

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**Department of Agriculture
Market and Warren Streets
1st Floor Auditorium
Trenton, NJ 08625**

REGULAR MEETING

April 24, 2015

Chairman Fisher called the meeting to order at 9:02 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

Douglas H. Fisher, Chairman
Maria Connolly (rep. Acting DCA Commissioner Richman)
Brian Schilling (rep. Executive Dean Goodman)
Renee Jones (rep. DEP Commissioner Martin)
Alan Danser, Vice Chairman
Peter Johnson
Jane Brodhecker

Members Absent

Ralph Siegel (rep. State Treasurer Sidamon-Eristoff)
Denis C. Germano, Esq.
James Waltman

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

Others present as recorded on the attendance sheet: Timothy Brill, Steve Bruder, Daniel Patrick O'Connell, Matthew DiStaulo, Heidi Winzinger, Cindy Roberts, Stefanie Miller, Paul Burns, Hope Gruzlovic, Jeffrey Everett, David Kimmel, Charles Roohr, Dan Knox, Sandy Giambrone and Patricia Riccitello, SADC staff; Robert Vivian, N.J. Department of Agriculture, Office of the Secretary; Michael Collins, Esq., Governor's Authorities Unit; Tom Beaver, New Jersey Farm Bureau; Donna Rue, Rue Brothers Farm, Monmouth County; Daniel

Pace, Mercer County Agriculture Development Board; Brigitte Sherman, Cape May County Agriculture Development Board; Katherine Coyle, Morris County Agriculture Development Board; Tara Kenyon, Somerset County Agriculture Development Board; Martin Bullock, State Board of Agriculture Member; Richard A. Norz, President, State Board of Agriculture, and Robert A. Swanekamp Sr., Vice President, State Board of Agriculture.

Minutes

A. SADC Regular Meeting of March 26, 2015 (Open and Closed Sessions)

It was moved by Ms. Brodhecker and seconded by Mr. Danser to approve the Open Session and Closed Session minutes of the SADC regular meeting of March 26, 2015. The motion was approved. (Ms. Connolly abstained from the vote.)

REPORT OF THE CHAIRPERSON

Chairman Fisher made the following comments:

- Soil Disturbance

Chairman Fisher stated that this is the third meeting where he wanted to discuss soil disturbance. The first meeting the draft regulations were floated and he immediately heard from the agricultural community that there were huge concerns. Then we went to sending out that floated document and heard even greater concerns from across the agricultural community. Then at the annual State Agricultural Convention a resolution was passed directing that there should be a subcommittee comprised of SADC members, State Board of Agriculture members and the agricultural community to discuss the subject.

Chairman Fisher stated that the subcommittee met and created a document, which he believed the Committee received yesterday. That document also listed the members of the subcommittee. That discussion also triggered other discussions by that committee and by the State Board of Agriculture, looking for more dialogue between the SADC and the general agricultural community – better communication, more discussion, timeliness of actions, impacts of SADC actions. They want to help the Committee look at its own role in terms of the impacts it has and the mission that it has and an understanding of how it can help the agricultural community. After all, we need farmland but we need farmers and the

two go hand in hand. That is where he thinks they are looking for better interactions and intersections with the SADC. The Committee, as members, are dedicated and do an extraordinary amount of work trying to deal with the issues that come before it. But the general agricultural community has asked for more interaction to help guide the Committee in its deliberations and decisions. Chairman Fisher stated that was all he wanted to discuss today, other than to help create some refinements within the agency to better serve, because that is what we are all here for. The draft soil disturbance regulations have been removed from the website so there is no soil disturbance document there now. He is sure that the agricultural community would like to and is discussing the concerns on a very broad platform. The document that is here, that the Committee has, gives some very specific recommendations of what the agricultural community would see as an answer to the questions that you all have asked on the SADC.

