

STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC)

Department of Agriculture

REGULAR MEETING

**REMOTE MEETING DUE TO CORONAVIRUS
EMERGENCY**

June 25, 2020

Chairman Fisher called the meeting to order at 9:06 a.m.

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 Fisher
Renee Jones
Gina Fischetti
James Waltman
Martin Bullock
Ralph Siegel
Pete Johnson
Scott Ellis
Roger Kumpel (Alternate Farmer Member for Mr. Norz)

Members Absent

Brian Schilling
Richard Norz
Denis Germano

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

Minutes

A. SADC Regular Meeting of May 28, 2020 (Open Session)

It was moved by Mr. Kumpel and seconded by Mr. Johnson to approve the Open Session minutes of the SADC regular meeting of May 28, 2020. A roll call vote was taken. Mr. Ellis abstained from the vote. The remaining members unanimously approved the motion.

Report of the Chairman

Chairman Fisher stated that there are many factors affecting farmers right now involving complications from COVID-19. Some of these factors include gathering workers to plant and pick crops, the need for COVID-19 safety inspections, and disruptions in the marketplace. Agritourism and the horse racing industry are adversely affected due to social distancing requirements. He noted that some farm markets are recovering nicely and are able to provide products to consumers; however, he wants everyone to understand that this is a stressful time for the entire agricultural community.

Chairman Fisher observed that budgetary problems arising from the COVID crisis may cause the state to take certain measures such as furloughing employees in order to balance the state budget.

Report of the Executive Director

Ms. Payne stated that the Delegation Report was provided to the Committee and will continue to be distributed monthly to the SADC members for their information.

Ms. Payne reported that the FY2019 Annual Report was mailed out and she thanked Ms. Winzinger and Ms. Lemyre for their work on the report.

Ms. Payne stated that there was a seminar held June 10th hosted by American Farmland Trust to discuss its recent report titled "Farms Under Threat – the State of the States" and the report's finding that NJ received the #1 rank of all states in working to stem the loss of farmland. Ms. Payne noted that she and Secretary Fisher participated in the meeting and recommended the Committee review the link to the study on the agency's website, as it is a great resource tool.

Ms. Payne stated NJ ranks number one primarily because of its investment in farmland preservation, the identification of Agriculture Development Areas (ADAs), and the Farm Link program. Ms. Payne has begun working with fiscal staff to examine our program's

statistics and performance, broken down by program type and county to understand what trends we can recognize. Data to be reviewed will include farm sizes, closings statistics, geographic distribution and development easements values in an effort to evaluate what NJ is doing well and where is there room for improvement. She anticipates that a subcommittee will be formed and information will be presented to the Committee after the data is collected and analyzed.

Ms. Payne noted that the Planning Incentive Grant rule revisions the Committee approved in February 2020 will be published in late July or early August, which will allow for immediate access by municipalities to a competitive pot of funds to support their preservation efforts.

Finally, Ms. Payne stated that given COVID-19 and the restrictions on travel and social distancing requirements, the SADC has contracted with a drone operator to allow for remote inspections of five farms seeking to enter the program. She noted that all farm owners consented in writing to the drone overflights and they will be provided a full copy of the drone report submitted to staff.

Public Comment

Ms. Payne stated that public comments are to be emailed to sadc@ag.state.nj.us and will be read at the appropriate time during the meeting .

Ms. Winzinger stated that Mr. Clare Nichols, a retired district conservationist, and technical service provider for the National Resource Conservation Service (NRCS), wanted to introduce himself and pass his resume along to the department to possibly do work in NJ. Chairman Fisher observed that the state does not accept unsolicited resumes. Ms. Payne stated that Mr. Nichols could potentially attend an SADC meeting and hand his resume to the Committee for its review, but that the resume would not be distributed or posted in any way.

Old Business

NOTE: Mr. Johnson, a member of the Burlington County CADB, recused on the discussion of this matter as the Burlington County CADB had previously acted on this item.

A. Resolution: Review of Non-Agricultural Development Project in an ADA on Preserved Farmland-Medford Township Temporary Construction Access; Jennings Farm, Medford Township, Burlington County

Alison Reynolds, Esq. reviewed a draft resolution memorializing the SADC's findings at its May 2020 meeting that the proposed use of the preserved Jennings farm for a

temporary construction access does not meet the statutory test that there is no immediately apparent feasible alternative.

Ms. Reynolds recapitulated the facts, applicable ARDA statutes and legal positions of the parties she presented at the May 2020 meeting.

Finally, she noted that at last month's meeting staff recommended that the Committee find that the Wildflower access presented an immediately feasible alternative and, therefore the proposed condemnation of the preserved farm did not meet the ARDA statutory requirements.

It was moved by Mr. Ellis and seconded by Mr. Kumpel to approve Resolution FY2020R6(1), granting approval of the staff recommendation that the Wildflower access presents an immediately feasible alternative and, therefore, the proposed condemnation of the preserved farm does not meet ARDA statutory requirements. A roll call vote was taken. Mr. Johnson recused from the vote. The remainder of the committee unanimously approved the motion. A copy of Resolution FY2020R6(1) is attached to and a part of these minutes.

New Business

A. Stewardship

1. Resolution: House Replacement Request

Willis Farm, Block 82, Lot 9, Hopewell Township, Cumberland County, 137.3 Acres

Mr. Roohr referred the Committee to a request for a house replacement on the Willis Farm. He reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval. He noted that Mr. Willis lives in the existing house and is asking permission to continue to reside there until the new house is complete. SADC has honored such requests numerous times in the past, on condition that the existing residence house be demolished within 60 days of the landowner obtaining a certificate of occupancy for the new house. The Cumberland CADB previously reviewed and approved Mr. Willis's request.

Mr. Ellis asked if Hopewell Township is on board with demolition of the old house. Ms. Armstrong stated that she did not check with the township about demolishing the old house, but can do so in the future if that's the Committee's preference. The Committee agreed that it's good practice to determine if there is a municipal historic preservation restriction when a request like this arises in the future.

Ms. Payne stated that the Committee could consider the resolution with an amendment that indicates staff will communicate with the municipality regarding future demolition of

the existing residence, and if the township approves the demolition, then the landowner can proceed. However, if the township raises concerns, then this would have to be brought back to the Committee for review.

It was moved by Mr. Siegel and seconded by Mr. Kumpel to approve Resolution FY2020R6(2), granting approval for the house replacement request for the Willis Farm, with an amendment that staff will communicate with the municipality regarding the proposed demolition of the existing residence, and if the township approves the demolition, the landowner can proceed. However, if the township raises concerns, then the house replacement request would have to be brought back to the Committee for review. A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2020R6(2) is attached to and a part of these minutes.

2. Resolution: Division of Premises – Cericola Farm

Cericola Farm #1
Block 58, Lots 8, 9, 12, 13, 15
Franklin Township, Warren County, 173 Acres

Cericola Farm #2
Block 58, Lot 10
Franklin Township, Warren County, 30 Acres

Mr. Roohr referred the Committee to a request for division of premises and reconfiguration of the Cericola Farms. The request is to divide Cericola #1 to create one 99-acre farm and combine the remaining 74 acres with Cericola #2 to create a 105-acre farm. Mr. Cericola is under contract to sell the 105-acre area to the tenant farmer who owns the neighboring farm operation. A condition of this division approval is the requirement that the transfer deed include additional language that merges the 74-acre piece with the 30 acres of Cericola #2. He reviewed the specifics of the application with the Committee and stated the division did satisfy the ag purpose and ag viability tests and as such, staff's recommendation is to grant final approval.

It was moved by Mr. Bullock and seconded by Mr. Kumpel to approve Resolution FY2020R6(3), granting approval for the division of premises request for the Cericola Farm. A roll call vote was taken. The motion was unanimously approved. A copy of Resolutions FY2020R6(3) is attached to and a part of these minutes.

3. Resolution: Septic Replacement Outside Exception Area

Enz Farm
Block 3, Lot 20
Washington Township, Warren County
Block 14, Lots 4 & 52

White Township, Warren County 75.64, Acres

Mr. Roohr referred the Committee to one request for a septic replacement outside a 1.5 acre non severable exception area on the Enz Farm. During the process of building a new home, it was established a new septic was needed. The landowner's engineer determined a new septic was not feasible with the land area available within the exception due to the size of the pond and the location of the water source for the house. Policy P-49 allows landowners with non-severable exceptions to construct septic systems outside the exception if it is determined it is not physically possible to build one inside the exception and three tests referenced in the Policy are met. He reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Kumpel and seconded by Ms. Jones to approve Resolution FY2020R6(4) for a septic replacement for the Enz Farm. A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2020R6(4) is attached to and a part of these minutes.

4. Rural Microenterprise Discussion – Hart Farms

Hart Farms
Block 37, Lot 23
Hopewell Township, Mercer County, 15 Acres
SADC ID# 11-0002-EP

Note: Mr. Waltman, Executive Director of The Watershed Institute, recused on the discussion of this matter as the Hart Farm is adjacent to the Watershed Reserve, which is managed by The Watershed Institute. The Watershed Institute also occasionally does business at Mr. Hart's Rosedale Mills store.

Mr. Roohr stated that staff received an application for a Rural Microenterprise permit (RME) from Mr. Hart to repurpose his 4,000 square foot barn as an agricultural supply store and to continue to utilize his existing 500 square foot butcher shop for the processing of deer as "Class Two" activities under the RME law.

Staff finds the applicant and the qualifying land eligible to receive a special permit for an RME on the premises, as the farm was preserved prior to January 12, 2006 without an exception area and Mr. Hart is the owner-operator of the farm. The entire 4,000 square feet of floor space of the larger barn proposed to be dedicated for the RME will be used as a retail store. The store will sell a mix of merchandise commonly purchased by backyard homesteaders, small farmers, and hobbyists including, but not limited to, livestock feed and materials, deer corn, fertilizer, gardening materials, poultry feed and equipment, canning supplies, and miscellaneous farm supplies including fencing materials, and farm pest control supplies. A second, approximately 500 square foot barn next to the main

barn is used as a butchering facility dedicated to processing livestock produced by the farm as well as deer that are brought from off-site.

The improvements to the larger barn are anticipated to exceed 2,500 square feet, so the applicant is pursuing a heritage farm structure designation for this barn as required by the RME law. If eligible for this designation, the owner would be permitted to renovate the entire interior of the structure for use as an RME in exchange for an agreement to place a historic façade easement on the exterior of the building.

Mr. Roohr stated that staff is requesting the Committee's input to determine if the combination of the retail farm store selling livestock and wildlife grains and feeds and butchering facility meets the criteria found as a "Class Two" activity. Staff finds that the proposed dual use of the butchering facility shares a nexus to agriculture and that processing deer, when combined with a retail farm store, is compatible with agricultural use and production on the preserved premises. Staff is seeking input from the Committee on whether it concurs that there is enough of a connection between the feed/supply store and butcher shop to consider them one activity for purposes of a Rural Microenterprise. If the Committee agrees with the staff assessment, a completed formal resolution will be brought to the Committee at its July meeting.

Mr. Everett reviewed the historic and heritage preservation aspects of this potential RME application with the Committee. He noted that conversion of the entire barn into a new retail business location is possible under the SADC's RME rules which allow conversion and finishing of greater than 2,500 square feet if a heritage preservation easement is recorded on the historic barn. If this proposal comes to fruition it will be the first time an RME permit has utilized the "barn preservation" aspects of the SADC's RME rules. A 20-year heritage preservation easement will be recorded on the property contemporaneous with the issuance of a special permit for the RME. The reason for a 20-year easement is so the business interest is commensurate with the protections on the building.

Chairman Fisher stated that he approached Ms. Payne with the idea of RMEs 8 to 10 years ago because he was concerned these types of barns needed to be preserved as heritage farm structures. He noted that staff created an effective RME and heritage structure program and asked the Committee if it had any concerns with the staff proceeding in the manner presented by Mr. Roohr and Mr. Everett. The Committee expressed no concerns.

Mr. Hart, who attended the meeting remotely, stated that his vision for the farm is to downsize his business while maintaining the preserved farm's operation and promoting agriculture. Chairman Fisher stated that he is hopeful that the inside of the barn will remain as intact as possible, because it tells the story of the original barn. Mr. Hart stated that everything that is in the barn now will remain the same except to modernize the floor and the siding.

Ms. Jones stated that this is very ambitious and a terrific representation of preserving agricultural history. Mr. Johnson stated that he commends this effort as it takes tremendous cooperation from local and state officials to preserve these structures and make them safe to occupy and practical for use.

Chairman Fisher asked Mr. Everett to facilitate this worthwhile project with Mr. Hart.

B. Resolutions: Delegation of Routine SADC Actions for Acquisition

Ms. Winzinger reviewed the delegation request with the Committee. The resolution authorizes the review and approval of certain routine Acquisition Program actions to the Executive Director, in furtherance of the Committee's recent delegation of other routine business matters, in order to speed the approval process and increase staff efficiency. These include minor amendments to the appraisal handbook, annual approval of the list of appraisers eligible to perform SADC program appraisals, annual approval of the County and SADC Direct easement purchase programs' minimum standards and scores, and enrollment of farms into the SADC's term easement 8 or 16-year terms program. She stated that staff recommendation is to grant approval.

It was moved by Mr. Siegel and seconded by Ms. Jones to approve Resolution FY2020R6(5) for the Delegation of Routine SADC Actions for Acquisition. A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2020R6(5) is attached to and a part of these minutes.

C. Resolution - Term Farmland Preservation Program - Certification for New Enrollment

Mr. Kimmel referred the Committee to a Term Farmland Preservation Program request for new enrollment. He reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Ellis and seconded by Mr. Siegel to approve Resolution FY2020R6(6), granting final approval to the following application under the Term Farmland Preservation Program, as presented, subject to any conditions of said resolution:

1. William H. Madara, Jr. and Cynthia Madara, SADC ID #08-0033-TF, Resolution FY2020R6(6), Block 260, Lot 13, Mantua Township, Gloucester County, 9.785 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2020R6(6) is attached to and a part of these minutes.

D. Resolutions: Final Approval- County PIG Program

Ms. Mazzella referred the Committee to two requests for final approval under the County PIG program. She reviewed the specifics of the requests with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Ellis and seconded by Mr. Siegel to approve Resolutions FY2020R6(7) and FY2020R6(8) granting approval to the following applications under the County PIG Program, as presented, subject to any conditions of said resolution.

1. Daniel and Heather Brown, SADC ID #08-0203-PG, Resolution FY2020R6(7), Block 19, Lot 3, South Harrison Township, Gloucester County, 10.057 acres.
2. Benny LaSala, SADC ID #06-0200-PG, Resolution FY2020R6(8), Block 84, Lots 21, 24, 25, 29 & 30, Deerfield Township, Cumberland County, 97 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolutions FY2020R6(7) and FY2020R6(8) is attached to and a part of these minutes.

E. Resolutions: Final Approval- Municipal PIG Program

Ms. Mazzella referred the Committee to two requests for final approval under the Municipal PIG program. She reviewed the specifics of the requests with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Ellis and seconded by Mr. Siegel to approve Resolutions FY2020R6(9) and FY2020R6(10) granting approval to the following applications under the Municipal PIG Program, as presented, subject to any conditions of said resolution.

1. Eric & Shelly Mihalecz, SADC ID #17-0213-PG, Resolution FY2020R6(9), Block 701, Lot 50 & 50.02, Pittsgrove Township, Salem County, 25.5 acres.
2. Anna Bauman, SADC ID #17-0215-PG, Resolution FY2020R6(10), Block 2202, Lot 17, Block 2203, Lot 32, 33, 42, 42.01, 42.02, & 43, Pittsgrove Township, Salem County, 56.20 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolutions FY2020R6(9) and FY2020R6(10) is attached to and a part of these minutes.

F. Resolutions: Final Approval- Direct Easement Purchase Program

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

It was moved by Mr. Ellis and seconded by Mr. Siegel to approve Resolutions FY2020R6(11), FY2020R6(12) and FY2020R6(13) granting approval to the following applications under the Direct Easement Purchase Program, as presented, subject to any conditions of said resolution.

1. James Weppler (Lot 16), SADC ID #10-0252-DE, Resolution FY2020R6(11), Block 2, Lot 16, Clinton Township, Hunterdon County, 54.9 net easement acres.
2. James Weppler (Lot 18), SADC ID #10-0253-DE, Resolution FY2020R6(12), Block 3, Lot 18, Clinton Township, Hunterdon County, 108.5 acres.
3. David & Lisa Oertle, SADC ID #10-0274-DE, Resolution FY2020R6(13), Block 39, Lot 3, 3.03, & 4, Kingwood Township, Hunterdon County, 107.4 net easement acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolutions FY2020R6(11), FY2020R6(12) and FY2020R6(13), is attached to and a part of these minutes.

G. Resolutions: Final Approval- Non-Profit Program

Ms. Mazzella referred the Committee to two requests for final approval under the Non-Profit program. She reviewed the specifics of the requests with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Bullock and seconded by Mr. Kumpel to approve Resolutions FY2020R6(14) and FY2020R6(15) granting approval to the following applications under the Non-Profit Program, as presented, subject to any conditions of said resolution.

1. Kent Kimball, SADC ID #21-0045-NP, Resolution FY2020R6(14), Block 61, Lot 5, White Township, Warren County, 44.62 acres.
2. James Parave and Elicia Smith, SADC ID #17-0054-NP, Resolution FY2020R6(15), Block 99, Lot 10 & 10.01, and 14 and Block 101, Lot 24, Alloway Township, Salem County, 61.9 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolutions FY2020R6(14) and FY2020R6(15) is attached to and a part of these minutes.

Public Comment

Ms. Payne read an email that was submitted by Ms. Ashley Kerr, of the NJ Farm Bureau, which stated: *"At the State Board meeting yesterday, Secretary Fisher and Susan*

mentioned A2773 Bill for Special Occasion Events on farms that is going to be voted on by the full Assembly during their next session on Monday. Both concurred that the winery pilot had expired on May 30th and that it may or may not be extended. One of the Governor's executive orders extended expiration dates of regulations, so was the pilot technically extended 60 days beyond the end of the pandemic? Just to clarify, what do you expect to happen next in the legislature?"

Chairman Fisher clarified that he and Ms. Payne mentioned that the winery pilot was expiring, and they did not mention a bill at the state board meeting. Ms. Payne noted that was correct.

Ms. Payne stated for clarification that the Winery Special Occasion Event (SOE) law expired at the end of May so there is no current winery SOE enabling law in effect at this moment. The Governor's executive order allowed for extensions of regulations, not statutes like the SOE law, and Ms. Payne indicated she believes any such extension would have to be enacted by the legislature. The SADC sent its report containing recommendations on SOEs to the Legislature and to the Governor's office in March of this year.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 A.M., July 23, 2020

Riverview Plaza or NJDA

ADJOURNMENT

The meeting was adjourned at 11:03 a.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**REVIEW OF A NON-AGRICULTURAL DEVELOPMENT PROJECT IN AN
AGRICULTURAL DEVELOPMENT AREA INCLUDING THE CONDEMNATION OF
PRESERVED FARMLAND**

**MEDFORD TOWNSHIP SANITARY SEWER EXTENSION PROJECT ON A PORTION
OF THE JENNINGS FARM WITH TEMPORARY ACCESS OVER THE PRESERVED
FARM**

MEDFORD TOWNSHIP, BURLINGTON COUNTY

#FY2020R6(1)

June 25, 2020

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

WHEREAS, pursuant to N.J.S.A. 4:1C-25, no public body shall advance a grant, loan, interest subsidy or other funds with regard to land in a municipally approved farmland preservation program or from which a development easement has been conveyed for the construction of facilities to serve nonfarm structures unless the Governor declares that the action is necessary for the public health, safety and welfare and that there is no immediately apparent feasible alternative; and

WHEREAS, CADBs and the SADC are charged with the responsibility, pursuant to N.J.S.A. 4:1C-19, to review the construction of certain facilities to serve nonfarm uses by public bodies and public utilities on land in an ADA in order to determine the proposed action's effect upon the preservation and enhancement of agriculture in the ADA, the municipally approved program, and overall State agriculture preservation and development policies; and

WHEREAS, Medford Township has a 30' wide sanitary sewer easement (sewer easement) on the southern boundary of Block 403, Lot 3 in Medford Township, which, along with Block 404, Lot 7, was permanently preserved by the SADC on April 5, 2006 (Jennings Farm); and

WHEREAS, the sewer easement, dated September 30, 1983, pre-dates the preservation of Jennings Farm, and therefore the farmland preservation deed of easement is subject to the sewer easement; and

WHEREAS, there is an existing sewer line within the sewer easement area, the Sharp's Run Interceptor, which runs generally parallel to the northern banks of Sharp's Run; and

WHEREAS, pursuant to court order dated June 20, 2017, the Township is required to provide affordable housing on adjacent property south of the Jennings farm (Tofamo site) as well as on two other properties; and

WHEREAS, the Township intends to construct a sanitary sewer main extension to connect the existing Sharp's Run Interceptor to the proposed affordable housing developments (see Schedule A); and

WHEREAS, the proposed sewer main extension will utilize horizontal drilling methods from the Tofamo site to a single receiving pit that is proposed to be 10'x10' next to an existing manhole within the sewer easement area on the Jennings farm; and

WHEREAS, the Jennings Farm is in an Agricultural Development Area; and

WHEREAS, the Township filed a Notice of Intent with the Burlington CADB and the SADC pursuant to N.J.S.A. 4:1C-19, informing both agencies of the Township's proposal to use a 12'-wide, approximately 1200'-long unimproved grassed travel lane on the Jennings Farm for construction access from Jennings Road to the manhole within the sewer easement area on the Jennings farm that the Township is proposing to connect to; and

WHEREAS, it is anticipated that the Township's contractor would most likely require access to the main at the commencement of construction and that access would be required for approximately two weeks; and

WHEREAS, according to the Township, the largest piece of equipment that is anticipated to utilize the proposed access is a Caterpillar 930 Wheel Loader, or its equivalent; and

WHEREAS, the Township's Notice of Intent listed the following alternatives in lieu of the Township's proposed use of the unimproved grassed travel lane on the Jennings farm to access the manhole within the sewer easement area:

- Access from Hartford Road over adjacent property located south of the Jennings farm to the manhole in the sewer easement area on the Jennings farm (Hartford Road access) (see Schedule B)].
- Access from Montclair Road located in the Wildflowers subdivision west of the Jennings farm through the sewer easement to the manhole in the sewer easement area on the Jennings farm (Montclair Road access) (see Schedule C).
- Access from a Township stormwater easement at Highspire Court located in the Wildflowers subdivision west of the Jennings farm (see Wildflowers access) (see Schedule D).

WHEREAS, the Burlington CADB approved the proposed access; however, it did not make a finding as to whether there were no immediately feasible alternatives, and therefore, it did not make a finding under N.J.S.A. 4:1C-25; and

WHEREAS, the SADC reviewed the Notice of Intent submitted by the Township, including all subsequent documentation, and conducted a site inspection to assess the alternatives to access through the Jennings farm; and

WHEREAS, SADC staff conducted a site visit on April 3, 2020 (see Schedule E); and

WHEREAS, SADC staff focused on the Wildflowers access as that appeared to be the most feasible alternative based on the information provided (See Schedule F); and

WHEREAS, the SADC determines that the Wildflowers access provides an immediately apparent feasible alternative to the Township's proposed access through the Jennings farm for the following reasons:

- There is no existing travel lane on the Jennings farm and further, water and electric utilities intersect the proposed access and would need to be removed or relocated to utilize the access as proposed (See Schedule G); and
- Utilizing the Wildflowers access would result in only an additional 0.11 acres of wetlands transition area disturbance and no disturbance to the wetlands area; and
- Regarding the trees that would need to be removed in order to utilize the Wildflowers access, several are already dead, the majority are less than six inches in diameter, and a large portion shows signs of Emerald Ash Borer infestation (see Schedule H); and

WHEREAS, at the SADC's May 28, 2020 meeting, staff recommended that the Committee disapprove Medford's proposed access on the preserved Jennings farm; and

WHEREAS, representatives from Medford Township and the Wildflowers at Medford Community Association appeared at the meeting presented their objections to the staff recommendation; and

WHEREAS, by email dated May 21, 2020, Jennings farm owners Mary Beth Melton and Sally Ann Jennings expressed their support for the staff recommendation; and

WHEREAS, a majority of the SADC voted in favor of the staff's recommendation; and

WHEREAS, this Resolution memorializes official action taken by the SADC at its May 28, 2020 meeting,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC finds that there is an immediately apparent feasible alternative to the proposed access to the Jennings farm by using the Wildflowers access.

3. The SADC does not recommend that the Governor find that there is no immediately apparent feasible alternative to Medford's proposed access on the Jennings farm (N.J.S.A. 4:1C-25).
4. If Medford Township encounters serious obstacles in connection with its use of the Wildflowers access that would serve to defeat the feasibility of that alternative, the Township may present that information to the SADC for further consideration.
5. This action is considered a final administrative agency decision appealable to the Appellate Division of the Superior Court of the State of New Jersey.
6. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

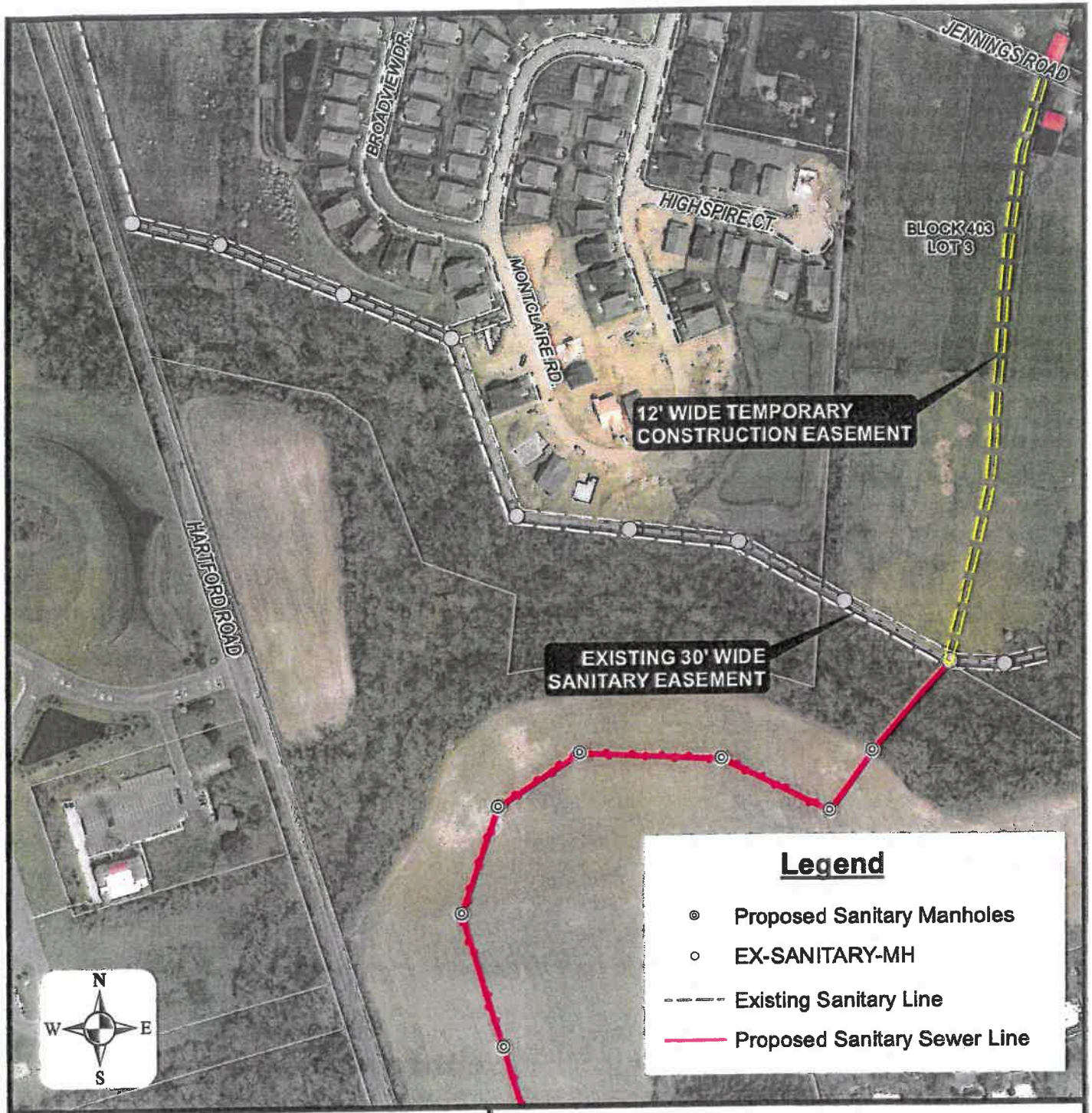
6/25/2020
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	RECUSE
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

SCHEDULE A



**ENVIRONMENTAL
RESOLUTIONS, INC.**

Engineers • Planners • Scientists • Surveyors
815 EAST GATE DR. SUITE 103
MOUNT LAUREL, NEW JERSEY 08054
TEL. 856-235-7170 FAX 856-273-9239

