

STATE AGRICULTURE DEVELOPMENT COMMITTEE

Department of Agriculture

Market and Warren Streets, 1st Floor Auditorium

Trenton, NJ 08625

REGULAR MEETING

October 25, 2018

Chairman Fisher called the meeting to order at 9:12 a.m. The flag salute was conducted.

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

Roll call indicated the following:

Members Present

Chairman Douglas Fisher

Denis Germano (arrived at 9:14 a.m.)

Pete Johnson

Ralph Siegel (rep. Treasurer Elizabeth Maher Muoio)

Renee Jones (REP. NJDEP Commissioner Catherine R. McCabe)

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

James Waltman

Members Absent

Thomas Stanuikynas

Jane Brodhecker

Scott Ellis

Alan Danser

Susan E. Payne, Executive Director

Jason Stypinski, Esq., Deputy Attorney General

Others present as recorded on the attendance sheet: Donna Rue, Public; RM Hornby, Hunterdon County Agricultural Development Board (CADB); Brian Wilson, Burlington CADB; Emily Blackman, Mercer CADB.

Minutes

A. SADC Regular Meeting of September 27, 2018 (Open and Closed Sessions)

Ms. Payne noted that a couple of corrections in the minutes were needed. On page 9 of the Open Session Minutes, the last two lines of the page should read “the Department of Environmental Protection (DEP) and its sister agency regarding the Hensler Farm building within a buffer around a stream”. In the Closed Session Minutes on page 6, the note for recusal from Mr. Waltman was incomplete. It should state: “Mr. Waltman recused from this (PennEast) discussion and left the room because the Watershed Institute has taken a position in opposition to the pipeline”.

It was moved by Mr. Siegel and seconded by Mr. Schilling to approve, as amended, the Open and Closed Session minutes of the SADC regular meeting of September 27, 2018. The motion was approved. Mr. Germano abstained from the vote as he was not present for the September meeting.

Report of the Chairman

Chairman Fisher stated that he is very excited with what staff has done with the American Farmland Trust (AFT) with New and Beginning Farmland Initiatives. Ms. Payne stated that staff is working on the “Farmland for The Next Generation” with AFT to help it develop a nationwide curriculum to assist current and future farmers. Phase one of that initiative, completed by Mr. Charles Roohr and Ms. Cindy Roberts, consists of a video that has been posted to the SADC website. Ms. Payne informed the Committee that there is a session tonight, co-sponsored with Farm Credit East, entitled “Assessing Your Financial Readiness to Access Land.” The session will provide information to those interested in farming to help them gain access to financial resources that they may need, and staff plans to offer further outreach. Chairman Fisher congratulated the staff on doing a great job on this initiative.

Report of the Executive Director

Ms. Payne stated that Hope Gruzlovic, SADC's Communications and Policy Manager, retired as of October 1st. Ms. Payne congratulated Hope on her many years of outstanding service to the SADC.

Ms. Payne advised that New Jersey equine operators were invited to a meeting sponsored by the New Jersey Farm Bureau at which Mr. Brian Smith made a presentation on Right to Farm (RTF). That was a great opportunity for staff to speak to a specific sector and explain how RTF affects them and the basics of the equine agricultural management practice (AMP) regulations.

Ms. Payne reported that staff presented the SADC's FY2019 appropriation request to the Garden State Preservation Trust earlier this month and that the request was approved. Immediately thereafter, the Office of Legislative Services contacted staff to draft the appropriation bills. Staff is optimistic that legislative action will take place during the winter break.

Ms. Payne also informed the committee that management is looking to streamline and reduce unnecessary paperwork by closely examining the items brought to the committee for its review and action. Historically, the committee has always been very hands on, but to speed things along for staff as well as landowners, it is suggested that some approvals be delegated to staff. The items to be delegated would fall within certain parameters and have statutory and regulatory authority. The goal is to make the SADC meetings shorter and more focused on substance rather than process. Ms. Payne welcomed the committee's input and stated that staff will develop the concept further over the winter. Chairman Fisher agreed that this endeavor would make the SADC meetings more streamlined and would be a huge benefit to landowners.

Public Comment

There was no public comment.

Old Business

A. Agriculture Development

1. Farmland Stewardship Deer Fencing Program Policy and Delegation of Project Approval

Mr. Jeffrey Everett stated that the deer fencing policy that has been prepared for the committee's review and approval formalizes the agency's administration of a second round of deer fencing grants. Staff discussed the actions recommended for the Committee to formally announce the second-round grants, adopt the revised deer fencing policy, delegate application approval authority to the staff and give a reasonable time frame for farmers to submit their applications for approval. At the SADC meeting in September, the committee felt that the deer fencing application should be modified, so staff has now streamlined the application process and clarified the specifications as per the committee's request. Staff consulted with Rutgers University and the Natural Resources Conservation Service (NRCS) for assistance in developing the draft specifications.

Mr. Everett reviewed funding availability for both the deer fencing and the soil and water program with the Committee and indicated that approximately \$740,000 in FY2019 Corporate Business Tax will be available. Staff recommended that if there are fewer deer fence applications than financial resources, all complete applications will be approved and there will not be a need for ranking them, otherwise, the ranking system contained in the deer fencing policy will be applied and funding granted in rank order. Mr. Everett stated that any funds remaining after all completed applications are approved would be applied to the soil and water cost share program.

Ms. Payne explained that two actions need to be taken: first is approval of the amended deer fencing policy, and the second is action on the draft resolution, which outlines in detail the delegation of application review and approval to the staff.

It was moved by Mr. Siegel and seconded by Mr. Germano to approve the amended Deer Fencing Program Policy. The motion was unanimously approved.

It was moved by Mr. Schilling and seconded by Mr. Germano to approve Resolution FY2018R10(1) delegating approval of the deer fencing program grant to staff as outlined in the resolution. The motion was unanimously approved.

New Business

A. Resolution of Final Approval: County PIG

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

It was moved by Mr. Siegel and seconded by Mr. Schilling to approve Resolution FY2018R10(2), granting final approval to the following application under the County Planning Incentive Grant Program, as presented, subject to any conditions of said resolution:

1. Dorothy L. Shandor, Judy Riddle, Joyce West and Jennifer Spade (Owners), SADC ID #21-0602-PG, Resolution FY2018R10(2)
Block 46, Lot 2, Harmony Township, Warren County, 104.7 Gross Acres

The motion was unanimously approved. A copy of Resolution FY2018R10(2) is attached to and is a part of these minutes.

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

Ms. Mazzella referred the Committee to one request for final approval under the Non-Profit Easement Purchase Program. She reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Germano and seconded by Mr. Schilling to approve Resolution FY2018R10(3), granting final approval to the following application under the Non-Profit Easement Purchase Program, as presented, subject to any conditions of said resolution:

1. Westwood Knolls Associates Farm (Ostrom #3), SADC #17-0051-NP, Resolution FY2018R10(3)
Block 26, Lot 2.09, Pilesgrove Township, Salem County, 44.67 Net Acres

The motion was unanimously approved. A copy of Resolution FY2018R10(3) is attached to and is a part of these minutes.

C. Resolutions of Final Approval: Direct Easement Purchase Program

Ms. Mazzella referred the Committee to one request for final approval under the Direct Easement Purchase Program. She reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval. Ms. Mazzella stated that the approval before the Committee is the result of a New Jersey Department of Environmental Protection (NJDEP) initiated enforcement action against Ag-Mart Produce, Inc. (Ag-Mart) for violating the NJ Pesticide Control Act. Ms. Mazzella

indicated that Ms. Reynolds could field any questions the committee has regarding the unique legal aspects of the application.

1. Ag-Mart Produce, Inc., SADC ID #06-0004-DN, Resolution FY2018R10(4) Block 193, Lots 2 and 3, Lawrence Township, Cumberland County, 80.7 Gross Acres.

In response to committee questions, Ms. Reynolds indicated the violation was for an occupational hazard to employees due to improper handling of pesticides and was to her understanding not a land contamination issue. Ag-Mart agreed, as part of settling the enforcement action, to convey an easement to the SADC for no consideration to reduce the penalty it owes to the NJDEP. The company will continue to own the farm.

There was a general discussion about the exact nature of the DEP violation, whether the property was otherwise compliant with the SADC deed of easement, to what extent there was any environmental contamination of the property.

It was moved by Mr. Siegel and seconded by Mr. Germano to approve the resolution as drafted. The Secretary called for a roll call vote. Those members voting in favor of the motion included Mr. Shilling and Mr. Germano; Mr. Siegel abstained, and the remaining members voted against the motion. The motion failed.

The committee indicated a desire for additional information regarding the matter before acting to approve its entry into the Farmland Preservation Program.

Secretary Fisher asked for a motion to direct staff to obtain the additional specified information regarding Ag-Mart Produce, Inc. before reconsidering the matter and asked for the questions to be identified. Mr. Waltman moved the motion and identified the questions to be answered, including the exact nature of Ag-Mart's pesticide violation, the extent of environmental contamination to the property (if any), whether remediation was required, whether a "no further action" letter had been issued by the NJDEP, and if there are any other pending lawsuits against Ag-Mart arising from the violation. Mr. Johnson seconded the motion. The motion passed unanimously.

D. Stewardship

1. Resolution: House Replacement Approval- Extension Request
 - Jasen Hansen, Resolution FY2018R10(5), Block 508.01, Lot 7.18 Lower Township, Cape May County, 14.09 Acres

Ms. Armstrong stated that Mr. Hansen received approval from the SADC in 2016 to replace a pre-existing, single-family home that was demolished by the original owner after preservation. Due to unforeseen circumstances, Mr. Hansen has yet to begin building on the property and is requesting a two-year extension on, and without changes to, the original approval.

It was moved by Mr. Germano and seconded by Mr. Siegel to approve Resolution FY2018R10(5), granting approval of a two-year extension for House Replacement for the Jasen Hansen Farm and requested staff edit the reference in the resolution to the CADB's action to clarify that the CADB did not reject the application for the extension, rather, the CADB's original resolution did not have an expiration date, therefore they did not find it necessary to act again. The motion was unanimously approved. A copy of Resolution FY2018R10(5) is attached to and is a part of these minutes.