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Payne made the following comments:

- Soil Disturbance

Ms. Payne stated that, as Secretary Fisher has indicated and we have consistently been reporting, the State Board of Agriculture created its subcommittee. The Committee has been provided the list of those on the subcommittee along with a copy of the resolution that was passed at the State Agricultural Convention. The subcommittee was created to give the SADC feedback on the issue. That feedback was approved by the State Board and staff provided it to the Committee yesterday. Also, they passed a motion to have representatives of the State Board of Agriculture sit down with representatives of the SADC and staff to talk about this further. The Committee has not had a full discussion of this yet. At the subcommittee level it came up and we made a presentation and it really has not been discussed. Anything that the Committee wants to say or contribute, you are always welcome to do that. Ms. Payne stated that from an administrative standpoint, what she would suggest is that we take the State Board's summary points and go back to our soil disturbance subcommittee and really go into these in depth and then perhaps that is the group that would wind up meeting with the State Board representatives to go into this deeply and see what their subcommittee would recommend back to the SADC. That is her thought about how to move forward. If the Committee wants to handle it any differently staff is here to take direction.

- Resignation of Farmer Member of the SADC

Ms. Payne stated that the Committee received a copy of Ms. Reade's resignation letter. Ms. Reade is looking to retire from farming and sell her farm. Ms. Reade felt it was best that another representative of the agriculture community fill the seat. The State Board of Agriculture, statutorily, has the role of recommending candidates to fill farmer positions on the SADC and to make those recommendations to the Governor. Upon the Governor's approval, she believes nominees also need Senate consent as well. The State Board of Agriculture made two recommendations to the Governor's Office on Wednesday – Roger Kumpel from Burlington County and Scott Ellis from Mercer County. Clearly we would like to see this move forward as quickly as possible, particularly given the discussion regarding soil disturbance. We want to make sure we have full farmer membership represented as we go through that process.

Secretary Fisher called for a motion to have a letter sent to Ms. Reade thanking her for her years of service to the SADC.

It was moved by Mr. Danser and seconded by Ms. Jones to authorize SADC staff to send a letter of thanks to Ms. Reade for her many years of service to the SADC. The motion was unanimously approved.

COMMUNICATIONS

Secretary Fisher stated that the SADC will be getting communications addressed to the members not just at the meeting but as they come in. Ms. Payne stated what staff has been doing is trying to provide the Committee copies of correspondence as they come in on hot topics. This is definitely not every piece of communication that comes in of course but staff did include in the members' packet a copy of the letter that was sent to all of the towns that have wineries on preserved farms that are potentially affected by the recent law regarding special occasion events. Mr. Johnson asked if the SADC could investigate the possibility of getting a sub for the farmer members of the SADC. It seems that many of the other members have subs who show up who are really not totally abreast of what all of our issues are so he knows it can take a long time to get somebody placed here. Ms. Payne asked if he was looking for alternates for farmer members. Mr. Johnson replied yes, that is a better word. Ms. Payne stated that she thought it would require a statutory change. Mr. Johnson said he didn't know. Ms. Payne stated that the statute talks about the four farmer members. Mr. Johnson stated he has asked before if staff could investigate if that is possible. Ms. Payne stated that she thought there was a bill introduced to

accomplish that and she doesn't know what the status of that is.

Mr. Schilling stated that it occurs to him that the five ex-officio members are named in the statute. He doesn't know where or at what point there is any explicit language saying that there is the ability to have a designee. He was wondering if it was a heavy lift for a statutory change or if there is some other level at which that decision could be made. He isn't sure where it says it in the statute.

Mr. Stypinski stated that basically the Commissioners can designate people to serve in their stead. That is in the statute – N.J.S.A. 4:1C-4b, but then the public members and the farmer members do not have that ability. It is an appointment process.

Chairman Fisher stated that when we get to the New Business section of the meeting Mr. Johnson can make a motion that he is requesting that statutory change. If it is voted on and approved by this Committee, then the Legislature will make the decision as to whether or not they want to put in a bill to make the statutory change. Mr. Johnson asked if the word "alternate" was the correct language. Chairman Fisher responded yes, it would be an alternate with the same rights and privileges.