PROPOSED TEMPORARY EASEMENT PLAN

**ARC WHEELER TOFAMO & HARTFORD SQUARE
SANITARY SEWER EXTENSION
MEDFORD TOWNSHIP
BURLINGTON COUNTY, NEW JERSEY**

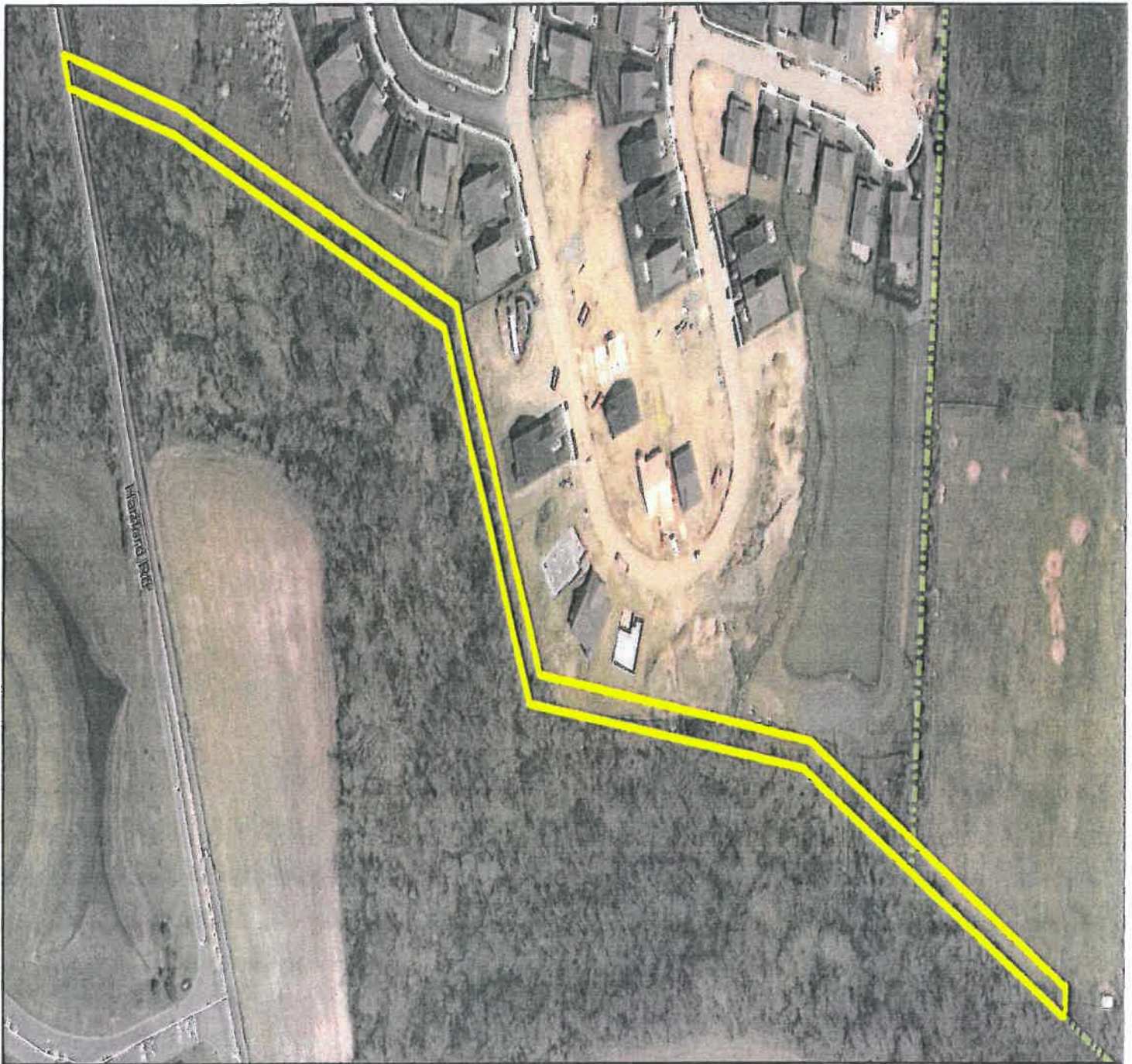
SCALE:

0 75 150 300 450 600
Feet

SOURCE: NJDEP GIS DATA

Schedule B

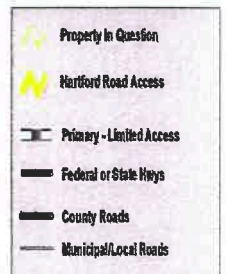
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FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Judith Jennings; Mary Beth Melton; Sallyann Jennings
Block 403 Lot 3
Medford Twp. Burlington County
Hartford Rd. Access

500 250 0 Feet



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

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

May 13, 2020

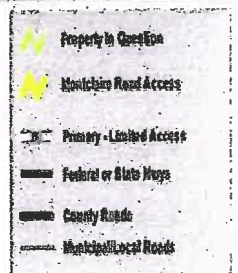
Schedule C

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FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Judith Jennings; Mary Beth Melton; Sallyann Jennings
Block 403 Lot 3
Medford Twp. Burlington County
Montclair Rd. Access



500 250 0 Feet

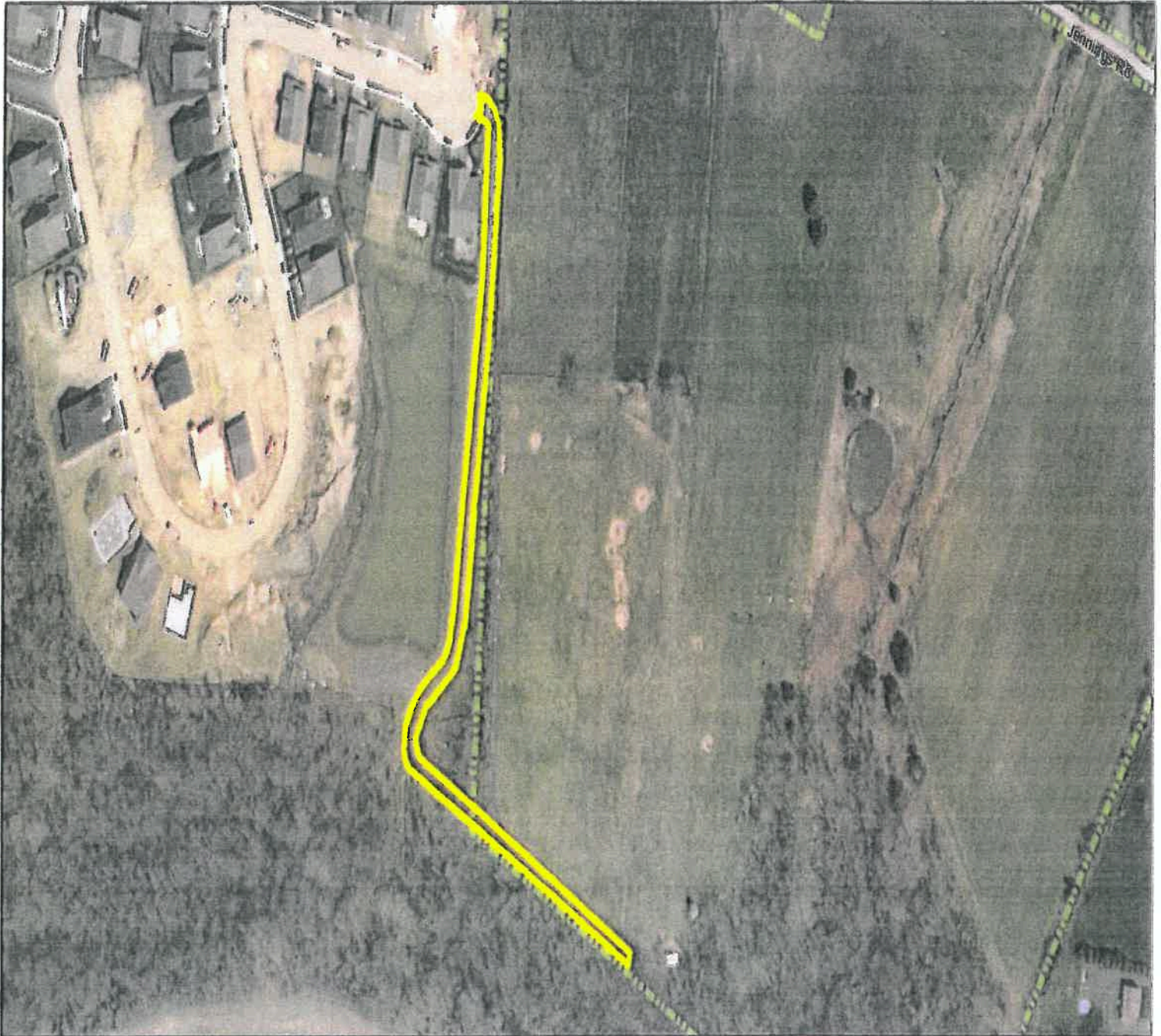
DISCLAIMER: Any use of this product with respect to accuracy or a prediction shall be the sole responsibility of the user. The configuration and geo-referenced location of parcels polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and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

Sources:
Green Acres Conservation Easement Data
NJDOT GIS 2015 Digital Aerial Image

May 13, 2020

Schedule D

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FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Judith Jennings; Mary Beth Melton; Sallyann Jennings
 Block 403 Lot 3
 Medford Twp. Burlington County
 Highspire Ct. Access

500 250 0 Feet



	Property in Question
	Highspire Court Access
	Primary - Limited Access
	Federal or State Hwy
	County Roads
	Municipal/Local Roads

DISCLAIMER Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The 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 making any representation and location of the ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

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

May 13, 2020



Trip Report

To: Susan Payne, Executive Director, SADC
From: David Clapp, Resource Conservationist
Date: April 6, 2020 (Revised May 8, 2020)
Re: Proposed Temporary Construction Access on the EC Jennings and Associates Farm (03-0011-DE)

On April 3, 2020 I conducted a site visit to the EC Jennings and Associates (Jennings) farm, Block 403, Lot 3 in Medford Twp., Burlington County. The Jennings farm is a preserved farm (Premises). Under N.J.S.A. 4:1C-25, no public body shall exercise eminent domain on a preserved farm for a non-agricultural use unless the governor declares that "the action is necessary for the public health, safety and welfare and that there are no immediately apparent feasible alternatives." Therefore, the purpose of the site visit was to review a proposed Temporary Construction Access (TCA) across the Premises and evaluate the feasibility of any immediately apparent alternatives. Particular attention was paid to the alternative located immediately adjacent to the preserved farm where access would be afforded through an area owned by the adjacent Wildflowers Development Homeowners Association.

The TCA is proposed as an, "approximately twelve foot-wide construction access approximately 1200 feet from Jennings road to the rear of the property along the existing unimproved farm road." (Letter from C. Noll to T. Prime dated 12/13/2019 - Attachment A). The lane is proposed for access to an existing sanitary sewer easement on the Premises, which predates the preservation easement. Access is alleged to be necessary to extend an existing sanitary sewer system across Sharps Run creek to service the Arc Wheeler, Tofamo, & Hartford Sq. developments, which are currently under construction. Horizontal directional drilling (HDD) was approved by the NJ Department of Environmental Protection (NJDEP) to minimize impacts to Sharps Run creek. An approximately 10-foot by 10-foot (100 square foot) pit needs to be excavated on the Premises, within the pre-existing sewer easement area, to make the interconnection between the current and proposed sewer lines.

Proposed Temporary Construction Access:

The current proposal would require the temporary use of approximately 0.29 acres of the Premises for the TCA¹. While the area is described as an “unimproved lane”, only the northern portion of the proposed route appears to be used for occasional tractor use and is part of an existing hay field (Photo 1). A wood board fence and water and electric utilities intersect the proposed access and would need to be removed or relocated to utilize the current proposed route. See Figure 1 and Photos 3 through 6. The southern portion of the field is cropped or mowed with hay and trees planted. A board fence near the approximate sewer easement boundary would also need to be removed to facilitate access (Photo 7). There is no indication of a preexisting access lane in this area.

Several other areas of potential areas of concern were noted within the proposed access that would need to be addressed.

- Pasture adjacent to the proposed lane is used for horses. The electric fence in this area does not appear to be in good condition. During the site visit a horse was standing over the fence, with its forelegs outside the fence, eating grass. Any use of the farm for vehicular traffic as proposed would require appropriate measures to ensure the safety of the horses, workers, and general public should the horses be frightened by the equipment and escape from their enclosure. (Photo 4)
- Beehives located to the south of the fence intersecting the proposed access would need to be relocated to facilitate access. (Photo 2, 3)
- The approved Soil Erosion and Sediment Control (SESC) plan provided does not appear to show any controls required as part of the access lane. All controls, including access to the site, must be shown on the SESC plan. The current plan does not show any excavation on the Premises or the need for access, which may be why the SCD did not require any controls in place for approval.
- The size and location of any soil stockpiles excavated from the approximately 10-foot by 10-foot work area should be noted. The depth of the work area is assumed to be ~10 feet based on the existing manhole elevation at 42.25 and the proposed pipe invert at 33.75 shown on the SESC plan set. This will generate approximately 40 yards of excavated material.

Proposed Alternative(s):

An alternative access was reviewed that would eliminate the need to utilize a TCA on the Premises entirely by accessing the existing sewer easement through the neighboring Block 403.01, Lot 51. (Formerly 403, 1.01) (Photos 9-13). This parcel, currently owned by Wildflower at Medford Community Association (Association), is listed as ‘open space’ dedicated as part of

¹ The total TCA is approximately 1200 feet x 12 feet (14,400 sf), or 0.33 acres. Approximately 175 feet by 12 feet (2100 sf) is located within an exception area along Jennings Road.

the 'Wildflower at Medford' subdivision. Temporary access to the existing sewer easement could be obtained by gaining a temporary access agreement from the Association or, if necessary, by condemnation. Utilizing this route would avoid any use of the Premises outside of the preexisting sewer easement area, and use associated with site access within the existing sewer easement area on the Premises would be limited to ~0.08 acres (3600 square feet)². All disturbance on the premises would be within the existing sanitary sewer easement that predates the preservation easement.

Wetland and transition area disturbances were reviewed utilizing the plans and documentation provided to the SADC on May 5, 2020 by the Medford Township engineer, Christopher Noll, PE, specifically, Addendum 1 to the NJDEP Statewide G.P./TAW/Flood Hazard area Permit Plan, undated, prepared by Mr. Noll. (Drawing 25982-03). The plan notes an additional 0.110 acres (4800 square feet) of wetlands transition area would be disturbed utilizing this alternative compared to utilizing the current proposal. This area is equivalent to an approximately 12-foot wide temporary access route within the existing ~30-foot wide sanitary sewer easement. Approximately 0.05 acres (2200 square feet) of the proposed 12-foot access easement is forested. The remainder is existing managed grass/hay on the farm.

EXTENT OF LAND TYPES ASSOCIATED WITH PROPOSED AND ALTERNATIVE 12 FOOT WIDE ACCESS EASEMENTS (Acres/Square Feet)*						
	Total Area	Total Wetlands Transition Area	Forested Transition Area	Hay/Pasture Transition Area	Wetland Area	Preserved Farmland Area (excluding pre-existing sewer easement overlap)
Proposed TCA (Jennings)	0.33ac 14,400 sf	0 ac 0 sf	0 ac 0 sf	0 ac 0 sf	0 ac 0 sf	0.29 ac 12,300 sf (excludes exception)
Alternate TCA (Wildflowers)	0.32 ac 13,800 SF**	0.110 ac 4800 sf	0.05 ac 2200 sf	0.06 ac 2600 sf	0 ac 0 sf	0 ac 0 sf
*All values exclude the common area of disturbance required at the interconnection within the sewer easement. Values approximate. ** Includes existing, 200 foot x 12 foot (2400 sf) stabilized gravel entrance from Highspire Court.						

² The alternative temporary construction access from Wildflowers includes a section 300 foot long and 12 foot wide on the Premises and entirely within the existing sanitary sewer easement.

The alternative access could qualify for a NJDEP permit (GP2A for Underground Utility Lines; N.J.A.C. 7:7A-7.2), provided all conditions of the permit are met. A modification to the existing freshwater permit could be obtained. (Drawing 25982-03 noted above is named as an addendum to the existing statewide general permit). Subject to DEP concurrence, pruning of trees along the Jennings hedgerow may is not regulated as described at N.J.A.C. 7:7A-2.3 (b)1.(3).

One of the concerns raised by the Association relates to removal of vegetation on its property. (Photo 14) A tree inventory provided by Medford suggests ~40 trees will need to be removed. The site visit determined the majority of the trees are less than 6 inches in diameter. Only one tree identified in the sanitary sewer easement in the area in question was greater than 24 inches diameter and it showed signs of damage and rot at the base. Several of the trees in question are already dead. The site inspection revealed a large portion of the trees within the sewer easement are Ash (*Fraxinus spp.*), which show signs of infestation with the Emerald Ash Borer. (Photo 15,16) Without treatment, it is likely the remainder of these trees would die and based on the extent of damage it's unlikely many would live even if treated. Removal of these trees to facilitate access, coupled with the use of timber mats to protect the soil from compaction and replanting with native vegetation after disturbance could enhance the long-term vegetative diversity on the site.

It appeared that most of the sewer easement area located on the Premises is already absent woody vegetation. Several overhanging limbs from adjacent trees could be pruned to increase access height without total removal, however this does not appear to be necessary based on the location of the proposed access lane. An existing wood fence may need to be removed to facilitate access (Photo 8). The alternative 12-foot wide access would require the removal of approximately 0.05 acres (2200 square feet) of woody vegetation.

While reviewing this alternative several other possible alternatives were identified that could potentially be utilized if access cannot be obtained from the Association, however these alternatives were not sufficiently addressed in Medford Township's alternative analysis and therefore will not be further evaluated here.

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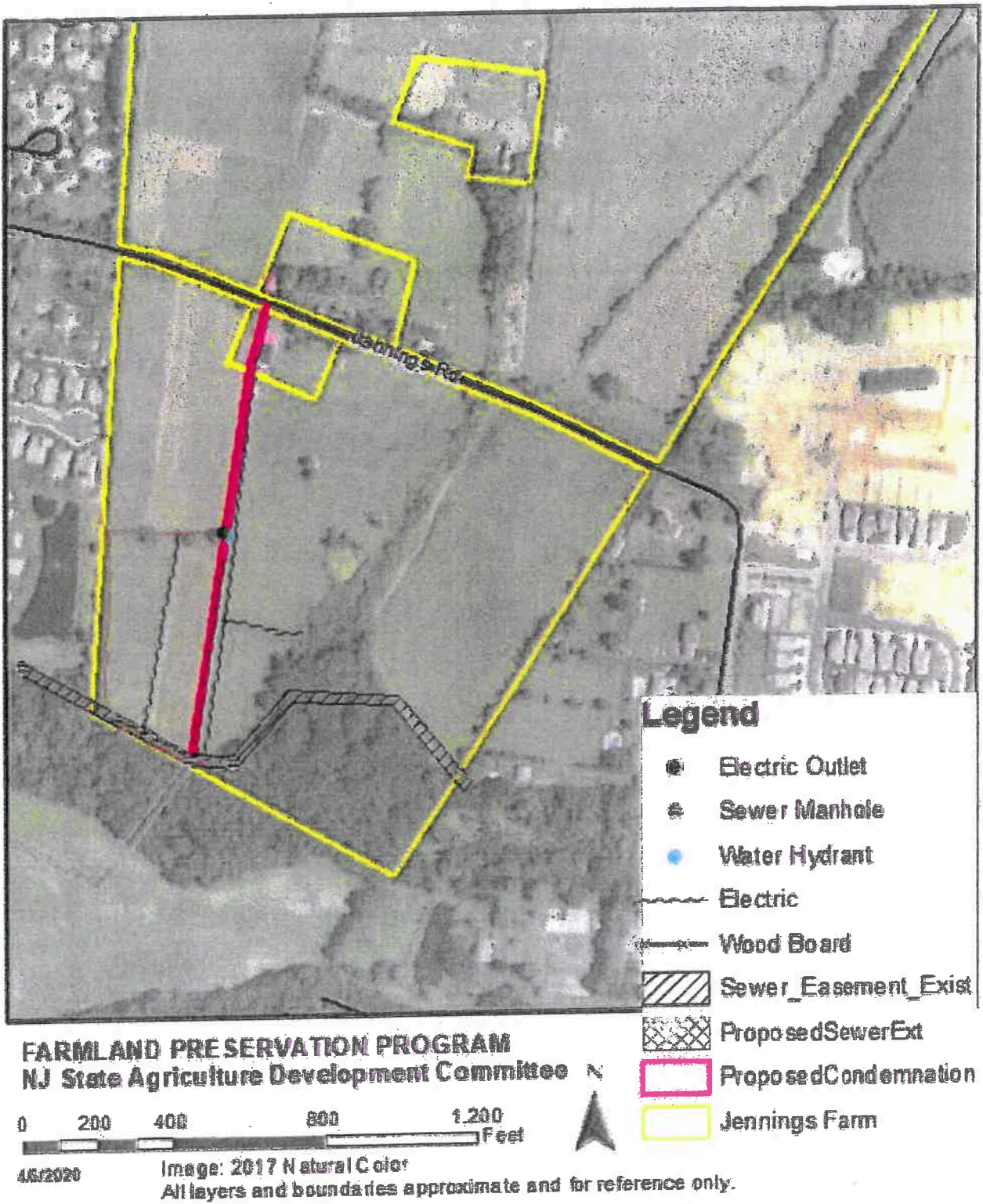


Figure 1: Proposed TCA

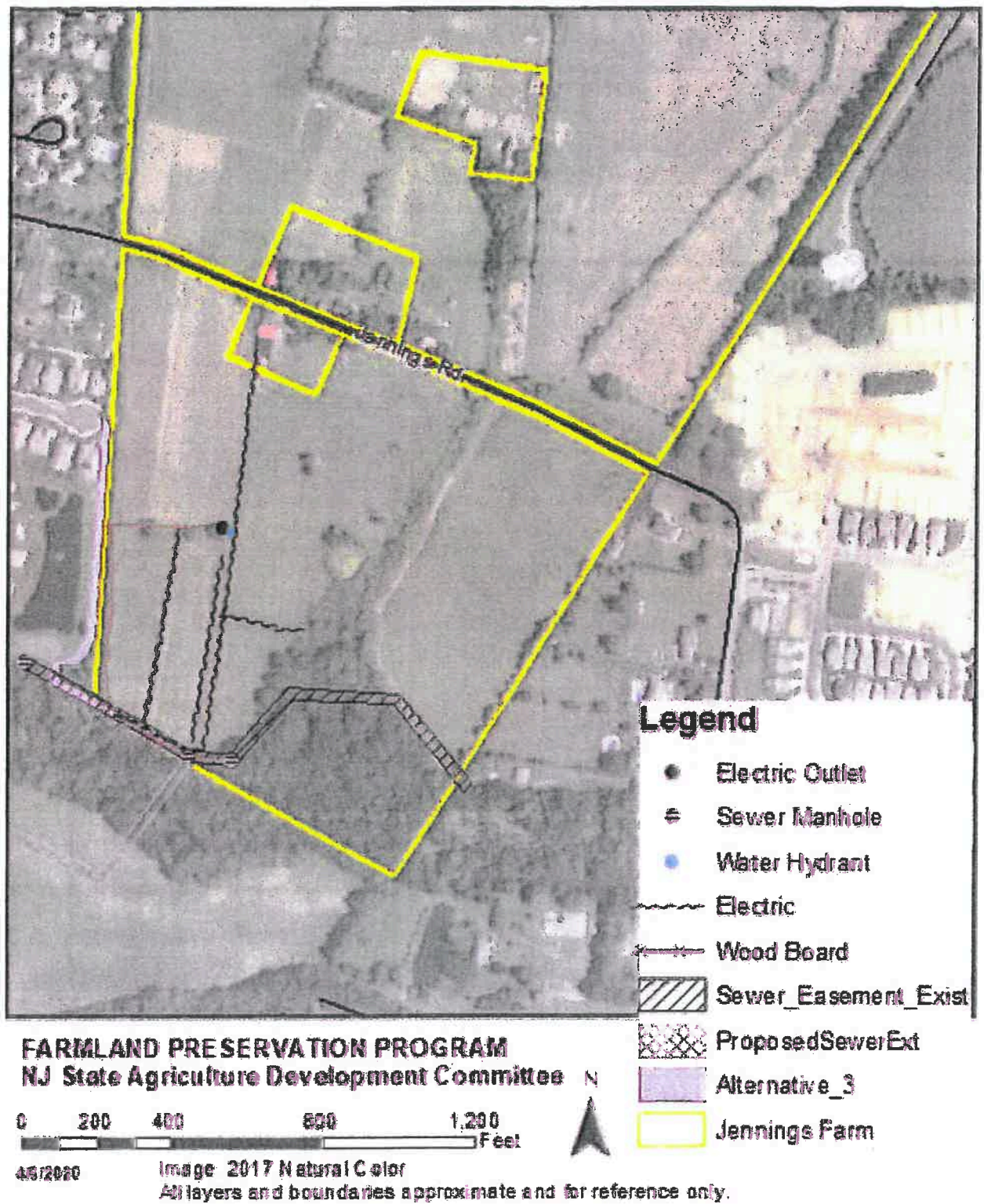


Figure2: Alternative access through Block 503.01 Lot 51



Photo 1: Proposed TCA Looking towards Jennings Rd



Photo 2: Proposed TCA looking towards Sewer Easement. Note Existing Fence, beehives, and utilities.



Photo 3: Proposed TCA looking towards Jennings Rd. Note beehives in TCA. Existing gap in fence to the left.



Photo 4: Poor condition electric fence along proposed TCA.

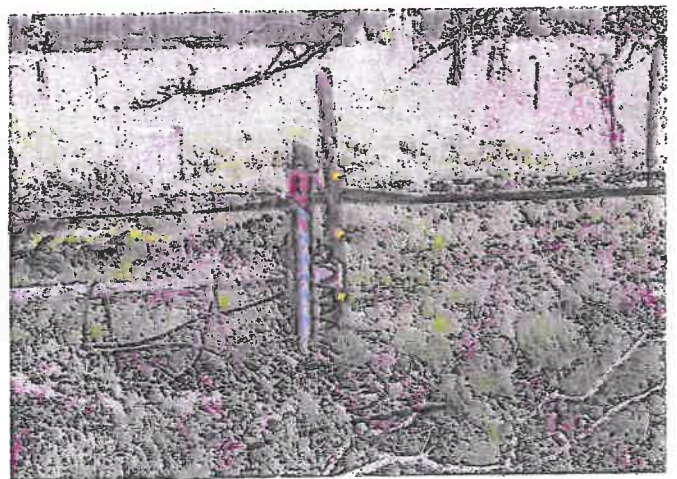


Photo 5: Existing Utilities within the proposed TCA

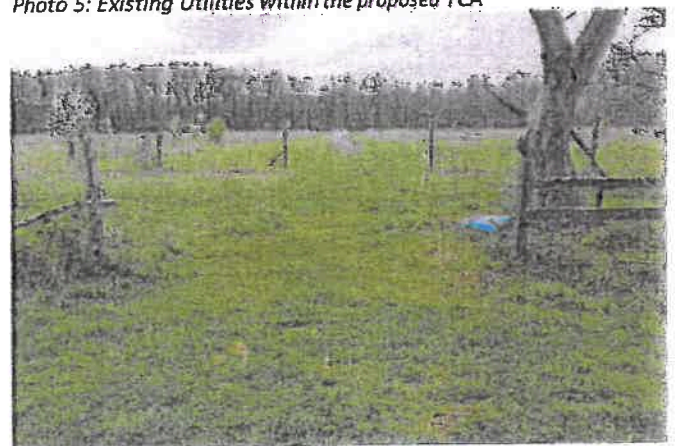


Photo 6: Opening in fence ~50 feet from proposed TCA



Photo 7: Edge of existing sewer easement at end of proposed TCA



Photo 8: Existing sewer easement looking along Alternative 3 towards Proposed TCA.

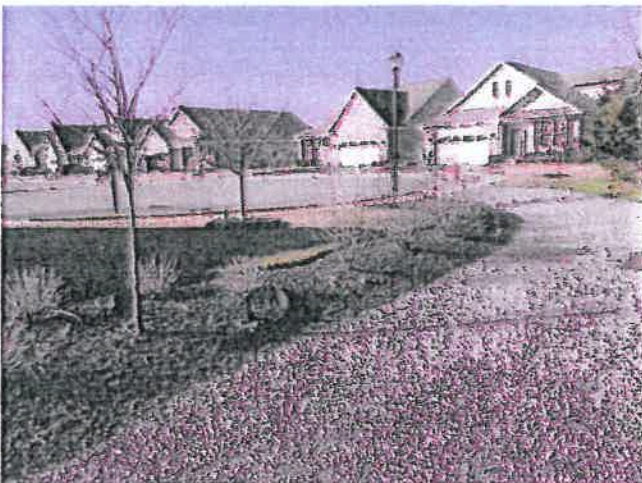


Photo 9: Existing stabilized access to proposed alternative looking to road



Photo 10: Existing stabilized access to proposed alternative looking toward sewer easement



Photo 11: Existing access to proposed alternative, grass lane between property line and basin



Photo 12: Existing access to proposed alternative, grass lane looking toward sewer easement



Photo 14: Approximate area to be cleared along existing sewer easement for Alternative 3.