E. Soil and Water Conservation Project Cost-Sharing (Resolutions of Approval)

Mr. Kimmel referred the Committee to six requests for approval under the Soil and Water Conservation Project Cost Share Program. He reviewed the specifics of the application with the Committee and stated that staff's recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Mr. Germano to approve Resolutions FY2018R10(6) through FY2018R10(11) granting approval for Soil and Water Conservation Project Cost Sharing, as presented, subject to any conditions of said resolutions:

1. Richard J. Motyka, SADC ID #21-0001-NP, Resolution FY2018R10(6)
Block 1100, Lot 2300, Hope Township, Warren County, 77.816 Acres
2. John Krueger (Circle Brook Farm), SADC ID #19-0001-EP, Resolution FY2018R10(7)
Block 161, Lot 2 and Block 157, Lot 1, Andover Township, and Block 22, Lots 11.01, 19, and 21, Green Township, Sussex County, 73.8751 Acres
3. Dan Lyness, (Spring Run Dairy), SADC ID #10-0088-EP, Resolution FY2018R10(8)
Block 13, Lot 8.04, Alexandria Township, Hunterdon County, 105.247 Acres

4. Diane Gunson, (Kingfisher Farm), SADC ID #10-0218-EP, Resolution FY2018R10(9), Block 25, Lot 1.02, Franklin Township, Hunterdon County, 39.299 Acres
5. Pasumai Farm, LLC., SADC ID #11-0038-DE, Resolution FY2018R10(10) Block 44, Lots 23, 236, and 29, Robbinsville Township, Mercer County, 27.386 Acres.
6. Anderson Farms LLC., SADC ID #19-0017-DE, Resolution FY2018R10(11) Block 17001, Lot 27, and Block 17002, Lots 1 and 2, Township of Sparta, Sussex County.

The motion was unanimously approved. A copy of Resolutions FY2018R10(6) through FY2018R10(11) is attached to and is a part of these minutes.

Public Comment

There was no public comment.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 a.m., Thursday December 6, 2018

CLOSED SESSION

At 10:37 a.m. Ms. Payne read the following resolution to go into Closed Session:

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

It was moved by Mr. Schilling and seconded by Mr. Germano 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

It was moved by Mr. Germano and seconded by Mr. Siegel to approve the Certification of Values for the following applications and accept the average of the appraised values of the nonprofit application for the Druesne Farm, Item 4a., all as discussed in closed session:

1. County Planning Incentive Grant Program

- a. Barbara J. Rolph, SADC ID #10-0411-PG
Block 17, Lots 19, Holland Township, Hunterdon County, 91 Net Acres
- b. H.M.F. Associates, SADC ID #13-0469-PG
Block 15, Lot 2, Holmdel Township, Monmouth County
Block 156, Lot 4, Marlboro, Monmouth County
- c. Joseph P. Ayars, SADC ID #17-0199-PG
Block 41, Lot 1 and 7, Elsinboro Township, Salem County, 50.8 Net Acres
- d. Vege Farm, Inc., SADC ID #06-0201-PG
Block 78, Lot 2, Hopewell Township, Cumberland County, 54 Acres

2. Municipal Planning Incentive Grant Program

- a. Robert A. Kessel Jr., SADC ID #17-0193-PG
Block 7, Lot 16, Upper Pittsgrove Township, Salem County, 44.9 Net Acres
- b. Wai Kun, Lau and Sau Kam Lee, SADC ID #10-0423-PG
Block 19, Lot 26.01, Delaware Township, Hunterdon County, 34 Net Acres

3. Direct Easement Purchase Program

- a. Frangia, LLC. (Deluca), SADC ID #10-0263-DE
Block 10, Lot 63.01, Alexandria Township, Hunterdon County, 50 Net Acres
- b. Gladys F. Case, SADC ID #10-0247-DE
Block 77, Lot 7, Raritan Township, Hunterdon County, 66.39 Net Acres

- c. Ralph A. & Dianna M. Anema, SADC ID #21-0076-DE
Block 66, Lot 1, Washington Township, Warren County, 122.9 Net Acres
- 4. Nonprofit Easement Purchase
 - a. The Barry & Maeve Druesne (MCF) Farm, SADC ID #13-0017-NP
Block 39, Lots 8 & 9, Colts Neck Township, Monmouth County, 50 Net Acres
 - b. Kenneth S. Wentzell, SADC ID #17-0053-NP
Block 40, Lot 20, Pilesgrove Township, Salem County, 21 Net Acres

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

B. Attorney/Client Matters

None.

ADJOURNMENT

The meeting was adjourned at 11:13 a.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R10(1)

Delegating Approval of Farmland Stewardship Deer Fencing Program Grant Awards

WHEREAS, the Farmland Stewardship Program rules promulgated at N.J.A.C. 2:76-20.1 et seq. provide 50% cost-share grants to eligible applicants of eligible preserved farmland for eligible projects deemed necessary to improve the profitability, efficiency, and farm income of farm operations for which an approved feasibility plan has been prepared; and

WHEREAS, implementation projects, as defined by the Farmland Stewardship Program rules, are projects recommended in approved feasibility plans that may feasibly result in enhancing the economic viability of the farm operation; and

WHEREAS, the Farmland Stewardship Program rules establish program areas for various implementation projects that are eligible for grant awards; and

WHEREAS, fencing is categorized as a capital fixed asset in accordance with N.J.A.C. 2:76-20.16(b)1 and, therefore, is considered a program area eligible for implementation project grant awards; and

WHEREAS, the Farmland Stewardship Deer Fencing Program was adopted as Policy P-53 by the State Agriculture Development Committee (SADC) on January 26, 2017, to effectuate the use of fencing to preclude deer and protect farmers' investment in crops, which is critical to the economic viability of preserved farmland; and

WHEREAS, the Preserve New Jersey Act authorizes the use of Corporate Business Tax revenues for a "stewardship activity," which, for the purposes of the farmland preservation program, "means an activity which is beyond routine operation and maintenance, undertaken by the landowner, or a farmer operator as an agent of the landowner, to repair, restore, or improve lands preserved for farmland preservation purposes, including but not limited to soil and water conservation projects approved pursuant to section 17 of P.L.1983, c.32 (C.4:1C-24)."

WHEREAS, the SADC has requested appropriations for stewardship funds received from its allocation of the Corporate Business Tax to fund eligible Farmland Stewardship Deer Fencing Program projects as an approved stewardship activity; and

WHEREAS, when funding is appropriated for the Farmland Stewardship Deer Fencing Program, the SADC has announced the availability of funding and solicited applications for same; and

WHEREAS, the SADC must determine eligibility for applications received in accordance with Policy P-53 and Farmland Stewardship Program rules; and

WHEREAS, the funding requested in eligible applications may, in certain years, exceed the availability of appropriated funds and the SADC will find it necessary to rank the eligible

applications (highest to lowest scoring) by means of a numeric rating scale incorporated as Exhibit in Policy P-53 until available funding has been exhausted; and

WHEREAS, to maximize efficiency in reviewing and ranking complete applications received by a prescribed deadline and making funding awards, the SADC finds it appropriate to delegate to the Executive Director the authority to rank said complete applications; and

WHEREAS, to maximize efficiency in instances where grant recipients wish to deviate from the fencing specifications in accordance with Policy P-53 and to obtain approval from the SADC, in writing, prior to installing the fence, the SADC finds it appropriate to delegate such authority to the Executive Director; and

WHEREAS, pursuant to N.J.S.A. 4:1C-5e. and g., and Article IV, Section 3 of SADC By-Laws, the SADC possesses the authority to delegate, by resolution, authority or discretion to the Executive Director, in appropriate circumstances, to carry out the purposes of the Agriculture Retention and Development Act (ARDA); and

NOW, THEREFORE, BE IT RESOLVED that:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC hereby delegates the following authority to the Executive Director in relation to administration of Policy P-53:
 - a. Review applications and determine whether they are complete and meet the eligibility criteria for issuance of a grant award; and
 - b. Score and rank complete and eligible applications when requested funding exceeds the availability of appropriated funds; and
 - c. Issue grant awards, in rank order, for complete and eligible applications; and
 - d. Approve or deny requests for deviations from the fencing specifications in accordance with Policy P-53; and
 - e. Make payment to grantees.
3. Such approvals may be issued without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director, and notification of all such approvals shall be provided to the SADC at its regular monthly meetings in the form of a written report submitted by the Executive Director.
4. The denial of any approval by the Executive Director may be appealed by the applicant to the SADC within 30 days of the receipt of the Executive Director's denial; and

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

10/25/18
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)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	ABSENT
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R10(2)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Warren County
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Shandor, Dorothy L., Judy Riddle, Joyce West and Jennifer Spade ("Owners")
Harmony Township, Warren County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0602-PG**

OCTOBER 25, 2018

WHEREAS, on December 15, 2008, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren 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, Warren County received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and

WHEREAS, on August 16, 2017 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as Block 46, Lot 2, Harmony Township, Warren County, totaling approximately 105.7 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Warren County's West Project Area; and

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area for and limited to one future single family residential unit and to afford future flexibility of uses resulting in approximately 104.7 net acres to be preserved; and

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

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

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

WHEREAS, the Property has a quality score of 73.51 which exceeds 46, which is 70% of the County's average quality score as determined by the SADC July 27, 2017; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b), on October 10, 2017 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 24, 2018 the SADC certified a development easement value of \$3,100 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$3,100 per acre based on zoning and environmental regulations in place as of the current valuation date January 2018; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$3,100 per acre for the development easement for the Property; and

WHEREAS, on July 19, 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 August 7, 2018, the Harmony Township Committee approved the application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on July 19, 2018 the Warren 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 August 22, 2018, the County of Warren passed a resolution granting final approval and a commitment of funding for \$840 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, 107.8 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 107.8 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$243,628	(\$2,260/acre)
Warren County	\$ 90,552	(\$ 840/acre)
Total Easement Purchase	\$334,180	(\$3,100/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, Warren County is requesting \$243,628 in base grant funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 107.8 net easement acres, at a State cost share of \$2,260 per acre, (72.9% of certified easement value and purchase price), for a total grant of approximately \$243,628, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
4. 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.
5. The SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
6. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

10/25/18

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)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	ABSENT
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Preserved Farms and Active Applications Within Two Miles

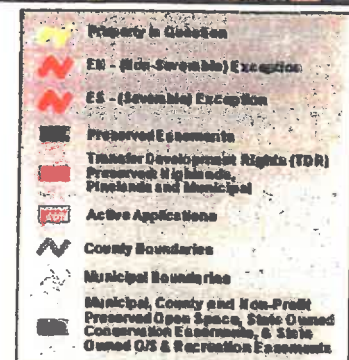
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Shandor, D., Riddle, J., West, J., & Spade, J.
Block 46 Lots P/O 2 (101.6 ac)
& P/O 2-EN (non-severable exception - 1.0 ac)
Gross total - 102.6 ac
Harmony Twp. Warren County