PUBLIC COMMENT

Chairman Fisher stated that three members of the State Board of Agriculture are present – the State Board President, Vice Chair and a Member. They asked if they could come in and make a presentation to the Committee. Chairman Fisher opened up the public portion of the meeting and he called on State Board President Richard Norz.

Mr. Norz stated that they want to first commend everyone on the SADC and its staff for all the hard work and time that they put in. He knows that it is a tremendous amount of work. In December, when they heard the draft soil disturbance proposal as the rest of the state did, the State Board received a tremendous amount of feedback from different people in agriculture throughout the state. The New Jersey Farm Bureau also received a lot of comments. Concern climaxed at the State Agricultural Convention with the resolution pointed directly at the soil disturbance issue. The State Board took it very seriously and formed a committee on the recommendations of the 100+ delegates of the Agricultural Convention throughout the state of many different county boards of agriculture and commodity groups. The committee that was formed had more than 30 members from various commodity groups, producing a very good representation

of New Jersey agriculture.

Mr. Norz stated that when they were going through this process, they looked very closely at the legislation that made up the SADC originally, and the deed of easement is really what their basis was for the document addressing soil disturbance that the Committee has before it today. That is just a little information for the Committee as to where that all came from. The State Board feels that the document that was produced has some good recommendations to be able to address the concern, and he knows the pending lawsuit was in there and they also considered that very heavily with this. They believe that if this is the direction that is able to be taken going forward, that it will protect the public while still being able to keep the farmer sustainable. That was their main goal in doing all this.

State Board of Agriculture Vice President Robert Swanekamp Sr. addressed the Committee. Mr. Swanekamp stated that one of the things that this group felt strongly about, as Secretary Fisher mentioned, is the need to communicate. The line of communication between the SADC's goings on and the State Board's goings on is broken. His four years on the State Board, other than getting the monthly report from Ms. Payne or her representative, they really didn't understand what you folks are doing. He thinks that needs to change. Very simply and it doesn't have to be a monthly thing, it could be quarterly or a bi-yearly situation where representatives from the State Board and the SADC sit down and talk to touch base. By doing so, obviously he thinks you could move forward aggressively preserving farmland like you are charged to do and do it smoothly and efficiently. The State Board could help the SADC and the SADC could help the State Board achieve these goals. He hopes the SADC will consider that in its deliberations in doing this document. Mr. Swanekamp stated that with he and Mr. Norz being 4th year members, they are ready to step down but there are folks coming up on the State Board who are just as talented and interested and willing to put in the hours and time to achieve these goals. He stated that they are here to answer any questions that anyone may have, if not today then certainly you can reach out to them at any time and they would be more than happy to have a dialogue.

There were no questions for the members of the State Board from the Committee.

Donna Rue from Rue Brothers Farm stated that the SADC gave approval for their parcel with Holland Greenhouses last month and they found out there was a 45-day wait limit for the Governor's Office to approve the resolutions. She asked if

they would be getting a letter saying that everything has been approved. They only have the resolution from the last meeting. She asked what the next step is.

Mr. Roohr stated that the signed resolutions went out yesterday. The Governor's review period expires on May 8th. Ms. Rue asked, so after May 8th they should get something that says everything is approved? Ms. Payne stated staff can send a letter when the expiration period is over. Ms. Rue stated that it has affected Casey Jansen's funding opportunity and it is going to probably kick us back a year again. Because of the 45-day waiting period, the lenders won't do anything until we get this letter. Ms. Rue stated that they are going forward and closing but as far as ordering the greenhouse, everything is stopped.

Chairman Fisher stated that the Committee approved it and there is this 45-day period for the minutes. Ms. Payne stated that she needs to correct everyone here. The SADC has a meeting, then it sends its minutes of that meeting to the Governor's Office. There is a 15-day clock for the Governor to veto any action. That is the date when you know that our decision is final. The 45-day period is if anyone, Ms. Rue, Casey or anyone wants to appeal the Committee's decision in court. They are two separate things. So staff can provide to you either a letter or email that lays all of that out so that you are clear.

