

STATE AGRICULTURE DEVELOPMENT COMMITTEE

Department of Agriculture

Market and Warren Streets, 1st Floor Auditorium

Trenton, NJ 08625

REGULAR MEETING

April 27, 2018

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

Mr. Everett 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

Pete Johnson

Ralph Siegel (rep. Treasurer Elizabeth Maher Muoio)

Renee Jones (rep. acting NJDEP Commissioner Catherine R. McCabe)

Jane Brodhecker

Brian Schilling (rep. Executive Dean Goodman)

Thomas Stanuikynas (rep. DCA Commissioner/Lt. Governor Sheila Y. Oliver)

James Waltman

Denis Germano, Esq.

Members Absent

Alan Danser

Jeffrey Everett, Deputy Executive Director

Jason Stypinski, Esq., Deputy Attorney General

Others present as recorded on the attendance sheet: Dan Pace and Emily Blackman, Mercer County Agriculture Development Board (CADB); Brian Wilson, Burlington CADB; Sean Pizzio, Monmouth CADB; Melanie Mason, Hunterdon CADB, and Donna Rue, general public.

Minutes

A. SADC Regular Meeting of March 22, 2018 (Open and Closed Sessions)

It was moved by Mr. Schilling and seconded by Mr. Johnson to approve the Open and Closed Session minutes of the SADC regular meeting of March 22, 2018. The motion was approved. Mr. Stanuikynas, Mr. Germano and Ms. Brodhecker abstained.

Report of the Chairman

Chairman Fisher noted the presence of Ms. Rue, who owns a farm in Upper Freehold Township where farmer Casey Jansen has established an impressive tulip operation. He encouraged everyone to visit.

Report of the Executive Director

Mr. Everett stated that the SADC has successfully leased the Case Farm in West Amwell Township, Hunterdon County. The SADC put the lease out to bid, offering a long-term lease if the successful bidder exercises certain conservation practices. The successful bidder has already submitted an application to the Farm Bill conservation programs, so that will trigger a 12-year lease. Staff is hopeful that this will encourage other State agencies, counties and municipalities to offer farmers long-term leases.

Mr. Everett stated that the SADC successfully sold at auction the Sassi Farm in Carneys Point, Salem County. There were two bidders, and the farm was sold without a Residual Dwelling Site Opportunity (RDSO) to a neighbor.

Mr. Everett asked Ms. Winzinger to update the Committee on municipal outreach efforts. Ms. Winzinger stated that there are 47 Municipal Planning Incentive Grant (PIG) towns. They rely on volunteers who process maybe only one or two farmland preservation applications a year, so the process can be confusing for some. As a result, the SADC's acquisition staff was restructured to free up the regional coordinators so they can get out and assist with outreach. Staff also is trying to establish some type of a cloud-based

document sharing, but is not there yet. It is hoped that the system will enable staff to upload documents so partners can view them without SADC staff scanning them, emailing them, etc. Staff has nearly completed meetings with all 47 PIG municipalities. There are certain commonalities in the feedback that staff is receiving. For example, many towns are resistant to submitting applications when there is not enough money in their individual Municipal PIG accounts. The SADC's guidance documents have received great feedback and staff has been asked to prepare more. Based on all feedback received, staff will develop for the Committee's consideration a plan for the rest of the year.

Mr. Everett asked Brian Smith, Esq., Chief of Legal Affairs, to discuss the case of LaRue v. Monmouth County Agriculture Development Board (CADB). Mr. Smith stated that an Appellate Division opinion has upheld the SADC's final decision in this case. The Monmouth CADB did not approve one aspect of a site-specific agriculture management practice (SSAMP) application filed by the commercial farmers. The basis for the Board's denial of that aspect of the SSAMP was its contention that the farmers need to show an agricultural hardship to pre-empt the municipal ordinance, which was a side yard setback. The farmers had shown that due to a slope on the east side of their property there were difficulties associated with moving farm vehicles and equipment, and therefore, it was necessary that there be some encroachment on the setback.

Mr. Smith stated that for the past 15 years the law has been that farmers need to show a legitimate farm-based reason for not complying with an ordinance. The CADB then is required to balance a farmer's interests with those of the municipality. The farmers did show – in the SADC's opinion – a legitimate farm-based reason, and in the SADC's final decision it rejected the OAL judge's affirmation of the Monmouth CADB. The Appellate Division affirmed the SADC and said that the agricultural hardship criterion is inappropriate in the Right to Farm context, so the SADC was upheld.

Communications

Mr. Everett briefly noted news articles of interest, including those related to the preservation of Cowtown Rodeo property and the growth of the wine-making industry in New Jersey. He suggested that the Committee members review the package of news articles at their convenience.

Public Comment

Donna Rue discussed the new tulip operation on her farm in Upper Freehold Township and invited the Committee to visit. She noted that the tulip operation (Holland Ridge Farms) has been very successful and was featured on Channel 12 and NJN news.

Old Business**A. Borough of Glassboro v. Summit City Farms, LLC – Proposed Order on Application for Emergency Relief**

Mr. Smith stated that the order for the Committee's consideration reflects its discussion at the March SADC meeting. The order details how the case reached the SADC and finds that irreparable harm was shown by Summit City Farms. It orders that the Borough's ordinance as it applies to parking on University Boulevard is preempted as it relates to certain farm-related parking until a final, non-appealable judgement in this case is entered. It also incorporates the Committee's decision that there be no action taken on the signage request by Summit City Farms. Mr. Smith stated that he read the transcript of last month's proceedings, and the order is based on the record before the Committee. Chairman Fisher stated that the order says that while there still is a decision to be made in the Office of Administrative Law, this gives the farmer/operator the right to park on University Boulevard until there is a final decision. There are signs that Glassboro Borough has posted, and he asked if the signs will be removed. Mr. Smith stated that they will not be removed and the owner of the property cannot take them down. He stated that the Committee did not address the landowner's request to post additional signage indicating a farmer exemption.