Photo 13: Stormwater Outfall providing access to the existing sewer easement on Bl 403.01, Lot 51

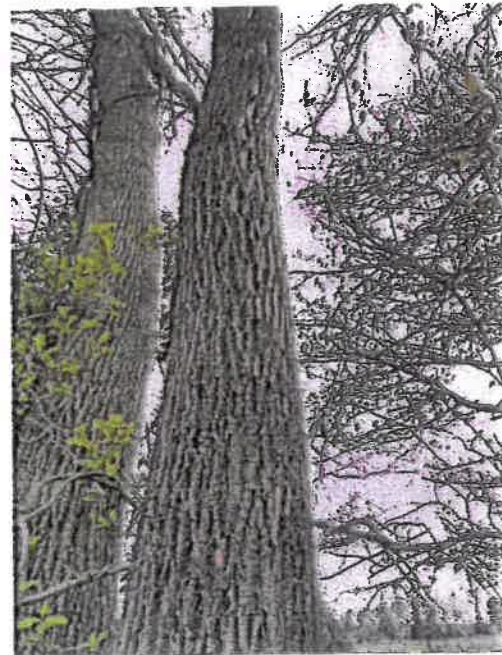
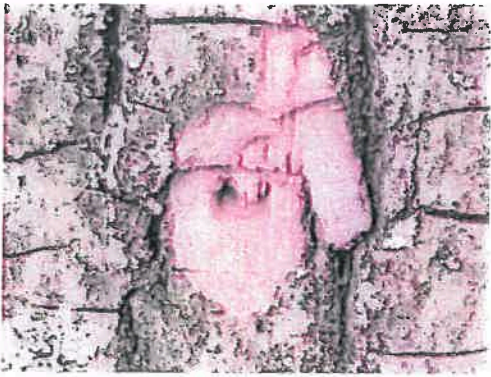


Photo 15: Assumed Emerald Ash Borer damage within existing Sewer Easement



*Photo 16: Assumed Emerald Ash Borer damage within the existing
Sewer Easement*

Christopher J. Noll, PE, CME, PP
President & CEO

Barbara J. Fegley, AICP, PP
Sec./Treas. & Sr. Vice President

William H. Kirchner, PE, CME, N-2
Vice President



Rakesh R. Darji, PE, PP, CME, CFM, Vice President
G. Jeffrey Hanson, PE, CME
Joseph R. Hirsch, PE, CME, CPWM
Joseph F. Orsino, CET
Marc H. Selover, LSRP, PG
Harry R. Tox, NICET III, CPS
C. Jeremy Noll, PE, CME, CPWM
Benjamin R. Weller, PE, CME, CPWA, S-S, C-S

815 East Gate Drive • Suite 103 • Mount Laurel • New Jersey • 08054

Telephone (856) 235-7170 • Fax (856) 273-9239 • www.erinj.com

December 13, 2019
25982 02

Re: Sanitary Sewer Extension for
Arc Wheeler, Tofamo, & Hartford Sq.
NOI : Agricultural Development
Medford Township

Mr. Timothy M. Prime, Esq.
Prime Law Office
14000 Horizon Way Suite 325
Mt. Laurel, NJ 08054

Dear Tim:

This letter is in support of the Township of Medford's (Township) request to obtain Temporary Construction Access through Block 403; Lot 3, commonly referred to as the Jennings Farm. The purpose of this temporary construction access is to facilitate the construction of a sanitary sewer main extension for the Township to provide sewer services to three(3) proposed court ordered affordable housing developments; Arc Wheeler, Tofamo, and Hartford Square. The proposed sewer extension is to connect to the Township's existing Sharp's Run Interceptor, which runs generally parallel to the northern banks of Sharp's Run. The connection will be accomplished by a jack and bore from the south side of Sharp's Run. The Township has obtained the necessary Flood Hazard Individual Permit, Freshwater Wetlands General Permit, and Treatment Works Approval from the NJDEP for this work. The Township currently has a 30' wide sanitary sewer easement on the Jennings Farm, dated September 30, 1983, as well as the neighboring properties, for the existing sewer main. In order to facilitate the construction of the proposed sewer main under Sharp's Run, the Township will require construction access to the existing sewerline and manholes within the existing 30' easement. As the existing easement is immediately adjacent to wetlands and is heavily vegetated, the Township is seeking permission to utilize the existing farm road to access the Township's infrastructure in order to reduce the environmental impact to the wetlands and vegetation due to the required disturbance. It is our understanding that the New Jersey State Agricultural Development Committee requires a Notice of Intent (NOI) for this work to address six (6) NOI Checklist items as well as four (4) Additional Requirements. The following is our office's response to these items that will follow the NOI Checklist Nomenclature.

1. This project is being performed on behalf of the Township of Medford, 17 North Main Street, Medford, NJ 08055. Myself, Christopher J. Noll, PE, of Environmental Resolutions, Inc. (815 East Gate Drive-Suite 103, Mt. Laurel, NJ 08054) acting as the Township Engineer, shall be the Township's Contact Person. Our telephone number is (856) 235-7170.
2. The Project is being proposed is commonly known as Jennings Farm.
 - a. The property is located on Block 403; Lot 3 in the Township of Medford.
 - b. Enclosed is a *Proposed Temporary Access Plan* that illustrates the location of the proposed 12' wide construction access.
 - c. The property is currently an active farm under the Farmland Preservation Program.

Stacey Arcari, PE, CME, PTOL, PP
Timothy Kaluhiokealani, LLA, PP
Anthony R. Lopez, PE, CFM, CME
Jose Ruiz-Velazquez, FLS
Karen Herrmack, PE

Andrew J. Orsino, NICET III
John T. Potts, NICET III, W-2, T-2
Charles Sabatini, PE, CME, CPWM, PP
Edward E. Tox, III, AICP, PP

John L. Scott, Jr., FLS, NICET III
Rohan Tadesa, CHMM, LSRP
Neil J. Wenker, LLA, RLA
Kathryn Haywood, PE, CFM
Mathew Kemler, NICET III

- two (2) week period of time while the Contractor installs the first section of sewer main under Sharp's Run.
- c. As the project will utilize the existing unimproved farm road, there will be no alterations or modifications to the farm road that would promote any additional trespass of unauthorized individuals.
 - d. There will be a minor increase of vehicular traffic utilizing the temporary construction access but it will be limited in duration.
 - e. The overall construction project, to which this temporary construction access would be associated with, requires that the Contractor keep a neat and clean working area and to restore it to preconstruction conditions. As such, there should be no increase of litter on the property.
 - f. As noted above, the overall construction contract requires the site to be restored to preconstruction conditions therefore there will be no alteration to site aesthetics. It should be noted that the other alternatives which require the removal of the trees and vegetation, would have a significant impact to the aesthetics in the area.
6. The proposed temporary construction access will have minimal to no impact on the water resources with respect to the agricultural operations on Jennings Farm. The following are the considerations for the potential problems set forth in the checklist.
- a. For water diversion, there will be no impact of:
 - i. Surface runoff affecting water bodies, including irrigation ponds, nor
 - ii. Groundwater aquifers, nor
 - iii. Any rechanneling of any streams or water courses.
 - b. There is no perceived potential effect on any surface or groundwater quality based on the proposed activities.
 - c. As the project is to utilize an existing unimproved farm road, there will be no change to the site's function as a water recharge area.

The NOI Review Checklist also enumerates four (4) Additional Requirements that are to be addressed. The following is the Township's response to these requirements.

1. Beyond the scope of the proposed access, the overall project to extend the Township's sewer service has determined that the existing sanitary sewer manhole at the southern property line of Jennings Farm (along Sharp's Run) is ideal based on feasibility, constructability, cost and potential impact to the environment.
- a. Relative to the Township's analysis of the various methods of accessing this manhole, the two (2) options were to utilize the existing sanitary sewer easement from either Hartford Road or the neighboring development to the west, or to seek the proposed 12' wide temporary construction access.
 - b. There are no construction costs associated with utilizing the temporary construction access across the Jennings Farm. Conversely, the cost to remove trees and other vegetation through the existing easement would cost upward of \$200,000.00, or more.
 - c. In addition, should the Township limit their work to within the existing easement, there could be the issue of accessibility for machines and other construction vehicles to access the manhole without potentially stabilizing and/or grading the easement. This is not preferable to the Township nor would it be for the adjacent residents.
 - d. The clearing of the easement to provide access to the manhole from either Hartford Road or the adjacent property would require work near the waterway and potential wetlands. This could raise

environmental protection concerns potentially involving the NJDEP. Again, the Township would prefer to maintain the natural landscape of the easement, if possible.

- e. As this project is for access only, no design waivers are required for either alternative.
 - f. There are no significant safety concerns from either alternative other than the increased risk associated with the removal of trees for the alternative of remaining in the existing access.
2. The enclosed *Proposed Temporary Access Plan* illustrates the temporary workspace required for this application for construction equipment access. This application does not require temporary material storage areas, equipment storage areas, or staging areas on the Jennings Farm property outside of the proposed 12' access.
 3. As noted previously, the overall project requires that the Contractor restores the site to preconstruction conditions. The access through Jennings Farm utilizing the existing unimproved farm road should not have any impact on the soil or drainage systems. The Contractor will need to temporarily remove a portion of fencing at the property line, which would be replaced to comply with the contract requirement to restore the site to preconstruction conditions.
 4. The proposed use of the existing farm road will create no limitations on the site for any future agricultural use. This includes any effects on water, crops, buildings fences or farm lanes.

In summation, it is in our engineering opinion that the proposed use of the existing unimproved farm road on the Jennings Farm property for temporary construction access is the ideal choice for all interested parties. There are no adverse impacts anticipated with the Township's use of the farm road and the proposed access is significantly preferable as compared to the Township's alternative method. As noted above, should the Township not be granted access through the Jennings Farm property it would result in a larger impact, in terms of vegetation that will be removed and the wetlands impacted, on the property in order to operate within the Township's existing easement. The Township would like to proceed in the most effective, efficient, and least invasive method possible.

Should you have any questions or require additional information, please do not hesitate to contact our office.

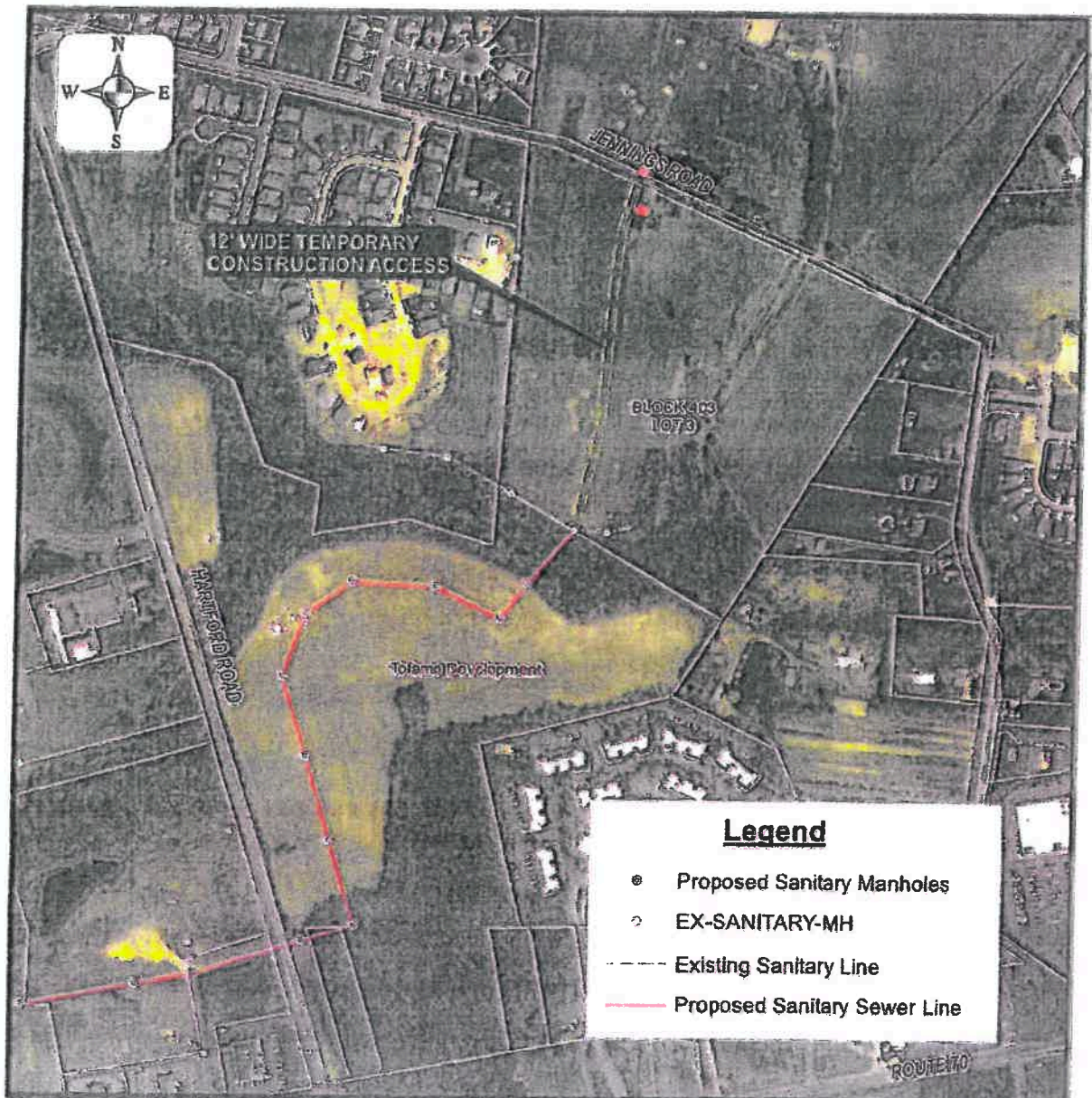
Sincerely yours,


Christopher J. Noll, PE, CME, PP
Township Engineer

Enclosure

cc: Kathy Burger, Medford Twp.

25982 02 Temp Construction - Jennings Farm Ltr - 12.13.19



Legend

- Proposed Sanitary Manholes
- EX-SANITARY-MH
- Existing Sanitary Line
- Proposed Sanitary Sewer Line



ENVIRONMENTAL RESOLUTIONS, INC.

Engineers • Planners • Scientists • Surveyors
815 EAST GATE DR. SUITE 103
MOUNT LAUREL, NEW JERSEY 08054
TEL. 856-235-7170 FAX 856-273-9239

PROPOSED TEMPORARY ACCESS PLAN

**ARC WHEELER TOFAMO & HARTFORD SQUARE
SANITARY SEWER EXTENSION
MEDFORD TOWNSHIP
BURLINGTON COUNTY, NEW JERSEY**

SCALE:

0 125 250 500 750 1,000 Feet

SOURCE: NJDEP GIS DATA

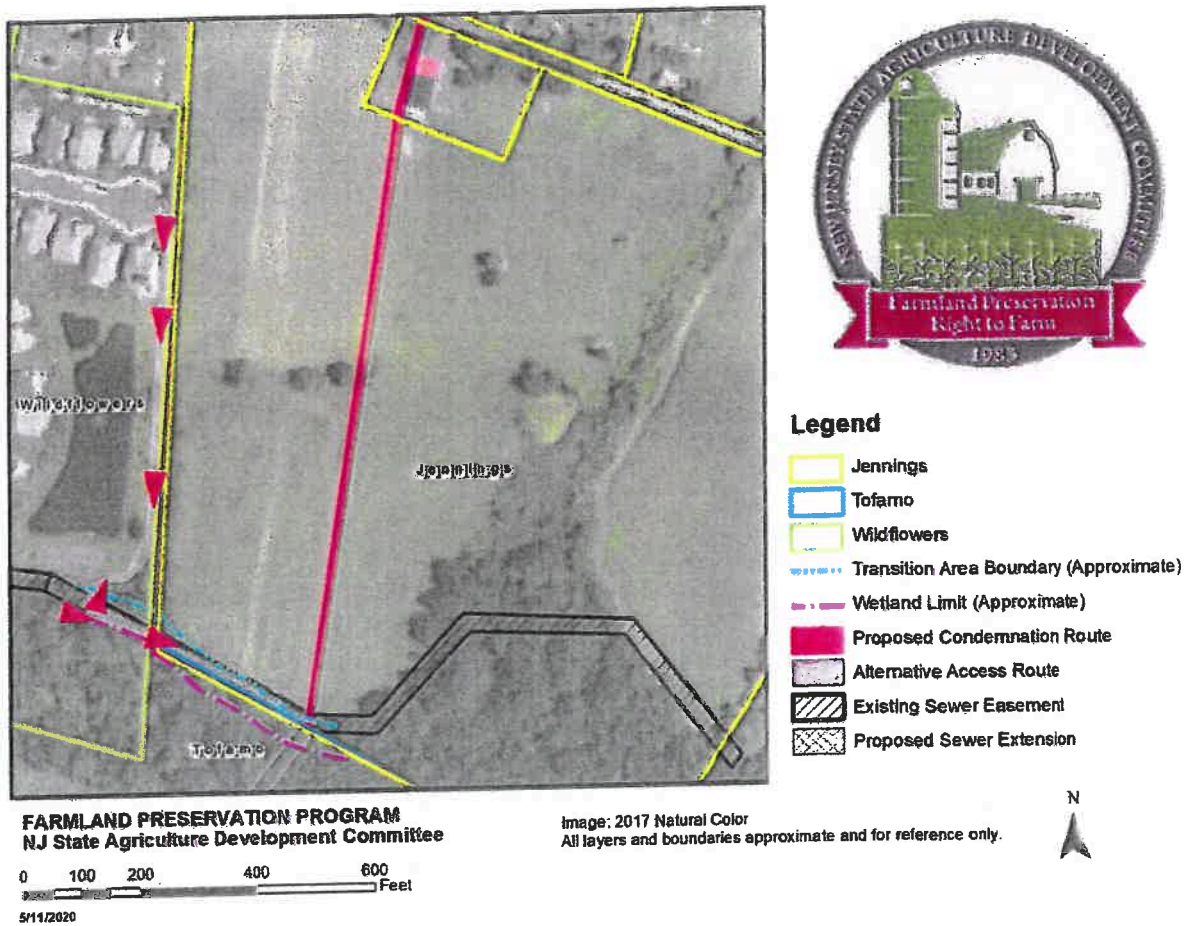




Photo 1: Existing stabilized access to proposed alternative looking to road



Photo 2: Existing access to proposed alternative, grass lane between property line and basin



Photo 3: Existing access to proposed alternative, grass lane looking toward sewer easement



Photo 4: Stormwater Outfall providing access to the existing sewer easement on Bl 403.01, Lot 51



Photo 5: Approximate are to be cleared along existing sewer easement for proposed alternative



Photo 6: Existing sewer easement looking along the Wildflowers Access towards Proposed TCA.





Legend

- Jennings
- Tofamo
- Wildflowers
- Electric Outlet
- Sewer Manhole
- Water Hydrant
- Transition Area Boundary (Approximate)
- Wetland Limit (Approximate)
- Proposed Condemnation Route
- Alternative Access Route
- Existing Sewer Easement
- Proposed Sewer Extension

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

0 100 200 400 600
Feet
5/11/2020

Image: 2017 Natural Color
All layers and boundaries approximate and for reference only.



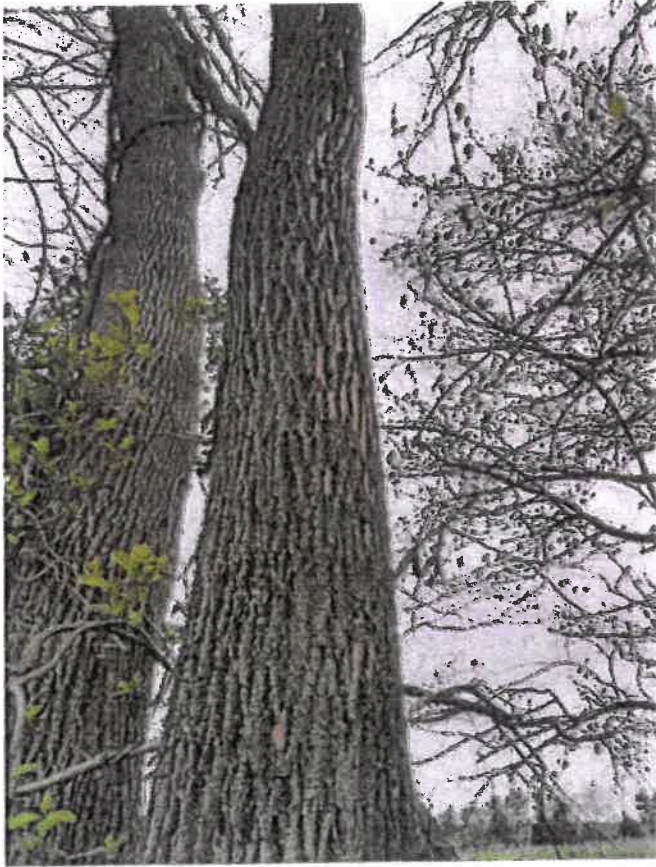


Photo 1: Assumed Emerald Ash Borer damage within existing sewer easement –photo location approximated



Photo 2: Assumed Emerald Ash Borer damage within existing sewer easement – photo location approximated

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2020R6(2)**

**Request to Replace a Single-Family Residence
Willis Farm**

June 25, 2020

Subject Property:

Block 82, Lot 9

Hopewell Township, Cumberland County

137.3 Acres

WHEREAS, Ian Willis, hereinafter "Owner," is the record owner of Block 82 Lot 9, Hopewell Township, Cumberland County, by deed date February 2, 2010, and recorded the Cumberland County office in Deed Book 4067, Page 1671, totaling approximately 137.3 acres, hereinafter referred to as the "Premises", as shown in Schedule "A"; and

WHEREAS, a development easement on the Original Premises was conveyed to the Cumberland County Agriculture Development Board on August 21, 1997, by Howard J. Willis, Sr. and Nola Willis, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. as a Deed of Easement recorded in the Cumberland County Clerk's Office on August 28, 1997, in Deed Book 2253, Page 205; and

WHEREAS, the Deed of Easement for the Original Premises identifies one (2) single family residences on the Premises, no agricultural labor units, no Residual Dwelling Site Opportunities, and two exception areas; and

WHEREAS, the Original Premises, consisting of approximately 220 acres, was previously divided since the original preservation as shown on Schedule "B"; and

WHEREAS, the Original Premises farm consisted of Block 80, Lot 18 and Block 82, Lot 9 in Hopewell Township, Cumberland County; and

WHEREAS, on December 10, 2009, the SADC approved division of premises resolution #FY2010R12(1), thereby dividing the Premises from the original Willis farm; and

WHEREAS, as a result of that division the Owner acquired the Premises which includes one (1) single family residence, no agricultural labor units, no Residual Dwelling Site Opportunities, and no exception areas;

WHEREAS, on March 30, 2020, the SADC received a request from the Owner to replace the existing, 4,000+/- sq. ft. single-family residence on the Premises, located at 81 Hope Grange Road in Hopewell Township, as shown in Schedule "A"; and

WHEREAS, the Premises currently is in field and vegetable crop production and is being farmed by a neighbor; and

WHEREAS, the existing residence is in a state of disrepair due to structural damage and prolonged lack of maintenance; 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 CCADB and the Committee; and

WHEREAS, the existing residence is a two-story frame farmhouse, the main block of which was built circa mid-19th century, with a two-story rear addition, circa third-quarter 19th century, and is not listed on the New Jersey or National Register of Historic Places, as shown in Exhibit "A"; and

WHEREAS, SADC staff received confirmation from the CCADB that the existing residence is not included on the County or Local Historic Sites list; and

WHEREAS, the Owner proposes to replace the existing residence with an approximately 1,380 sq. ft., 2-bedroom home, hereinafter referred to as the "Proposed Residence", to be used as a residence for the Owner and his family; and

WHEREAS, the Proposed Residence will be built within the farmstead complex, in proximity to the existing residence, and utilize the existing driveway, as shown in Schedule "A"; and

WHEREAS, the Proposed Residence will require the installation of new septic system, as shown in Schedule "A"; and

WHEREAS, the Owner has requested to keep the existing farmhouse until the new residence is completed because he is currently occupying the residence; and

WHEREAS, Hopewell Township reviewed and approved the request to remove and replace the existing house in the Spring of 2020; and

WHEREAS, on June 9, 2020, the Cumberland CADB approved the Owner's request to replace a residence on the Premises;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of the existing, deteriorating single-family residence on the Premises with a new residence will have a positive impact on the continued agricultural operations of this farm by the construction of a new residence which shall serve as the primary residence for the Owner and his immediate family.
3. The Committee approves the construction of a two-bedroom residence, consisting of approximately 1,380 sq. ft. of heated living space to be constructed on the Premises as shown in Schedule "A," to replace the current residence on the Premises.

4. In accordance with the Hopewell Township Planning Board application no. 2020-02, and this approval, the existing residence must be removed within 60 days of receipt of certificate of occupancy for the new residence.
5. This approval is valid for a period of three years from the date of this resolution.
6. This approval is non-transferable.
7. The construction of the new residence is subject to all applicable local, State and Federal regulations.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

6/25/2020

Date

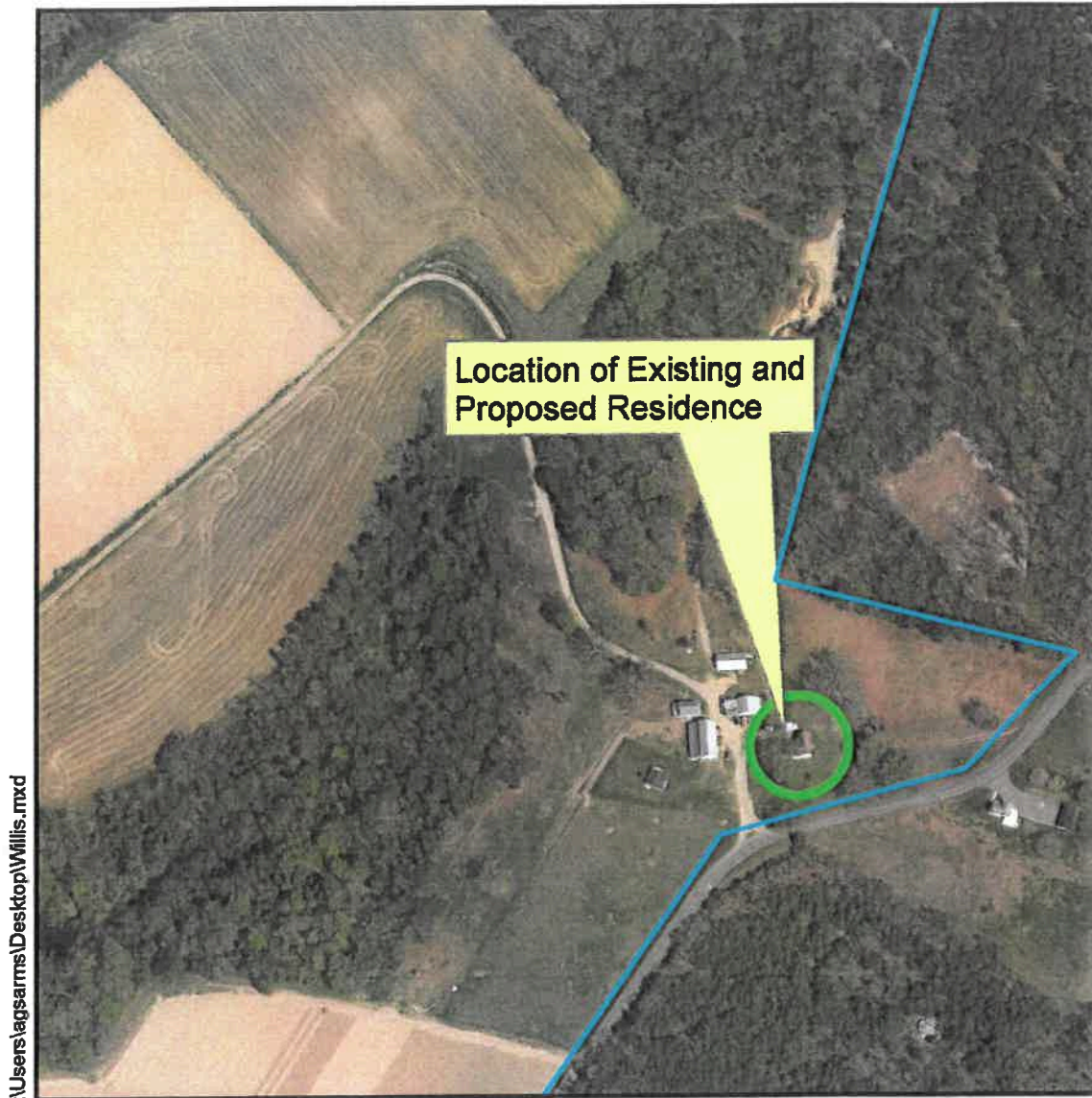


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Schedule A



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Willis Farm
Block 82 Lot 9
137.3 acres
Hopewell Twp., Cumberland County



0 135 270 540 810 Feet

6/1/2020



EXHIBIT A



**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2020R6(3)**

**Request for Division of Premises
Cericola Farm**

June 25, 2020

Subject Properties:

Cericola Farm #1

Block 58, Lots 8, 9, 12, 13, 15

Franklin Township, Warren County

173- Acres

Cericola Farm #2

Block 58, Lot 10

Franklin Township, Warren County

30- Acres

WHEREAS, Robert Cericola, hereinafter "Owner" is the record owner of Block 58, Lots 8, 9, 12, 13, and 15, in Franklin Township, Warren County, hereinafter referred to as the "Farm #1", and Block 58, Lot 10, in Franklin Township, Warren County, hereinafter referred to as the "Farm #2" by deed dated January 19, 1995 and recorded in the Warren County Clerk's office in Deed Book 1405, Page 222; and

WHEREAS, a development easement on Farm #1 was conveyed to the Warren County Board of Chosen Freeholders pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1 C-1, et seq. by Deed of Easement dated August 14, 2015, and recorded in the Warren County Clerk's Office in Deed Book 2636, Page 59; and

