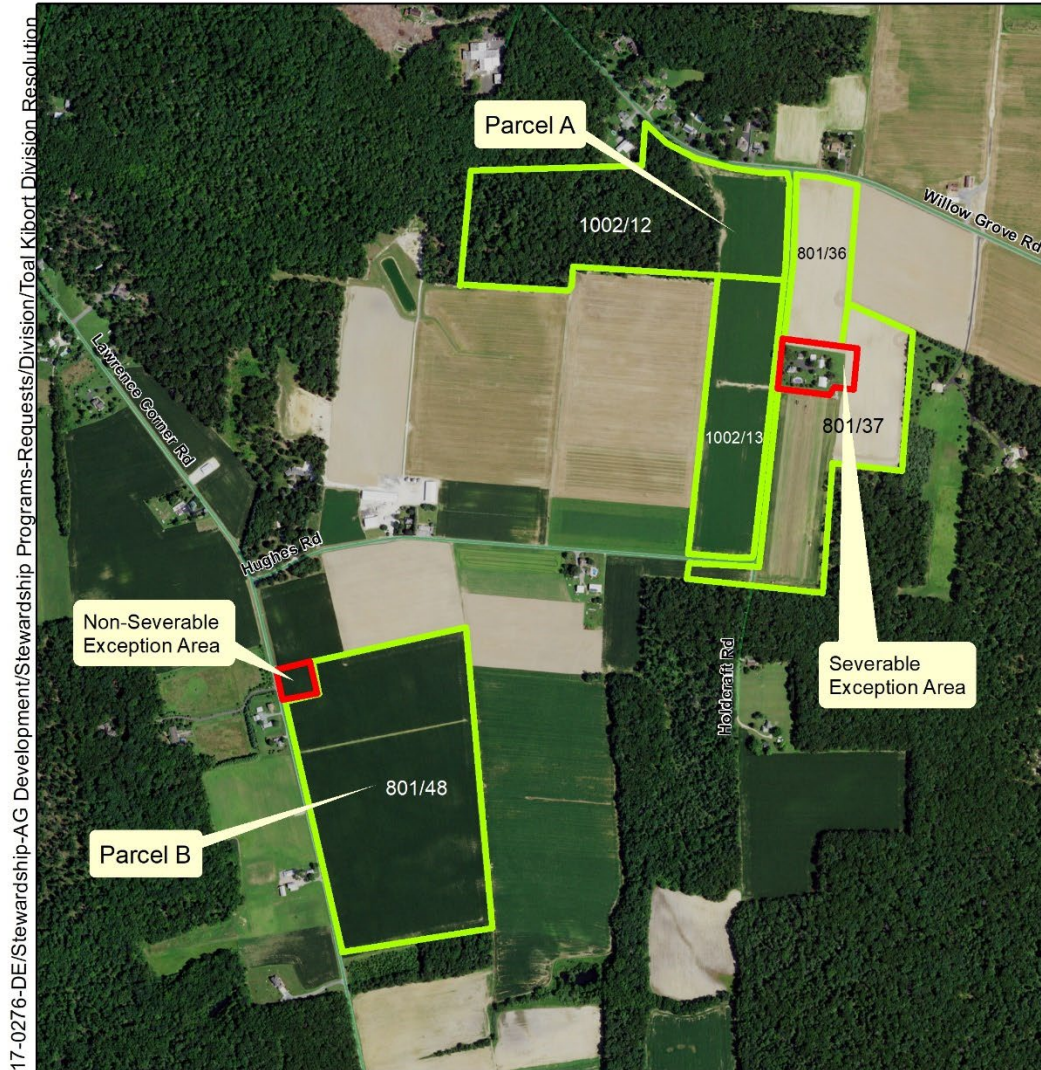
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

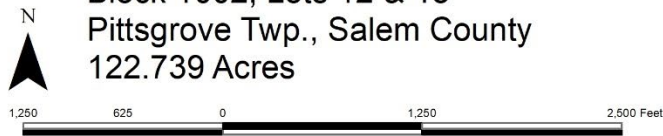
https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm Documents/17-0276-DE/Stewardship-AG Development/Stewardship Programs-Requests/Division/17-0276-DE_Toal Kibort Division Resolution.docx