Ms. Rue stated that she had a solar energy question. On her preserved farm, they have no exception for buildings, houses, etc. If they wanted to put solar on one of the personal houses or on the barn, do they have to come to the SADC to get approval or is that solar approval from the SADC for a solar field? Ms. Payne stated that it is the construction of all renewable energy facilities on preserved farms under the law. Ms. Rue stated that even if it is their personal house and they wanted to put panels on it they would need approval from the SADC because it is on the farm and there are no exception areas. Ms. Payne stated that is correct. Ms. Rue asked if they were in an exception area, could they go ahead without getting SADC approval? Ms. Payne responded no. The statute requires that to be reviewed as well. Mr. Roohr stated that if the panels are going to go on top of an existing structure, it is an administrative review so it is quicker. If they go in the ground you would have to come before the Committee. The way the legislation reads is that they all have to come before the Committee. However, the Committee delegated authority for roof-mounted systems to be decided by staff so it is quicker. Chairman Fisher asked if there were ever any roof-mounted systems that have been denied. Mr. Roohr stated that so far no roof-mounted systems have been denied and no ground-mounted systems have been denied. All the

applications have to come to the State first and if the county has participated in the cost share, it gets a 30-day review.

Tom Beaver from the New Jersey Farm Bureau stated that Mr. Norz and Mr. Swanekamp did an excellent job framing out where this subcommittee's work has taken us. He wanted to offer the Farm Bureau's support for the subcommittee's report. They were very active in that process and he thinks the outcome puts it in a great direction to have some dialogue. The Farm Bureau commends the SADC for its decision to remove the specter of the original proposal to allow for more engagement from the industry. He gives a lot of credit to SADC staff because even though the concerns related to the original proposal were very well known, the work that was done to lead up to that will be very valuable as they continue with this dialogue and process. The Farm Bureau looks forward to being involved and engaged.

Chairman Fisher stated that before we get started on new business, he asked if there was any motion that anyone wanted to make. Mr. Johnson stated that he would like to make a motion that farmer members of the SADC each have an alternate with all the rights and privileges of the Committee to attend the regular meetings of the SADC, upon resignation or absence of farmer members of the regular Committee.

It was moved by Mr. Johnson to have farmer members of the SADC each have an alternate with the rights and privileges of the Committee members to attend the regular meetings of the SADC, upon resignation or absence of farmer members of the regular Committee.

Mr. Stypinski asked if Mr. Johnson was making a motion for that to happen or for the Legislature to tackle making the statutory change. Mr. Johnson stated yes, the statutory change or whatever the appropriate thing is. Mr. Danser stated that the motion is for you, Mr. Stypinski, to review it and if it needs statutory action to recommend that to the Legislature as a request of this Committee. Mr. Stypinski stated OK. He stated that he didn't know if he could recommend that but he thinks that someone would recommend that.

Ms. Brodhecker seconded the motion.

Mr. Schilling stated that there are so many reasons that this is a good idea. He thinks it would be more efficient moving issues forward, getting the input of the industry. He stated that this is sort of a no-brainer. Mr. Schilling stated that the Committee talked

about this in the past and he was hopeful that it may be something in our authority to do but he didn't expect that it would be. Ms. Payne stated no – and one of the roles of the Committee is definitely to make recommendations to the Legislature. If the Committee would like to we can work on that language and bring it back to the Committee and work with the State Board to make sure that it covers the bases and we can make that recommendation. Chairman Fisher stated that this is really simple. It just says that there is a substitute who is here. If you open this any broader then it is going to be a whole other can of worms. He thinks you could make the motion and vote on it. He asked, can't they vote on something with the language we are going to provide or do we have to provide the language first? Mr. Stypinski stated that he could advise the Committee in Closed Session, not Open Session, to discuss the legalities of the issue.

Chairman Fisher stated that Mr. Johnson still made his motion, there was a motion and a second that a request for an alternate delegate to the Committee, farmer member, be sent to the Legislature to ask for legislative consideration, and then we will have a discussion on the legalities in Closed Session.