WHEREAS, Farm #1 consists of approximately 173 acres as shown on Schedule "A"; and

WHEREAS, the Deed of Easement identifies one existing single-family residential unit, no agricultural labor units, no RDSOs and no exceptions on Farm #1; and

WHEREAS, at the time of preservation, the Owner conveyed a 20 ft. wide, non-exclusive access easement from Asbury-Bloomsbury road, for the use and benefit of Block 58, Lots 8, 12, and 13.01, by Access Easement dated August 14, 2015, and recorded in the Warren County Clerk's office in Deed Book 2635, Page 109; and

WHEREAS, a development easement on Farm #2 was conveyed to the Warren County Board of Chosen Freeholders pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1 C-1, et seq. by Deed of Easement dated September 9, 2015, and recorded in the Warren County Clerk's Office in Deed Book 2640, Page 37; and

WHEREAS, Farm #2 consists of approximately 30 acres as shown on Schedule "A"; and

WHEREAS, the Deed of Easement identifies no existing single-family residential units, no agricultural labor units, no RDSOs, and one (1) one-acre, non-severable exception area on Farm #2; and

WHEREAS, at the time of preservation, the Owner conveyed a 20 ft. wide non-exclusive access easement from Butler road, for the use and benefit of Block 58, Lot, 11, 12, 15, (through lot 10), by Access Easement dated September 9, 2015, and recorded in the Warren County Clerk's office in Deed Book 2639, Page 98; and

WHEREAS, on May 18, 2020, the SADC received a request for a division of the Premises from the Warren CADB on behalf of the Owner; and

WHEREAS, the Owner proposes to divide Farm #1 along existing lot lines 8 and 12, and combine lots 8 & 9 with Farm # 2, so as to reconfigure the two farms, subject to the development easement, but maintaining the farms as contiguous tracts that can be efficiently utilized for agricultural production purposes, as shown in Schedule "B";

WHEREAS, the Owner proposes to reconfigure the two farms as follows:

Parcel A at 98.5 acres- Block 58, Lots 12, 13, 15 (Franklin Twp., Warren County)

Parcel B at 105.04 acres- Block 58, Lots 8, 9, 10 (Franklin Twp., Warren County)

WHEREAS, the Owner's intent is to transfer ownership of the resulting Parcel-B to the current tenant farmer Ronald Sigler, hereinafter "Purchaser"; and

WHEREAS, the Purchaser, a former dairyman, is a 4th generation, lifelong farmer whose family began farming in Asbury in 1896; and

WHEREAS, the Purchaser, and his adult son, Brad, currently farm approximately 1,000 acres of grain crops; and

WHEREAS, Brad Sigler is the 5th generation on the Sigler family farm; and

WHEREAS, the Purchaser is acquiring Parcel-B to expand his landholdings and further advance the farm business for the next generation; and

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

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

WHEREAS, the resulting Parcel-A is an approximately 98.5-acre property that is 36% (35-acres) tillable of which 33% (32.5 acres) are prime soils, as defined by the NJ Natural Resources Conservation Service; and

WHEREAS, the resulting Parcel-A is improved with a single-family residence, equipment barn and former dairy barn now used for hay storage and several smaller outbuildings; and

WHEREAS, the primary outputs of Parcel-A have historically been livestock, grain and hay crops; and

WHEREAS, the Owner will retain ownership of Parcel-A; and

WHEREAS, the resulting Parcel-B is approximately 105.04-acre property that is 95% tillable (99.4-acres) with 100% (105.04 acres) important soils, as defined by the NJ Natural Resources Conservation Service; and

WHEREAS, the resulting Parcel-B has one (1) one-acre, non-severable exception but is otherwise unimproved; and

WHEREAS, the primary outputs of Parcel-B have historically been grain crops; and

WHEREAS, the Purchaser intends to purchase Parcel-B to add to his existing landholdings;

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

Parcel-A contains sufficient acreage of tillable, quality soils, consisting of approximately 35-acres (36%) of tillable ground, of which 32.5 acres are prime soils, and is improved with a single-family residence and several outbuildings; and

Parcel-B, contains significant acreage of tillable, quality soils (100% important soils), consisting of approximately 99.4-acres (95%) tillable ground, and includes a one (1) one-acre non-severable exception area; and

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

1. The sale of Parcel-B to a to the current tenant farmer, facilitates the expansion and long-term business planning strategy of the operator and his son; and
2. The sale of Parcel-B, allows the Purchaser to make long term investments/improvements to that parcel; and

3. The addition of Parcel-B into the Purchasers operation enhances the transition of the operation to the next generation; and

WHEREAS, the Warren CADB, approved this request at its May 21, 2020, meeting; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC finds that the division, as described herein, for the purpose of selling Parcel-B to the current tenant farmer, to expand his existing operation is for an agricultural purpose.
3. The SADC finds that Parcels A and B are agriculturally viable parcels capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions.
4. The SADC approves the division of Premises as follows:

Parcel-A – Block 58, Lot 12, 13, and 15 (approximately 98.5 acres) with one single- family residence, and several barns and outbuildings, as shown on Schedule “A”.

Parcel-B – Block 58, Lot 8, 9, 10 (approximately 105.04 acres) with one (1) one-acre, non-severable exception, as shown on Schedule “A”.
5. This approval is conditioned on the Owner incorporating deed language in the transfer deed prohibiting the sale of the lots in Parcel-B separate and apart from one another.
6. This approval is conditioned on the submission, and SADC approval, of this draft deed language prior to recording with the Clerk’s office. Approval of this document will allow the SADC to prepare the legal document necessary to record its approval of the division of the premises for Parcels A and B; and
7. This approval shall not be valid until the SADC’s legal document is recorded with the Warren County Clerk’s office.
8. This approval is valid for a period of three years from the date of this resolution.
9. Eligible funding for state soil and water conservation cost share practices shall be reallocated to the respective parcels.
10. This approval is non-transferable.
11. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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

6/25/2020
Date

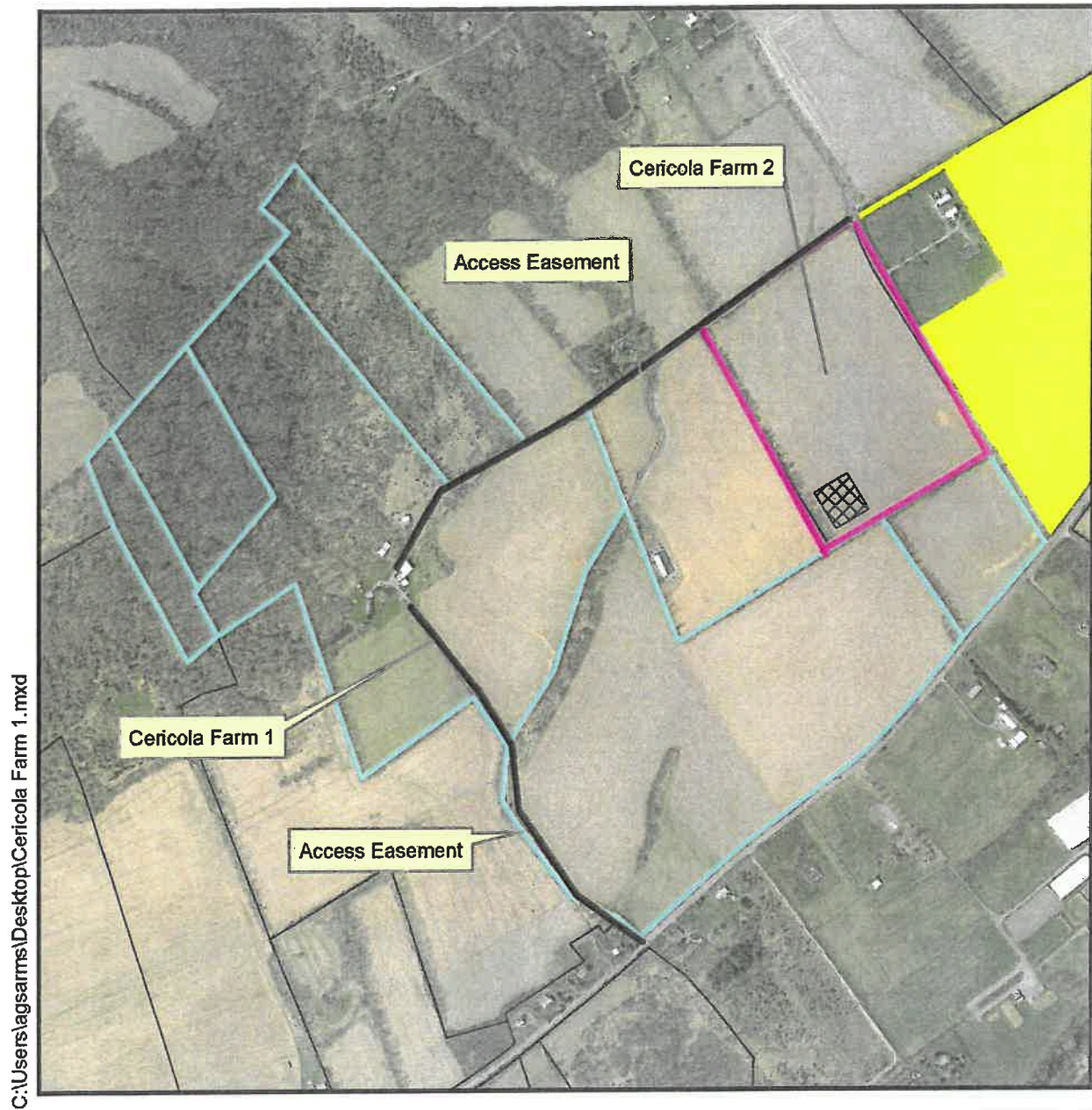

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

<https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm Documents/21-0546-PG/Stewardship-AG Development/Stewardship Programs-Requests/Division/Division Draft 2020.doc>

Schedule A



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Cericola Farm #1

Block/lot:

B 58 L 12, 13, 15, 8, 9

Acres: ~174

Cericola Farm #2

Block/lot:

B 58 L 10 Acres:

~30



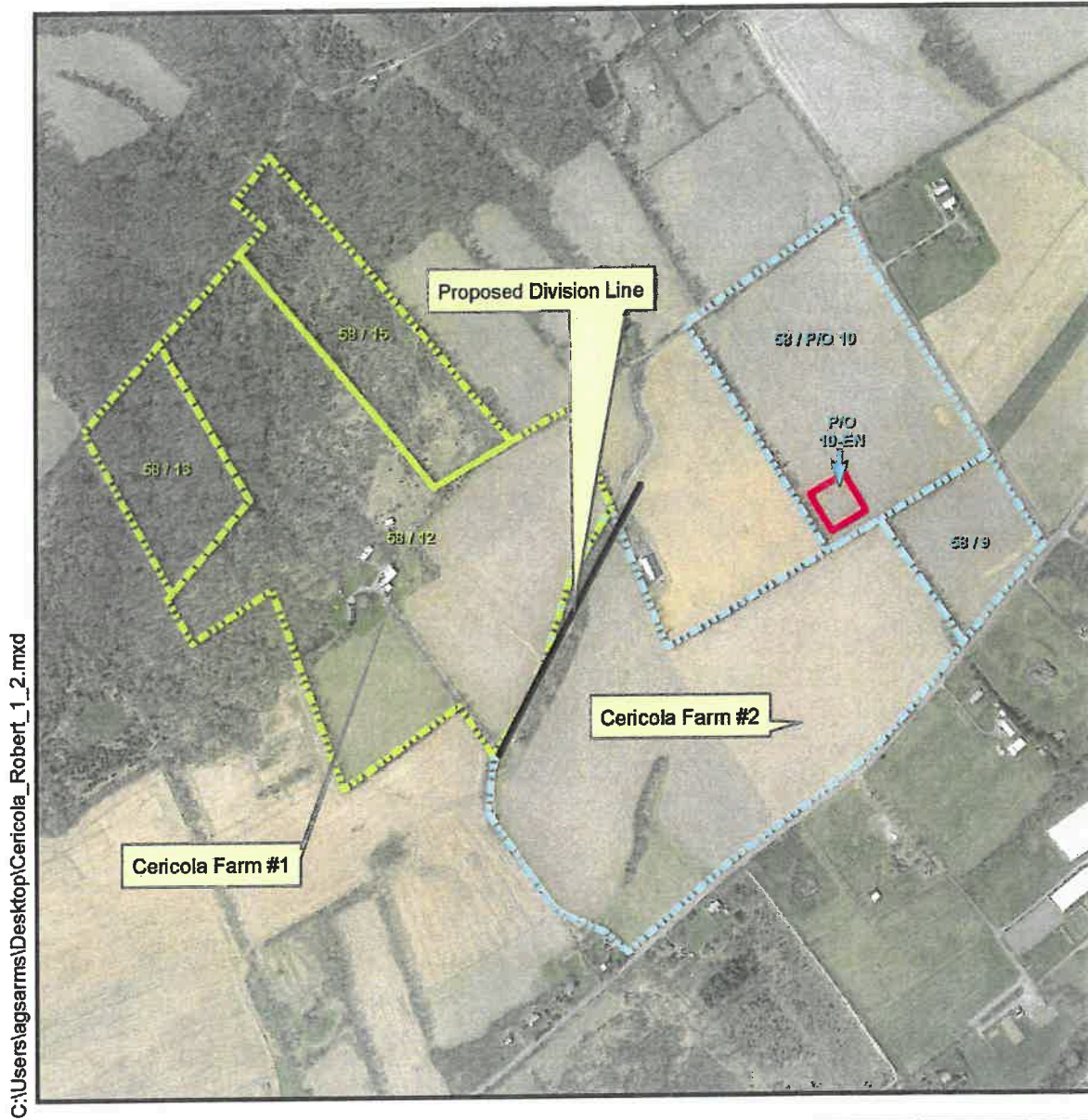
0 415 830 1,660 2,490 Feet

6/3/2020

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
	(PA5) RURAL ENV SENS
	(PA6) ENV SENS
	(PA7) ENV SENSITIVE BARRIER
	(PA8) PINELANDS
	PARK
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER
Base Map	
	County Boundaries
	Municipal Boundaries
	Highlands Planning Area
	Highlands Preservation Area
	Pinelands Area
	Green Acres Protected Easements

Schedule B



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

	Cericola Farm #2
Farm #1:	Total acres: 106
Total acres: ~99	Tillable: 100
Tillable: 30	1 Acre non-severable EA



0 405 810 1,620 2,430 Feet

6/2/2020



**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2020R6(4)**

**Request for Division of Premises
Enz Finken Farm**

June 25, 2020

**Subject Property:
Enz Finken Farm
Block 3, Lot 20
Washington Township, Warren County
Block 14, Lots 4 & 52
White Township, Warren County
75.64 - Acres**

WHEREAS, Enz Capital Investment LLC, hereinafter "Owner" is the record owners of Block 3, Lot 20 in Washington Township, Warren County, and Block 14, Lots 4 & 52 in White Township, Warren County, hereinafter referred to as the "Premises", by deed dated December 15, 2012, and recorded in the Warren County Clerk's Office in Deed Book 2465, Page 22; and

WHEREAS, Kathleen Enz Finken is the principal of Enz Capital Investment LLC; and

WHEREAS, the Premises consists of approximately 76-acres as shown on Schedule "A"; and

WHEREAS, a development easement on the Premises was conveyed to the Warren County Board of Chosen Freeholders by the previous owner, Kathleen Enz, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1 C-1, et seq. by Deed of Easement dated January 19, 2006, and recorded in the Warren County Clerk's Office in Deed Book 2060, Page 16; and

WHEREAS, the Deed of Easement for the Premises identifies no existing single-family residences, no existing agricultural labor units, no RDSO's and one 1.5-acre non-severable exception area; and

WHEREAS, at the time of preservation the non-severable exception area was improved with an existing five-bedroom, single-family residence; and

WHEREAS, on May 14, 2020, the SADC received an application from the Owner for approval to install a septic system field and laterals on the preserved portion of the of the Premises, as shown on Schedule "A", to service a new four-bedroom home being proposed to replace the existing residence in the non-severable exception area; and

WHEREAS, the SADC adopted Policy P-49 on September 27, 2007 to govern the installation of septic systems to service residential and agricultural uses located in exception areas (P-49); and

WHEREAS, P-49 states that when replacing an existing residence within a nonseverable exception area the landowner may install the septic system outside the delineated boundary of that exception area if:

(1) the landowner is not increasing the number of bedrooms that existed in the original house;

- and
- (2) the SADC finds that there is no feasible alternative location for the system in the exception area; and
 - (3) placement of the system outside the exception area has a minimal impact on the agricultural operation; and

WHEREAS, in order to demonstrate that there is no feasible alternative location for the septic system, P-49 requires the landowner provide a report, signed by a licensed engineer, showing that it is not possible to obtain approval for the construction of a septic system within the exception area pursuant to the Standards for Individual Subsurface Sewage Disposal Systems, N.J.A.C. 7:9A and the Realty Improvement Sewerage and Facilities Act, N.J.S.A. 58:11-23; and

WHEREAS, the Owner has provided a report and proposed site plan from George R. Gloede, Jr., PE, of G. Gloede and Associates, LLC, consulting engineers, explaining the physical constraints of the exception area, see attached Schedule "B"; and

WHEREAS, in compliance with N.J.A.C. 7:9A-4.3, Standards for Subsurface Sewage Disposal Systems, the engineer is utilizing a minimum 25 ft offset from the residence and a 50 ft offset from the pond in determining the useable area remaining on the exception to place a septic field; and

WHEREAS, in accordance with N.J.A.C. 7:9A-10.1(g), the topography of the useable area within the exception area calls for the use of a trench system, the design of which requires longer lineal space to build the trenches and which the engineer finds insufficient to install within the exception area; and

WHEREAS, in demonstrating minimal impact on the agricultural operation P-49 states the SADC shall consider how much agricultural land will be displaced, the location of the land being displaced, and whether the septic system will obstruct, or act as a barrier to, the agricultural operation; and

WHEREAS, the Owner has provided a site plan showing regulatory setbacks constraining the exception area site and the proposed new septic field location, see attached Schedule "C"; and

WHEREAS, the septic holding tanks will be located within the exception area, and only the septic field and connecting lateral pipe will be located on the preserved premises; and

WHEREAS, the proposed septic field, at approximately 900 sq./ft., is within the current front yard of the home just south of the residence; and

WHEREAS, the application was filed with the Warren County Agriculture Development Board (CADB), in accordance with P-49, and the CADB reviewed and approved the application at its May 21, 2020, meeting;

NOW THEREFORE BE IT RESOLVED:

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

2. The SADC finds that the proposed installation of a septic field and lateral piping on the preserved Premises to service a new replacement home in the non-severable exception area complies with P-49 for the following reasons:

(a) the Owner is not increasing the number of bedrooms in the new house (four) from that existing in the original house; and

(b) the nonseverable exception area is constrained by the location of a water body and steep slopes making it infeasible to install a septic field and laterals within the exception area; and

(c) the proposed location of the septic field and laterals has a minimal impact on the agricultural operation.

3. Based on the above findings, the Owner's application is hereby approved, subject to the following:

(a) This approval is valid for a period of three years from the date of this resolution; and

(b) This approval is non-transferable.

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

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

6/25/2020
Date



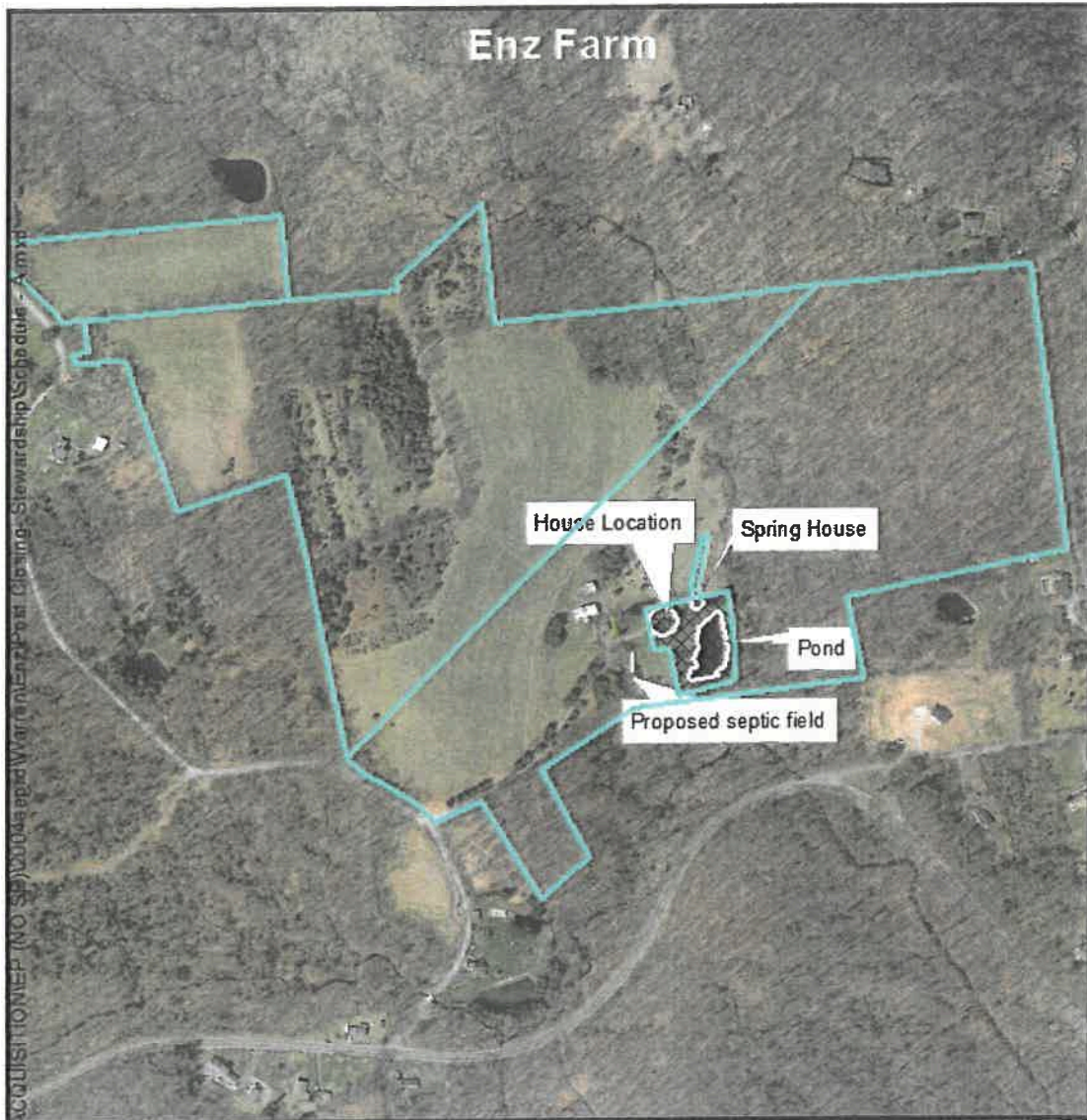
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Schedule "A"

Enz Farm



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Enz Farm
Block 3, Lot 20
Washington Township, Warren County
Block 14, Lots 4 & 52
White Township, Warren County
75.64-Acres



0 250 500 1,000 1,500 Feet

6/8/2020

Farmland Preservation Program

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

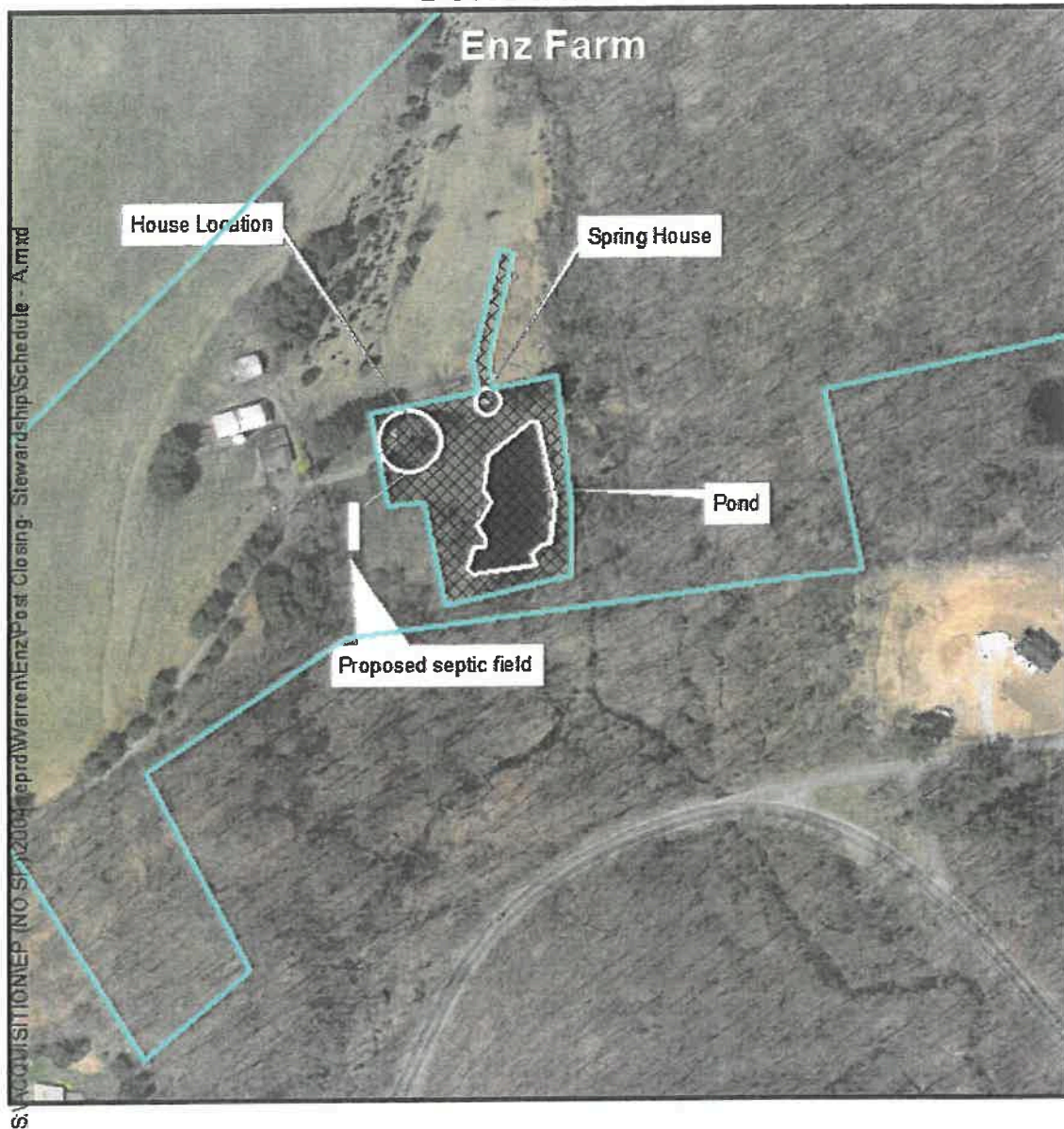
State Planning Areas

	PA-1 METRO
	PA-2 SUBURBAN
	PA-3 RURAL
	PA-4 RURAL
	PA-5 RURAL
	PA-6 RURAL
	PA-7 RURAL
	PA-8 RURAL
	PA-9 RURAL
	PA-10 RURAL
	PA-11 RURAL
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	PA-100 RURAL

Base Map

	County Boundary
	Municipal Boundary
	Highway Right-of-Way
	Waterbody
	Public Access
	Green Acres Program Easement

Schedule "A"



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Enz Farm
Block 3, Lot 20
Washington Township, Warren County
Block 14, Lots 4 & 52
White Township, Warren County
75.64-Acres



0 105 210 420 630 Feet

6/8/2020

Farmland Preservation Program

	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / INR
	EXCEPTION AREA / INR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	5 YEAR PRESERVED
	TARGETED FARM
	EXCEPTION AREA TARGETED
	INACTIVE APPLICATION
	INACTIVE/FEDERALLY FUNDED
	NO CORRESPONDING DATA
	PRESERVED/FEDERALLY FUNDED

State Planning Area

	NOT DETECTED
	PHASE 1: RURAL LAND
	PHASE 2: RURAL LAND
	PHASE 3: RURAL LAND
	PHASE 4: RURAL LAND
	PHASE 5: RURAL LAND
	PHASE 6: RURAL LAND
	PHASE 7: RURAL LAND
	PHASE 8: RURAL LAND
	PHASE 9: RURAL LAND
	PHASE 10: RURAL LAND
	PHASE 11: RURAL LAND
	PHASE 12: RURAL LAND
	PHASE 13: RURAL LAND
	PHASE 14: RURAL LAND
	PHASE 15: RURAL LAND
	PHASE 16: RURAL LAND
	PHASE 17: RURAL LAND
	PHASE 18: RURAL LAND
	PHASE 19: RURAL LAND
	PHASE 20: RURAL LAND

Map

	County Boundaries
	State/Local Boundaries
	Highland Planning Area
	Highland Preservation Area
	Preserved Area
	Preserved Area

Schedule "B"

G. Gloede and Associates
Consulting Engineering Services
Post Office Box 449, Oak Ridge, New Jersey, 07438
(973)697-9247
E-mail - grgjrpe@optonline.net

June 3, 2020

Gerald and Kathleen Finken
18 Spring Lane
Washington, New Jersey 07882
kef@enzcapinv.com

Re: **State Agriculture Development Committee (SADC) Deviation**
Proposed Individual Subsurface Sewage Disposal System
Block 3, Lot 20
White Township, Warren County
Rydt No. 2019-064

Dear Kathleen:

This letter is to *further* address the deviations from State Agriculture Development Committee (SADC) regulations and requirements for the installation of an Individual Subsurface Sewage Disposal System on the above referenced property. In this particular case, the installation of a septic system outside of an existing Exception Parcel (Parcel).