Schedule A



NJ FARMLAND PRESERVATION PROGRAM
State Agriculture Development Committee

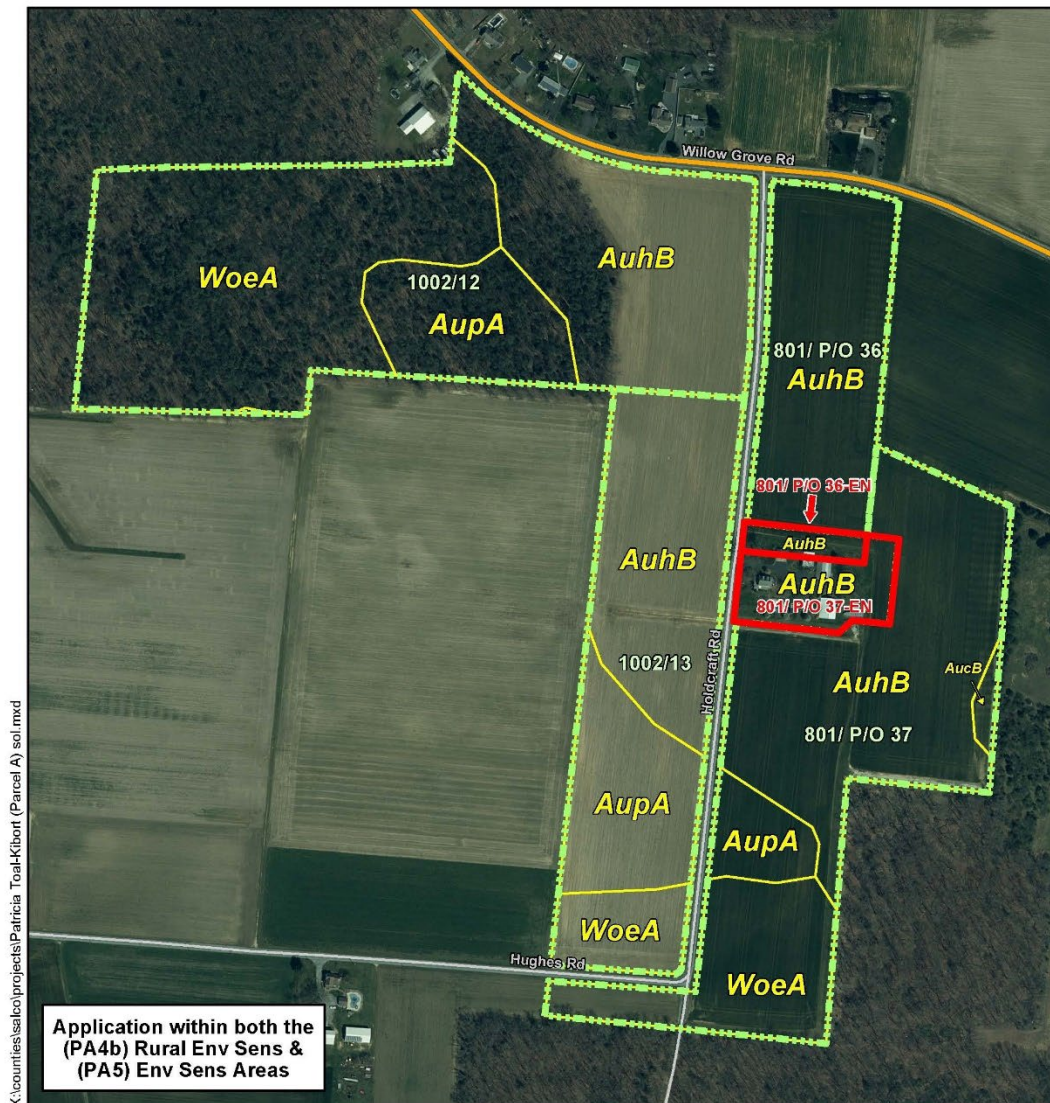
Patricia Toal-Kibort
Block 801, Lots 36, 37, & 48
Block 1002, Lots 12 & 13
Pittsgrove Twp., Salem County
122.739 Acres