The motion carried.

NEW BUSINESS

A. Resolution for Certification

- 1. Agricultural Development Area Map Amendments**
 - a. Morris County

Mr. Brill referred the Committee to Resolution FY2015R4(1) for a request by the Morris CADB to amend its Agricultural Development Area map to include parcels, one in Mendham Borough and one in Harding Township, Morris County, as outlined in the draft resolution before the Committee. He reviewed the specifics of the request and stated that staff recommendation is to grant approval.

It was moved by Mr. Danser and seconded by Ms. Jones to approve Resolution FY2015R4(1) certifying the amendment to the Morris County Agriculture Development Board's Agricultural Development Area map to include the Scott Farm, known as Block 501, Lot 23 in Mendham Borough, Morris County, and the Simon Farm, known as Block 10, Lots 18 and 18.02 in Harding Township, Morris County, as presented and discussed, subject to any conditions of said resolution. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. The motion was unanimously approved. (A copy of Resolution FY2015R4(1) is attached to

and is a part of these minutes.)

b. Hunterdon County

Mr. Brill referred the Committee to Resolution FY2015R4(2) for a request by the Hunterdon CADB to amend its Agricultural Development Area map to include a parcel in Readington Township, Hunterdon County, known as the Cole Farm, as outlined in the draft resolution before the Committee. He reviewed the specifics of the request and stated that staff recommendation is to grant approval.

It was moved by Ms. Jones and seconded by Mr. Danser to approve Resolution FY2015R4(2) certifying the amendment to the Hunterdon County Agriculture Development Board's Agricultural Development Area map to include a parcel in Readington Township, Hunterdon County, known as the Cole Farm, Block 67, Lot 12 and Block 68, Lots 2 and 14, as presented and discussed, subject to any conditions of said resolution. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. The motion was unanimously approved. (A copy of Resolution FY2015R4(2) is attached to and is a part of these minutes.)

B. Resolutions for Final Approval – Municipal PIG Program

Ms. Payne stated that so that the public understands, SADC staff is making an effort to make the meetings a little more efficient. Staff will start to abbreviate presentations at the meeting a little. All of the details will still be in all the public documents but for the CADB coordinators present at the meetings, you may hear a more abbreviated version than you are used to and that is by design. Staff has asked the Committee that if it wants to see more detail then staff will be happy to provide that, but we are just trying to keep the meetings more manageable in length.

SADC staff referred the Committee to three applications for final approval under the Municipal Planning Incentive Grant Program. Staff reviewed the specifics of each application with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Ms. Jones and seconded by Mr. Danser to approve Resolution FY2015R4(3) through Resolution FY2015R4(5) granting final approval to the following applications under the Municipal Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said resolutions. These approvals are considered

final agency decisions appealable to the Appellate Division of the Superior Court of New Jersey:

1. Lambert Farm LLC, SADC # 10-0355-PG (Resolution FY2015R4(3))
Block 3, Lot 16, West Amwell Township, Hunterdon County, 53 Net Easement Acres
State cost share of \$6,780 per acre (60%) for a total grant need of approximately \$359,340 (Schedule B), pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property includes a 5.5-acre nonseverable exception limited to two single-family residential units and a 0.4-acre nonseverable exception for an existing cellular installation limited to zero residential units. The property has zero housing opportunities, zero agricultural labor units and no pre-existing nonagricultural uses outside of any exception areas.
2. John and Miriam Jacobson, SADC # 10-0352-PG (Resolution FY2015R4(4))
Block 5, Lot 1, Alexandria Township, Hunterdon County, 30 Net Easement Acres
State cost share of \$6,900 per acre (60%) for a total grant need of approximately \$207,000 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property has one 2.4-acre nonseverable exception area for and limited to one single-family residential unit, zero single-family residence, zero agricultural labor units, and no pre-existing nonagricultural uses on the area to be preserved outside of the exception area.
3. Joseph P. Nichols and Victoria A. Nichols, SADC # 08-0163-PG (Resolution FY2015R4(5))
Block 2801, Lots 45 and 49, Franklin Township, Gloucester County, 41.686 Net Surveyed Easement Acres
State cost share of \$3,500 per acre (67.30% of the certified market value) for an estimated total grant need of \$145,901 pursuant to N.J.A.C. 2:76-6.1 and the conditions contained in Schedule C. The property includes a 4.0-acre nonseverable exception limited to one single-family residential unit. The property has one existing single-family residential unit, zero agricultural labor housing and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area.