Based on the proposed building footprint (and required 25' offset from the bed to the dwelling *as described in section N.J.A.C. 7:9A-4.3, Table 4.3*) and the fact that there is an existing pond on the Exception Parcel that will require a minimum 50' buffer, there is an extremely limited area, if any area, on Parcel to install a new septic disposal bed.

The new disposal bed will be located outside of the Parcel, but will not impact any agricultural areas. The proposed location of the disposal bed will be located approximately 55' to the northeast of the Parcel, but will remain on the overall subject parcel. It should be noted that this proposed location lies within the existing yard area of the dwelling and is located approximately 150' from any agricultural areas on the property. The proposed location also serves as the best possible location near the proposed dwelling due to the topography of the existing parcel as the new disposal bed will be placed in an area that has a minimal cross slope. *Per N.J.A.C. 7:9A-10.1 (g), when the slope of the existing ground surface is between 10 and 25 percent, trenches shall be used rather than beds. The remaining area as shown on the septic design exceeds 10% and therefore would require trenches. It is our opinion that this remaining area is not large enough to accommodate the required trench system.* This also adheres to the best practices as prescribed by N.J.A.C. 7:9A, Standards for Individual Subsurface Sewage Disposal Systems.

It is the opinion of this office that the proposed location of the septic system and its components are placed in the best possible location to facilitate the construction of a new four bedroom dwelling on the Parcel.

Our office has included a draft copy of the proposed Individual Subsurface Sewage Disposal System that will be submitted to the Warren County Health Department for review and approval. This design plan contains the soil log results and the results of the soil permeability class rating (SPCR) tests. The SPCR test resulted in a K-3 permeability rate which will facilitate the installation of the proposed disposal bed. The design will also introduce 48" of suitable fill. Due to constraining slopes on the Parcel (7:9A-10.1(g)), the system will also be required to be designed as a pump/pressure dosed septic system

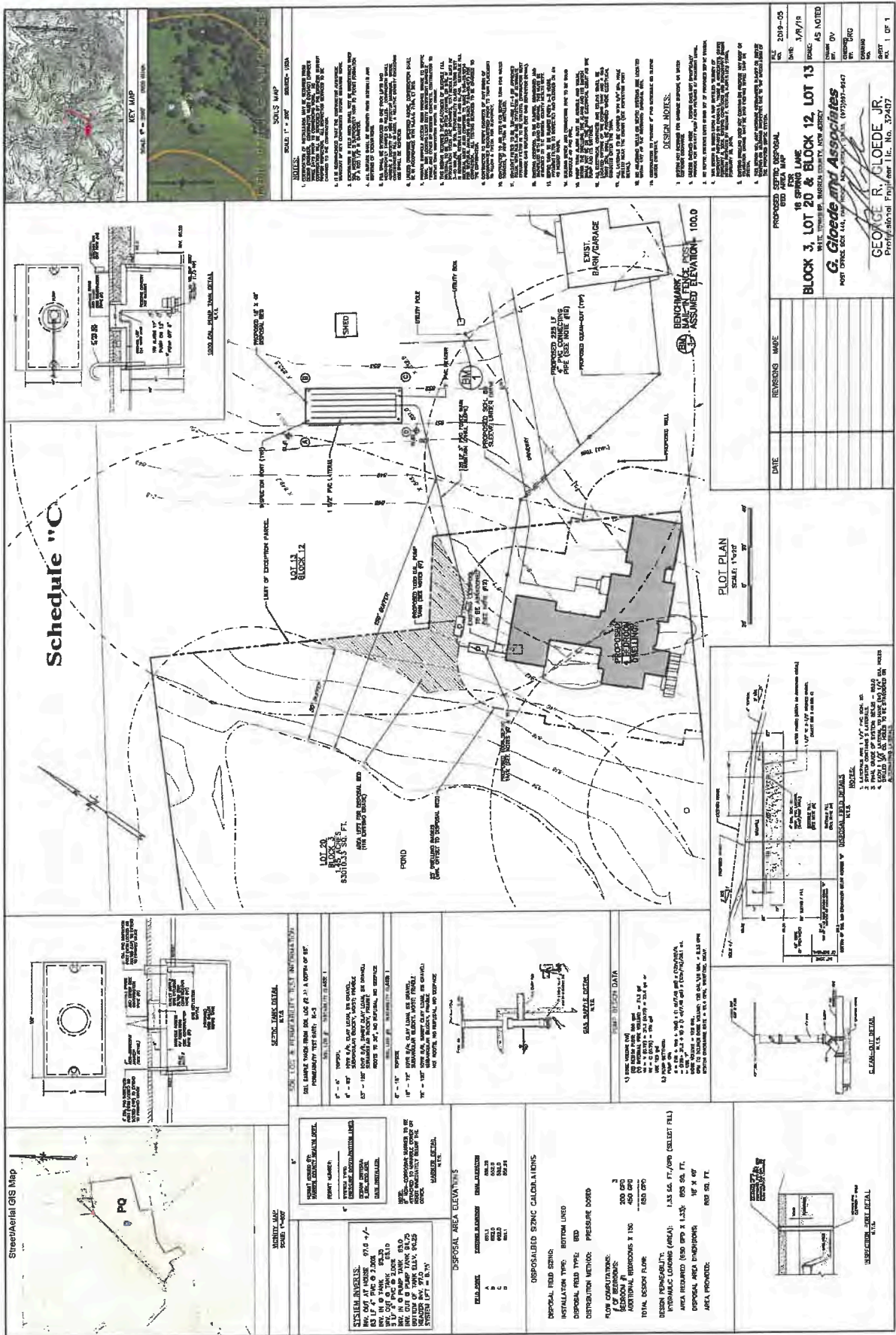
If you have any questions or comments, please contact me at your earliest convenience.

Very truly yours,

G. Gloede and Associates, LLC

A handwritten signature in dark ink, appearing to read "G. R. Gloede, Jr.", written in a cursive style.

George R. Gloede, Jr. PE
President



**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2020R6(5)**

DELEGATION OF ROUTINE SADC ACTIONS FOR ACQUISITION

JUNE 25, 2020

WHEREAS, at its September 26, 2019, meeting, the State Agriculture Development Committee (SADC) discussed delegating certain routine actions of the SADC to the Executive Director to review, approve, deny, or alternatively, when deemed appropriate, to bring the matter to the SADC to review, approve or deny; and

WHEREAS, in order to maximize efficiency in reviewing and processing certain routine actions and applications, the SADC requested staff to develop parameters for each proposed delegation so only actions falling within the prescribed parameters are eligible for delegation; and

WHEREAS, the Right to Farm Act (Act), which also created the SADC, contains language at N.J.S.A. 4:1C-5e. enabling the Committee to "perform any act or thing necessary, convenient, or desirable for the purposes of the committee to carry out any power expressly given" in the Act, which would include the authority to delegate certain actions to the Executive Director; and

WHEREAS, Part IV, Section 3 of the SADC By-Laws states that "The Executive Director shall have all the power and authority delegated to him/her in accordance with these By-Laws, actions of the Committee or otherwise pursuant to the 'Right to Farm Act' and the "Agriculture Retention and Development Act"; and

WHEREAS, the SADC previously delegated to the Executive Director approval for: appraised and final values for conveyances of development easements on farms subject to eminent domain actions; ADA amendments of 10% or less; roof mounted solar installation applications on existing buildings; deer fence and soil and water cost share grants; and certain other routine stewardship actions; and

WHEREAS, SADC staff has subsequently developed the recommendations for the delegation of certain other routine Acquisition Program-related actions including, and subject to, the noted conditions (Schedule A):

- Annual Appraisal Handbook Updates
 - The delegation of routine minor edits and corrections to the Appraiser Handbook. Substantive changes would be submitted to the SADC for review and approval.

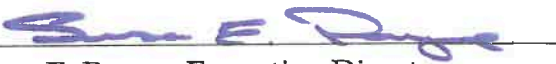
- Annual List of Approved Appraisers
 - No conditions or parameters for delegation. Appraisers must meet the adopted Appraiser Selection Guidelines P-6-C.
- County Planning Incentive Grant average quality score eligibility
 - No conditions or parameters for delegation. Individual application waivers will still be brought to the Committee.
- Direct Easement Purchase Application Prioritization
 - Individual application approvals for Alternate and Other farms will still be brought to the Committee.
- Term Preservation (New Enrollments)
 - All denials or deeds with incompatible terms shall be reviewed by the Committee.; and

WHEREAS, the Executive Director shall not be precluded from bringing any approval to the SADC for review, approval or denial if deemed necessary; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC has determined that circumstances warrant the delegation of, and it so delegates, authority to the Executive Director to review and approve, approve with conditions, or deny any applications or updates listed on and under the conditions set forth in Schedule A.
3. Such approvals may be issued without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director.
4. SADC staff shall provide notification of all such approvals in the form of a written report at SADC regular monthly meetings as outlined in Schedule A.
5. The denial of any approval, or conditional approval, by the Executive Director may be appealed to the SADC within 30 days of the receipt of the Executive Director's decision; and
6. This Resolution shall not be effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

6/25/2020
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Legal Authority to Delegate		Pursuant to N.J.S.A. 41C:5c, and E., 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 Extension and Development Act (AEDA).			
Agenda Item	Description	Lead Staff	Interimists for Delegation	Applicable Provisions (Policy, Rules, Law)	Reports to Committee
Appraisal Handbook	"Appraiser handbook" means a document prepared and adopted by the Committee which identifies the standards for conducting Farmland Preservation Program appraisals.	SADC Appraisal Manager	The delegation of routine minor edits and corrections to the Appraiser Handbook. Substantive changes would be submitted to the SADC for review and approval.	• N.J.A.C. 2:76-10 et seq. • N.J.A.C. 2:76-6.16	Minor edits memo at next available monthly meeting
List of Approved Appraisers	Appraisers authorized to conduct appraisals of farms must be approved by the State Agriculture Development Committee and re-certified every year pursuant to N.J.A.C. 2:76-6.22. Inclusion on the SADC approved appraiser list applies to individual appraisers only, not to entire appraisal firms.	SADC Appraisal Manager	The delegation of approving the list of authorized appraisers without conditions or parameters. Appraisers must meet the adopted Appraiser Selection Guidelines 9-5-C.	• N.J.A.C. 2:76-6.22	Annually
County Planning Incentive Grant average quality score eligibility	Once a year (July or September) the SADC approves the annual eligibility for the upcoming calendar year. § 2:76-17.2 "Eligible farm" means a targeted farm that qualified for grant funding under this subchapter by achieving an individual rank score pursuant to N.J.A.C. 2:76-6.16 that is equal to or greater than 70 percent of the county's average quality score of all farms granted preliminary approval by the Committee through the county easement purchase program and/or the county planning incentive grant program within the previous three fiscal years, as determined by the Committee.	Acquisition Program Lead	The delegation of annual eligibility without conditions or parameters. Individual application waivers will still be brought to the Committee.	• N.J.A.C. 2:76-17.2 • N.J.A.C. 2:76-17.9(a)? • N.J.A.C. 2:76-6.16	Annually
Direct Easement Purchase Application Prioritization	Once a year (July or September) the SADC approves the prioritization of direct easement applications for the upcoming year. § 2:76-11.5 Committee evaluation (c) An application received by the Committee that satisfies the minimum eligibility criteria contained in N.J.A.C. 2:76-6.20 and evaluated pursuant to N.J.A.C. 2:76-6.16 shall be prioritized as follows: 1. "Priority farm": meets or exceeds both 75 percent of the average farm size in the county in which it is located and its quality score is at least 90 percent of the average quality score in the county in which it is located. 2. "Alternate farm": does not meet the criteria for "priority" farm, but meets or exceeds both 55 percent of the average farm size in the county in which it is located and its quality score is at least 70 percent of the average quality score in the county in which it is located. 3. "Other farm": does not meet the criteria for "priority" or "alternate" farms.	Acquisition Program Lead	The delegation of annual prioritization criteria without conditions or parameters. Individual application approvals for Alternate and Other farms will still be brought to the Committee.	• N.J.A.C. 2:76-11.5 • N.J.A.C. 2:76-6.16	Annually
Term Preservation New Enrollments	NJAC 2:76-3.7(a) Certification After review and evaluation of the certification request, the committee shall certify, certify with conditions or deny the approval of the farmland preservation program and present its findings to the Secretary of Agriculture. NJAC 2:76-4.7(a) Certification After review and evaluation of the certification request, the commission shall certify, certify with conditions or deny the approval of the municipally approved program and present its findings to the Secretary of Agriculture.	Regional Coordinators	The delegation of all new enrollments. Synopsis would show all new enrollments along with updates on renewals and terminations.	• N.J.A.C. 2:76-3 et seq & 4 et seq.	Quarterly Synopsis

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2020R6(6)
CERTIFICATION OF A FARMLAND PRESERVATION PROGRAM

For the Property of
William H. Madara, Jr. and Cynthia Madara
Mantua Twp., Gloucester County
SADC ID# 08-0033-TF

N.J.A.C. 2:76-3 et seq.

June 25, 2020

WHEREAS, William H. Madara, Jr. and Cynthia Madara, hereinafter "Owner", is the record owner of Block 260, Lot 13, in Mantua Township, Gloucester County, by deed dated September 11, 2002 and recorded in the Gloucester Clerk's office on September 19, 2002 in Deed Book 3480 Page 295 totaling approximately 9.785 acres, hereinafter referred to as the "Premises" (Schedule A); and

WHEREAS, a development easement on the Premises was conveyed to the Gloucester County Agriculture Development Board ("CADB") as a Farmland Preservation Deed of Easement dated March 24, 2006 and recorded in the Gloucester County Clerk's Office on April 20, 2006 in Deed Book 4201, Page 206; and

WHEREAS, the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-3 et seq. provide for the creation of Farmland Preservation Programs; and

WHEREAS, on March 2, 2020, the Owner submitted a petition to the CADB for the creation of Farmland Preservation Program for the Premises, as the Premises' development easement had been conveyed without SADC funding and therefore was not eligible for certain benefits under the Agriculture Retention and Development Act; and

WHEREAS, on May 21, 2020, the CADB passed a resolution granting approval for the creation of a Farmland Preservation Program for the Premises; and

WHEREAS, on May 28, 2020, the CADB submitted its Resolution, the approved Petition, an Agreement, and supporting documents to the State Agriculture Development Committee ("SADC") for certification of a Farmland Preservation Program for the Premises; and

WHEREAS, the SADC has reviewed said Petition and accompanying documents to assure compliance with the provisions of N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-3 et seq.;

WHEREAS, under N.J.S.A. 4:1C-7 and N.J.A.C. 2:76-3, the SADC has the authority to certify a Farmland Preservation Program; and

WHEREAS, upon the effective date of the recorded Agreement, the Owner is eligible to receive the benefits described in the Agreement pursuant to N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-3 et seq.; and

WHEREAS, pursuant to N.J.A.C. 2:76-5, the Owner or farm operator as an agent for the Owner shall be eligible to apply to the local Soil Conservation District for up to \$5,871.00 in State soil and water conservation cost-share grant funds, subject to availability of such funds, for soil and water conservation projects on the Premises; and

WHEREAS, work performed on soil and water conservation projects prior to Soil Conservation District and State Soil Conservation Committee approval will not be eligible for cost sharing.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC certifies the Farmland Preservation Program, which shall continue for a **sixteen (16)** year period beginning from the recording date of the fully executed Agreement with the county clerk's office.
3. All documents required for the creation of this Farmland Preservation Program shall be subject to review and approval by the SADC and the Office of the Attorney General.
4. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
5. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

6/25/2020
Date

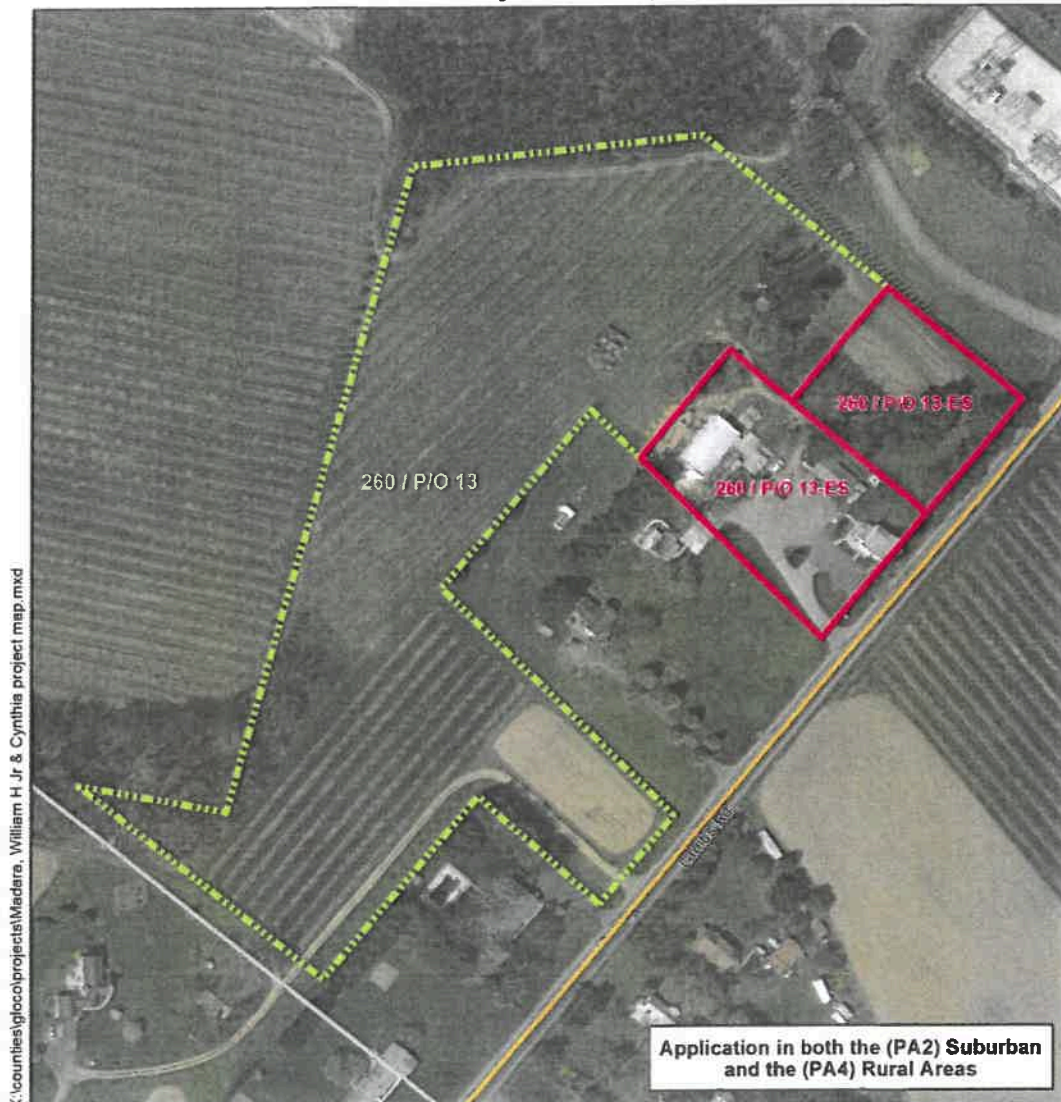

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Schedule A

Project Map

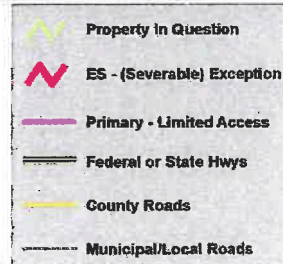


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Madara, William H. Jr., & Cynthia
Block 260 Lots P/O 13 (9.785 ac) &
P/O 13-ES (severable exceptions – 1.0 & 1.5 ac)
Gross Total = 12.285 ac
Mantua Twp., Gloucester County



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



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

June 5, 2020



DESCRIPTION OF PROPERTY
Farmland Preservation Easement
William H., Jr. & Cynthia Madara

Mantua Township
Gloucester County
Lands N/F William H., Jr. & Cynthia Madara

March 14, 2006
Block 260, Lot 13

ALL THAT CERTAIN tract or parcel of land located at 816 Lambs Road in the Township of Mantua, County of Gloucester, State of New Jersey, bounded and described as follows:

BEGINNING at the intersection of the Northeasterly line of Lot 14, Block 260 with the northwesterly right-of-way line of Lambs Road, County Route #635 (38' from centerline) and on New Jersey Plan Coordinate System NAD 1983 (NJPCS) having NJPCS values N 325,794.4451 feet and E 307,537.1523 feet, and from said beginning point and in the said bearing system running:

(1) Along said Northeasterly line of Lot 14, North 47 Degrees 55 Minutes 29 Seconds West, a distance of 210.75 feet to a point in same; thence

(2) Along the Northwesterly line of Lots 14 and 14.01, Block 260, South 39 Degrees 54 Minutes 03 Seconds West, a distance of 308.85 feet to a point in the Northwesterly line of Lot 14.02, Block 260, said point also being in the division line between the Township of Mantua and the Township of Harrison, Gloucester County; thence

(3) Along said township division line, North 51 Degrees 30 Minutes 48 Seconds West, a distance of 405.90 feet to a point in the southerly line of Lot 15, Block 260; thence

(4) Along said Southerly line of Lot 15, South 79 Degrees 47 Minutes 06 Seconds East, distance of 194.99 feet to a point in the same; thence

(5) Along the Easterly line of Lot 15, North 15 Degrees 52 Minutes 09 Seconds East, a distance of 871.84 feet to a point in the same; thence

(6) Still along same Easterly line of Lot 15, North 84 Degrees 06 Minutes 55 Seconds East, a distance of 377.54 feet to a point in the same; thence

(7) Still along said Easterly line of Lot 15, South 50 Degrees 12 Minutes 31 Seconds East, a distance of 310.47 feet to a point in the Northwesterly line of Exception #2; thence

(8) Along said Northwesterly line of Exception #2, South 39 Degrees 47 Minutes 30 Seconds West, a distance of 192.19 feet to a point in the Northeasterly line of Exception #1; thence

(9) Along said Northeasterly line of Exception #1, North 50 Degrees 12 Minutes 30 Seconds West, a distance of 105.48 feet to a point in same (having NJPCS Values of N 326,515.1692 feet and E 307,705.2293 feet; thence

March 14, 2006
Block 260, Lot 13
Bach File No. GC2005-1H

(10) Along the Northwestern line of Exception #1, South 39 Degrees 47 Minutes 30 Seconds West, a distance of 182.20 feet to a point in the Northeasterly line of Lot 13.02, Block 260; thence

(11) Along said Northeasterly line of Lot 13.02, North 45 Degrees 12 Minutes 31 Seconds West, a distance of 88.59 feet to a point in same; thence

(12) Along the Northwestern line of Lots 13.02 and 13.01, South 39 Degrees 47 Minutes 30 Seconds West, a distance of 300.00 feet to a point in the same; thence

(13) Along said Southwesterly line of Lot 13.01, South 45 Degrees 12 Minutes 31 Seconds East, a distance of 421.99 feet to a point in Northwestern right-of-way line of Lambs Road (38' from centerline); thence

(14) Along said Northwestern right-of-way line of Lambs Road, South 39 Degrees 47 Minutes 30 Seconds West, a distance of 150.14 feet to the Point of Beginning.

Containing within said bounds 9.785 Acres.

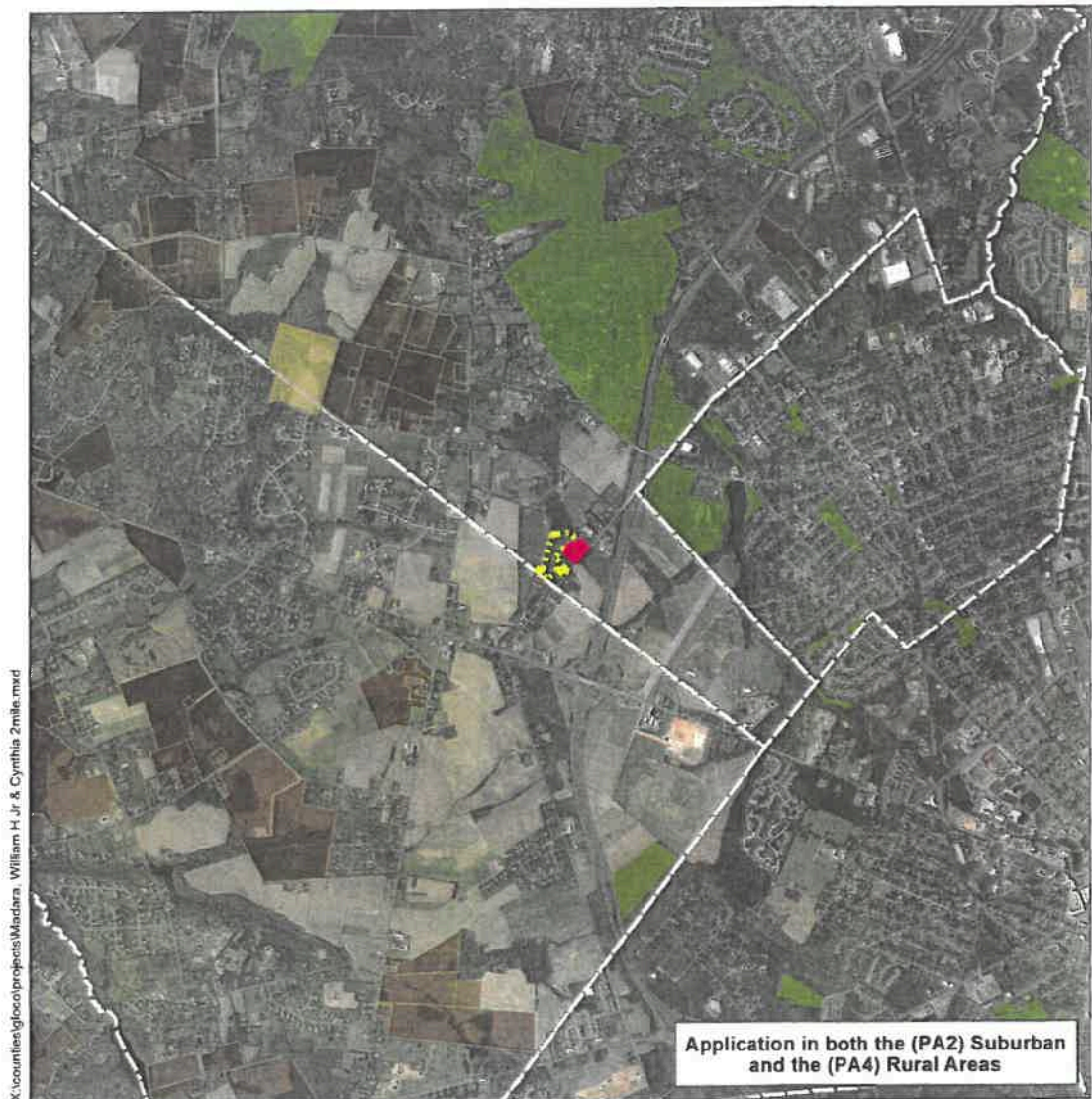
Total Net Farmland Preservation Easement 9.785 Acres.

The above description was written pursuant to a survey of property designated as Block 260, Lot 13 on the municipal tax map of Mantua Township, County of Gloucester, State of New Jersey, said survey was prepared by Bach Associates, P.C., 304 White Horse Pike, Haddon Heights, New Jersey, 08035, dated March 9, 2006, No revision date, and is marked as file No. GC2005-1H.