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

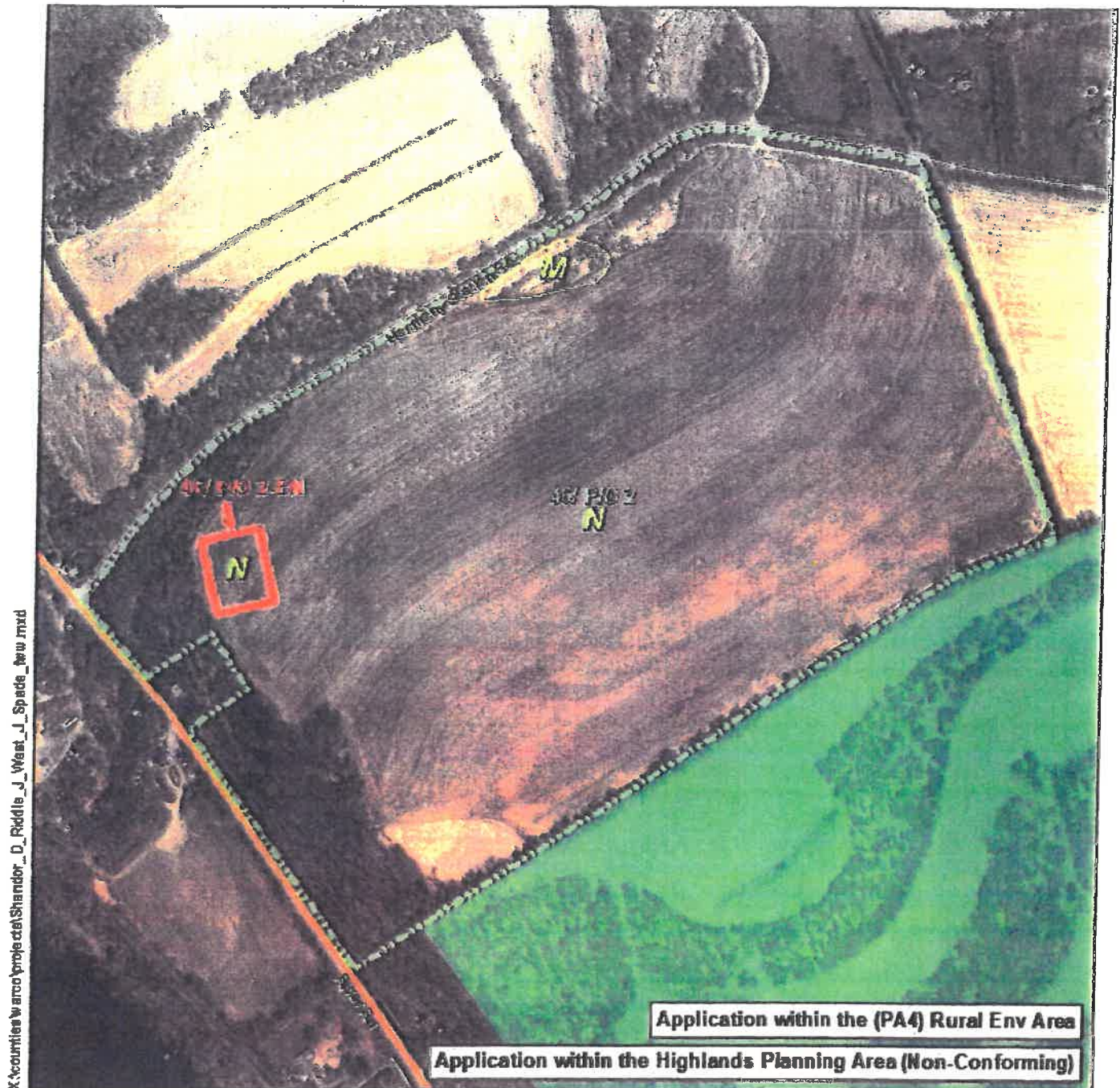


NOTE:
The parcel location and boundaries shown on this map are approximate and should not be construed to be a legal survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors.

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

September 18, 2017

Wetlands



FARMLAND PRESERVATION PROGRAM

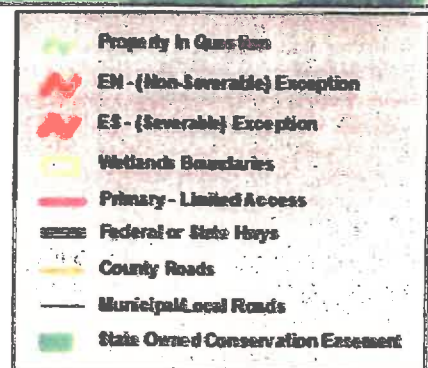
NJ State Agriculture Development Committee

Shandor, Dorothy L., Judy Riddle, Joyce West and Jennifer Spade
 Block 46 Lots P/O 2 (101.6 ac)
 & P/O 2-EN (non-severable exception - 1.0 ac)
 Gross total - 102.6 ac
 Harmony Twp. Warren County

500 250 0 500 1,000 Feet

Sources:
 NJ Wetlands Inventory
 Green Acres Conservation Easement Data
 NJDEP Wetlands Data
 NJ Highlands Conservation
 FDOT 2005 to 2010 Digital Aerial Imagery

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The cartographic and geospatial location of public programs in this data layer are approximate and were developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be warranted in the field or in the air. No warranty, representation or liability is made for any ground survey conducted by or through the National Wetlands Inventory.



Wetlands Legend:
 1 - Freshwater Wetlands
 2 - Low Water Wetlands
 3 - Wetlands Modified for Agriculture
 4 - Tidal Wetlands
 5 - Non-Wetlands
 6 - 200' Buffer
 7 - Water

September 15, 2017

Screened X2 B

SADC County Pig Financial Status
Schedule B

Warren County

SADC ID	Firm	Municipality	Acct	Pay	SADC		Federal Grant		Base Grant		Competitive Funds	
					Cost	Pay	Total	SADC	FY	Expended	FY18 Balance	FY18 Balance
					Cost	Pay	Federal Grant	Base Grant	Base Grant	Base Grant	Base Grant	Base Grant
21-0500-PG	Duke & El	Allamuchy	198,070	198,070	792,248.00	554,643.50	662,568.00	654,643.50	554,643.50	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Brown Russell	Pennington	47,9100	47,9100	311,415.00	198,828.50	213,725.00	198,828.50	198,828.50	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Philly, Irma	Manfield	71,0000	71,0000	461,500.00	264,650.00	288,281.50	264,650.00	264,650.00	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Philly, Timothy	Hope	128,5870	128,5870	613,592.00	359,472.40	386,288.00	359,472.40	359,472.40	2,945,336.00	1,286.67	1,286.67
21-0500-PG	MCCOY	Hope	52,5350	52,5350	325,018.40	208,688.00	230,728.00	208,688.00	208,688.00	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Coast	Wright	46,3860	46,3860	174,917.80	126,642.28	146,552.00	126,642.28	126,642.28	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Coast	Wright	46,3860	46,3860	174,917.80	126,642.28	146,552.00	126,642.28	126,642.28	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Bauer Brook/TCNJ	Hope	128,5870	128,5870	613,592.00	359,472.40	386,288.00	359,472.40	359,472.40	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Bulluck	White	46,3860	46,3860	174,917.80	126,642.28	146,552.00	126,642.28	126,642.28	2,945,336.00	1,286.67	1,286.67
21-0500-PG	JAK Smith #1 (Lot 17)	Harmony	46,3860	46,3860	174,917.80	126,642.28	146,552.00	126,642.28	126,642.28	2,945,336.00	1,286.67	1,286.67
21-0500-PG	JAK Smith #2 (Lot 17)	Harmony	46,3860	46,3860	174,917.80	126,642.28	146,552.00	126,642.28	126,642.28	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Carleco #1	Franklin	174,1860	174,1860	1,079,953.20	686,744.00	788,431.35	686,744.00	686,744.00	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Carleco #2	Franklin	32,4680	32,4680	181,720.00	110,811.35	126,642.28	110,811.35	110,811.35	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Kinney Estate	Blair/Knowl	60,0000	62,4000	379,040.00	250,384.00	280,384.00	250,384.00	250,384.00	2,945,336.00	1,286.67	1,286.67
21-0500-PG	JJ Smith North	Harmony	42,5890	43,6000	281,900.00	170,235.00	198,828.50	170,235.00	170,235.00	2,945,336.00	1,286.67	1,286.67
21-0500-PG	JJ Smith South	Harmony	187,4780	197,1100	729,340.30	616,451.78	700,000.00	616,451.78	616,451.78	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Thompson	Marshall/Independence	34,8270	34,8270	134,935.60	88,658.76	100,000.00	88,658.76	88,658.76	2,945,336.00	1,286.67	1,286.67
21-0500-PG	RL Enterprise	Franklin	47,7350	47,7350	362,788.00	224,354.50	250,384.00	224,354.50	224,354.50	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Butte & Dismore (51.01)	Harmony	78,735	78,735	275,595.50	169,832.60	198,828.50	169,832.60	169,832.60	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Butte & Dismore (51.02)	Harmony	18,100	18,100	141,226.80	88,608.60	100,000.00	88,608.60	88,608.60	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Rice	White	85,560	85,560	487,728.20	320,872.50	360,000.00	320,872.50	320,872.50	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Unangit	White	84,0410	84,0410	304,948.63	216,405.58	250,384.00	216,405.58	216,405.58	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Barton #1	Marshall/Independence	34,8270	34,8270	134,935.60	88,658.76	100,000.00	88,658.76	88,658.76	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Barton #2	Marshall/Independence	69,6328	69,6328	335,198.46	228,074.50	260,000.00	228,074.50	228,074.50	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Barton #3	Marshall/Independence	28,6195	28,6195	154,393.10	101,154.10	126,642.28	101,154.10	101,154.10	2,945,336.00	1,286.67	1,286.67
21-0500-PG	O'Dowd East	Greenwich/Franklin	91,7230	91,7230	579,232.90	371,721.15	420,000.00	371,721.15	371,721.15	2,945,336.00	1,286.67	1,286.67
21-0500-PG	O'Dowd West	Greenwich	104,7370	104,7370	580,877.20	387,526.00	440,000.00	387,526.00	387,526.00	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Bertha	White/Oxford	40,5160	40,5160	182,317.50	125,508.50	146,552.00	125,508.50	125,508.50	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Apple Mountain Recreation Inc	White	64,3560	64,3560	250,089.40	176,395.44	200,000.00	176,395.44	176,395.44	2,945,336.00	1,286.67	1,286.67
21-0500-PG	Shander, Ricka, West, Spade	Harmony	104,7000	107,8000	354,160.00	245,628.00	280,000.00	245,628.00	245,628.00	2,945,336.00	1,286.67	1,286.67
Closed	28	2,004,8258	1,988,9845	9,972,318.10	8,872,752.41	80,688.77	38,717.25	1,000,000.00	1,000,000.00	2,945,336.00	1,286.67	1,286.67
Encumbered	5	378,4770	382,2470	1,530,871.0258	1,098,988.6180	419,943.44	1,000,000.00	1,000,000.00	1,000,000.00	2,945,336.00	1,286.67	1,286.67
Total												