It was moved by Mr. Ellis and seconded by Mr. Siegel to approve the Order on Application for Emergency Relief for Summit City Farms, as presented and discussed. Mr. Germano abstained from the vote. The motion was approved.

B. OAL Final Decision (Settlement) – Feinberg v. Stonybrook Meadows, LLC

(Mr. Schilling stated that he is recusing from this matter as he has consulted with Stonybrook Farm in his capacity at Rutgers Cooperative Extension.)

Mr. Smith stated that the Office of Administrative Law (OAL) has made an initial decision in this case. The initial decision was a settlement of the litigation between Feinberg and del Campo. Mr. Smith stated that he drafted a memo explaining this case and attached the relevant documents. SADC staff is concerned about the explicit waiver of Right to Farm protection by del Campo – especially in the context of this case, which was extremely complex and involved whether or not del Campo was operating on property that was zoned for agriculture. The issue was whether del Campo had complied

with East Amwell Township's conditional use ordinance, resulting in the property operating as a permitted use in the mountain zone of East Amwell Township.

Both Feinberg and del Campo's properties are flag lots and serviced by 50-foot-wide flag stems. They have 100 feet of frontage on Stonybrook Road. The Feinberg property flag stem was improved with a 12-foot-wide driveway by Feinberg's predecessor. Del Campo has never improved her 50-foot-wide flag stem and has always used Feinberg's flag stem. The settlement requires del Campo to put in her own driveway. That takes the commercial farm traffic off the driveway that basically serves Feinberg. Feinberg's main concern was liability, heavy traffic and no way to yield. Under the settlement, if del Campo fails to put in the driveway, she must go back to the municipal land use board to prove the locational requirement of the Right to Farm Act – i.e., that the farm is located in a zone where agriculture was a permitted use as of a certain date in 1997. Mr. Smith stated that the only way del Campo can receive Right to Farm protection is if she can prove there is a permitted use as of 1997 or thereafter. East Amwell during the operative years never permitted agriculture; it was always conditional.

Mr. Smith stated that the SADC had decided in its final decision that there were only two issues that needed to be addressed by del Campo – impervious surface and lot coverage. They were the only conditional uses that were relevant, and the SADC indicated that the CADBs can make that determination. The farmer is not required to go back to the land use board. This settlement does make del Campo go back to the land use board. He stated that is del Campo's choice and she voluntarily entered into the settlement. However, the waiver of Right to Farm protection and the fact that she would go back to the land use board to prove the locational requirement are troublesome. The SADC had focused the locational requirement on just the two issues. The settlement does not say that and it is as if she is going back to the board and the conditions are unspecified. It is unknown now what she has to prove in order to show that her operation is a permitted use.

Mr. Smith noted that if del Campo does install the driveway, she must go back to the Hunterdon CADB to follow through on the SADC's final decision that delineated the factors that needed to be shown for her to engage in her farm-based recreational activities. If she does not put in the driveway, she has to go back to the East Amwell Township land use board. In either case, Right to Farm is implicated, yet she apparently has agreed to forgo her rights under the Right to Farm Act.

Mr. Smith stated that the SADC can adopt the OAL's initial decision or reject it. The other option is to take no action. There is an automatic approval provision in the Administrative Procedure rules that makes an initial decision a final decision if the Committee does not act within 45 days. Ms. Jones asked if del Campo is forfeiting her rights across the board. Mr. Smith stated that it is hard to say, but he thinks the

implication is yes in this case. Staff's recommendation in the memo is that the Committee take no action to avoid endorsing something like this because it is very troublesome. Mr. Siegel stated that after the time lapse the no-action would then in effect become an approval. Mr. Smith stated that is correct. If no action is taken the 45-day period will expire on May 16 and the initial decision will become a final decision. The Committee took no action on this matter.

New Business

A. Resolution for Certification

1. Agricultural Development Area Map Amendment
 - a. Gloucester County

Mr. Bruder stated that the Committee is being asked to certify a minor amendment to expand the Gloucester County agricultural development area (ADA) to include three properties: the DeEugenio property in Clayton Borough and Monroe Township, and the Hegge and Jordan properties in Franklin and Monroe townships. The three properties are all zoned rural agricultural. Mr. Bruder stated that the staff recommendation is to approve the ADA amendment request. Mr. Waltman asked if the SADC has ever conditioned the expansion of an ADA upon amending the sewer service area. Mr. Bruder stated not to his knowledge. There is more comprehensive planning done and these are taken on a case-by-case basis.

It was moved by Mr. Germano and seconded by Mr. Waltman to approve Resolution FY2018R4(1) certifying the Gloucester CADB approval of the amended ADA map to include the DeEugenio property in Clayton Borough and Monroe Township, and the Hegge and Jordan properties in Franklin and Monroe townships, as presented and discussed. The motion was unanimously approved.

B. Resolution of Final Approval: Municipal Planning Incentive Grant Program (PIG)

Cindy Roberts referred the Committee to one request for final approval under the Municipal Planning Incentive Grant Program. She reviewed the specifics with the Committee and noted that the resolution needs to be amended to reflect that Holmdel Township has agreed to accept less funding than what it would have been eligible for based on the certified value because it does not have that full funding in its account. The Township has agreed to accept \$300,000, which is \$105,625 less than what it would have

been eligible for. She stated that additional "whereas" language would be added to the resolution to reflect that, and that staff recommendation is to grant final approval.

It was moved by Mr. Germano and seconded by Mr. Siegel to approve Resolution FY2018R4(2) granting final approval to the following application under the Municipal Planning Incentive Grant program, as presented and discussed, subject to any conditions of said resolution:

1. George Callan, SADC ID #13-0464-PG (Resolution FY2018R4(2))
Block 10, Lot 10.04, Holmdel Township, Monmouth County, 11 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. A copy of Resolution FY2018R4(2) is attached to and is a part of these minutes.