James A. Conway, Jr., P.L.S.
NJ License No. GS43235


Date

Preserved Farms and Active Applications Within Two Miles



X:\counties\gloucester\projects\Madara_William H Jr & Cynthia 2miles.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Madara, William H. Jr., & Cynthia
Block 260 Lots P/O 13 (9.785 ac) &
P/O 13-ES (severable exceptions – 1.0 & 1.5 ac)
Gross Total = 12.285 ac
Mantua Twp., Gloucester County



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

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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PA0-US)
NJOTIS 2015 Digital Aerial Image

June 5, 2020

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R6(7)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
GLOUCESTER COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Brown, Daniel J. & Heather L. S. ("Owners")
SADC ID# 08-0203-PG
South Harrison Township, Gloucester County
N.J.A.C. 2:76-17 et seq.
June 25, 2020

WHEREAS, on May 29, 2018 it was determined that the application for the sale of a development easement for the subject farm identified as Block 19, Lot 3, South Harrison Township, Gloucester County, totaling 10.057 gross surveyed acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

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

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

WHEREAS, the Property includes 2 exception areas, one (1), 1.187 acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses and one (1), 1 acre severable exception area for the existing single family residential unit resulting in 7.870 surveyed acres to be preserved; and

WHEREAS, the 1.187 acre non-severable Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one future single family residential unit and flexibility of uses
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the 1 acre severable Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) May be severed or subdivided from the Premises
- 3) Shall be restricted to one existing single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) zero (0) housing opportunities
- 2) zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) zero (0) agricultural labor units
- 4) no pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in grape, vegetable and melon production; and

WHEREAS, the Property has a quality score of 64.30 which exceeds 42, which is 70% of the County's average quality score, as determined by the SADC, at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 27, 2018 the SADC certified a development easement value of \$12,000 per acre based on zoning and environmental regulations in place as of the current valuation date May 23, 2018; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$12,000 per acre for the development easement for the Property; and

WHEREAS, on March 5, 2020 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on May 9, 2018, the South Harrison 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 December 20, 2018, the Gloucester County Agriculture Development Board passed a resolution granting final approval for the pre-acquisition of the development easement on the Property and for the submission to the SADC for cost share funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 4, 2020, the County of Gloucester passed a resolution granting final approval for a commitment of funding for 12,000 per acre for the pre-acquisition of the development easement; and

WHEREAS, subsequent to purchasing the development easement, the County will request a cost share reimbursement from the SADC; and

WHEREAS, the cost share breakdown is as follows (based on 7.87 surveyed acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$56,664	(\$7,200/acre)
County	\$37,776	(\$4,800/acre)
Total Easement Purchase	\$94,440	(\$12,000/acre)

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$56,664 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 the County for the purchase of a development easement on the Property, comprising 7.87 net easement acres, at a State cost share of \$7,200 per acre, (60% of certified easement value and purchase price), for a total grant of \$56,664 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
4. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
7. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18.
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

6/25/2020

Date

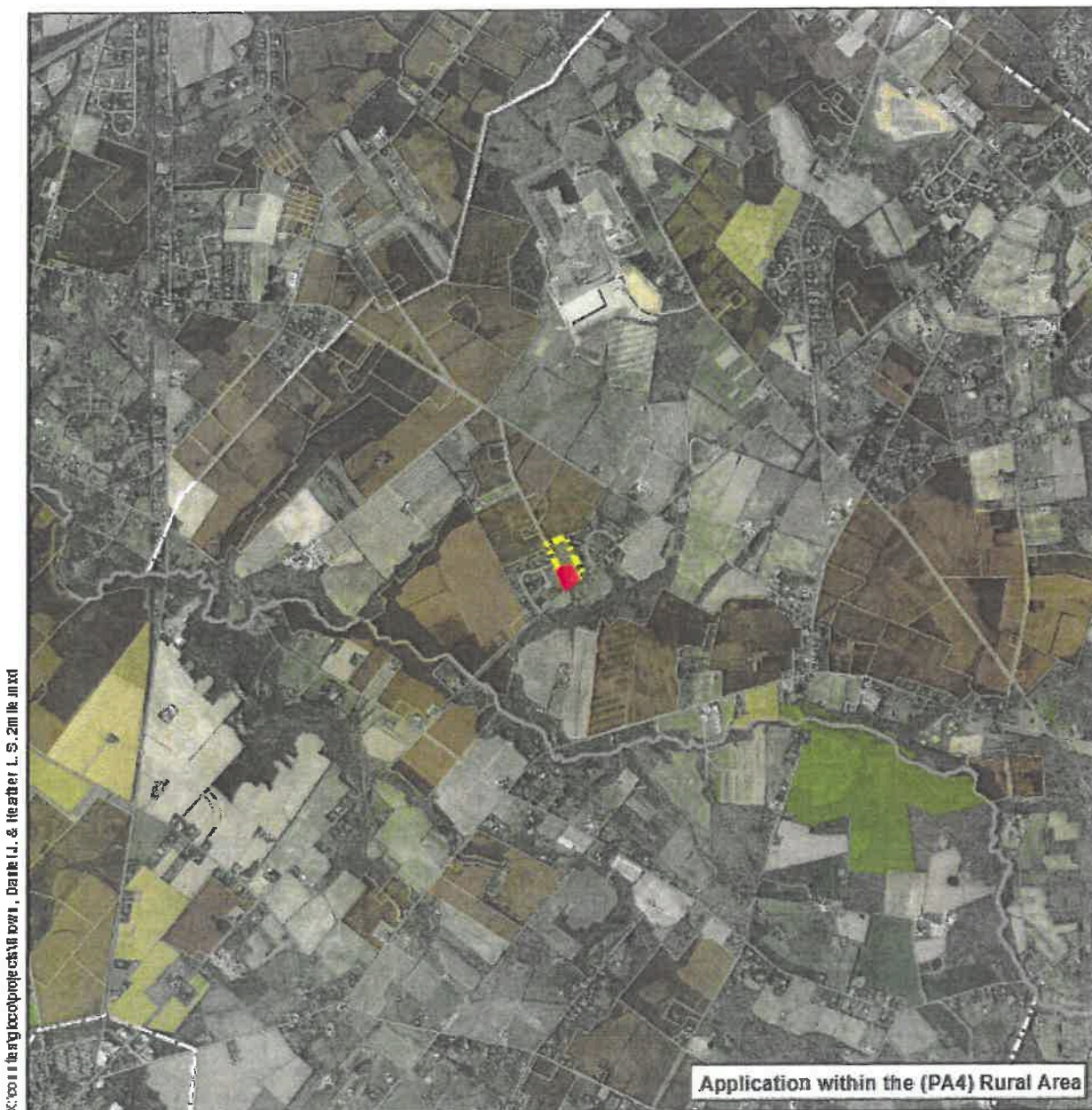


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Preserved Farms and Active Applications Within Two Miles

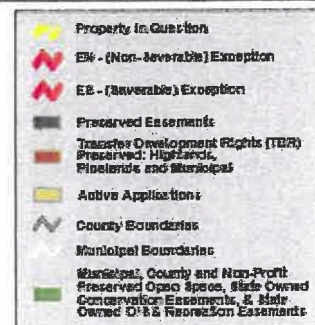


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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Brown, Daniel J. & Heather L. S.
Block 19 Lots P/O 3 (7.9 ac); P/O 3-ES (severable exception - 1.0 ac)
& P/O 3-EN (non-severable exception - 1.25 ac)
Gross Total = 10.3 ac
South Harrison Twp., Gloucester 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 site survey as defined by the N.J. State Board of Professional Engineers and Land Surveyors.

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Database Data
NJ's 1:50,000 2012 State Aerial Image

May 4, 2015

Wetlands



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Brown, Daniel J. & Heather L. S.
 Block 19 Lots P/O 3 (7.9 ac); P/O 3-ES (severable exception - 1.0 ac)
 & P/O 3-EN (non-severable exception - 1.187 ac)
 Gross Total = 10.3 ac
 South Harrison Twp., Gloucester County

200 100 0 200 400 Feet

Source:
 N.J. Farmland Preservation Program
 County Aerial Photography Database
 N.J. DEP Wetlands Data
 N.J. DEP 2015 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to contours, projections and/or the scale or accuracy of the map. The configuration and general location of parcels depicted on this map are for informational purposes only and are not intended to be used for any other purpose. The data is provided as a reference only and is not intended to be used for any other purpose. The data is provided as a reference only and is not intended to be used for any other purpose. The data is provided as a reference only and is not intended to be used for any other purpose.

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

Wetlands Legend
 F - Farmland Preservation
 E - Exception
 ES - Wetlands identified as Agricultural
 Y - Total Wetlands
 H - Non-Wetlands
 D - Dry Buffer
 W - Water

May 2, 2017

Gloucester County

[illegible]

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Brown, Daniel J. & Heather L.S.
08- 0203-PG
County PIG Program
8 Acres

Block 19	Lot 3	South Harrison Twp.	Gloucester County
SOILS:		Prime	100% * .15 = 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:		Cropland Harvested	92% * .15 = 14.70
		Woodlands	2% * 0 = .00
			TILLABLE SOILS SCORE: 14.70
FARM USE:		Grape	8 acres
		Vegetable & Melons	1 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st one (1) acres for For existing residence
Exception is severable
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - 2nd (1.187) acres for For possible mixed use in winery or for future dwelling
Exception is not to be severed from Premises
Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
GCADB for possible mixed use in winery/catering facility or future dwelling
 - 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 FY2020R6(8)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
CUMBERLAND COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of LaSala, Benny M. ("Owner")
SADC ID#06-0200-PG
Deerfield Township, Cumberland County
N.J.A.C. 2:76-17 et seq.**

June 25, 2020

WHEREAS, on May 2, 2018, it was determined that the application for the sale of a development easement for the subject farm identified as Block 84, Lots 21, 24, 25, 29, & 30, Deerfield Township, Cumberland County, totaling approximately 97 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

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

WHEREAS, the targeted Property is located in the County's Deerfield-Upper Deerfield South Project Area; and

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area for an existing single-family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 96 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes

- 1) zero (0) housing opportunities
- 2) zero (0) agricultural labor units
- 3) no pre-existing non-agricultural uses; and

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

WHEREAS, the Property has a quality score of 55.71 which exceeds 44, which is 70% of the County's average quality score, as determined by the SADC, at the time the application was submitted by the County; and

WHEREAS, this farm was not included as a targeted farm in the County's Comprehensive Farmland Preservation Plan due to a mapping error which has since been addressed in the 2019 Plan Update approved by SADC on May 23, 2019; and

WHEREAS, the Green Light Letter and this Final Approval is conditioned upon all lots being under common ownership prior to closing; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 28, 2018, the SADC certified a development easement value of \$5,750 per acre based on zoning and environmental regulations in place as of the current valuation date December 1, 2017; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,750 per acre for the development easement for the Property; and

WHEREAS, on September 26, 2019, the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 25, 2019, the Deerfield Township Committee approved the application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on September 17, 2018, the Cumberland County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on October 23, 2018, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$1,975 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 96 survey acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$362,400	(\$3,775/acre)
<u>Cumberland County</u>	<u>\$189,600</u>	<u>(\$1,975/acre)</u>
Total Easement Purchase	\$552,000	(\$5,750/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, the County is requesting \$362,400 in base grant and/or competitive grant funding which is available at this time (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Property, comprising approximately 96 net easement acres, at a State cost share of \$3,775 per acre, (65.65% of certified easement value and purchase price), for a total grant of approximately \$362,400 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. This final approval is conditioned upon all lots being under common ownership prior to closing.
4. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
5. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
6. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
7. The SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
8. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
11. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

6/25/2020

Date



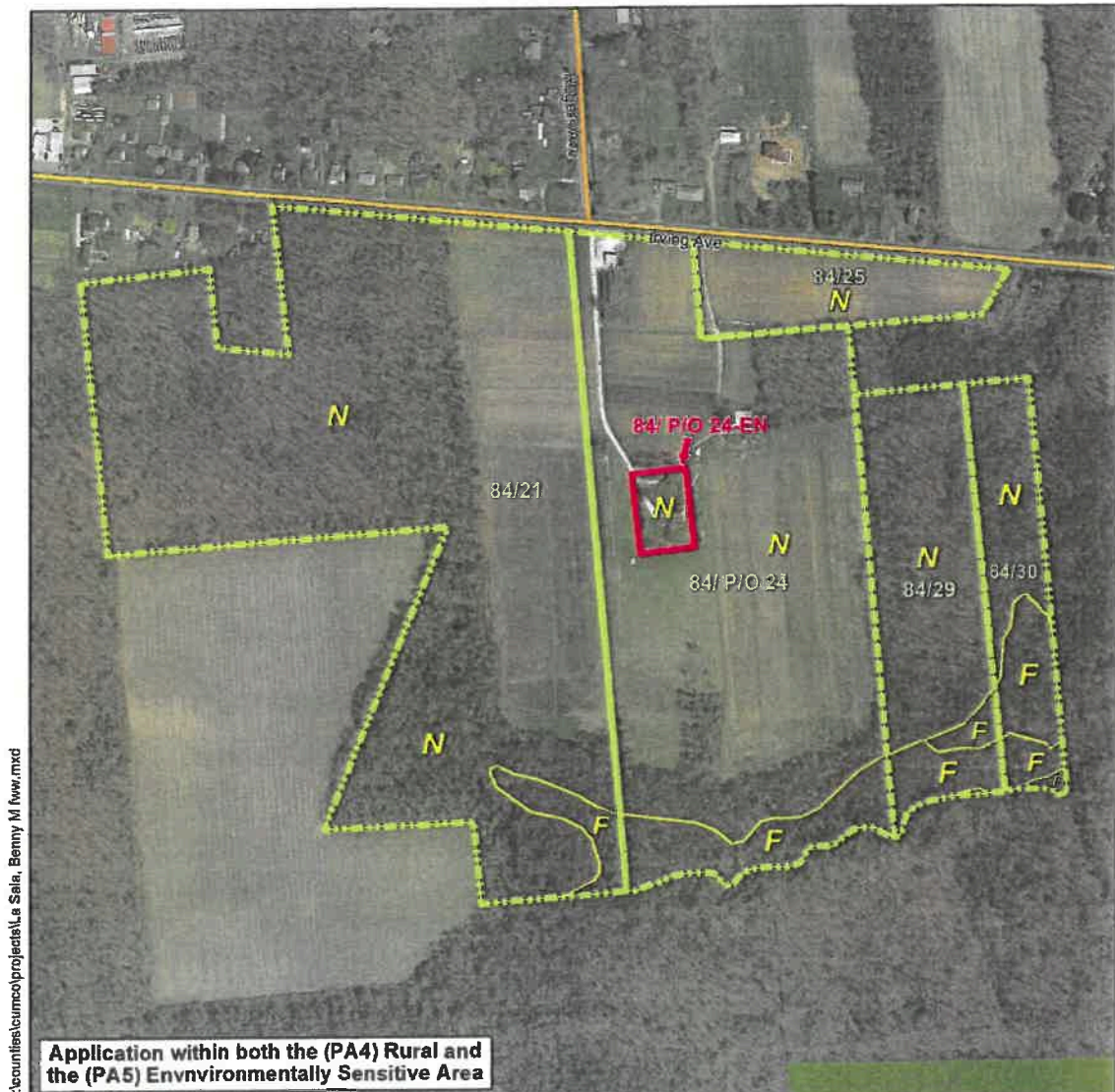
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Schedule A

Wetlands



X:\counties\cumco\projects\La Sala, Benny M\fw.mxd

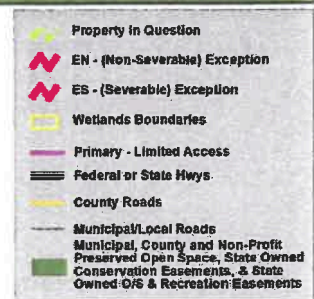
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

La Sala, Benny M.
Block 84 Lots 21 (42.9 ac); P/O 24 (30.5 ac);
P/O 24-EN (non-severable exception - 0.9 ac);
25 (4.2 ac); 29 (9.2 ac) & 30 (5.1 ac)
Gross Total = 92.8 ac
Deerfield Twp., Cumberland County

500 250 0 500 1,000 Feet

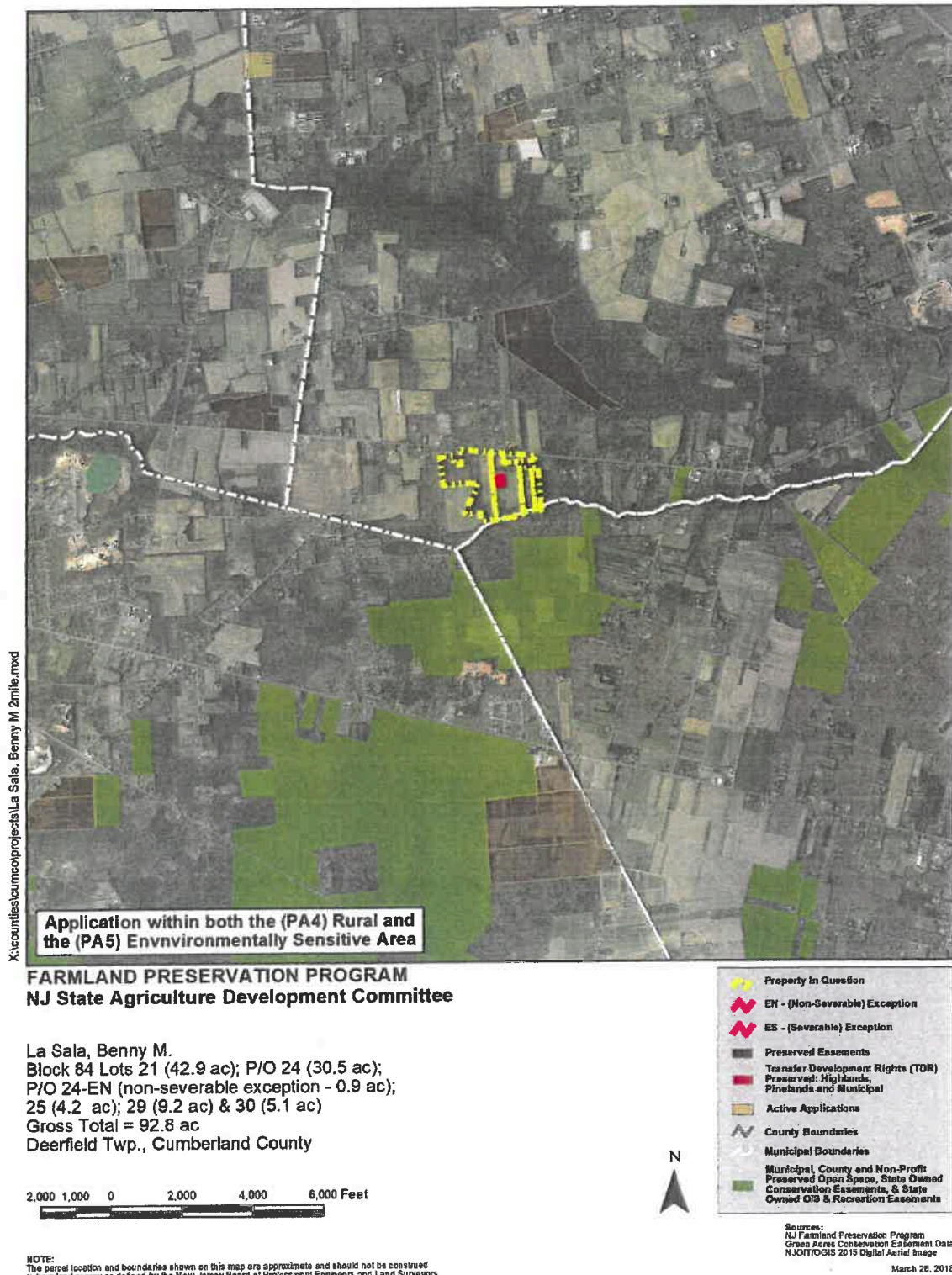
Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and georeferenced 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.



March 26, 2016

Preserved Farms and Active Applications Within Two Miles



Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

La Sala, Benny M.
06- 0200-PG
County FIG Program
92 Acres

Block 84	Lot 21	Deerfield Twp.	Cumberland County
Block 84	Lot 24	Deerfield Twp.	Cumberland County
Block 84	Lot 25	Deerfield Twp.	Cumberland County
Block 84	Lot 29	Deerfield Twp.	Cumberland County
Block 84	Lot 30	Deerfield Twp.	Cumberland County

SOILS:	Prime	90% * .15	= 12.50
	Unique zero	10% * 0	= .00
		SOIL SCORE:	13.50

TILLABLE SOILS:	Cropland Harvested	44% * .15	= 6.60
	Wetlands/Water	5% * 0	= .00
	Woodlands	45% * 0	= .00
		TILLABLE SOILS SCORE:	6.60

FARM USE:	Soybeans-Cash Grain	30 acres
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In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st (.9) acres for Existing residence
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R6(9)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Pittsgrove Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Mihalecz, Eric J. & Shelly R. ("Owners")
SADC ID#17-0213-PG
Pittsgrove Township, Salem County
N.J.A.C. 2:76-17A. et seq.

June 25, 2020

WHEREAS, on April 26, 2019, it was determined that the application for the sale of a development easement for the subject farm identified as Block 701, Lot 50 & 50.02, Pittsgrove Township, Salem County, totaling approximately 25.5 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the Township has met the Township Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes one (1), approximately 3-acre severable exception area for the existing single family residential unit and garage apartment and to afford future flexibility for nonagricultural uses resulting in approximately 22.5 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) May be severed or subdivided from the Premises
- 3) Shall be restricted to one single family residential unit and garage apartment
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) zero (0) housing opportunities
- 2) zero (0) agricultural labor units
- 3) no pre-existing non-agricultural uses; and

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

WHEREAS, deed to this property notes that lot 50.02 is subject to agricultural buffers that are inconsistent with the variety of agricultural uses permitted under the farmland preservation deed of easement; and

WHEREAS, the Green Light Letter, certification of easement value and this Final Approval are conditioned upon the buffer being rescinded via a duly recorded instrument prior to closing; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 26, 2019, the SADC certified a development easement value of \$5,400 per acre based on zoning and environmental regulations in place as of the current valuation date June 19, 2019; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the Township's offer of \$5,400 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on April 22, 2020, the Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$900 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on April 22, 2020, the 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. 2:76-17A.13 on May 5, 2020, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$900 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 22.5 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$81,000	(\$3,600/acre)
Pittsgrove Township	\$20,250	(\$900/acre)
<u>Salem County</u>	<u>\$20,250</u>	<u>(\$900/acre)</u>
Total Easement Purchase	\$121,500	(\$5,400/acre)

WHEREAS, the Township is requesting \$3,600 per acre or approximately \$81,000 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Property, comprising approximately 22.5 net easement acres, at a State cost share of \$3,600 per acre, (66.67% of certified easement value and purchase price), for a total grant of approximately \$81,000 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. The Green Light Letter, certification of easement value and this Final Approval are conditioned upon the buffer being rescinded via a duly recorded instrument prior to closing.
4. Should additional funds be needed and grant funding be available, the grant may be adjusted to utilize unencumbered grant funds.
5. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

6/25/2020

Date

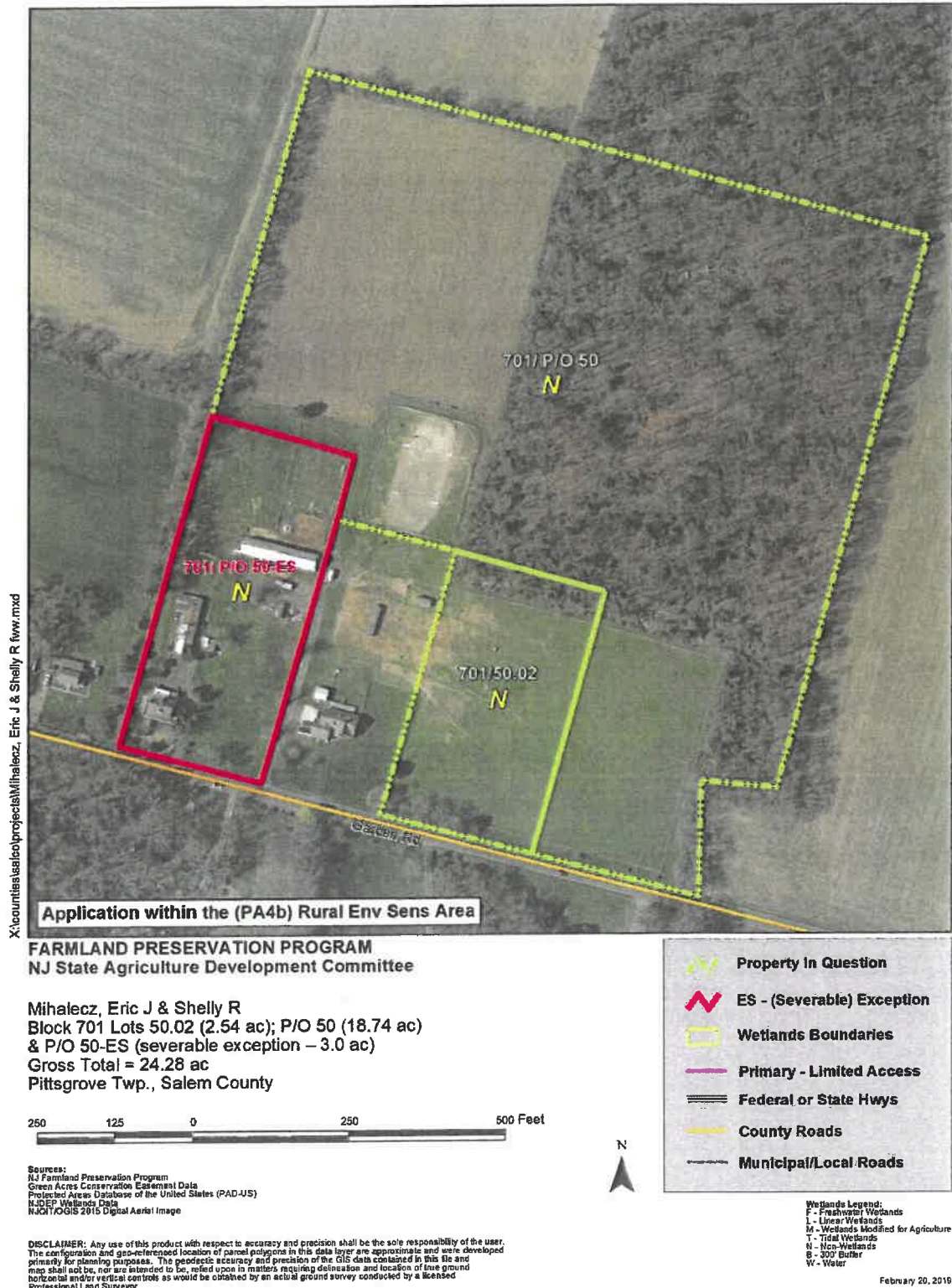


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Wetlands



Preserved Farms and Active Applications Within Two Miles



X:\counties\salco\projects\Mihalecz, Eric J & Shelly R 2miles.mxd

Application within the (PA4b) Rural Env Sens Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mihalecz, Eric J & Shelly R
Block 701 Lots 50.02 (2.54 ac); P/O 50 (18.74 ac)
& P/O 50-ES (severable exception – 3.0 ac)
Gross Total = 24.28 ac
Pittsgrove 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)
NJOTGIS 2015 Digital Aerial Image

February 20, 2019

SADC Municipal Pig Financial Status Schedule B

Pittsgrove Township, Salem County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC			Federal Grant			Grant			
						Cost Basis	Cost Share	SADC	Total Federal Grant	SADC Federal Grant	Encumbered	P V	Expended	Balance	
17-0107-PG	Walters	19.3300	19.3300	4,900.00	3,340.00	94,717.00	64,562.20				64,562.20		64,562.20	3,250,000.00	750,000.00
17-0095-PG	Schmidt	89.9000	89.9000	7,100.00	4,450.00	638,290.00	400,055.00		360,083.22	241,848.22	400,055.00		158,206.78	2,340,032.86	500,000.00
17-0139-PG	Kupelian	38.4000	38.4000	5,100.00	4,930.00	255,374.00	180,506.70				180,506.70		180,506.70	2,001,319.18	500,000.00
17-0145-PG	Dubois Farm Properties LLC	64.1180	64.1180	7,950.00	4,875.00	509,738.10	312,575.25				312,575.25		312,575.25	1,868,743.93	500,000.00
17-0174-PG	CTI Solutions	86.0620	86.0620	3,700.00	2,620.00	318,429.40	225,482.44				225,482.44		225,482.44	1,453,261.49	1,000,000.00
17-0139-PG	Kupelian ancillary												4,437.50	1,453,910.99	
17-0145-PG	Dubois ancillary												5,958.50	1,447,952.49	
17-0174-PG	CTI Solutions ancillary												6,274.25	1,441,678.24	
17-0095-PG	Schmidt ancillary												3,750.00	1,437,928.24	
17-0107-PG	Walters ancillary												144,118.70	1,293,809.54	
17-0200-PG	Rodriguez, Jeanne L	38.9510	38.9510	5,600.00	3,700.00	218,125.60	144,118.70				144,118.70		144,118.70	1,130,414.44	950,135.40
17-0211-PG	Helig, Nolan R. & Deborah W.	36.7180	36.7180	7,100.00	4,450.00	258,440.00	183,395.10				183,395.10		183,395.10	99,279.04	703,525.40
17-0206-PG	Rizzo, Jr., Anthony D. & Kathleen	30.8640	30.8640	4,700.00	3,220.00	144,910.40	99,279.04				99,279.04		99,279.04		
17-0213-PG	Mineiecz, Eric J. & Shelly R.	22.5000	22.5000	5,400.00	3,600.00	121,500.00	81,000.00				81,000.00		81,000.00		
17-0215-PG	Bauman, Anna L.	54.2000	54.2000	7,300.00	4,560.00	395,660.00	246,610.00				246,610.00		246,610.00		
Closed	13	542.0400	542.1940			3,656,478.05	2,385,981.17		360,083.22	241,848.22					
Encumbered	3	107.5640	107.5320			662,078.40	428,889.04								
												Encumber/Expended FY09	-	750,000.00	-
												Encumber/Expended FY11	-	500,000.00	-
												Encumber/Expended FY13	-	500,000.00	-
												Encumber/Expended FY17	175,254.10	99,279.04	225,486.85
												Encumber/Expended FY19	152,355.90	144,118.70	703,525.40
												Total		703,525.40	703,525.40

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Mihalecz, Eric J. & Shelly R.
17- 0213-PG
PIG EP - Municipal 2007 Rule
23 Acres

Block 701	Lot 50.02	Pittsgrove Twp.	Salem County
Block 701	Lot 50	Pittsgrove Twp.	Salem County
SOILS:		Prime	100% * .15 = 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:		Cropland Harvested	54% * .15 = 8.10
		Woodlands	46% * 0 = .00
			TILLABLE SOILS SCORE: 8.10
FARM USE:		Hay	13 acres