Chairman Fisher stated that for the abbreviated presentations, nothing is in question that staff needs to bring to the attention of the Committee. It is all pretty much written in terms of the three appraisals, but if there are specific questions that the Committee has as it is looking at these farms, members are welcome to ask staff. Chairman Fisher felt that

this will save a lot of time for the Committee so it can delve into other issues before it. Ms. Payne stated that the Committee also looks at and reviews exception areas when it certifies values. So it has already been covered by the Committee. This is just confirmation of the acquisition now that the offers have been accepted. Ms. Winzinger stated that if there was a change, which there is one today, from the certification of value to final approval, staff will stop and bring that up.

The motion was unanimously approved. (Copies of Resolution FY2015R4(3) through Resolution FY2015R4(5) are attached to and are a part of these minutes.)

C. Resolutions for Final Approval – County PIG Program

SADC staff referred the Committee to one request for an amended final approval and one request for final approval under the County Planning Incentive Grant Program. Staff reviewed the specifics with the Committee and stated that staff recommendation is to grant amended final approval and final approval.

1. Amended Final Approval

Amwell Chase Farm, West Amwell Township, Hunterdon County

It was moved by Mr. Danser and seconded by Ms. Jones to approve Resolution FY2015R4(6) granting amended final approval to the Amwell Chase, Inc. farm, known as Block 5, Lots 24 and 24.01, West Amwell Township, Hunterdon County, 209.6 gross acres, as presented and discussed, subject to any conditions of said resolution. The SADC amends the exception area, the certified easement value and the cost share of the May 22, 2014 final approval Resolution FY2014R5(4). The SADC approves a revised cost share grant to Hunterdon County for the purchase of a development easement on the Property, comprising 186.43 net easement acres at a State cost share of \$5,250 per acre for a total grant need of \$978,757.50 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule D. The property includes a 28-acre nonseverable exception area limited to one single-family residential unit and the use of the exception area shall not impair, hinder or negatively impact the agricultural use of the Premises as determined by the easement holder. The property has one single-family residential unit, zero agricultural labor units and no pre-existing nonagricultural uses outside of the exception area. All other provisions of the April 27, 2012 final approval shall remain in effect. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

Discussion: SADC staff stated that this was before the Committee at its February meeting

for an amended certification of value, which was approved for an enlargement of an exception area to accommodate a future nonagricultural use. Since then the County and landowners requested the exception to include the driveway, so this increases the exception from 21 to 28 acres. The independent appraisers were consulted and they didn't feel it affected the February certified values. Net easement acreage is 181.

The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 186.43 acres will be utilized to calculate the SADC grant need.

The motion was unanimously approved. (A copy of Resolution FY2015R4(6) is attached to and is a part of these minutes.)

Regular Final Approvals

It was moved by Mr. Danser and seconded by Ms. Jones to grant final approval to the following applications under the County Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said resolutions. These approvals are considered final agency decisions appealable to the Appellate Division of the Superior Court of New Jersey:

1. John H. Smith and Jean M. Smith, (Windy Acres North), SADC # 21-0530-PG (Resolution FY2015R4(7))
Block 14, Lot 9 p/o, Harmony Township; Block 12, Lot 20, White Township
Warren County, 77 Net Acres
State cost share of \$3,160 per acre (68.7% of the purchase price) for a total grant need of \$250,619.60 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property has one single-family residential unit, zero agricultural labor units, and no pre-existing nonagricultural uses on the area to be preserved. Final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms.

Discussion: The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 79.31 acres will be utilized to calculate the grant need.