C. Resolution of Final Approval: County Planning Incentive Grant Program (PIG)

Amy Mandelbaum referred the Committee to one request for final approval under the County Planning Incentive Program. Ms. Mandelbaum reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Schilling and seconded by Mr. Siegel to approve Resolution FY2018R4(3) granting final approval to the following application under the County Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said resolution:

- A. Kirk R. Stephens, Jr., SADC ID #19-0047-PG (Resolution FY2018R4(3))
Block 134, Lots 17, 17.01 and 17.02, and Block 182, Lots 12.01 and 12.02, Vernon Township, Sussex County, 72 Net Acres

The motion was approved. Ms. Brodecker recused from the discussion and vote. (Ms. Brodecker is a member of the Sussex County Agriculture Development Board). This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. A copy of Resolution FY2018R4(3) is attached to and is a part of these minutes.

D. Stewardship

1. Review of Activities

Pesce Farm, Marlboro Township, Monmouth County

Mr. Roohr stated that Mr. Pesce is an established landscape nurseryman who built a 6,500 square foot barn/office/shop, planted nursery stock and has a significant hay field on the preserved farm. The SADC in 2015 began receiving complaints from neighbors who thought the site was being used for outside commercial businesses, specifically electrical, masonry and general contractors. Staff had conversations with Mr. Pesce who said it was a misunderstanding and that these people were doing work for him. In 2016 the complaints became more intense. Mr. Roohr did a site visit and found that those complaints had credibility as there was numerous construction-type equipment bearing general and electrical contractor names on the site. In spring 2017 staff began the process of citing these issues and in August 2017 sent Mr. Pesce a letter stating that he likely was in violation of the deed of easement for nonagricultural uses and some conservation concerns. Mr. Pesce sent a letter back stating that everything would be resolved in 60 days. Staff went back in January 2018 and there was evidence of another contractor's equipment still there. Mr. Pesce was told that this was a significant issue that would be brought to the Committee in March.

Mr. Roohr stated that attorney Anthony Sposaro called on March 20th stating that Mr. Pesce wanted him to represent him at the next SADC meeting. Mr. Sposaro encouraged Mr. Pesce to take care of this. He stated that Mr. Pesce acknowledged the situation and would like 30 days to clear up his farm. Mr. Roohr stated that he went out on April 23rd and found that all the construction vehicles were gone and everything was cleaned up. Mr. Pesce apologized to Mr. Roohr, stating that this was a situation where he was initially helping a few friends and it got out of his control. He acknowledged the error and stated that it would not happen again.

Mr. Roohr stated that there is no action needed in this case, but he wanted to bring it to the Committee's attention so that it is on the record and so that the Committee knows that it was a year-and-a-half long case, but in the end it worked out. Chairman Fisher asked how the people who complained would know that this issue was resolved. Mr. Roohr stated that they have a homeowner's association. While everyone who complained has remained anonymous, they have a spokesperson who has been updated. Mr. Schilling asked if there will be any out-of-cycle inspections of this property. Mr. Roohr stated that in cases like this staff does conduct other than routine inspections; Mr. Pesce is aware of this and has indicated that staff can visit whenever they want. Mr. Roohr showed the Committee before and after pictures of the farm for their review.

Public Comment

There was no public comment.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, May 24, 2018, 9 a.m.

Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 10:26 a.m. Mr. Everett read the following resolution to go into Closed Session:

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

Mr. Stypinski noted that neither the Glassboro case nor the Stonybrook case would be discussed in Closed Session.

It was moved by Mr. Siegel and seconded by Mr. Stanuikynas 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

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

- a. Eng & Wah Trusts (Block 82, Lot 1.12), SADC ID #15-0023-PG

Block 82, Lot 1.12, Plumsted Township, Ocean County, 96.46 Net Acres

- b. Eng & Wah Trusts (Block 77, Lot 38), SADC ID #15-0022-PG
Block 77, Lot 38, Plumsted Township, Ocean County, 101.78 Net Acres
- c. Elizabeth A. Dolinski, SADC ID #08-0200-PG
Block 1901, Lots 11 and 12, Franklin Township, Gloucester County, 66.4 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. 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.)

2. Municipal Planning Incentive Grant Program

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

- a. Kurt & Donna Sickler, SADC ID #17-0188-PG
Block 36, Lot 4, Alloway Township, Salem County, 31.3 Net Acres
- b. Joseph & Nancy Leone, SADC ID #17-0183-PG
Block 27, Lot 2, Pilesgrove Township, Salem County, 56.44 Net Acres
- c. Thomas Gilmartin, SADC ID #13-0465-PG
Block 170, Lots 12.01, 14, 15 and 16, Howell Township, Monmouth County, 26 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. 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.)

3. Direct Easement Purchase

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

- a. Louanne B. Koval & David Bruce Dare, SADC ID #17-0323-DE
Block 18, Lots 58, 58.01, 59, 60 and 61, Upper Pittsgrove, Salem County, and
Block 43, Lot 2, Elk Township, Gloucester County, 96.2 Acres
- b. Earl Quirk, SADC ID #17-0331-DE
Block 29, Lot 11, and Block 30, Lot 12, 144.8 Net Acres
- c. Thomas & Heidi McKee, SADC ID #10-0246-DE
Block 35, Lot 66, and Block 36, Lot 39, Lebanon Township, Hunterdon County,
64.8 Gross Acres
- d. David B. & Helen Danberry Jr., SADC ID #10-0249-DE
Block 32, Lot 16.01, West Amwell Township, Hunterdon County, 135.6 Net
Acres
- e. James F. Weppler (Lot 18), SADC ID #10-0253-DE
Block 3, Lot 18, Clinton Township, Hunterdon County, 110.3 Net Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. 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.)

B. Attorney/Client Matters

None.