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

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

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2020R6(10)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
Pittsgrove Township
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Bauman, Anna L. ("Owner")
SADC ID#17-0215-PG
Pittsgrove Township, Salem County
N.J.A.C. 2:76-17A. et seq.**

June 25, 2020

WHEREAS, on May 16, 2019, it was determined that the application for the sale of a development easement for the subject farm identified as Block 2202, Lot 17, Block 2203, Lot 32, 33, 42, 42.01, 42.02, & 43, Pittsgrove Township, Salem County, totaling approximately 56.20 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the Township has met the Township Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes one (1), approximately 2-acre severable exception area for the existing single-family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 54.20 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) May be severed or subdivided from the Premises
- 3) Shall be restricted to one single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) zero (0) housing opportunities
- 2) zero (0) agricultural labor units
- 3) no pre-existing non-agricultural uses; and

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

WHEREAS, the Green Light Letter, certification of easement value and this Final Approval are conditioned upon the consolidation of contiguous lots for future taxation and monitoring; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 26, 2019, the SADC certified a development easement value of \$7,300 per acre based on zoning and environmental regulations in place as of the current valuation date June 19, 2019; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the Township's offer of \$7,300 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on April 22, 2020, the Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,375 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on April 22, 2020, the 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. 2:76-17A.13 on May 6, 2020, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$1,375 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 54.20 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$246,610	(\$4,550/acre)
Pittsgrove Township	\$74,525	(\$1,375/acre)
Salem County	\$74,525	(\$1,375/acre)
Total Easement Purchase	\$395,660	(\$7,300/acre)

WHEREAS, the Township is requesting \$4,550 per acre or approximately \$246,610 and sufficient funds are available (Schedule B); and

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

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

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

NOW THEREFORE BE IT RESOLVED:

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

2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Property, comprising approximately 54.2 net easement acres, at a State cost share of \$4,550 per acre, (62.33% of certified easement value and purchase price), for a total grant of approximately \$246,610 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Should additional funds be needed and grant funding be available, the grant may be adjusted to utilize unencumbered grant funds.
4. The Green Light Letter, certification of easement value and this Final Approval are conditioned upon the consolidation of contiguous lots for future taxation and monitoring.
5. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries as identified in Policy P-3-C.
7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

6/25/2020
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Wetlands



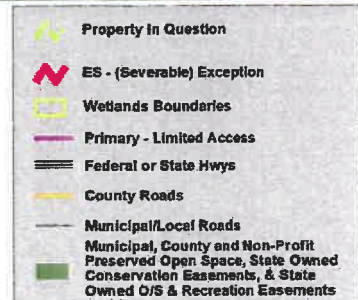
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Bauman, Anna L.
Block 2202 Lot 17 (13.6 ac); Block 2203 Lots 32 (6.0 ac);
33 (10.3 ac); 42 (10.4 ac); 42.01 (0.7 ac); 42.02 (0.7 ac);
P/O 43 (12.5 ac) & P/O 43-ES (severable exception - 2.0 ac)
Gross Total = 56.2 ac
Pittsgrove Twp., Salem County

500 250 0 500 1,000 Feet

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

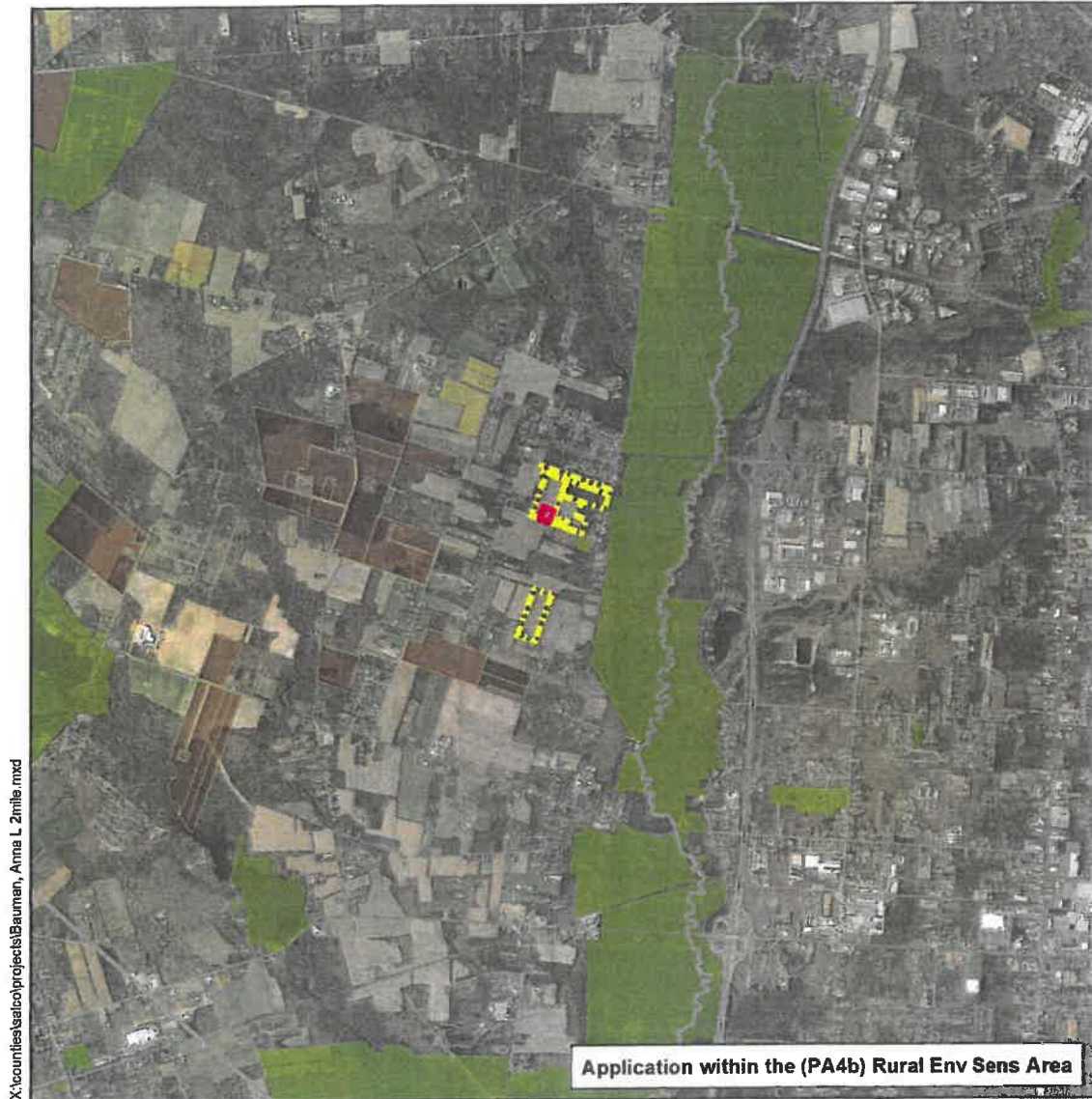
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and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



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

May 1, 2019

Preserved Farms and Active Applications Within Two Miles

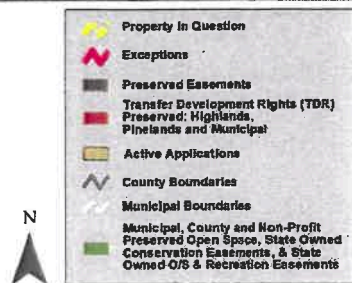


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Bauman, Anna L.
Block 2202 Lot 17 (13.6 ac); Block 2203 Lots 32 (6.0 ac);
33 (10.3 ac); 42 (10.4 ac); 42.01 (0.7 ac); 42.02 (0.7 ac);
P/O 43 (12.5 ac) & P/O 43-ES (severable exception - 2.0 ac)
Gross Total = 56.2 ac
Pittsgrove 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/OGIS 2015 Digital Aerial Image

May 1, 2019

SADC Municipal Pig Financial Status Schedule B

Pittsgrove Township, Salem County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC			Federal Grant			Grant			
						Cost Basis	Cost Share	Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Fiscal Year 09	Balance
17-0107-PG	Walters	19.3300	19.3300	4,000.00	3,340.00	94,717.00	84,562.20			64,562.20	64,562.20		64,562.20	750,000.00	3,240,000.00
17-0095-PG	Schmidt	89.3000	89.3000	7,100.00	4,450.00	636,290.00	400,055.00		360,083.22	241,848.22	400,055.00		158,206.78	500,000.00	2,340,032.06
17-0130-PG	Kupekan	36.4660	36.4660	8,100.00	4,950.00	295,374.60	180,506.70			180,506.70	180,506.70		180,506.70	500,000.00	2,191,825.88
17-0145-PG	Dubois Farm Properties LLC	64.1100	64.1100	7,950.00	4,975.00	509,730.10	312,575.25			312,575.25	312,575.25		312,575.25	500,000.00	2,001,319.18
17-0178-PG	CTI Solutions	86.0620	86.0620	3,700.00	2,620.00	316,428.40	221,482.44			221,482.44	221,482.44		221,482.44	500,000.00	1,686,743.93
17-0130-PG	Kupekan ancillary												4,437.50		1,458,823.99
17-0145-PG	Dubois ancillary												4,913.00		1,453,910.99
17-0178-PG	CTI Solutions ancillary												5,958.50		1,447,952.49
17-0095-PG	Schmidt ancillary												6,274.25		1,441,678.24
17-0107-PG	Walters ancillary												3,750.00		1,437,928.24
17-0200-PG	Rodriguez, Joanne L.	38.9510	38.9510	5,600.00	3,700.00	219,125.60	144,116.70			144,116.70	144,116.70		144,116.70	500,000.00	1,293,809.54
17-0211-PG	Heilig, Nolan R. & Deborah W.	36.7180	36.7180	7,100.00	4,450.00	259,440.00	163,395.10			163,395.10	163,395.10		163,395.10	500,000.00	1,130,414.44
17-0208-PG	Rizzo, Jr. Anthony D. & Kathleen	30.8640	30.8320	4,700.00	3,220.00	144,910.40	99,275.04			99,275.04	99,275.04		99,275.04	500,000.00	1,031,135.40
17-0213-PG	Mhalecz, Eric J. & Shelly R.	22.5000	22.5000	5,400.00	3,600.00	121,500.00	81,000.00			81,000.00	81,000.00		81,000.00	500,000.00	950,135.40
17-0215-PG	Bauman, Anna L.	54.2000	54.2000	7,300.00	4,850.00	395,660.00	246,610.00			246,610.00	246,610.00		246,610.00	500,000.00	703,525.40
Closed		542.0490	542.1940			3,856,478.05	2,305,961.17		360,083.22	241,848.22					
Encumbered		107.5640	107.5320			862,070.40	426,989.94								
														Encumber/Expended FY09	750,000.00
														Encumber/Expended FY11	500,000.00
														Encumber/Expended FY13	500,000.00
														Encumber/Expended FY17	225,466.86
														Encumber/Expended FY19	144,118.70
														Total	703,525.40

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Bauman, Anna L.
17- 0215-PG
PIG EP - Municipal 2007 Rule
52 Acres

Block 2202	Lot 17	Pittsgrove Twp.	Salem County
Block 2203	Lot 32	Pittsgrove Twp.	Salem County
Block 2203	Lot 33	Pittsgrove Twp.	Salem County
Block 2203	Lot 42	Pittsgrove Twp.	Salem County
Block 2203	Lot 42.01	Pittsgrove Twp.	Salem County
Block 2203	Lot 42.02	Pittsgrove Twp.	Salem County
Block 2203	Lot 43	Pittsgrove Twp.	Salem County

SOILS:

Other	6%	0	=	.00
Prime	29%	.15	=	4.35
Statewide	55%	.1	=	5.50
Unique .125	9%	.125	=	.08
Unique zero	7%	0	=	.00

SOIL SCORE: 10.23**TILLABLE SOILS:**

Cropland Harvested	67%	.15	=	10.05
Woodlands	33%	0	=	.00

TILLABLE SOILS SCORE: 10.05**FARM USE:**

Soybeans-Cash Grain

41 acres

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

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

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2020R6(11)
FINAL REVIEW AND APPROVAL OF A SADC EASEMENT PURCHASE**

On the Property of Weppler, James F. (Lot 16) ("Owner")

JUNE 25, 2020

Subject Property: **Weppler, James F. (Lot 16)**
 Block 2, Lot 16
 Clinton Township, Hunterdon County
 SADC ID#:10-0252-DE
 Approximately 54.9 Net Easement Acres

WHEREAS, on October 22, 2019, the State Agriculture Development Committee ("SADC") received a development easement sale application from Weppler, James F. (Lot 16), hereinafter "Owner," identified as Block 3, Lot 16, Clinton Township, Hunterdon County, hereinafter "the Property," totaling approximately 58.4 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes one (1), approximately 3.5-acre non-severable exception area for one existing and one future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 54.9 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to two (2) single family residential units
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) zero (0) housing opportunities
- 2) zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) zero (0) agricultural labor units
- 4) no pre-existing non-agricultural uses; and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on September 26, 2019, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Hunterdon County (minimum acreage of 47 and minimum quality score of 58) because it is approximately 54.9 acres and has a quality score of 66.71; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 27, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$8,400 per acre based on zoning and environmental regulations in place as of January 1, 2004 and \$2,800 per acre based on zoning and environmental regulations in place as of the current valuation date February 2020; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$8,400 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$8,400 per acre for a total of approximately \$461,100 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.

5. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.
6. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
7. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

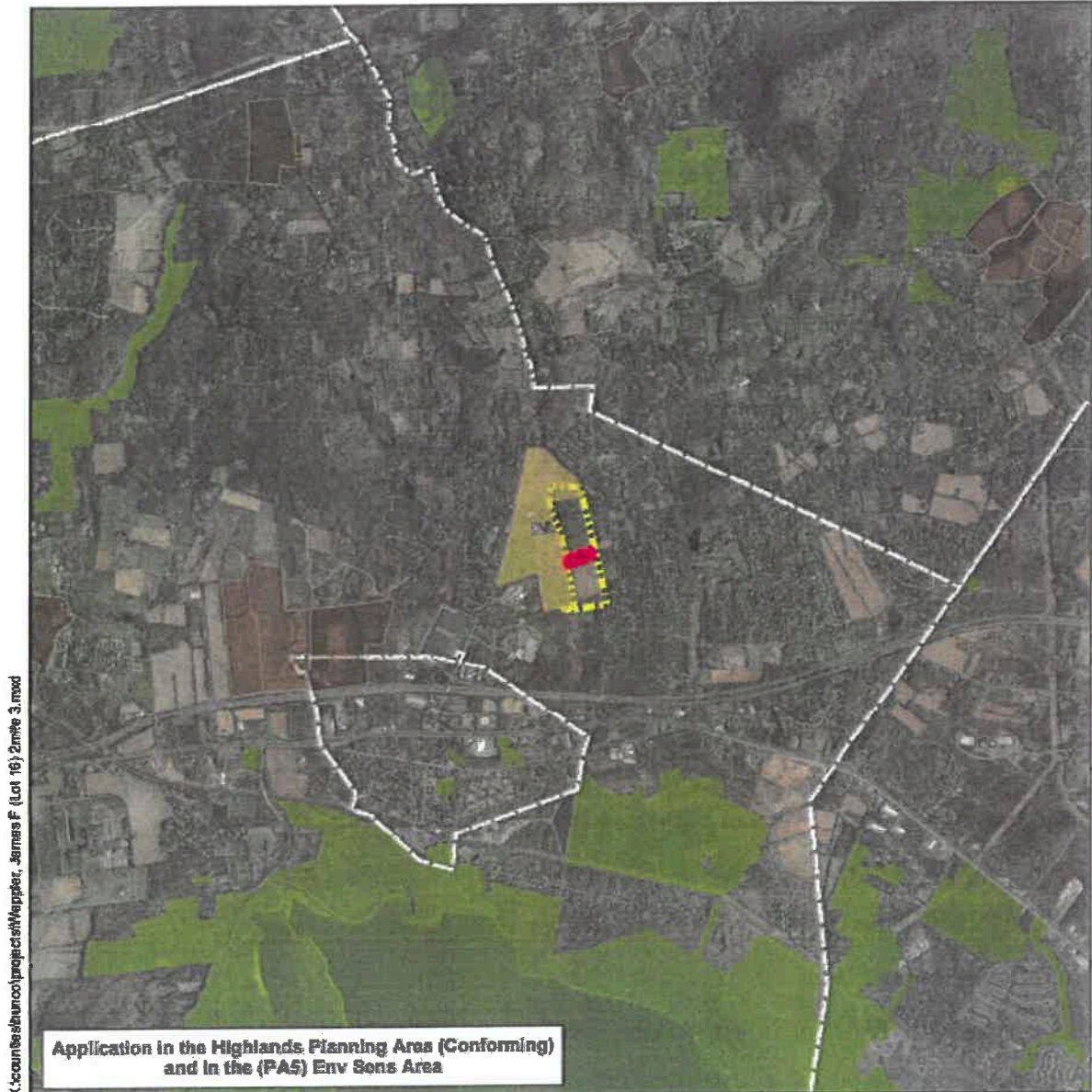
____ 6/25/2020 ____
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Preserved Farms and Active Applications Within Two Miles



X:\scout\esb\unroot\project\Weppler, James F. (Lot 16) 2 mile 3.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Weppler, James F. (Lot 16)
Block 3 Lots P/O 16 (54.9 ac);
and P/O 16-EN (non-severable exception - 3.5 ac)
Gross Total = 58.4 ac
Clinton Twp., Hunterdon County

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

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

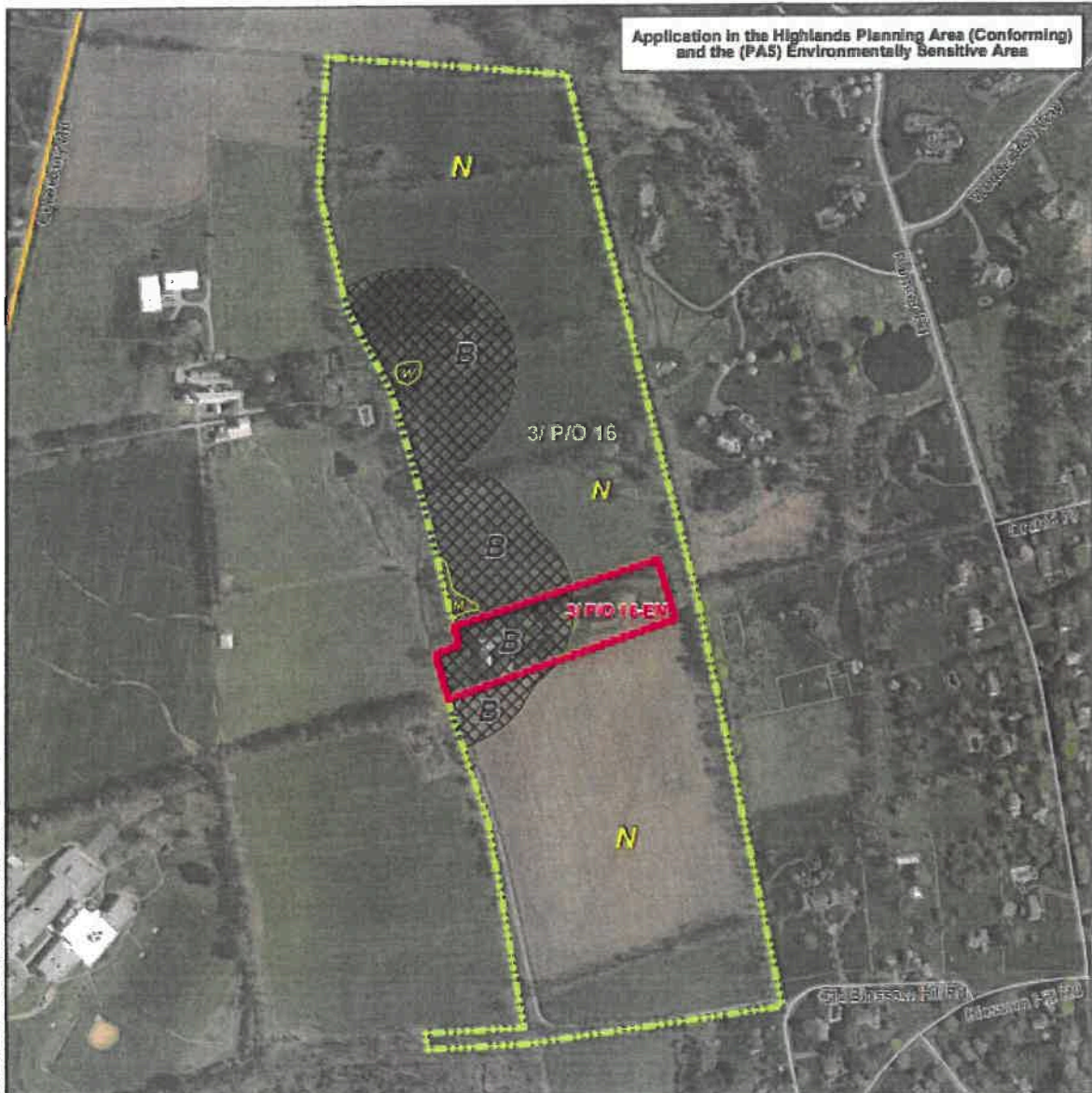


NOTE:
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors.

Source:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
12/11/2018 2:25 DigitalAerialView

December 9, 2019

Wetlands



Application in the Highlands Planning Area (Conforming)
and the (PAS) Environmentally Sensitive Area

X:\mountainland\projects\Weppler, James F (Lot 16) New 3.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Weppler, James F. (Lot 16)
Block 3 Lots P/O 16 (54.9 ac);
and P/O 16-EN (non-severable exception - 3.5 ac)
Gross Total = 58.4 ac
Clinton Twp., Hunterdon County



Source:
NJ Farmland Preservation Program
Open Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJDEP Wetlands Data
NJ Department of Environmental Protection
NJDEP GIS 2015 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and position 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 geographic accuracy and precision of the GIS data contained in this layer may not be, nor may it be intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



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

Wetlands Legend:
F - Farmland Wetlands
L - Lowland Wetlands
H - Wetlands Sensitive for Agriculture
T - Total Wetlands
N - Non-Wetlands
B - 300 ft Buffer
W - Water

December 8, 2016

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Weppler, James F. (Lot 16)
Easement Purchase - SADC
56 Acres

Block 3	Lot 16	Clinton Twp.	Hunterdon County	
SOILS:		Other	8% * 0	= .00
		Prime	48% * .15	= 7.20
		Statewide	47% * .1	= 4.70
				SOIL SCORE: 11.90
TILLABLE SOILS:		Cropland Harvested	82% * .15	= 12.20
		Woodlands	18% * 0	= .00
				TILLABLE SOILS SCORE: 12.30
FARM USE:		Corn-Cash Grain	acres	
		Hay	acres	
		Beef Cattle Feedlots	acres	

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ies) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (2.5) acres for Residence and future flexibility
Exception is not to be severable from Premises
Right to Farm language is to be included in Deed of Easement
restricted to one existing and one future single family residence
 - 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 #FY2020R6(12)
FINAL REVIEW AND APPROVAL OF A SADC EASEMENT PURCHASE**

On the Property of Weppler, James F. (Lot 18) ("Owner")

JUNE 25, 2020

Subject Property: Weppler, James F.
Block 3, Lot 18
Clinton Township, Hunterdon County
SADC ID#: 10-0253-DE
Approximately 102.5 Net Easement Acres

WHEREAS, on October 22, 2019, the State Agriculture Development Committee ("SADC") received a development easement sale application from Weppler, James F. (Lot 18), hereinafter "Owner," identified as Block 3, Lot 18, Clinton Township, Hunterdon County, hereinafter "the Property," totaling approximately 108.5 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes one (1), approximately 6 acre non-severable exception area for one (1) existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 102.5 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) one (1) existing single family residential unit
- 2) zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) zero (0) agricultural labor units
- 4) no pre-existing non-agricultural uses; and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on September 26, 2019, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Hunterdon County (minimum acreage of 47 and minimum quality score of 58) because it is approximately 102.5 acres and has a quality score of 69.82; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 27, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$13,300 per acre based on zoning and environmental regulations in place as of January 1, 2004 and \$5,200 per acre based on zoning and environmental regulations in place as of the current valuation date February 2020; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$13,300 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$13,300 per acre for a total of approximately \$1,363,250 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.

5. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.
6. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
7. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

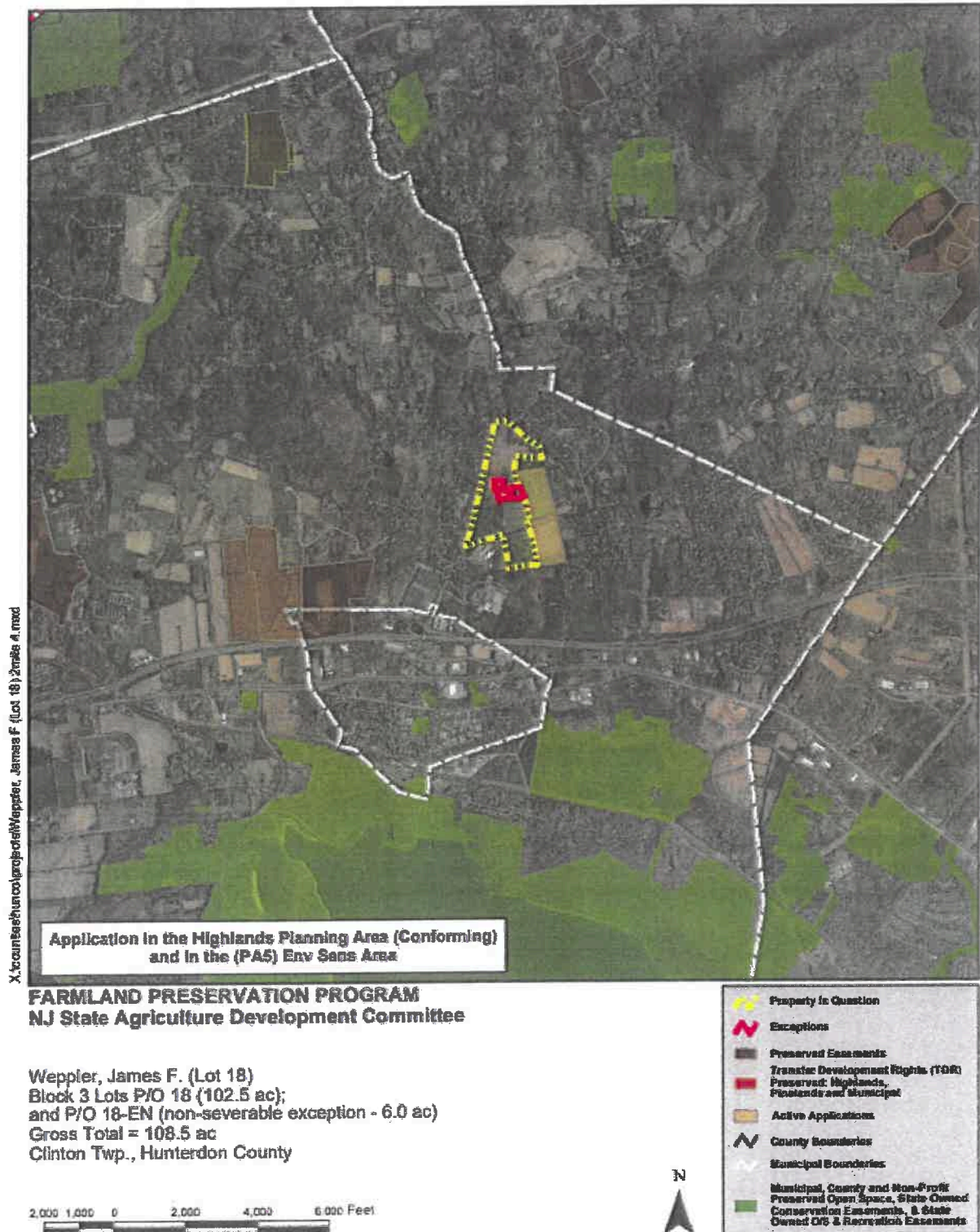
6/25/2020
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