2. John H. Smith and Jean M. Smith, (Windy Acres South), SADC # 21-0558-PG (Resolution FY2015R4(8))

Block 14, Lot 9 p/o, Harmony Township, Warren County, 39 Net Acres
State cost share of \$3,900 per acre (65% of the purchase price) for a total grant need of \$156,663.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property has a one-acre nonseverable exception area for and limited to one single-family residence. The property includes zero housing opportunities, zero agricultural labor units and no pre-existing nonagricultural uses on the area to be preserved outside of the exception area. The SADC's final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms.

Discussion: The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 40.17 acres will be utilized to calculate the grant need.

3. Melvin and Josephine McCracken, SADC # 06-0156-PG (Resolution FY2015R4(9))
Block 65, Lots 10 and 10.01, Hopewell Township, Cumberland County, 47 Acres
State cost share of \$2,980 per acre (69.30% of the purchase price) for a total grant need of \$144,261.80 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property has one single-family residential unit, zero agricultural labor units and no pre-existing nonagricultural uses.

Discussion: The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 48.41 acres will be utilized to calculate the grant need.

4. Pearl E. Riley, SADC # 06-0158-PG (Resolution FY2015R10))
Block 245, Lot 6, Lawrence Township, Cumberland County, 47 Acres
State cost share of \$2,500 per acre (71.43% of the purchase price) for a total grant need of \$121,025.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property includes zero housing opportunities, zero agricultural labor units and no pre-existing nonagricultural uses.

Discussion: The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 48.41 acres will be utilized to calculate the grant need.

5. Raymond Coleman #2, SADC # 06-0154-PG (Resolution FY2015R11))
Block 59, Lot 5, Deerfield Township, Cumberland County, 22 Acres
State cost share of \$3,550 per acre (66.98% of the purchase price) for a total grant need of \$80,443.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property has one 3-acre severable exception area limited to one single-family residence. The property includes zero housing opportunities, zero agricultural labor units and no pre-existing nonagricultural uses on the area to be preserved outside of the exception area.

Discussion: The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 22.66 acres will be utilized to calculate the grant need.

6. Mary Ann Casper, SADC # 06-0159-PG (Resolution FY2015R4(12))
Block 55, Lot 4; Block 56, Lots 15 and 16, Downe Township, Cumberland County, 33 Net Acres
State cost share of \$2,500 per acre (71.43% of the purchase price) for a total grant need of \$84,975.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C. The property has one 2.6-acre nonseverable exception area limited to one single-family residential unit. The property includes zero housing opportunities, zero agricultural labor units and no pre-existing nonagricultural uses on the area to be preserved outside of the exception area.
7. John Pagano, SADC # 04-0027-PG (Resolution FY2015R4(13))
Block 8201, Lot 5, Winslow Township, Camden County, 23 Net Acres
State cost share of \$2,428.60 per acre (71.83% of the Pinelands Formula Valuation with 10% impervious coverage) for a total grant need of \$57,533.53 pursuant to N.J.A.C. 2:76.6.11 and the conditions contained in Schedule D. The property includes a 3.2-acre nonseverable exception area limited to one single-family residential unit. The property has zero housing opportunities, zero agricultural labor housing and no pre-existing nonagricultural uses outside of the exception area. The landowner has agreed to limit impervious coverage on the property to a maximum of 10% of the total property acreage.

Discussion: The County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 23.69 acres will be utilized to calculate the grant need.

The motion was unanimously approved. (Copies of Resolution FY2015R4(7) through Resolution FY2015R4(13) are attached to and are a part of these minutes.)