ADJOURNMENT

Chairman Fisher adjourned the meeting at 10:56 a.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE
CERTIFICATION OF
THE AMENDED AGRICULTURAL DEVELOPMENT AREA MAP
GLOUCESTER COUNTY
RESOLUTION #FY2018R4(1)

APRIL 27, 2018

WHEREAS, the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, provides for the identification of Agricultural Development Areas (ADAs) by county agriculture development boards; and

WHEREAS, pursuant to N.J.S.A. 4:1C-18, the Gloucester County Agriculture Development Board (GCADB) adopted, after a public hearing, ADA criteria and a map identifying areas where agriculture shall be the preferred, but not necessarily exclusive use of land, documenting that the area:

1. Encompasses productive agricultural lands which are currently in production or have a strong potential for future production and in which agriculture is a permitted use under the current municipal zoning ordinance or in which agriculture is permitted as a nonconforming use;
2. Is reasonably free of suburban and conflicting commercial development;
3. Comprises not greater than 90% of the agricultural land mass of the county;
4. Incorporates any other characteristics deemed appropriate by the Board; and

WHEREAS, pursuant to N.J.A.C. 2:76-1.4, the GCADB incorporated the following other criteria into the County ADA criteria:

1. Land is currently in agricultural production, has strong potential for agricultural production, or is farm assessed through a woodland management plan;
2. Agriculture is the preferred, but not the exclusive use;
3. Agriculture is a use permitted by current municipal zoning ordinance or is allowed as a non-conforming use; and

WHEREAS, for the 2008 Gloucester County Comprehensive Farmland Preservation Plan the GCADB and the County Office of Land Preservation utilized the following methodology to develop an updated ADA based on the above criteria:

1. Staff reviewed the criteria for creating an ADA as set forth in the state's enabling statutes;
2. All farmland assessed properties and existing farmland were reviewed and mapped;
3. The County's 1997 farmland priority analysis was reviewed;
4. The State Development and Redevelopment Plan Planning Areas were reviewed with particular attention on Planning Areas 1 (Metropolitan), 2 (Suburban) and 3 (Fringe);
5. Sewer service areas were reviewed and mapped;
6. New Jersey Pinelands Land Capability Map (Management Areas) was reviewed and mapped with particular attention on the Agricultural Production Area;
7. Municipal zoning was reviewed; and
8. Areas located within Planning Areas 1 and 2 and sewer service areas were generally excluded except where farmland is concentrated, the primary land use, and contains existing preserved farms or farms with pending applications for preservation; and

WHEREAS, the GCADB included within the ADA the following lands:

1. All preserved farmland in the County;
2. All farmland in the municipal and state eight-year programs within the County;
3. All pending farmland preservation applications within the County; and
4. Farmland included within the Woolwich and Franklin Township Municipal Planning Incentive Grant (PIG) project areas; and

WHEREAS, the GCADB excluded the following from the County ADA:

1. All farmland assessed properties that are currently under development;
2. All farmland located in Planning Area 1; and
3. The Receiving Areas identified in Woolwich Township's Transfer of Development Rights (TDR) Plan; and

WHEREAS, as part of a 2015 update to the County Comprehensive Farmland Preservation Plan the GCADB conducted a review of the ADA to ensure consistency

with local and state planning objectives and to exclude previously developed areas or those lacking productive farmland from the ADA; and

WHEREAS, the ADA amendments associated with the 2015 Gloucester County Comprehensive Farmland Preservation Plan were adopted by the GCADB and certified by the SADC on February 25, 2016; and

WHEREAS, the GCADB has determined that further expansion of the ADA associated with its Pinelands North Project Area is necessary to accommodate parcels not included in the original and/or previously revised ADA; and

WHEREAS, on October 26, 2017 the GCADB held a public hearing to adopt by resolution the expansion of the ADA to include the following parcels:

1. DeEugenio Property – Block 2105, Lot 25; Clayton Borough & Block 12801, Lot 10; Monroe Township; 40.61 acres
2. Hegge Property – Block 104, Lot 41; Franklin Township & Block 12701, Lot 18; Monroe Township; 27.80 acres
3. Jordan Property – Block 104, Lot 42; Franklin Township & Block 12701, Lot 19; Monroe Township; 47.72 acres; and

WHEREAS, the GCADB has requested the SADC's certification of the amended ADA map; and

WHEREAS, the SADC reviewed the GCADB submissions and has determined that the analysis of factors and resultant criteria is reasonable and consistent with the statute and SADC regulations, pursuant to N.J.A.C. 2:76-1.6.

NOW THEREFORE BE IT RESOLVED that the SADC certifies the GCADB approval of the amended ADA map, pursuant to N.J.A.C. 2:76-1.7 as shown on the attached Schedule A; 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 approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4F.

4/27/2018
Date

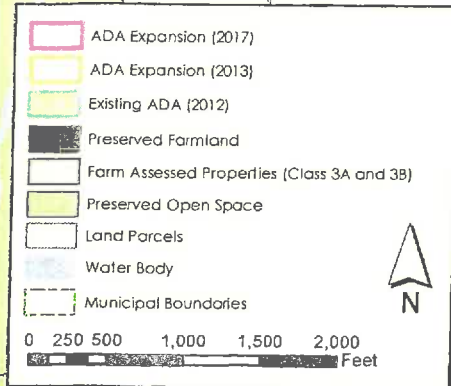
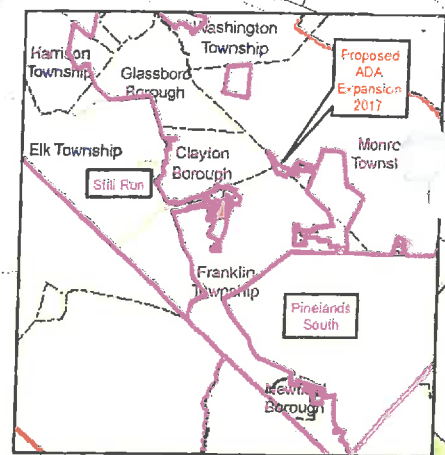