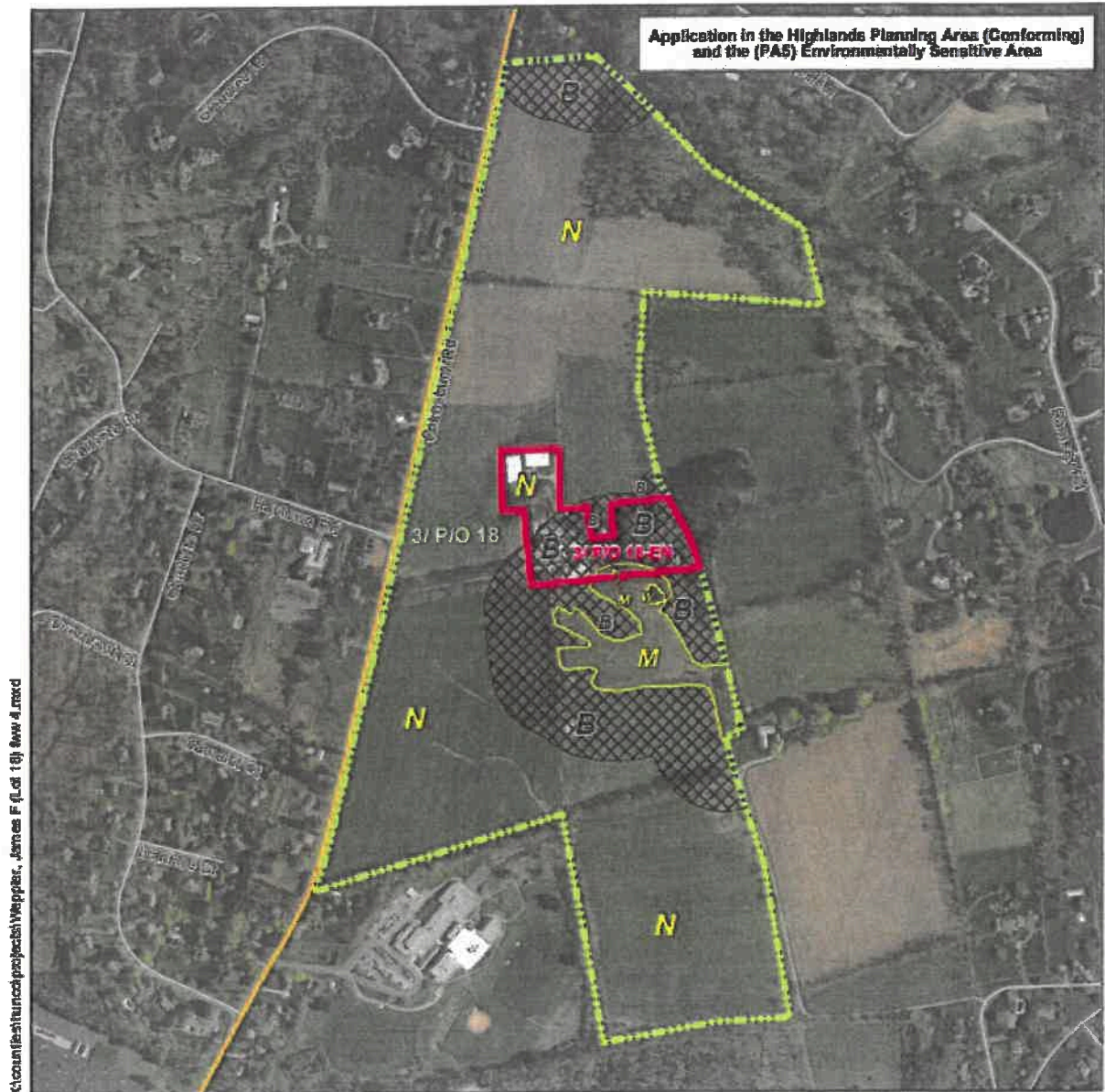
VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Preserved Farms and Active Applications Within Two Miles



Wetlands



X:\counties\huncos\projects\Weppler, James F (Lot 18) 8xw 4.mxd

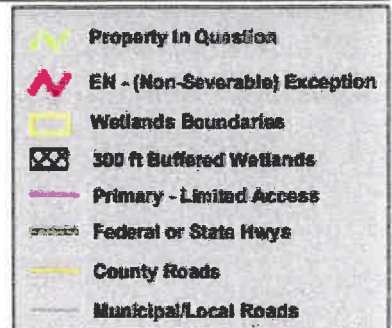
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Weppler, James F. (Lot 18)
Block 3 Lots P/O 18 (102.5 ac);
and P/O 18-EN (non-severable exception - 6.0 ac)
Gross Total = 108.5 ac
Clinton Twp., Hunterdon County



Sources:
NJ Farmland Preservation Program
Green Acres Corporation Environmental Data
Protected Areas Database of the United States (PAD-US)
NJDEP Wetlands Data
NJ Highlands Council Data
NOAA/USGS 25' Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geographic 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 definitive and fact-based information of the parcel boundaries and other pertinent controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend:
P - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - New Wetlands
B - 300 Buffer
W - Water

December 18, 2018

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Weppler, James F. (Lot 18)
Easement Purchase - SADC
103 Acres

Block 3	Lot 18	Clinton Twp.	Hunterdon County	
SOILS:		Other	17% * 0	= .00
		Prime	29% * .15	= 5.85
		Statewide	44% * .1	= 4.40
				SOIL SCORE: 10.25
TILLABLE SOILS:		Cropland Harvested	86% * .15	= 12.90
		Woodlands	14% * 0	= .00
				TILLABLE SOILS SCORE: 12.90
FARM USE:				

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st six (6) acres for 1 residence and flexibility
 - Exception is not to be severable from Premises
 - Right to Farm language is to be included in Deed of Easement
 - Exception is to be limited to one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - Standard Single Family
 - 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 #FY2020R6(13)
FINAL REVIEW AND APPROVAL OF A SADC EASEMENT PURCHASE**

On the Property of Oertle, David & Lisa ("Owners")

JUNE 25, 2020

Subject Property: **Oertle, David & Lisa ("Owners")**
Block 39, Lots 3, 3.03, & 4
Kingwood Township, Hunterdon County
SADC ID#: 10-0274-DE
Approximately 107.4 Net Easement Acres

WHEREAS, on September 24, 2019, the State Agriculture Development Committee ("SADC") received a development easement sale application from **Oertle, David & Lisa**, hereinafter "Owners," identified as Block 39, Lots 3, 3.03 and 4, Kingwood Township, Hunterdon County, hereinafter "the Property," totaling approximately 112.9 gross acres, identified in (Schedule A); and

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

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

WHEREAS, the Property includes one (1), approximately 5.5 acre non-severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 107.4 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) zero (0) housing opportunities
- 2) zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) zero (0) agricultural labor units
- 4) no pre-existing non-agricultural uses; and

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

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

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Hunterdon County (minimum acreage of 47 and minimum quality score of 58 because it is approximately 107.4 acres and has a quality score of 59.56; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 15, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the Development Easement value of \$4,500 per acre based on zoning and environmental regulations in place as of the current valuation date January 2020; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$4,500 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$4,500 per acre for a total of approximately \$483,300 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.

5. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.
6. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
7. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

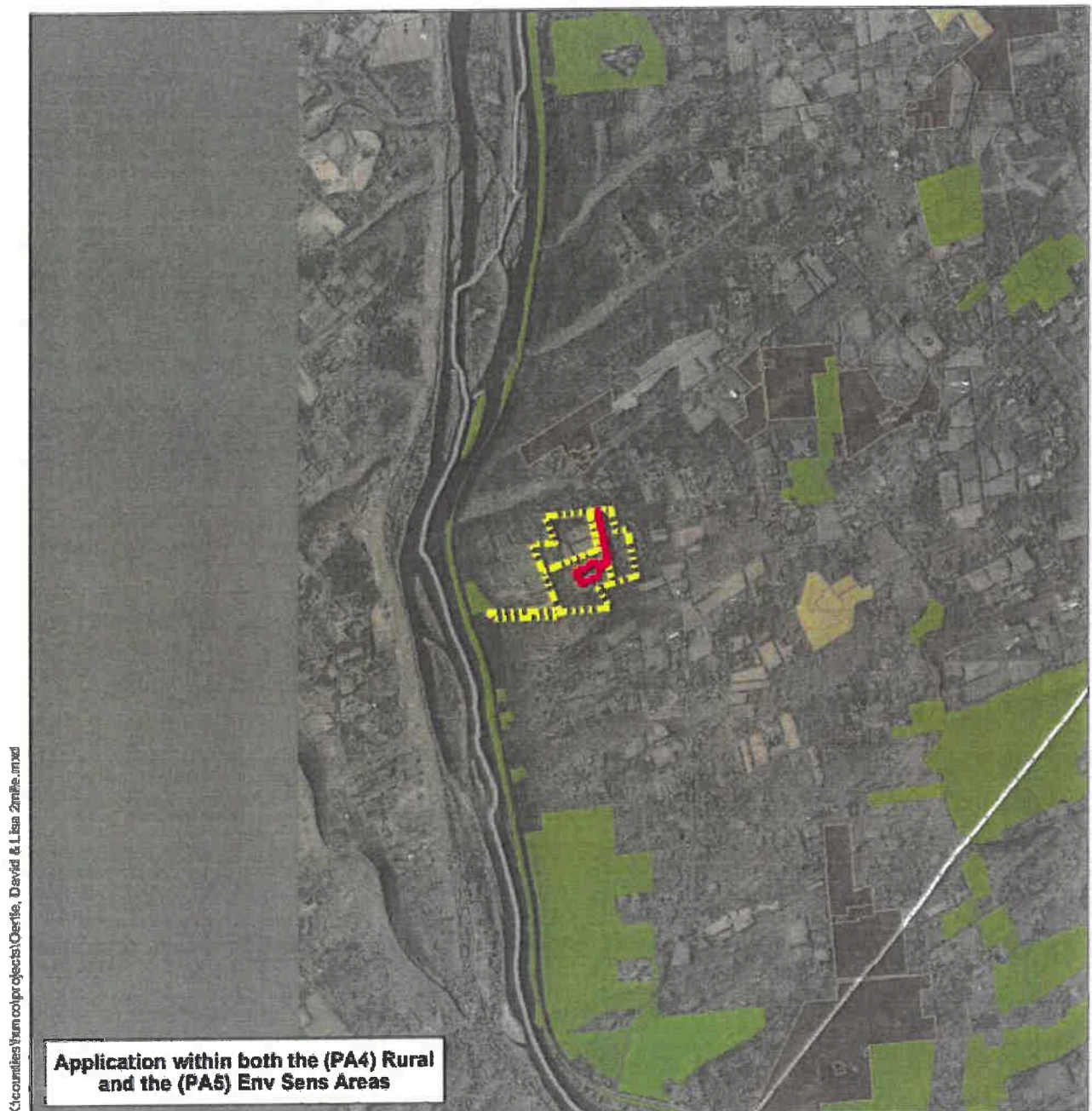
____ 6/25/2020 ____
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Pete Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT
	YES

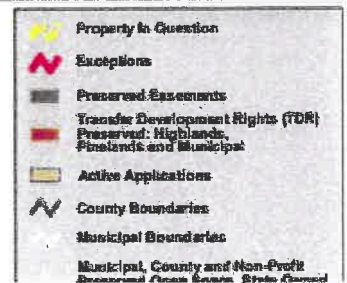
Preserved Farms and Active Applications Within Two Miles



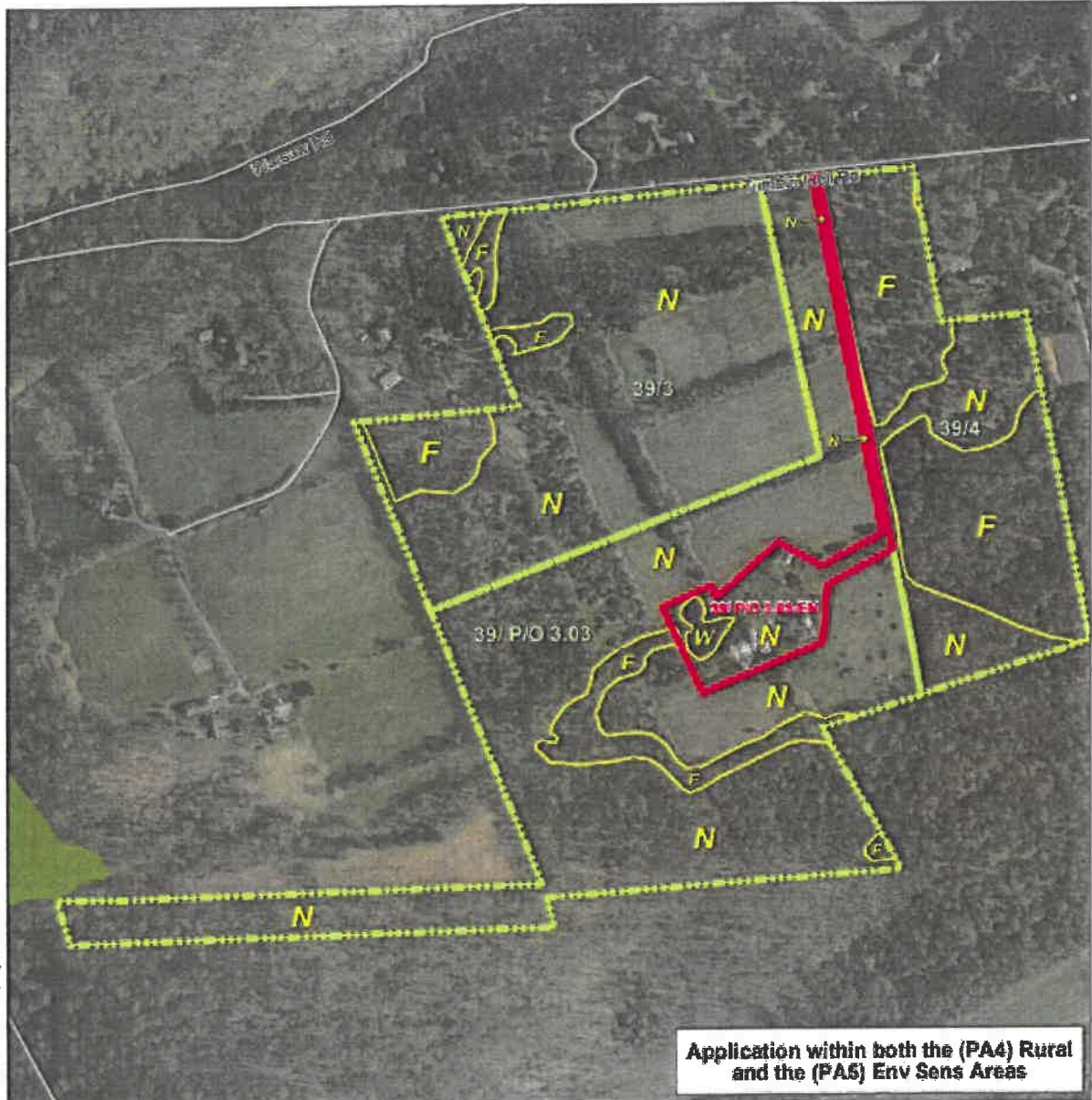
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Oertle, David & Lisa
Block 39 Lots 3 (35.3 ac), 4 (22.9 ac), P/O 3.03 (49.2 ac)
& P/O 3.03-EN (non-severable exception - 5.5 ac)
Gross Total = 112.9 ac
Kingwood Twp., Hunterdon County

N
▲



Wetlands



X:\counties\hunted\project\certs, David & Lisa final.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Oertle, David & Lisa
Block 39 Lots 3 (35.3 ac), 4 (22.9 ac), P/O 3.03 (49.2 ac)
& P/O 3.03-EN (non-severable exception - 5.5 ac)
Gross Total = 112.9 ac
Kingwood Twp., Hunterdon County

0 250 500 1,000 Feet

Sources:
NJ Farmland Preservation Program
Green Acres Comprehensive Easement Data
Protected Areas Database of the United States (PAD-US)
NCEP Wetlands Data
NOAA 2015 2.5' Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, used for or in connection with any legal or financial transaction. For more information, please contact the NJ State Agriculture Development Committee or the NJ State Office of Information Technology.

Professional Land Surveyor



- Property In Question
- EN - (Non-Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Highways
- County Roads
- Municipal/Local Roads
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned QFS & Recreation Easements

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified to Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - BOD Buffer
W - Water

September 30, 2019

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Oertle, David & Lisa
Easement Purchase - SADC
107 Acres

Block 39	Lot 3	Kingwood Twp.	Hunterdon County		
Block 39	Lot 4	Kingwood Twp.	Hunterdon County		
Block 39	Lot 3.03	Kingwood Twp.	Hunterdon County		
SOILS:				Other	3% * 0 = .00
				Prime	.5% * .15 = .08
				Statewide	96.5% * .1 = 9.65
				SOIL SCORE:	9.73
TILLABLE SOILS:				Cropland Harvested	90% * .15 = 1.35
				Wetlands/Water	2% * 0 = .00
				Woodlands	4% * 0 = .00
				TILLABLE SOILS SCORE:	4.50
FARM USE:					

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (5.5) acres for Existing residence and access
Exception is not to be severable from Premises
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: 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 FY2020R6(14)
FINAL REVIEW AND APPROVAL OF A NONPROFIT GRANT TO
The Land Conservancy of New Jersey (TLCNJ)
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Kimball, Kent D. ("Owner")
FY20 Non Profit Round - SADC #21-0045-NP
JUNE 25, 2020

WHEREAS, on April 5, 2019 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from The Land Conservancy of New Jersey (TLCNJ) for the Kimball, Kent D. farm identified as Block 61, Lot 5, White Township, Warren County, totaling approximately 44.62 gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is in the Highlands Planning Area; 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 also includes one (1), approximately 1 acre non severable exception area for a future single family residence and to afford future flexibility for nonagricultural uses, resulting in approximately 43.62 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land.
- 2) Shall not be severed or subdivided from the Premises.
- 3) Shall be restricted to one (1) single family residential unit.
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) zero (0) housing opportunities
- 2) zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) zero (0) agricultural labor units
- 4) no pre-existing non-agricultural uses; and

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

WHEREAS, on June 27, 2019 the SADC granted preliminary approval by Resolution #FY2019R6(1) to the Nonprofit application and appropriated \$933,875 for the acquisition of development easement on five farms including the Kimball farm; and

WHEREAS, at this time the following funds have received final approval and there is approximately \$452,139 still available:

- 1) \$213,019.50 for Rogers, Daniel & Flaherty, Sioban (TLCNJ-FY20 - Hidden Woods)
- 2) \$131,176.50 for Santini, Matthew, Robert & Sharon (TLCNJ-FY 20 - Lot 31.01)
- 3) \$137,540 for Santini, Robert & Sarah (TLCNJ-FY20)

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 57.84 which is greater than 70% of the County average quality score of 44 as determined by the SADC, at the time the application was submitted; and

WHEREAS, pursuant to N.J.A.C. 2:76 15(b) 2., if two appraisals have been obtained on a parcel, and the difference between the two appraisal values is 10% of the higher appraisal value or less, the eligible land cost shall be the average of the appraisal values; and

WHEREAS, on January 23, 2020 the SADC acknowledged the development easement value of the Property to be \$4,200 per acre based on January 2004 zoning and environmental regulations in place as of September 2019; and

WHEREAS, the SADC advised TLCNJ 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 TLCNJ's eligible costs and subject to available funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-15.2, on February 10, 2020, TLCNJ informed the SADC that it will accept the SADC cost share of \$2,100 per acre; and

WHEREAS, the Warren County Board of Chosen Freeholders entered into a Farmland Preservation Agreement with TLCNJ on September 10, 2019 and will provide 50% matching funds from Warren County for TLCNJ's easement acquisition on the Kimball arm and agreed to accept assignment of the development easement from TLCNJ and be responsible for annual monitoring; and

WHEREAS, the cost share breakdown based on 43.62 acres is as follows:

	<u>Total</u>	<u>Per / acre</u>
SADC	\$ 91,602	(\$2,100/ acre or 50% total cost)
Warren County	\$ 91,602	(\$2,100/ acre or 50% total cost)
Total Easement Purchase	\$183,204	(\$4,200/ acre)

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to TLCNJ for up to 50% of the eligible ancillary costs which will be deducted from its FY20 appropriation and subject to the availability of funds; and

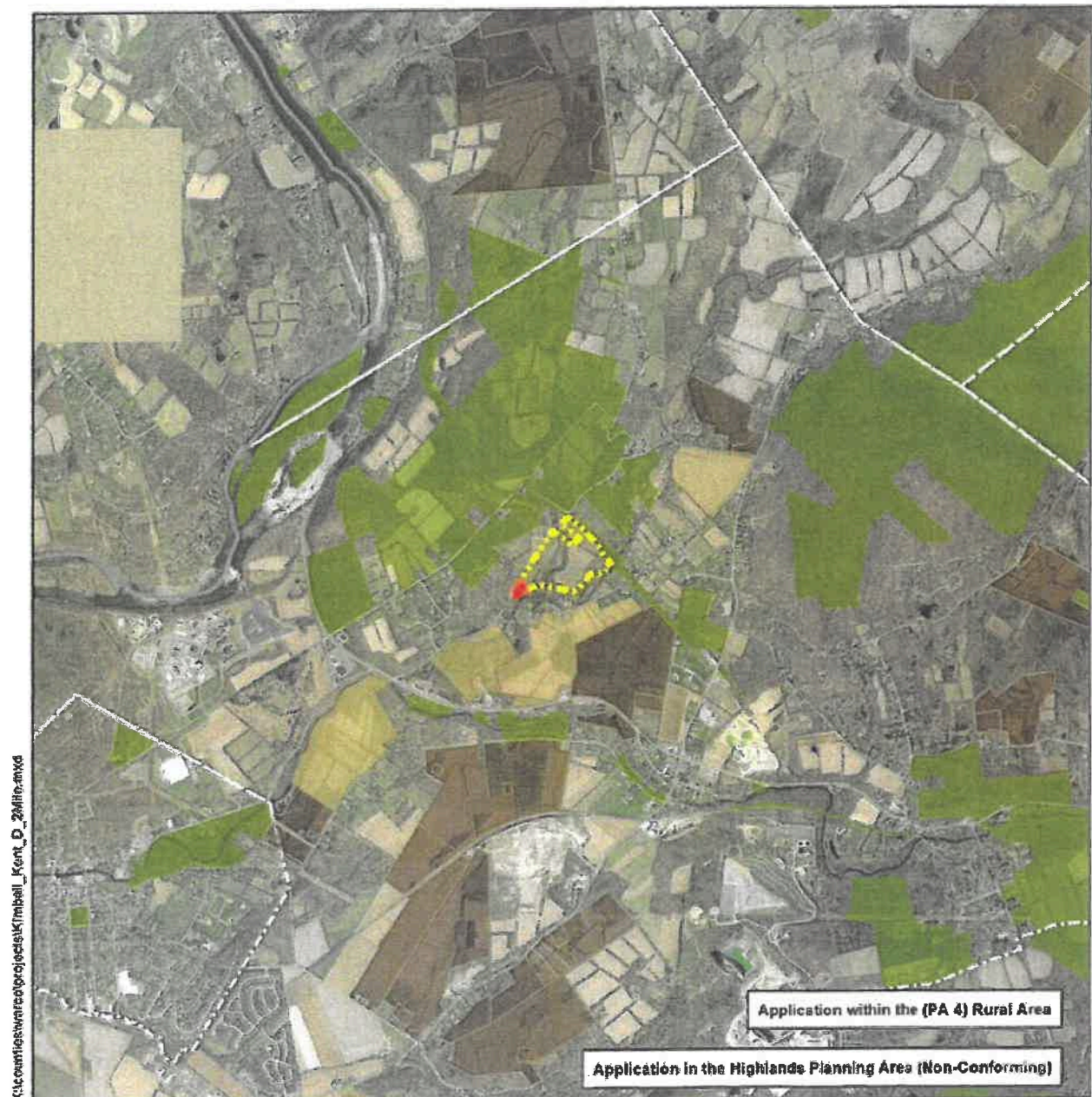
WHEREAS, N.J.A.C. 2:76-16.1(a)3.iii allows for the conveyance of the development easement to the Federal Government, the State, the County, or another qualifying tax exempt organization for farmland preservation purposes; and

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

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Preserved Farms and Active Applications Within Two Miles



X:\comfiles\warco\proj\act\k\mbell_Kent_D_28Mile.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kimball, Kent D
Block 61 P/O Lot 5 (43.61 ac) & P/O Lot 5-EN (non-severable exception – 1.01 ac)
Gross Total – 44.62
White Twp. Warren County

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

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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAQ-US)
NCEM/USGS 2010 Digital Aerial Image

April 28, 2018

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Kimball, Kent D.
21- 0045-NP
FY 2020 Easement Purchase - Nonprofit
44 Acres

Block 61	Lot 5	White Twp.	Warren County
SOILS:		Other	53% * 0 = .00
		Prime	47% * .15 = 7.05
			SOIL SCORE: 7.05
TILLABLE SOILS:		Cropland Pastured	54% * .15 = 8.10
		Cropland Harvested	50% * .15 = 7.50
		Woodlands	41% * 0 = .00
			TILLABLE SOILS SCORE: 8.85
FARM USE:		Hay	25 acres
		Vegetable & Melons	5 acres
		Berry	5 acres
		Sheep & Goats	5 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 one (1) acres for Future single family dwelling
 - Exception is not to be severable from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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. 1963, 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 FY2020R6(15)
FINAL REVIEW AND APPROVAL OF A NONPROFIT GRANT TO
New Jersey Conservation Foundation (NJCF)
for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Parave, Jr. James C. & Parave, Elicia Marie Smith (NJCF) ("Owners")
FY19 Non Profit Round - SADC #17-0054-NP
June 25, 2020

WHEREAS, on April 4, 2018, the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from New Jersey Conservation Foundation (NJCF) for the Parave farm identified as Block 99, Lots 10, 10.01, and 14 and Block 101, Lot 24, Alloway Township, Salem County, totaling approximately 61.9 gross acres hereinafter referred to as "Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), approximately 2.5 acre non-severable exception area for the existing single family residential units and to afford future flexibility for nonagricultural uses resulting in approximately 59.4 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes:

- 1) zero (0) housing opportunities
- 2) zero (0) agricultural labor units
- 3) no pre-existing non-agricultural uses; and

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

WHEREAS, on May 24, 2018 the SADC granted preliminary approval by Resolution #FY2018R5(9) to NJCF's FY2109 Nonprofit application and appropriated \$557,000 for the acquisition of development easement on two farms including the Parave farm; and

WHEREAS, at this time none of the appropriated money has been encumbered; and

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

WHEREAS, the Property has a quality score of 50.82 which is greater than 70% of the County average quality score of 48 as determined by the SADC, at the time the application was submitted; and

WHEREAS, on May 13, 2020, in accordance with Resolution #FY2020R4(14), Executive Director Payne and Secretary Fisher certified the development easement value of \$7,350 per acre based on zoning and environmental regulations in place as of the current valuation date November 8, 2019; 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. 2:76-15.2, on June 1, 2020, NJCF informed the SADC that it will accept the SADC cost share of \$3,675 per acre; and

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

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

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including no future division of the premises and a 6.33% maximum impervious coverage restriction (approximately 3.76 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the estimated ALE grant of \$4,000 per acre (50% of \$8,000) or approximately \$237,600 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 59.4 acres is as follows:

	<u>Total</u>	<u>Per/acre</u>
SADC	\$198,990	(\$3,350/acre or 45.58% total cost)
ALE	\$237,600	(\$4,000/acre or 54.42% total cost)
Total Easement Purchase	\$436,590	(\$7,350/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to NJCF for up to 50% of the eligible ancillary costs which will be deducted from its FY19 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 Property easement acquisition application subject to compliance with N.J.A.C. 2:76-16.
3. This approval is conditioned upon receipt of ALE or other funds sufficient enough to cover the remaining cost share.
4. The SADC shall provide a cost share grant not to exceed \$3,350 per acre (total of approximately \$198,990 based on 59.4 acres) to NJCF for the development easement acquisition on the Property, subject to the availability of funds.
5. The application is subject to the conditions contained in (Schedule B).
6. The SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1.
7. The SADC's cost share grant to NJCF for the development easement purchase on the Property 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 and for residual dwelling site opportunities allocated pursuant to Policy P-19-A.
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 Property.
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.

6/25/2020

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Martin Bullock	YES
Roger Kumpel	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Pete Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
James Waltman	YES

Preserved Farms and Active Applications Within Two Miles

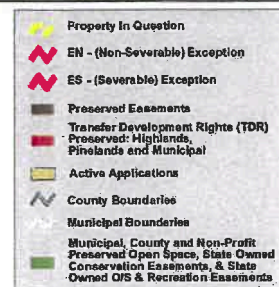


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Parave, Jr., James C. & Parave, Elicia Marie Smith (NJCF)
Block 99 Lots P/O 10 (31.4 ac); P/O 10-EN (non-severable exception - 2.5 ac)
10.01 (11.5 ac); 14 (8.4 ac) & Block 101 Lot 24 (8.2 ac)
Gross Total = 62.0 ac
Alloway Twp., Salem County

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

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



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

April 12, 2018

Wetlands



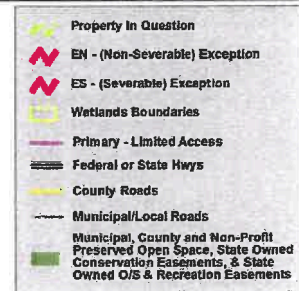
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Gross Total = 62.0 ac
Alloway Twp., Salem County

500 250 0 500 1,000 Feet

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

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and precision of the GIS data contained in this file and map shall not be, and 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

April 12, 2018

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Parave., Jr., James C. & Parave, Elicia Marie Smith (NJCF)

17- 0054-NP

No Value Selected Easement Purchase - Nonprofit

60 Acres

Block 99	Lot 10	Alloway Twp.	Salem County
Block 99	Lot 10.01	Alloway Twp.	Salem County
Block 99	Lot 14	Alloway Twp.	Salem County
Block 101	Lot 24	Alloway Twp.	Salem County

SOILS:	Other	15% * 0	=	.00
	Prime	50% * .15	=	9.00
	Statewide	5% * .1	=	.50
	Unique .125	1% * .125	=	.12
	Unique zero	15% * 0	=	.00
			SOIL SCORE:	9.63

TILLABLE SOILS:	Cropland Harvested	50% * .15	=	10.20
	Wetlands/Water	2% * 0	=	.00
	Woodlands	2% * 0	=	.00
			TILLABLE SOILS SCORE:	10.20

FARM USE:	Hay	11 acres
	Feed Cattle Feedlots	11 acres
	Corn-Cash Grain	30 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 9 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 (2.5) acres for Residence and other buildings
 - Exception is not to be severable from Premises
 - Exception is to be limited to one existing single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.