2/7/2022

Schedule B

Parcel A - Soils



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Toal-Kibort, Patricia A. (Parcel A)
Block 801 Lots P/O 36 (8.73 ac) & P/O 36-ES (severable exception - 0.74 ac);
P/O 37 (21.01 ac); & P/O 37-ES (severable exception - 2.40 ac)
Block 1002 Lots 12 (32.94 ac) & 13 (15.90 ac)
Gross Total = 81.72 ac
Pittsgrove Twp., Salem County

500 250 0 500 1,000 Feet



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

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 geodesic 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:
NRCS - SSURGO 2011 Soil Data
NJDOT Road Data
NJOTIS 2020 Digital Aerial Image
January 12, 2022

Schedule C

Parcel B - Soils



**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2022R2(4)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

On the Property of Hopewell Farmland Partnership (Cramer)

February 24, 2022

Subject Property: **Hopewell Farmland Partnership (Cramer)**
 Block 16, Lot 4 & 5 – Hopewell Township, Cumberland County
 SADC ID#:06-0078-DE

WHEREAS, on May 2, 2018, the State Agriculture Development Committee (“SADC”) received a development easement sale application from Hopewell Farmland Partnership, hereinafter “Owner,” identified as Block 16, Lot 4 & 5, Hopewell Township, Cumberland County, hereinafter “the Property,” totaling approximately 120.1 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes no exception areas resulting in approximately 120.1 net acres to be preserved, hereinafter referred to as “the Premises”; and

WHEREAS, the Premises includes:

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

WHEREAS, at the time of application, the Property was in hay and cabbage 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 Cumberland County (minimum acreage of 83 and minimum quality

score of 56) because it is approximately 120.1 acres and has a quality score of 74.82; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on January 26, 2022, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$5,000 per acre based on zoning and environmental regulations in place as of the current valuation date December 16, 2021; and

WHEREAS, the Owners accepted the SADC's offer of \$5,000 acre for the purchase of the development easement on the Premises; and

WHEREAS, the certification of easement value and this final approval are conditioned on all lots being consolidated simultaneously with the easement closing and lot consolidation deed being recorded subsequent to and contemporaneously with the deed of easement; 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 \$5,000 per acre for a total of approximately \$600,500 subject to the conditions contained in (Schedule B).
3. The certification of easement value was and this final approval is conditioned on all lots being consolidated simultaneously with the easement closing and lot consolidation deed being recorded subsequent to and contemporaneously with the deed of easement.
4. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.