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Shandor, Dorothy L., Judy Riddle, Joyce West and Jennifer Spade
21- 0602-PG
County PIG Program
102 Acres

Block 46	Lot 2	Harmony Twp.	Warren County
SOILS:		Other	8% * 0 = .00
		Prime	22% * .15 = 3.30
		Statewide	70% * .1 = 7.00
			SOIL SCORE: 10.30
TILLABLE SOILS:		Cropland Harvested	86% * .15 = 12.90
		Woodlands	14% * 0 = .00
			TILLABLE SOILS SCORE: 12.90
FARM USE:	Cash Grains		104 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 1 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st one (1) acres for Future dwelling
Exception is not to be severed from Premises
Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R10(3)
FINAL REVIEW AND APPROVAL OF A NONPROFIT GRANT TO
New Jersey Conservation Foundation
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of
Westwood Knolls Associates Inc. (Ostrum, Gordon J. Jr.) (NJCF)
FY16 Non-Profit Round – SADC #17-0051-NP**

October 25, 2018

WHEREAS, on May 15, 2015 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from New Jersey Conservation Foundation (NJCF) for the Westwood Knolls Associates Inc. (Ostrum, Gordon J. Jr.) farm identified as Block 26 Lot 2.09, Pilesgrove Township, Salem County, totaling approximately 46.67 gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the original application contained one (1) approximately 2 acre non-severable exception area for and limited to one (1) future single-family residence and to afford future flexibility of uses; and

WHEREAS, subsequent to SADC preliminary approval on November 12, 2015 but prior to appraisals, the landowner requested to amend the application changing the non-severable exception area to a severable exception area with identical size, dimension, and location as the original application indicated; and

WHEREAS, the Property includes one (1), approximately 2 acre severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 44.67 net acres to be preserved; and

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

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

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

WHEREAS, on November 12, 2015, the SADC granted preliminary approval by Resolution #FY2016R11(11) to the Westwood Knolls Associates Inc. (Ostrum, Gordon J. Jr.) (NJCF) application and appropriated \$750,000 for the acquisition of development easement on two farms including the Westwood Knolls Associates and Skalski farms; and

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

WHEREAS, the Property has a quality score of 68.07 which is greater than 70% of the County average quality score of 47 as determined by the Committee on July 24, 2014; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 23, 2017, the SADC certified a development easement value of \$8,900 per acre based on zoning and environmental regulations in place as of the current valuation date November 28, 2016; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted NJCF's offer of \$9,950 per acre for the development easement on the Property, which is higher than the certified easement value but less than the highest appraised easement value of \$11,600; and

WHEREAS, on September 12, 2018, NJCF informed the SADC that it will accept the SADC cost share of \$4,450 per acre; and

WHEREAS, a parcel application was submitted by the New Jersey Conservation Foundation (NJCF) to the FY2015 States Department of Agriculture, Natural Resources Conservation Service (NRCS), Regional Conservation (RCPP) for an Agricultural Land Easement (ALE) grant; and

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

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including no future division of the premises and a 6% maximum impervious coverage restriction (approximately 2.68 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the estimated ALE grant of \$5,500 per acre (50% of \$11,000) or approximately \$245,685 in total ALE funds will be utilized; and

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

WHEREAS, the cost share breakdown based on 44.67 acres is as follows:

	<u>Total</u>	<u>Per/acre</u>
SADC Non-Profit Grant Funds	\$198,781.50	(\$4,450/acre or 44.72% total cost) <i>based on CMV</i>
<u>ALE grant obtained by NJCF</u>	<u>\$245,685</u>	<u>(\$5,500/acre or 55.28% total cost)</u>
Total Easement Purchase	\$444,466.50	(\$9,950/acre) <i>based on purchase price</i>

WHEREAS, at this time \$342,515 for the Skalski farm has been expended therefore approximately \$407,485 is still available; and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to NJCF for up to 50% of the CMV and eligible ancillary costs which will be deducted from its FY16 appropriation and subject to the availability of funds; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to NJCF for the Westwood Knolls Associates Inc. (Ostrum, Gordon J. Jr.) (NJCF) farm easement acquisition application subject to compliance with N.J.A.C. 2:76-16.
3. The SADC shall provide a cost share grant not to exceed \$4,450 per acre (total of approximately \$198,781.50 based on 44.67 acres) to NJCF for the development easement acquisition on the Westwood Knolls Associates Inc. (Ostrum, Gordon J. Jr.) (NJCF) farm, subject to the availability of funds.
4. This final approval is conditioned upon receipt of ALE or other funds sufficient enough to cover the NJCF cost share.
5. This final approval is subject to the conditions contained in (Schedule B).
6. The SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1.
7. The SADC's cost share grant to NJCF for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement.

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

10/25/2018
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)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	ABSENT
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Wetlands

X:\counties\salc\projects\Westwood Knolls Associates Inc. (Ostrum, Gordon J. Jr.) (NJCF) fww.mxd



FARMLAND PRESERVATION PROGRAM

NJ State Agriculture Development Committee

Westwood Knolls Associates Inc. (Ostrum, Gordon J. Jr.) (NJCF)
 Block 26 P/O Lot 2.09 (42.65 ac)
 & P/O Lot 2.09-ES (severable exception -- 2.0 ac)
 Gross Total = 44.65 ac
 Pilesgrove Twp., Salem County

250 125 0 250 500 Feet

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

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



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

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

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

September 14, 2016

Preserved Farms and Active Applications Within Two Miles

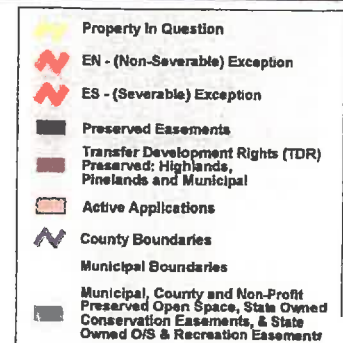
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Westwood Knolls Associates Inc. (Ostrum, Gordon J. Jr.) (NJCF)
Block 26 P/O Lot 2.09 (42.65 ac)
& P/O Lot 2.09-ES (severable exception – 2.0 ac)
Gross Total = 44.65 ac
Pilesgrove Twp., Salem County

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



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

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

September 14, 2018

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Westwood Knolls Associates Inc. (Ostrum, Gordon J. Jr.) (NJCF)

17- 0051-NP

FY 2016 Easement Purchase - Nonprofit

43 Acres

Block 26	Lot 2.09	Pilesgrove Twp.	Salem County
SOILS:		Prime	96% * .15 = 14.40
		Statewide	4% * .1 = .40
			SOIL SCORE: 14.80
TILLABLE SOILS:		Cropland Pastured	3% * .15 = .45
		Cropland Harvested	95% * .15 = 14.25
		Woodlands	2% * 0 = .00
			TILLABLE SOILS SCORE: 14.70
FARM USE:	Soybeans-Cash Grain	46 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st two (2) acres for future single family residence
 - Exception is severable
 - Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2019R10(4)
FINAL REVIEW AND APPROVAL
TO ACQUIRE A DEVELOPMENT EASEMENT
On the Property of
Ag-Mart Produce, Inc. ("Owner")
Lawrence Township, Cumberland County**

**N.J.A.C. 2:76-17 et seq.
SADC ID#06-0004-DN**

October 25, 2018

WHEREAS, pursuant to N.J.S.A. 4:1C-5e., the State Agriculture Development Committee (SADC) is authorized to enter into any agreement and/or perform any act necessary, convenient or desirable to carry out its powers under the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq. (ARDA); and

WHEREAS, on January 14, 2009, the NJ Department of Environmental Protection (NJDEP) initiated an enforcement action against Ag-Mart Produce, Inc. (Ag-Mart) by issuing the company an Administrative Order and Notice of Civil Administrative Penalty Assessment (AONOCAPA) for violating the Pesticide Control Act, N.J.S.A. 13:1F-1, et seq., assessing a penalty of \$931,250.00; and

WHEREAS, Ag-Mart is the owner of farmland identified as Block 193, Lots 6, 10, and 11 and Block 194, Lots 2 and 3, Township of Lawrence, County of Cumberland, totaling approximately 80.7 gross acres, hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, NJDEP staff discussed with SADC staff whether the SADC would be willing to acquire a development easement on the Property in conjunction with a settlement of the said enforcement action; and

WHEREAS, at a regular meeting of the SADC on November 5, 2009, staff advised the Committee of staff's discussions with NJDEP, and the Committee concurred with the proposed acquisition; and

WHEREAS, on January 8, 2014, Ag-Mart applied to the SADC to convey a development easement on the Property pursuant to the ARDA; and

WHEREAS, on June 15, 2015, Ag-Mart entered into an Administrative Consent Order (ACO) with NJDEP to settle the enforcement action; and

WHEREAS, pursuant to the ACO, Ag-Mart agreed to convey a development easement to the SADC for no consideration; and

WHEREAS, pursuant to the ACO, if the certified market value of the development easement on the Property was less than \$190,000, then Ag-Mart agreed to pay NJDEP an additional penalty equal to the difference between \$190,000.00 and the said certified market value; and

WHEREAS, on April 22, 2016, the SADC approved a certified market value of \$3,700/acre, or a total of \$300,000, for the development easement on the Property; and

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

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

WHEREAS, the SADC has reviewed Ag-Mart's application to convey a development easement to the SADC pursuant to, and finds the application consistent with, ARDA and the regulations set forth in N.J.A.C. 2:76-6.5 and 6.10; and

WHEREAS, the SADC's acquisition of the development easement would result in the permanent preservation of the Property; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval for the acquisition of a development easement on the Property subject to the conditions contained in the attached Schedule B.
3. All survey, title, and all additional documents required for closing shall be subject to review and approval by the SADC.
4. This approval is considered a final agency decision appealable to the Superior Court, Appellate Division.
5. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.