Susan E. Payne, Executive Director
State Agriculture Development Committee

Douglas H. Fisher, Chairperson	YES
Renee Jones (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	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

S:\ADAS\COUNTIES\GLOUCESTER\April 2018 Map Amendment\Amended ADA Map Resolution 042718.docx

ADA Map 4A: Pinelands North Project Area (Summit City Farms, Farmfam & Jordan Farm) Franklin & Monroe Township; Clayton Borough (2017)



**Project Area
Expansion 2017**

Monroe
12801/10

Clayton
Borough

Clayton
2105/25

Monroe
12701/18

Franklin
104/41

Franklin
104/42

Monroe
12701/19

Franklin
Township

Monroe
Township

Senner
Property



Map Prepared December 14, 2017

Data Sources: Gloucester County Public Works/Planning Division,
Gloucester County Office of Land Preservation, NJDEP,
NJDOT Road Centerline 2014, SADC, NJ Association of County Tax Boards.

This map was developed using NJDEP Geographic Information
System digital data, but this secondary product has not been
verified by the NJDEP and is not state-authorized.

This map is to be used solely for planning purposes, and does not
take the place of a survey.

Proposed ADA Expansion					
MUN	BLOCK	LOT	Owner Name	GIS Acres	Meet Eligibility
Clayton Borough	2105	25	SUMMIT CITY FARMS NO 1 LLC	15.03	Yes
Monroe Township	12801	10	SUMMIT CITY FARMS NO 1 LLC	26.14	Yes
Franklin Township	104	41	FARMFAM LLC	23.16	Yes
Monroe Township	12701	18	FARMFAM LLC	5.74	Yes
Franklin Township	104	42	JORDAN, WARD D & ETALS	28.66	Yes
Monroe Township	12701	19	JORDAN, WARD D & ETALS	18.98	Yes

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2018R4(2)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**HOLMDEL TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Callan, George ("Owner")
Holmdel Township, Monmouth County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID#13-0464-PG**

April 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 Holmdel Township, Monmouth County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, Holmdel Township received SADC approval of its FY2018 PIG Plan application annual update on May 25, 2017; and

WHEREAS, on April 24, 2017 the SADC received an application for the sale of a development easement from Holmdel Township for the subject farm identified as Block 10, Lot 10.04, Holmdel Township, Monmouth County, totaling approximately 12 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Holmdel Township's Project Area 1; and

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area limited to one (1) existing single family residential unit and to afford future flexibility of uses resulting in approximately 11 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 May 12, 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 January 25, 2018 the SADC certified a development easement value of \$62,500 per acre based on zoning and environmental regulations in place as of the current valuation date October 11, 2017; and

WHEREAS, the Owner accepted the Township's offer of \$62,500 per acre for the development easement for the; and

WHEREAS, based on the agreed per acre price of \$62,500 per acre the SADC's cost share would have been \$36,875 per acre for a total of \$405,625; and

WHEREAS, the Township's available balance is \$300,000 resulting in a shortfall of \$105,625; and

WHEREAS, the Township has requested the remaining \$300,000 and will use County and Township funding to cover the remaining easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on March 13, 2018 the Holmdel Township Committee approved the Owner's application for the sale of development easement and a funding commitment of \$14,347.16 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 6, 2018 the Monmouth County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 19, 2018, the Board of Chosen Freeholders of the County of Monmouth passed a resolution granting final approval and a commitment of funding for \$18,959.66 per acre to cover the local cost share; and

WHEREAS, on February 21, 2018 the Friends of Holmdel Open Space passed a resolution endorsing the acquisition of the development easement and a commitment of funding for \$1,920.45 per acre; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 11 net easement acres):

	<u>Total</u>	
SADC	\$300,000.00	(\$27,272.73 per acre)
Monmouth County	\$208,556.26	(\$18,959.66 per acre)
Holmdel Twp.	\$157,818.76	(\$14,347.16 per acre)
FOHOS	<u>\$ 21,125.00</u>	<u>(\$ 1,920.45 per acre)</u>
Total Easement Purchase	\$687,500.00	(\$62,500 per acre); and

WHEREAS, Holmdel Township is requesting SADC to encumber \$27,272.73 per acre or approximately \$300,000.00 from the municipal PIG funding 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 would normally 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; however, in this situation there is no money available for ancillary assistance;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Holmdel Township for the purchase of a development easement on the Property, comprising approximately 11 net easement acres, at a State cost share of \$27,272.73 per acre, (43.64% of certified easement value and purchase price), for a total grant not to exceed \$300,000.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C);

BE IT FURTHER RESOLVED, that the Township has been informed that there is no opportunity for future reimbursement of the shortfall of funds for this application; and

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

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

BE IT FURTHER RESOLVED, should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds; and

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

BE IT FURTHER RESOLVED, that 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; and

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

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

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

4/27/2018

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (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	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES



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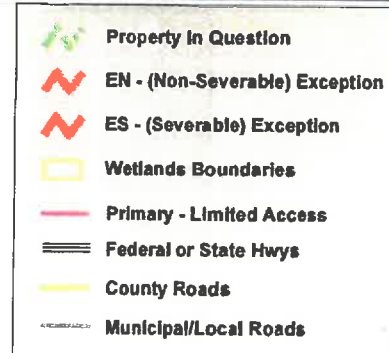
FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Callan, George
 Block 10 Lots P/O 10.04 (10.6 ac) &
 P/O 10.04-EN (non-severable exception - 1.0 ac)
 Gross Total = 11.6 ac
 Holmdel Twp., Monmouth County

200 100 0 200 400 Feet

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

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



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

SCHEDULE B

Holmdel Township, Monmouth County

[illegible]

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Callan, George
13- 0464-PG
PIG EP - Municipal 2007 Rule
11 Acres