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

____2/24/2022_____
Date

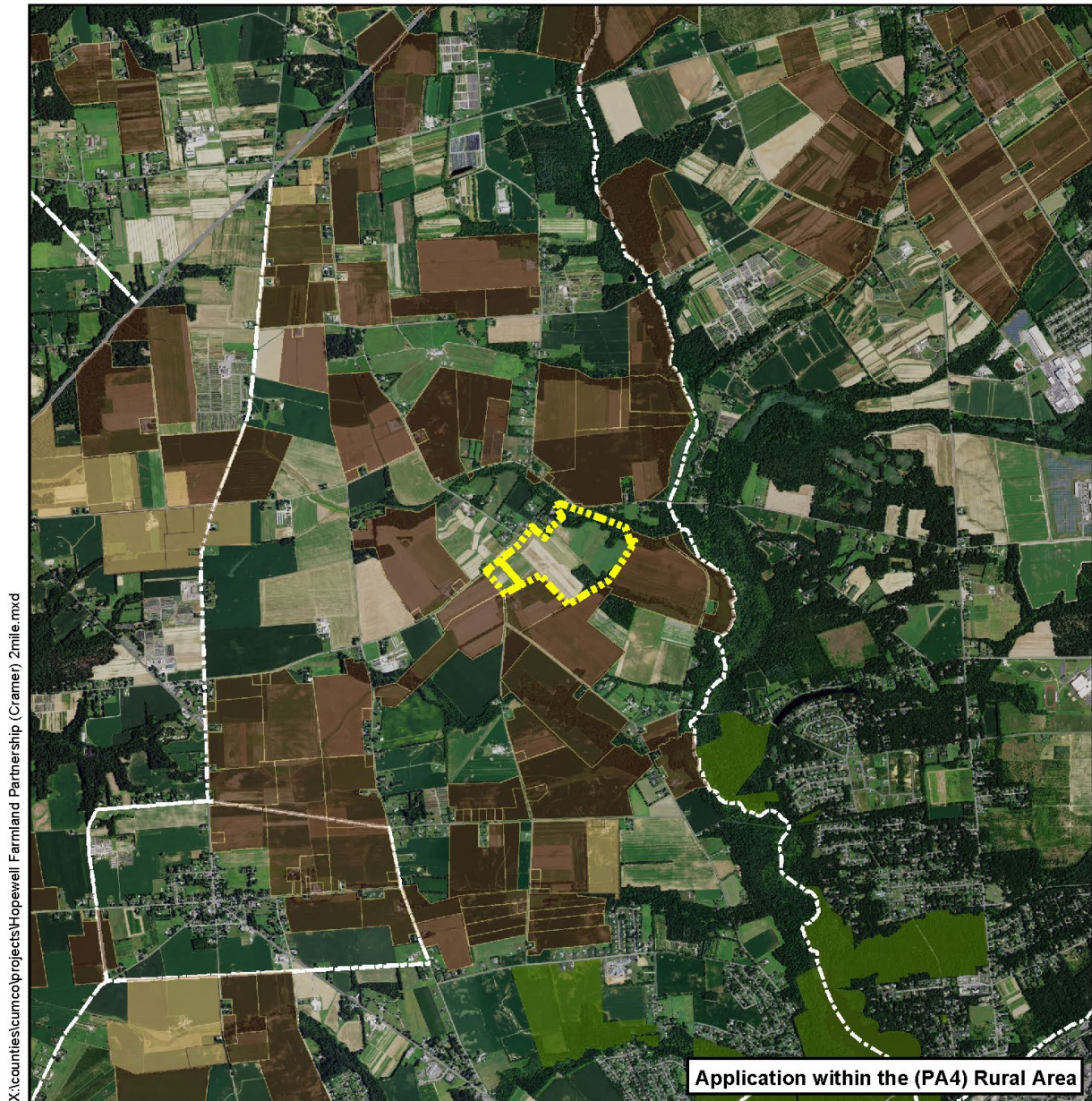

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

VOTE WAS RECORDED AS FOLLOWS:

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

Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Hopewell Farmland Partnership (Cramer)
Block 16 Lots 4 (114.6 ac); & 5 (8.8 ac)
Gross Total = 120.1 ac
Hopewell Twp., Cumberland County