10/25/2018

Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	NO
Renee Jones (rep. DEP Commissioner McCabe)	ABSTAIN
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	ABSTAIN
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	ABSENT
Denis C. Germano, Esq.	YES
Peter Johnson	NO
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	NO

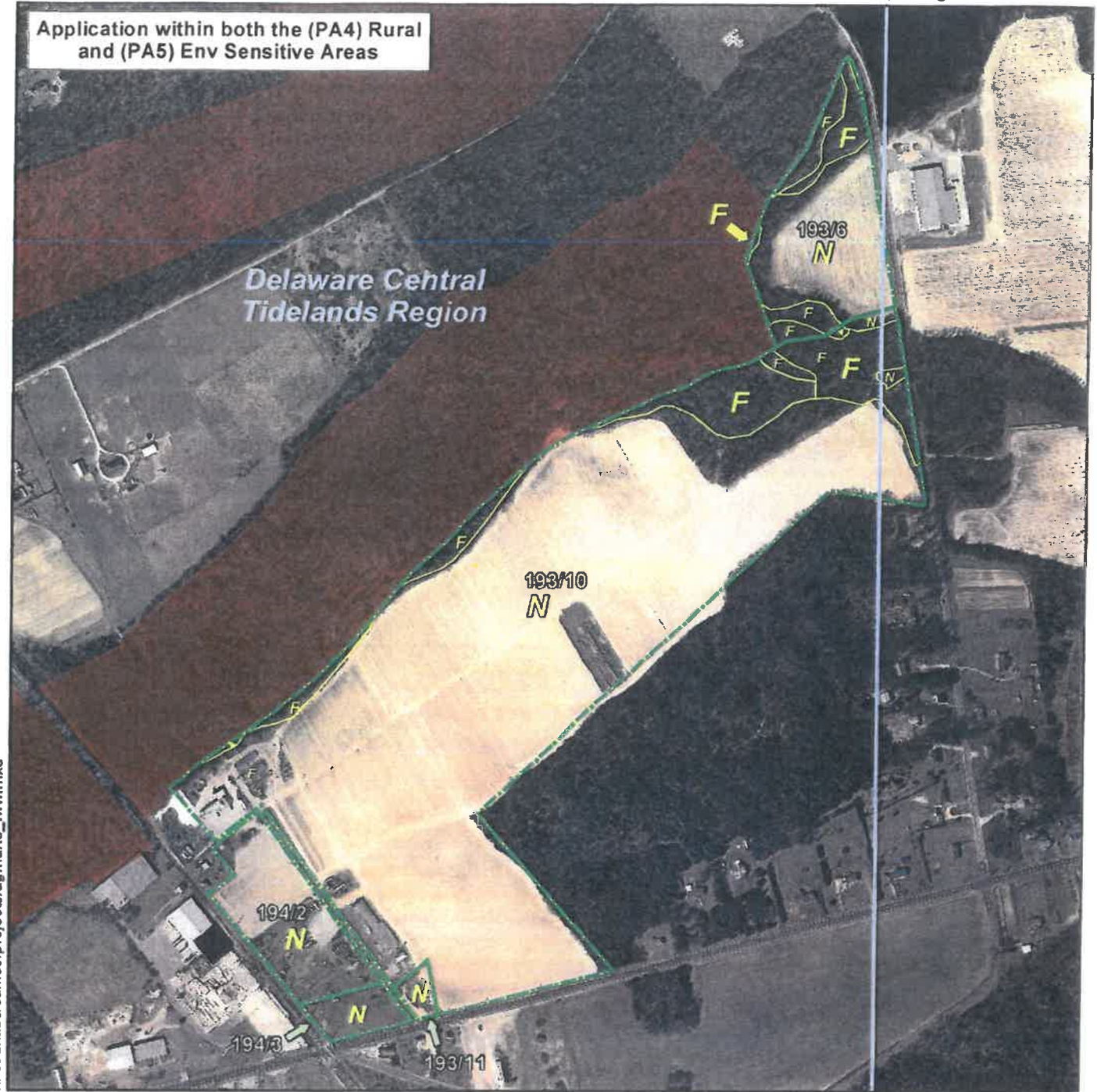
Wetlands

Schedule A

Application within both the (PA4) Rural
and (PA5) Env Sensitive Areas

Delaware Central
Tidelands Region

x:\counties\cumco\projects\agmart3_fwv.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ag-Mart Produce, Inc.

Block 193 Lots 6 (8.5 ac); 10 (65.1 ac) & 11 (0.5 ac)
and Block 194 Lots 2 (5.3 ac) and 3 (1.3 ac)

Gross Total - 80.7 ac

Lawrence Twp., Cumberland County

500 250 0 500 1,000 Feet

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

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



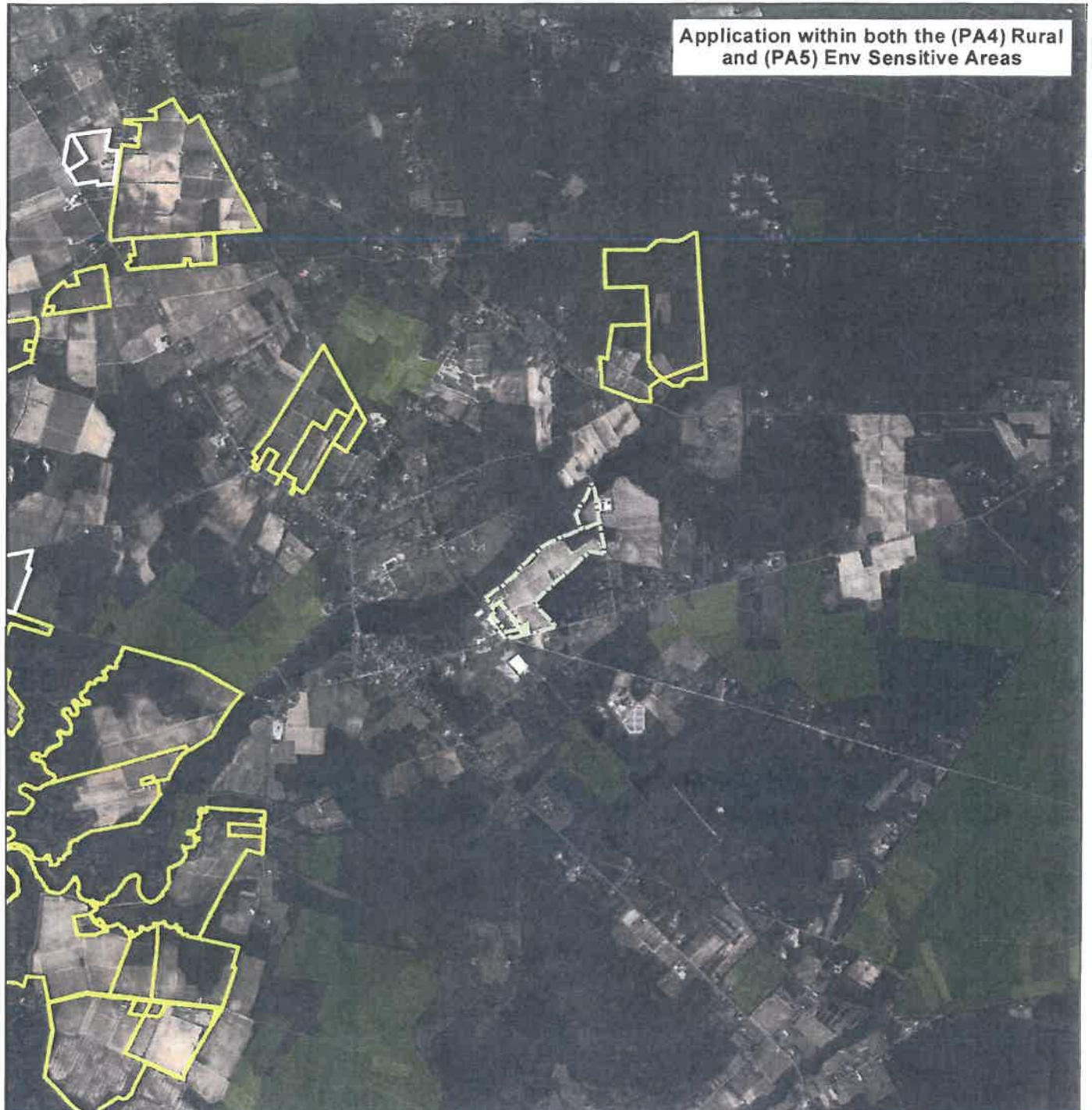
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

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

July 27, 2012

Preserved Farms and Active Applications Within Two Miles

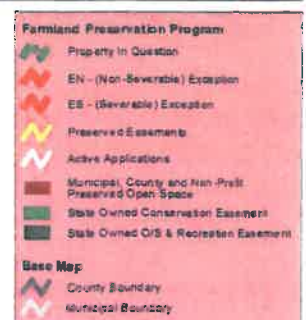
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ag-Mart Produce, Inc.
Block 193 Lots 6 (8.5 ac); 10 (65.1 ac) & 11 (0.5 ac)
and Block 194 Lots 2 (5.3 ac) and 3 (1.3 ac)
Gross Total - 80.7 ac
Lawrence 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 2007/20008 Digital Aerial Image

July 27, 2012

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Ag-Mart Produce, Inc.
Easement Donation - SADC
81 Acres

Block 193	Lot 6	Lawrence Twp.	Cumberland County
Block 193	Lot 10	Lawrence Twp.	Cumberland County
Block 193	Lot 11	Lawrence Twp.	Cumberland County
Block 194	Lot 2	Lawrence Twp.	Cumberland County
Block 194	Lot 3	Lawrence Twp.	Cumberland County

SOILS:	Other	14% *	0	=	.00
	Prime	3% *	.15	=	.45
	Statewide	73% *	.1	=	7.30
	Unique zero	10% *	0	=	.00

SOIL SCORE: 7.75

TILLABLE SOILS:	Cropland Harvested	71% *	.15	=	10.65
	Other	18% *	0	=	.00
	Wetlands	11% *	0	=	.00

TILLABLE SOILS SCORE: 10.65

FARM USE:	Vegetable & Melons	58 acres	tomatoes
------------------	--------------------	----------	----------

This final approval is subject to the following:

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

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2019R10(5)

Extension of Approval to Replace a Single Family Residence

Jasen Hansen

October 25, 2018

Subject Property:

Block 508.01, Lot 7.18
Lower Township, Cape May County
14.09 Acres

WHEREAS, Jasen Hansen, hereinafter "Owner," is the record owner of Block 508.01, Lot 7.18, in Lower Township, Cape May County, totaling approximately 14.09 acres, by Deed dated April 23, 2018, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the County of Cape May, by the former owners John and Diana Rietheimer, by Deed dated December 20, 2000, and recorded in the Cape May County Clerk's Office in Book 2891, Page 105, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, and the Garden State Preservation Trust Act, N.J.S.A. 13:8C, et seq.; and

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

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

WHEREAS, the residence that existed on the Premises at the time of preservation had been demolished by the previous owners shortly after preservation; and

WHEREAS, on January 28, 2016, the SADC approved resolution #FY2016R1(7), allowing the Jasen and Lauren Hansen to replace the previously existing single-family residence on the Premises, as shown in Schedule "B"; and

WHEREAS, resolution #FY2016R1(7) was valid for a time period of three years; and

WHEREAS, no work has been started on the new home and since that time the Hansen's have divorced; and

WHEREAS, on September 19, 2018, the SADC received a request from the Owner for a two-year extension of the authorization to replace the previously existing single-family residence on the Premises; and

WHEREAS, the Owner proposes to replace the previous residence on the Premises with a new single-family residence for himself, all other terms of the previous approval remain the same; and

WHEREAS, the proposed new residence will be built in the same general area of the previous residence, as shown on Schedule "A", and will utilize the existing driveway; and

WHEREAS, the Cape May CADB approval on November 30, 2015 did not have an expiration timeframe and the Board has determined an extension is not necessary.