Block 10	Lot 10.04	Holmdel Twp.	Monmouth County
SOILS:		Prime	100% * .15 = 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:		Cropland Harvested	83% * .15 = 12.45
		Other	17% * 0 = .00
			TILLABLE SOILS SCORE: 12.45
FARM USE:		Hay	7 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:

1st one (1) acres for Future flexibility and limited to one existing SF residence

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 #FY2018R4(3)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SUSSEX COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

**On the Property of
Stephens, Jr., Kirk R. ("Owner")
Vernon Township, Sussex County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 19-0047-PG**

APRIL 27, 2018

WHEREAS, on December 15, 2007 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Sussex 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, Sussex County received SADC approval of its FY2018 Annual PIG Plan update on May 25, 2017; and

WHEREAS, on April 4, 2016 the SADC received an application for the sale of a development easement from Sussex County for the subject farm identified as Block 134, Lots 17, 17.01, and 17.02 and Block 182, Lots 12.01 and 12.02, Vernon Township, Sussex County, totaling approximately 77 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Sussex County's Eastern Highlands 1 Project Area; and

WHEREAS, the Property includes one (1), approximately 5.0-acre non-severable exception for and limited to one (1) future single family residential unit and future flexibility including receiving and processing firewood from the farm and outside sources, resulting in approximately 72 acres to be preserved; and

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

WHEREAS, at the time of application the Property was used for hogs, beef cattle and pasture; and

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

WHEREAS, the Property has a quality score of 50.92 which exceeds 38, which is 70% of the County's average quality score as determined by the SADC on July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on December 15, 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 September 28, 2017 the SADC certified a development easement value of \$5,000 per acre based on zoning and environmental regulations in place as of the current valuation date May 18, 2017; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,200 per acre for the development easement for the Property, which is higher than the certified easement value of \$5,000 per acre but not higher than the highest appraised easement value of \$5,200 per acre; and

WHEREAS, the SADC's Green Light Approval and certification of easement value were conditioned upon Vernon Township formally vacating or amending a "blanket drainage easement" on Lots 12.01 and 12.01 prior to closing; and

WHEREAS, pursuant to Deed Book 3446, Page 740, recorded on September 27, 2017, Vernon Township has modified the blanket drainage easement agreement to a 20-foot-wide drainage easement, along the road frontage of lots 12.01 and 12.02; and

WHEREAS, SADC counsel has approved the drainage easement agreement modification and the SADC review appraiser has indicated the modification does not impact the SADC certified easement value; and

WHEREAS, on February 26, 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 November 27, 2017 the Vernon Township Council approved the Owner's application for the sale of development easement but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on November 20, 2017 the Sussex CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 14, 2018, the Board of Chosen Freeholders of the County of Sussex passed a resolution granting final approval and a commitment of funding for \$1,800.00 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, 74.16 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 74.16 acres); and

SADC	\$ 252,144.00	(\$3,400/acre, based on certified market value)
Sussex County	\$ 133,488.00	(\$1,800/acre, based on purchase price)
Total Easement Purchase	\$ 385,632.00	(\$5,200/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Sussex County Agriculture Development Board is requesting \$252,144.00 in base grant funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, the SADC grants final approval to provide a cost share grant to Sussex County for the purchase of a development easement on the Property, comprising approximately 74.16 net easement acres, at a State cost share of \$3,400 per acre, (68% of certified easement value and 65.38% of purchase price), for a total grant need not to exceed \$252,144.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 5.0-acre non-severable exception for and limited to one (1) future single family residential unit and future flexibility including receiving and processing firewood from the farm and outside sources, resulting in approximately 72 acres to be preserved; and

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

BE IT FURTHER RESOLVED, the prior condition to formally vacate or amend a "blanket drainage easement" on Lots 12.01 and 12.01 prior to closing has been resolved and is no longer a condition; and

BE IT FURTHER RESOLVED, at the time of closing any unused funds encumbered from the base grant shall be returned to the County base grant; and