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

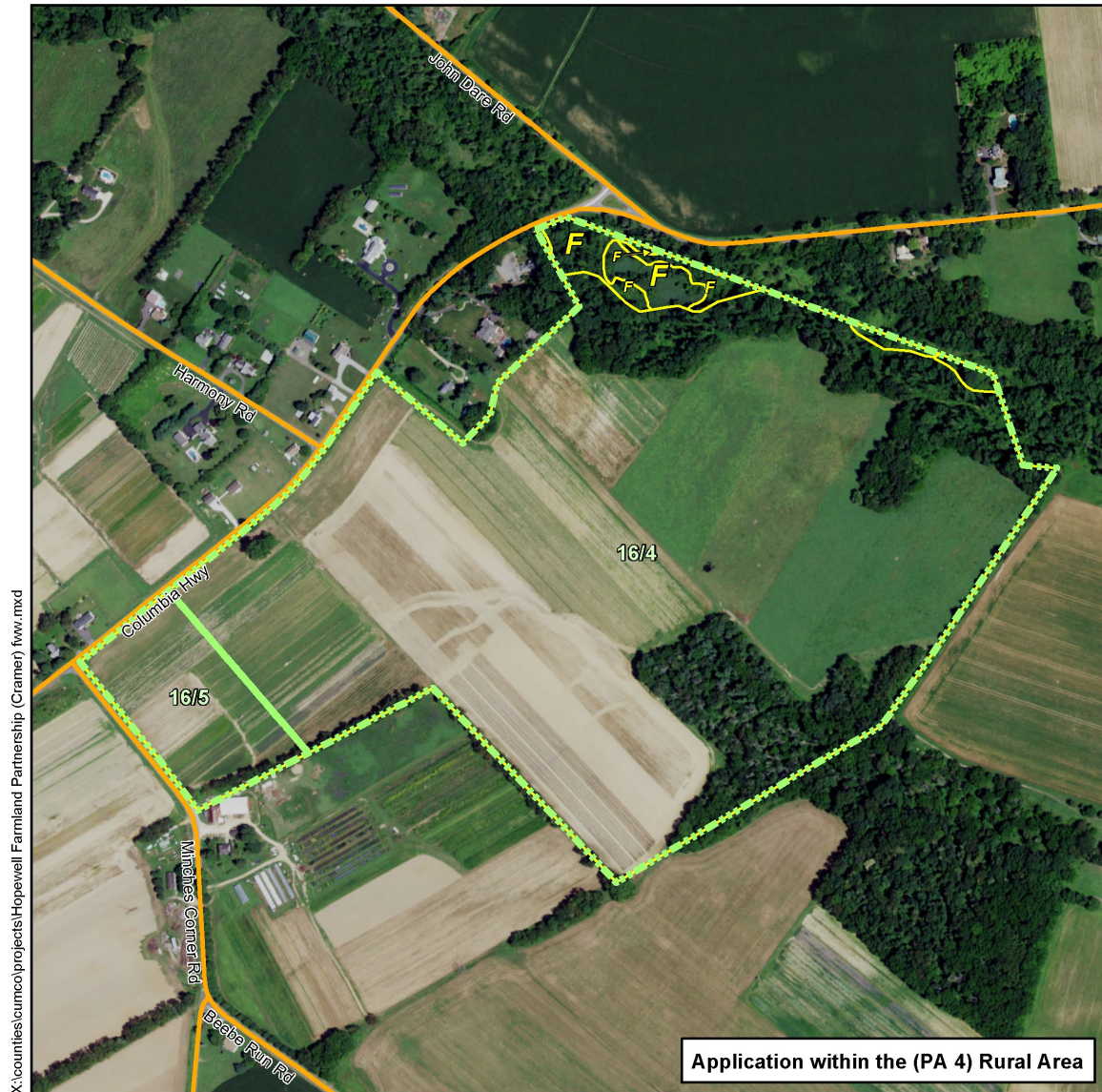
NOTE:
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJGIT/OGIS 2019 Digital Aerial Image

June 7, 2021

Wetlands



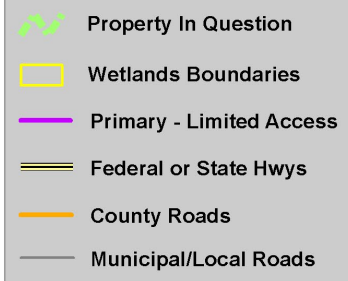
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Hopewell Farmland Partnership (Cramer)
Block 16 Lots 4 (114.6 ac); & 5 (8.8 ac)
Gross Total = 120.1 ac
Hopewell Twp., Cumberland County

500 250 0 500 1,000 Feet

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
NJOTISGIS 2019 Digital Aerial Image

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



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

June 7, 2021

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Hopewell Farmland Partnership (Cramer)
Easement Purchase - SADC
123 Acres

Block 16	Lot 5	Hopewell Twp.	Cumberland County				
Block 16	Lot 4	Hopewell Twp.	Cumberland County				
SOILS:		Prime	87% *	.15	=	13.05	
		Statewide	4% *	.1	=	.40	
		Unique zero	9% *	0	=	.00	
						SOIL SCORE:	13.45
TILLABLE SOILS:		Cropland Harvested	79% *	.15	=	11.85	
		Wetlands/Water	3% *	0	=	.00	
		Woodlands	18% *	0	=	.00	
						TILLABLE SOILS SCORE:	11.85
FARM USE:		Hay	30 acres				
		Vegetable & Melons	66 acres				Cabbage

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:

The SADC will require all lots in application to be in common ownership prior to closing.
 - 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.