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

BE IT FURTHER RESOLVED, that the SADC approves the Owner's request for an extension of the approval to replace the previously existing single-family residence on the Premises for an additional two years; and

BE IT FURTHER RESOLVED, that this extension shall be valid through January 28, 2021; and

BE IT FURTHER RESOLVED, that the Committee approves a two-year extension of the original approval granted in Resolution #FY2016R1(7), for the construction of a single-family residence, consisting of approximately 4,000 sq./ft. heated living space, in the location shown in Schedule "A", to replace the former residence which existed on the Premises at the time of preservation that has since been removed; and

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

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

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

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

10/25/18
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

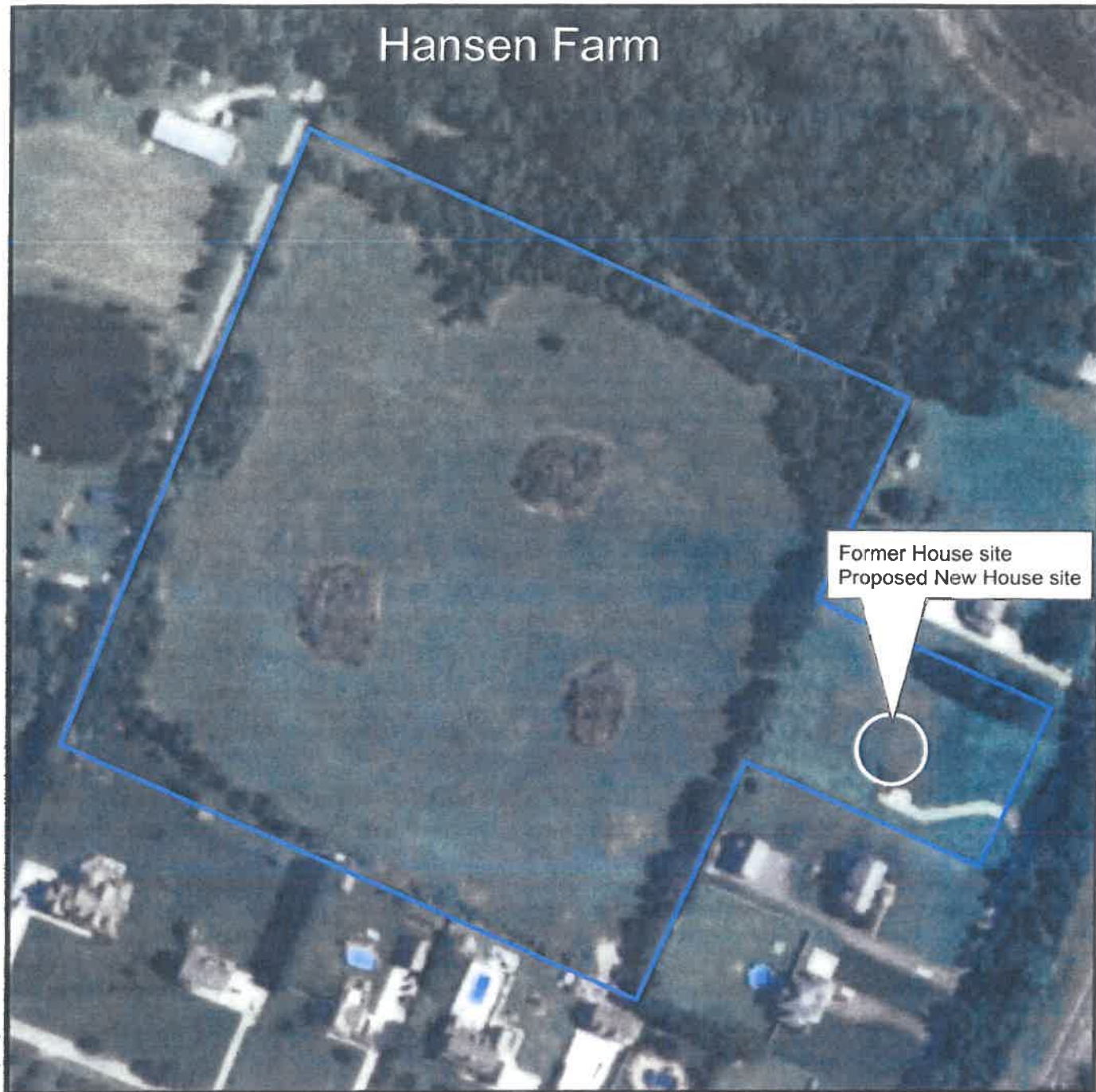
VOTE WAS RECORDED AS FOLLOWS:

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

Schedule "A"

Hansen Farm

X:\projects\farmview.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Hansen Farm
Block 508.01, Lot 7.18
Lower Township, Cape May County
14.09 - Acres



0 90 180 360 540 Feet

10/9/2018

Farmland Preservation Program	
	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	8 YEAR PRESERVED
	TARGETED FARM
	EXCEPTION AREA TARGETED
	INACTIVE APPLICATION
	INACTIVE/FEDERALLY FUNDED
	NO CORRESPONDING DATA
	PRESERVED/FEDERALLY FUNDED

State Planning Areas	
	(PA1) METRO.
	(PA2) SUBURBAN
	(PA3) FRINGE
	(PA4) RURAL
	(PA4a) RURAL ENV SENS
	(PA5) ENV SENS
	(PA6) ENV. SENSITIVE BARRIER IS
	(P10) PINELANDS
	PARK
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER
	ELLIS ISLAND- NJ
	ELLIS ISLAND- NY
Base Map	
	County Boundaries
	Municipal Boundaries
	Highlands Planning Area
	Highlands Preservation Area
	Pinelands Area
Green Acres Preserved Easements	

Schedule "B"

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R1(7)

Request to Replace a Single Family Residence

Jasen & Lauren Hansen

January 28, 2016

Subject Property: Block 508.01, Lot 7.18
Lower Township, Cape May County
14.09 - Acres

WHEREAS, Jasen and Lauren Hansen, hereinafter "Owners," are the record owners of Block 508.01, Lot 7.18, in Lower Township, Cape May County, by Deed dated July 14, 2015, and recorded in the Cape May County Clerk's Office in Book 3636, Page 493, totaling approximately 14.09 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the County of Cape May, by the former owners John and Diana Rietheimer, by Deed dated December 20, 2000, and recorded in the Cape May County Clerk's Office in Book 2891, Page 105, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, and the Garden State Preservation Trust Act, N.J.S.A. 13:8C, et seq.; and

WHEREAS, on December 7, 2015, the SADC received a request to replace the previously existing single family residence on the Premises from the Cape May CADB on behalf of the Owners; and

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

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

WHEREAS, the residence that existed on the Premises at the time of preservation had been demolished by the previous owners shortly after preservation; and

WHEREAS, the Owners propose to replace the previous residence on the Premises with a new single family residence for themselves; and

WHEREAS, the proposed new residence will be built in the same general area of the previous residence, as shown on Schedule "A", and will utilize the existing driveway; and

- WHEREAS, the Owners propose to build a two-story residence with approximately 4,000 sq./ft. of heated living space to replace the original residence which was approximately 3,500 sq./ft.; and

WHEREAS, the Deed of Easement does not set forth a specific house size limitation and the Premises was not preserved using Federal funding; and

WHEREAS, since acquiring the Premises the Owners have cleared the overgrown fields bringing them back to a state where they can be farmed; and

WHEREAS, the Owners own two restaurants in Cape May and plan to use the farm fields to produce vegetables for the restaurants and hay for cattle located on a nearby family owned farm; and

WHEREAS, on November 30, 2015, the Cape May CADB reviewed and approved the replacement of the existing residence on the Premises; and

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of the single-family residence on the Premises with a new single-family residence will have a positive impact on the continued agricultural operations of this farm by constructing a new residence which shall serve as the primary residence for the Owners; and

BE IT FURTHER RESOLVED, that the Committee approves the construction of a single family residence, consisting of approximately 4,000 sq./ft. heated living space, in the location shown in Schedule "A", to replace the former residence which existed on the Premises at the time of preservation that has since been removed; and

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

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

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

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

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

1/28/16
Date



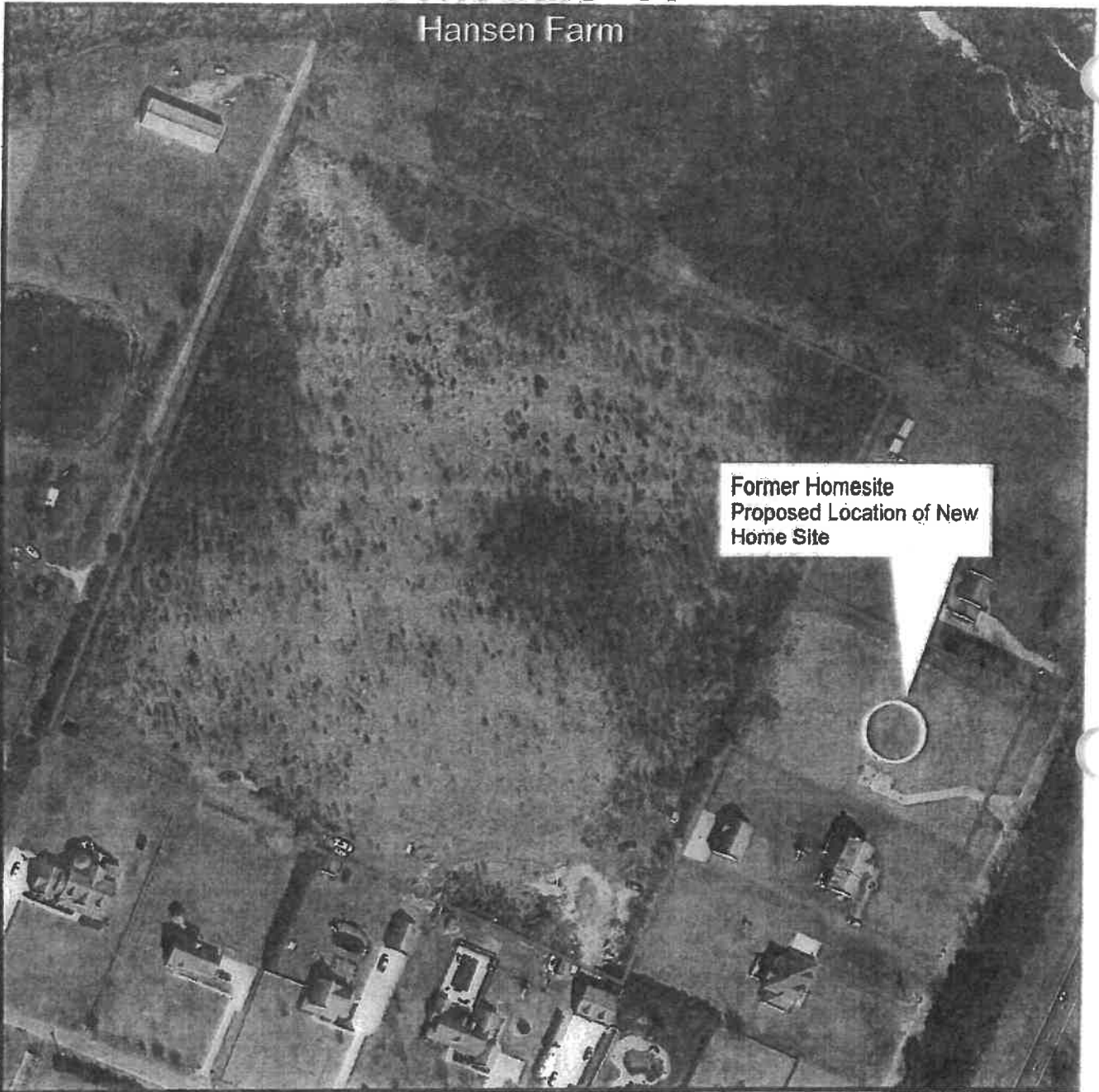
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE TO BE RECORDED AS FOLLOWS:

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

Schedule "A"

Hansen Farm



Former Homesite
Proposed Location of New
Home Site

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Hansen Farm
Block 508.01, Lot 7.18
Lower Township, Cape May County
14.09 - Acres



0 90 180 360 540 Feet

1/13/2016

Farmland Preservation Program

	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	8 YEAR PRESERVED
	TARGETED FARM
	INACTIVE APPLICATION
	NO CORRESPONDING DATA

	State Planning Areas
	(PAT) METRO
	(PAT) SUBURBAN
	(PAT) FRINGE
	(PAT) RURAL
	(PAT) RURAL ENV SENS
	(PAT) ENV SENS
	(PAT) ENV SENSITIVE BARRIER IS
	(PI) PINELANDS
	PARK
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER
	ELLIS ISLAND- NJ
	ELLIS ISLAND- NY
	Shape Map
	Casity Boundaries
	Municipal Boundaries
	Highland Planning Area
	Highland Preservation Area
	Pinelands Area
	Green Acres Preserved Easements

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R10(6)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

WARREN COUNTY

RICHARD J. MOTYKA

OCTOBER 25, 2018

WHEREAS, Richard J. Motyka, hereinafter (“Applicant”) and Lisa M. Motyka, SADC ID# 21-0001-NP, are the current record owners (“Owners”) of Block 1100, Lot 2300, as identified in the Township of Hope, as recorded in the Warren County Clerk’s Office by deed dated March 1, 2004, in Deed Book 1916, Page 203, totaling approximately 77.816 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Ridge and Valley Conservancy, Inc. on April 18, 2003, by the Owners pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 1863, Page 086, and;

WHEREAS, on December 22, 2015, Ridge and Valley Conservancy, Inc. assigned the development easement on the Premises to Warren County Board of Chosen Freeholders in accordance with the provisions contained within the Deed of Easement and said assignment was recorded in Deed Book 2660, Page 193 and re-recorded in Deed Book 2707, Page 249 in the Warren County Clerk’s Office; and

WHEREAS, this assignment was approved by the SADC on January 22, 2015, pursuant to Resolution #FY2015R1(7); and

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

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

WHEREAS, the Applicant is eligible for a cost-share grant of up to \$35,563.20 expiring April 18, 2019 under the current cost-share formula; and

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

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Richard J. Motyka	21-0001-NP-01	\$7,597.16	2:90-2.19 Developing Facility for Livestock Water

PROJECT DESCRIPTION:

Install a 6 inch well 500 feet deep and a 3 HP or less pump with pressure tank to supply water to a livestock watering facility.

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

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

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

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

10/25/18
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)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	ABSENT
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Schedule A - Soil and Water Cost Share Grant

S:\SWGIS\Soil Water.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Richard J. Motyka
Owner: Ricahrd and Lisa Motyka
Application Number: 21-0001-NP-01
County: Warren
Municipality: Hope

Legend

Practice Code

 2:90-2.19

 SW_Premises

 nj_counties_2013



0 300 600 1,200 1,800 Feet

10/3/2018

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R10(7)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

SUSSEX COUNTY

JOHN KRUEGER (CIRCLE BROOK FARM)

OCTOBER 25, 2018

WHEREAS, John Krueger (Circle Brook Farm), hereinafter ("Applicant"), SADC ID# 19-0001-EP, is the current record owner of Block 161, Lot 2 and Block and 157, Lot 1 as identified in the Township of Andover, and Block 22, Lots 11.01, 19, and 21 as identified in the Township of Green, as recorded in the Sussex County Clerk's Office by deed dated December 4, 2013, in Deed Book 3325, Page 849, totaling approximately 73.8751 acres, hereinafter referred to as "Premises", see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Sussex County on September 26, 1989, by the previous owner, Coray S. Kirby, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c. 32 as recorded in Deed Book 1687, Page 098; and

WHEREAS, a corrective deed of easement was recorded on July 27, 1990 in Deed Book 1743, Page 207, in the Sussex County Clerk's Office to amend the original Deed of Easement to include approximately 5 acres of the Premises erroneously omitted; and

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

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

WHEREAS, the Applicant is eligible for a cost-share grant of up to \$34,775.02 expiring July 27, 2022, under the current cost-share formula; and

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

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
John Krueger (Circle Brook Farm)	19-0001-EP-01	\$18,905.68	2:90-2.15 Irrigation System

PROJECT DESCRIPTION:

Install a 6" well 400 feet deep, a 3 to 10 HP pump, and 2,217 linear feet of 6" HDPE Mainline.

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

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

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

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

10/25/18
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)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	ABSENT
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Schedule A - Soil and Water Cost Share Grant

U:\Dave K\Sussex\Soil Water - Krueger.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: John Krueger
Owner: John Krueger
Application Number: 19-0001-EP-01
County: Sussex
Municipality: Green and Andover



0 100 200 400 600
Feet

10/17/2018

Legend

Practice Code

● 2:90-2.15

□ SW_Premises

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R10(8)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

HUNTERDON COUNTY

DAN LYNESS (SPRING RUN DAIRY), AGENT FOR GERALD AND NANCY LYNESS

OCTOBER 25, 2018

WHEREAS, Dan Lyness, (Spring Run Dairy), hereinafter ("Applicant"), is the agent for Gerald and Nancy Lyness, SADC ID# 10-0088-EP, who are the current record owners of Block 13, Lot 8.04 as identified in the Township of Alexandria, as recorded in the Hunterdon County Clerk's Office by deed dated July 9, 2003, in Deed Book 2069, Page 13, totaling approximately 105.247 acres, hereinafter referred to as "Premises", see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Hunterdon County on March 28, 2003, by the previous owners, Thomas and Mary Lyness, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 2061, Page 131; and

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

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

WHEREAS, the Applicant is eligible for a cost-share grant of up to \$40,524.70 expiring March 28, 2019, under the current cost-share formula; and

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

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural

purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Dan Lyness (Spring Run Dairy), Agent for Gerald and Nancy Lyness	10-0088-EP-01	\$32,371.62	2:90-2.23 Animal Waste Control Facilities

PROJECT DESCRIPTION:

Install a 2,718 sq. ft. concrete heavy use area, 2,205 sq. ft. timber frame roof, 148 linear feet of gutter, 200 feet of livestock water pipeline, and one frost free livestock watering facility.

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

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

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

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

10/25/18
Date

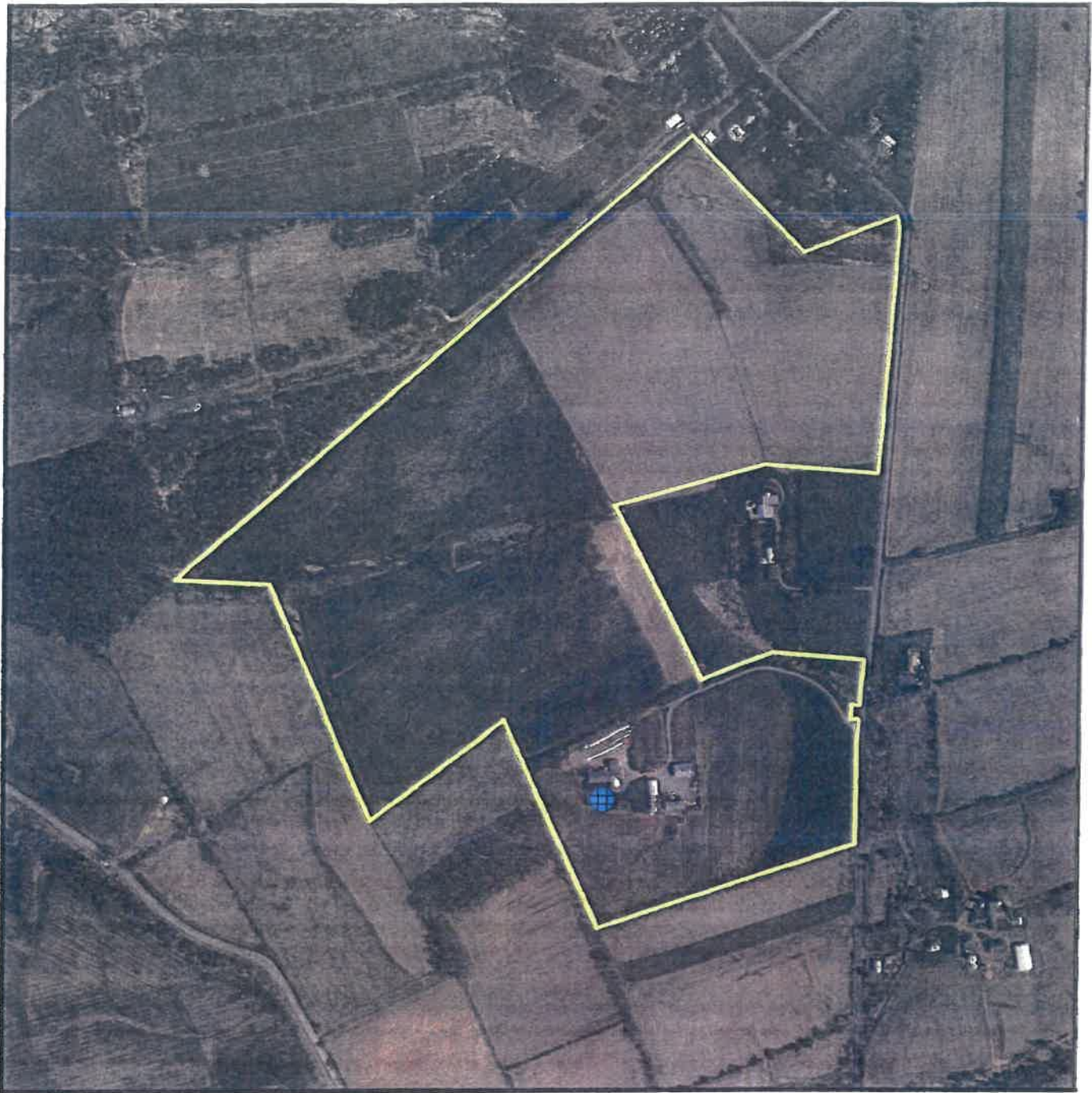

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A - Soil and Water Cost Share Grant