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

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

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

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

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

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

4/27/18

Date

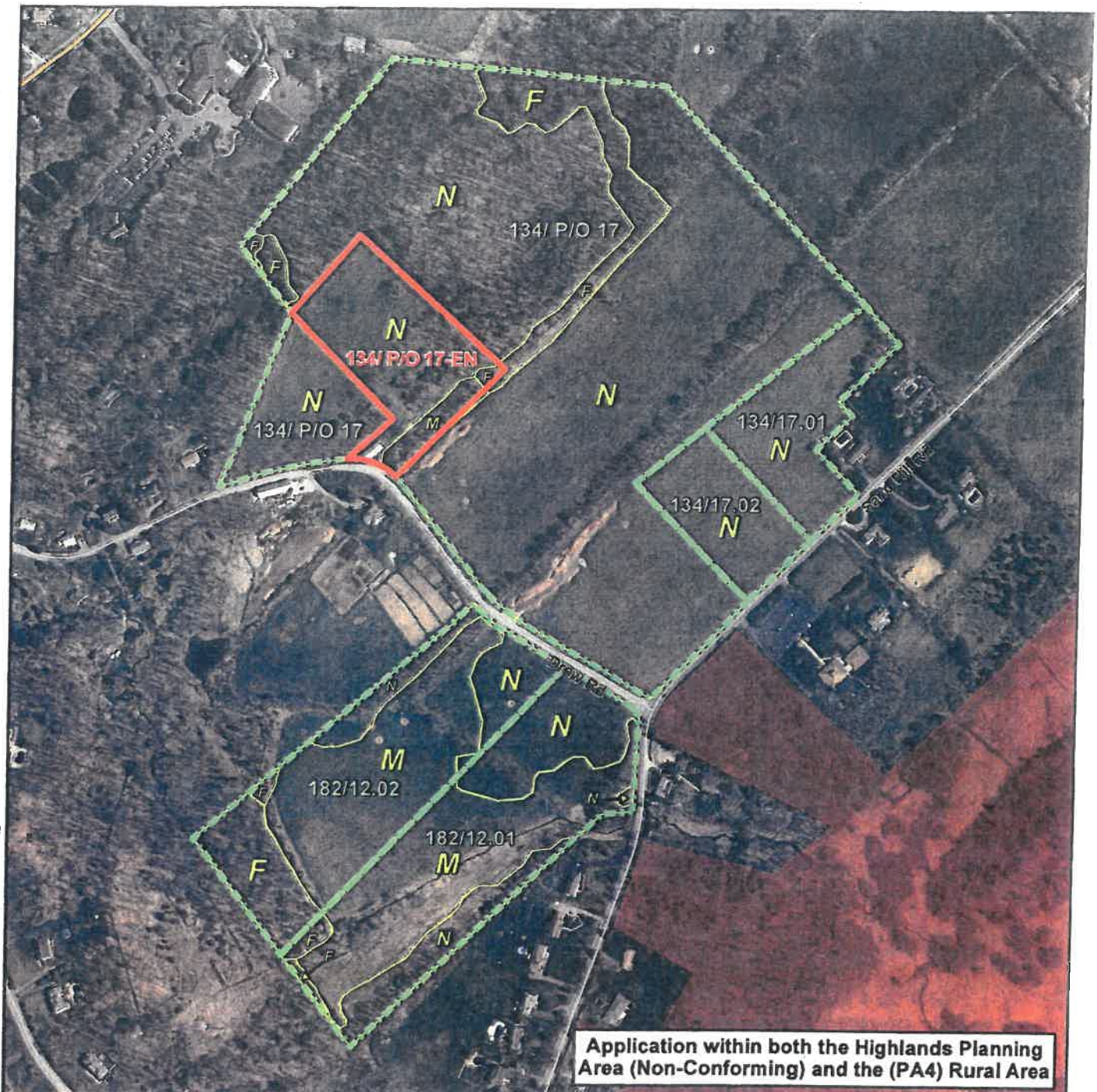


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (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	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

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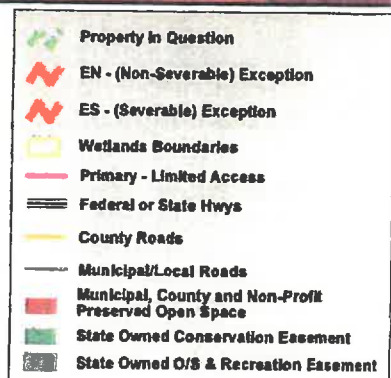
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Stephens, Jr., Kirk R.
Block 134 Lots P/O 17 (44.9 ac);
P/O 17-EN (non-severable exception - 5.0 ac)
17.01 (4.0 ac) & 17.02 (3.0 ac);
Block 182 Lots 12.01 (11.1 ac) and 12.02 (10.4 ac)
Gross Total = 78.4 ac
Vernon Twp., Sussex County

500 250 0 500 1,000 Feet

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

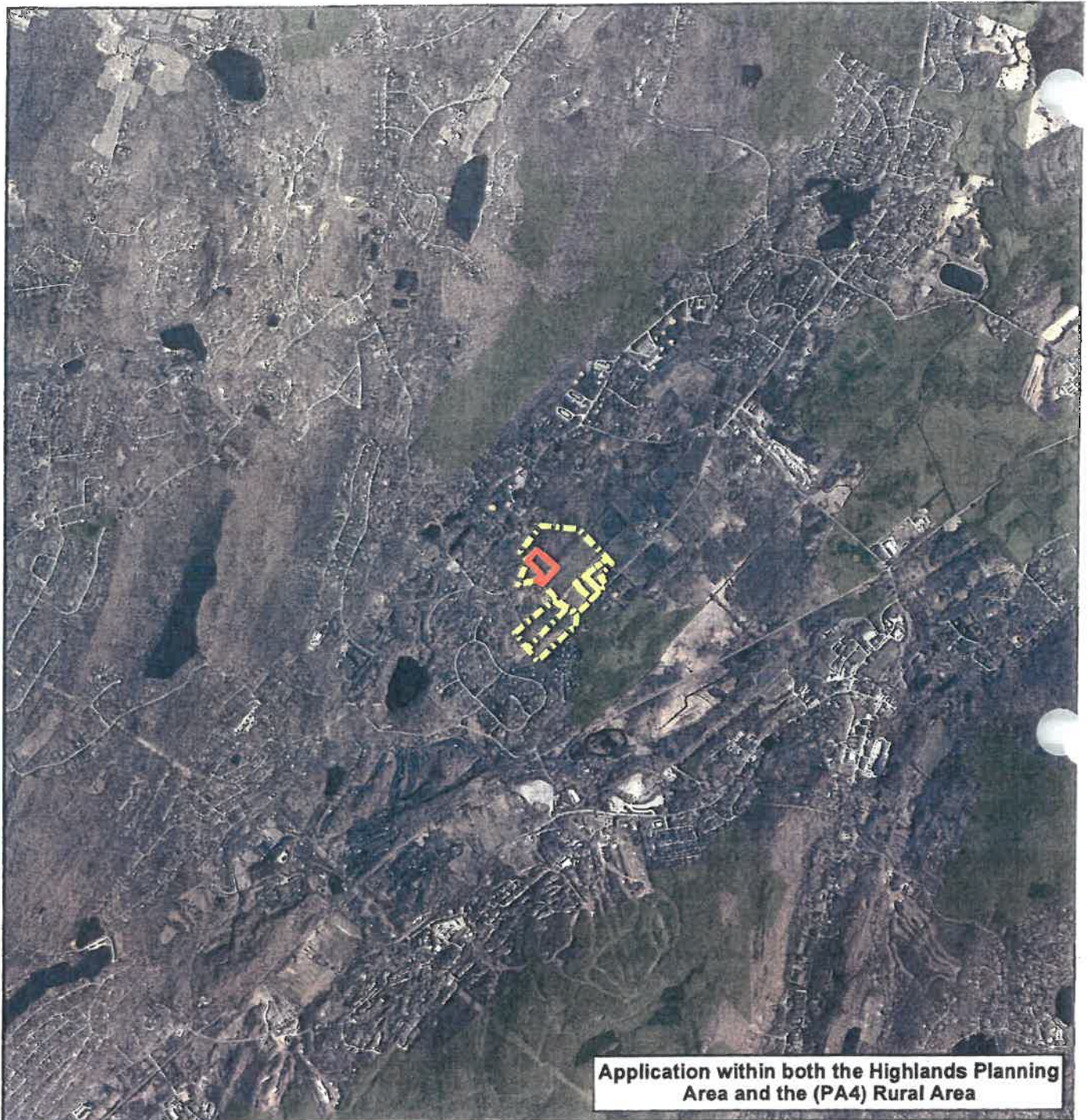
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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