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Dan Lyness (Spring Run Dairy)
Owner: Gerald and Nancy Lyness
Application Number: 10-0088-EP-01
County: Hunterdon
Municipality: Alexandria

Legend

Practice Code

● 2:90-2.23

□ SW_Premises



0 300 600 1,200 1,800 Feet

10/3/2018

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R10(9)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

HUNTERDON COUNTY

DIANE GUNSON (KINGFISHER FARM)

OCTOBER 25, 2018

WHEREAS, Diane Gunson (Kingfisher Farm), hereinafter (“Applicant”), and Roger Prince, SADC ID# 10-0218-EP, are the current record owners of Block 25, Lot 1.02 as identified in the Township of Franklin, as recorded in the Hunterdon County Clerk’s Office by deed dated April 4, 2007, in Deed Book 2181, Page 836, totaling approximately 39.299 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Hunterdon County on February 9, 2006, by the previous owner, Township of Franklin, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 2147, Page 548; and

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

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

WHEREAS, the Applicant is eligible for a cost-share grant of up to \$23,579.40 expiring February 9, 2022, under the current cost-share formula; and

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

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

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

productivity; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Diane Gunson	10-0218-EP-01	\$3,080.27	2:90-2.23 Animal Waste Control Facilities 2:90-2.16 Sediment Retention, Erosion, or Water Control Structure

PROJECT DESCRIPTION:

Install a 1,626 sq. ft. gravel heavy use area and a 110 foot long, 8"-12" diameter underground outlet, grated drop box, and 80 sq. ft. lined waterway or outlet.

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

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

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

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

10/25/18
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)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	ABSENT
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Schedule A - Soil and Water Cost Share Grant

S:\SWGIS\Soil Water.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Diane Gunson (Kingfisher Farm)
Owner: Diane Gunson and Roger Prince
Application Number: 10-0218-EP-01
County: Hunterdon
Municipality: Franklin

Legend

Practice Code

 2:90-2.16

 2:90-2.23

 SW_Premises



0 300 600 1,200 1,800 Feet

10/4/2018

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R10(10)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

MERCER COUNTY

PASUMAI FARM, LLC.

OCTOBER 25, 2018

WHEREAS, PASUMAI FARM, LLC., hereinafter (“Applicant”) SADC ID# 11-0038-DE, is the current record owner of Block 44, Lots 23, 26, and 29, as identified in the Township of Robbinsville, as recorded in the Mercer County Clerk’s Office by deed dated April 16, 2018, in Deed Book 6325, Page 966, totaling approximately 27.386 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to the State Agriculture Development Committee on June 29, 2009, by the previous owner, The County of Mercer, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 6006, Page 61, and;

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

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

WHEREAS, the original Premises consisted of 51.942 acres and is subject to an approved subdivision; and

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

WHEREAS, the subdivided Premises consists of 52.72% of the original Premises and the original Premises was eligible for a cost share grant of \$30,388.40. Therefore, the Applicant is eligible for a cost-share grant of up to \$16,020.76, expiring September 8, 2025, under the current cost-share formula; and

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

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Pasumai Farm, LLC.	11-0038-DE-01	\$16,020.76	2:90-2.15 Irrigation System

PROJECT DESCRIPTION:

Install 3,000 feet of 4 inch or less PVC irrigation pipe, micro-irrigation for 6 acres of perennial crops, and micro-irrigation for 6 acres of annual crops.

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

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

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

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

10/25/18
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)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	ABSENT
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

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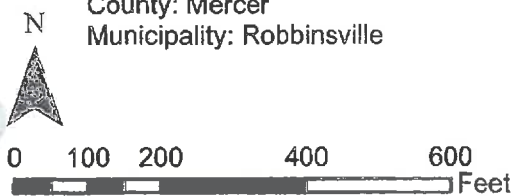
Schedule A - Soil and Water Cost Share Grant

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Pasumai, LLC.
Owner: Pasumai, LLC.
Application Number: 11-0038-DE-01
County: Mercer
Municipality: Robbinsville



10/4/2018

Legend

Practice Code

-  2:90-2.15
-  SW_Premises

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R10(11)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

SUSSEX COUNTY

ANDERSEN FARMS, LLC, Agent for Tor C. Andersen

OCTOBER 25, 2018

WHEREAS, Andersen Farms, LLC., hereinafter (“Applicant”), is the agent for Tor C. Andersen, SADC ID# 19-0017-DE, who is the current record owner (“Owner”) of Block 17001, Lot 27, and Block 17002, Lots 1 and 2, as identified in the Township of Sparta, as recorded in the Sussex County Clerk’s Office by deed dated July 6, 2012, in Deed Book 3295, Page 520, totaling approximately 11.574 acres, hereinafter referred to as “Premises”, see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to the State Agriculture Development Committee on July 7, 2014, by the Owners pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 3341, Page 344, and;

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

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

WHEREAS, the Applicant is eligible for a cost-share grant of up to \$6,944.40 expiring July 7, 2022 under the current cost-share formula; and

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

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution

on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of the soil and water conservation projects; and

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

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Andersen Farms, LLC	19-0017-DE-01	\$6,889.54	2:90-2.15 Irrigation System

PROJECT DESCRIPTION:

Install a 6 inch well 400 feet deep and a 3 to 10 HP pump to supply an irrigation system.

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

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

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

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

10/25/18

Date

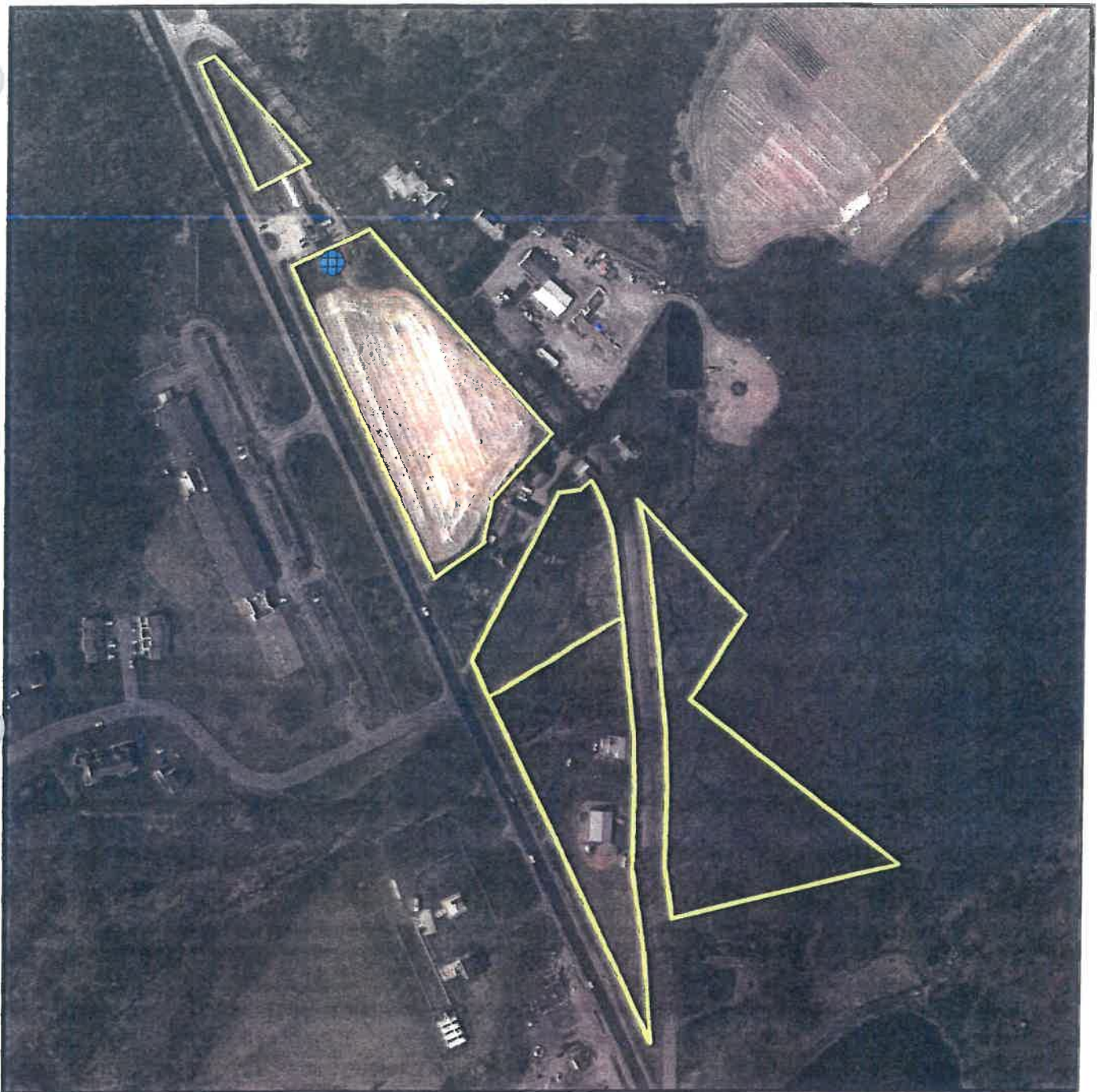

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

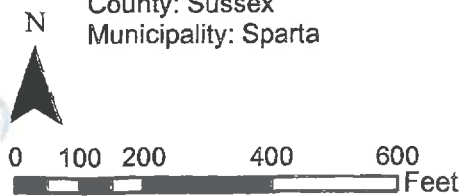
Schedule A - Soil and Water Cost Share Grant

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Andersen Farms, LLC.
Owner: Tor C. Andersen
Application Number: 19-0017-DE-01
County: Sussex
Municipality: Sparta



10/16/2018

Legend

Practice Code

-  2:90-2.15
-  SW_Premises