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 10, 2016

Preserved Farms and Active Applications Within Two Miles



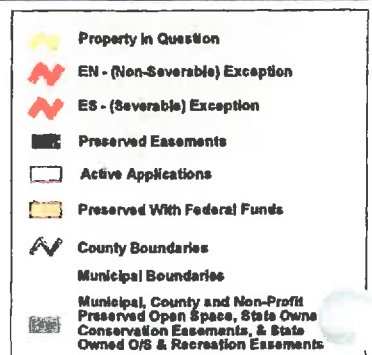
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Stephens, Jr., Kirk R.
Block 134 Lots P/O 17 (44.9 ac);
P/O 17-EN (non-severable exception - 5.0 ac)
17.01 (4.0 ac) & 17.02 (3.0 ac);
Block 182 Lots 12.01 (11.1 ac) and 12.02 (10.4 ac)
Gross Total = 78.4 ac
Vernon Twp., Sussex County

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

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



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

November 10, 2016

SADC County Pig Funding Financial Status
 July B

Sussex County

SADC D/M	Farm	Municipality	Acre	Federal Grant				Base Grant				Competitive Funds							
				Total	SADC	Federal Grant	Enumbered	PV	Expended	Balance	Maximum Grant			Fund Balance					
											Fiscal Year 09	Fiscal Year 11	Fiscal Year 13		Fiscal Year 17	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	
18-0030-PG	Klein, M & I	Fredon	14.6830	40,114.25	11,689.60	57,837.80	43,031.65	43,031.65	43,031.65	2,552,889.77	3,606,288.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
18-0023-PG	Sella, George and Janet	Fredon	151.7430			476,881.78	455,227.84	455,227.84	455,227.84	2,097,689.93	2,097,689.93								
18-0031-PG	Goldman Frankford Farm	Frankford	81.4390			316,498.40	271,949.48	271,949.48	271,949.48	1,825,708.45	1,825,708.45								
18-0039-PG	Double D Farm (Duddy)	Lafayette	56.1580			144,323.60	126,774.70	126,774.70	126,774.70	1,688,934.75	1,688,934.75								
18-0041-PG	Glenatasko	Frankford	28.3910			94,389.20	88,337.80	88,337.80	88,337.80	1,610,596.95	1,610,596.95								
18-0037-PG	Piedino	Wantage	48.8180			115,215.60	110,698.56	110,698.56	110,698.56	1,489,898.39	1,489,898.39								
18-0040-PG	Mulveney, Thomas	Hardyston	53.7500			184,972.80	134,925.59	134,925.59	134,925.59	1,334,925.59	1,334,925.59								
18-0047-PG	Stephens, Jr. Kirk R.	Vernon	72.0000			252,144.00	1,082,781.59	1,082,781.59	1,082,781.59	1,082,781.59	1,082,781.59								
Closed	9		665.2580	171,807.15	11,689.60														
Enumbered	3		154.1110																
				Enumbered/Expended FY06					6,288.60										
				Enumbered/Expended FY11					1,500,000.00										
				Enumbered/Expended FY13			417,116.80	88,337.80	411,763.81	82,781.59									
				Enumbered/Expended FY17						1,000,000.00									
				Total						1,082,781.59						3,000,000.00	5,000,000.00	5,000,000.00	5,000,000.00

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Stephens, Kirk R.
19- 0047-PG
County PIG Program
73 Acres

Block 134	Lot 17	Vernon Twp.	Sussex County
Block 134	Lot 17.01	Vernon Twp.	Sussex County
Block 134	Lot 17.02	Vernon Twp.	Sussex County
Block 182	Lot 12.01	Vernon Twp.	Sussex County
Block 182	Lot 12.02	Vernon Twp.	Sussex County

SOILS:	Other	27% *	0	=	.00
	Prime	73% *	.15	=	10.95

SOIL SCORE: 10.95

TILLABLE SOILS:	Cropland Harvested	62% *	.15	=	9.30
	Wetlands	8% *	0	=	.00
	Woodlands	30% *	0	=	.00

TILLABLE SOILS SCORE: 9.30

FARM USE:	Other	47 acres	Pasture
	Agriculture Production Livestock	acres	20 Hogs
	Agriculture Production Livestock	acres	20 Beef cattle

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 five (5) acres for future residence
 - Exception is not to be severed from Premises
 - Exception is limited to one (1) future residential unit, not to be limited to single family residences or single family uses
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. Green Light Approval and certification of easement value were conditioned upon Vernon Township formally vacating or amending a "blanket drainage easement" on Lots 12.01 and 12.01 prior to closing.

Pursuant to Deed Book 3446, Page 740, recorded on September 27, 2017, Vernon Township has modified the blanket drainage easement agreement to a 20-foot-wide drainage easement, along the road frontage of lots 12.01 and 12.02.

SADC counsel has approved the drainage easement agreement modification and the SADC review appraiser has indicated the modification does not impact the SADC certified easement value.
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-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.