D. Resolutions for Final Approval – State Acquisition Program

SADC staff referred the Committee to three requests for final approval under the State Acquisition Program. Staff reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Ms. Brodhecker and seconded by Mr. Danser to grant final approval to the following applications under the State Acquisition Program, as presented and discussed, subject to any conditions of said resolutions. These approvals are considered final agency decisions appealable to the Appellate Division of the Superior Court of New Jersey:

1. Coombs Properties, LLC, SADC # 17-0275-DE (Resolution FY2015R4(14))
Block 52, Lot 1, Upper Pittsgrove Township, Salem County, 114 Net Easement Acres
Acquisition of the development easement at a value of \$8,100 per acre for a total of approximately \$923,400, subject to the conditions contained in Schedule B. The property includes a 4.4 acre severable exception area limited to zero housing opportunities. The property has been allocated one Residual Dwelling Site Opportunity (RDSO) and has zero single-family residential units, zero agricultural labor units and no pre-existing nonagricultural uses outside of the exception areas.
2. Patricia A. Toal-Kibort, SADC #17-0276-DE (Resolution FY2015R4(15))
Block 801, Lots 36, 37, 448; Block 1002, Lots 12, 13
Pittsgrove Township, Salem County, 124 Net Easement Acres
Acquisition of the development easement at a value of \$5,300 per acre for a total of approximately \$657,200, subject to the conditions contained in Schedule B. The property includes a 3.1-acre severable exception area limited to one single-family residential unit and a 1-acre nonseverable exception limited to one single-family residential unit. The property has zero housing opportunities, zero agricultural labor units, and no pre-existing nonagricultural uses outside of the exception areas. **This approval is conditioned on the recording of an access easement consistent with the existing cartway over Block 801, Lot 36 to Lot 38 (landlocked parcel). The access easement must be approved by the SADC and recorded prior to closing.**

Discussion: There is a lot that is owned by a neighbor and he has always used Ms. Kibort's driveway to get out to the road. Staff will work with the landowners to create a permanent easement prior to preservation so that the neighbor can continue to gain access to his lot.

3. Dirt Capital Partners, LLC, SADC # 10-0227-DE (Resolution FY2015R4(16))
Block 4, Lot 3, Kingwood Township
Block 41, Lot 17, Franklin Township
Hunterdon County, 76 Net Easement Acres
Acquisition of the development easement at a value of \$7,300 per acre for a total of approximately \$554,800, subject to the conditions contained in Schedule B. The property includes a 2-acre nonseverable exception area limited to one single-family residential unit and a 7-acre severable exception limited to one single-family residence. The property has zero housing opportunities, zero agricultural labor units, and no pre-existing nonagricultural uses outside of the exception areas.

The motion was unanimously approved. (Copies of Resolution FY2015R4(14) through FY2015R4(16) are attached to and are a part of these minutes.)

E. Stewardship

1. Request for Special Permit to Construct Personal Wireless Facilities
 - a. Niederer Farm, Hopewell Township, Mercer County

Mr. Roohr referred the Committee to Resolution FY2015R4(17) for a request for a special permit for the installation of a personal wireless service facility from New Cingular Wireless PCS, LLC (AT&T) on behalf of the landowners, Thomas and Wendy Niederer, owners of Block 61, Lot 5.01, in Hopewell Township, Mercer County. The property consists of 113 acres. The request is to put the cell tower on an existing high-tension tower and the tower is approximately 25 feet from Bear Tavern Road. The tower is there already and they are going to put the antenna on top of the tower and run the cable down the leg and then within the four corners of the base of the tower itself; they will have a platform where all the cabinetry will go. Mr. Roohr stated that this will not affect the land at all and it will all be contained within the easement of the tower itself. It meets all of the requirements of the legislation that would allow this. However, the one issue is that there is an item in the legislation that speaks to allowing unlimited police, fire, EMS access to co-locate on the structure, which is actually part of AT&T's standard

contract language when they put up their own pole. However, when they utilize someone else's pole they don't have that ability. So they are at the mercy of what the landowner, in this case JCP&L, says and none of their contracts will allow for that.

Mr. Roohr stated that this happened on the last one that the SADC did with AT&T, which was on an existing high-tension line and we were able to be OK with that. The other choice is that you would have to build a free-standing tower. Otherwise, it is a great location, it meets all the other requirements and staff recommendation is to approve the request as presented and discussed.

It was moved by Mr. Danser and seconded by Ms. Jones to approve Resolution FY2015R4(17) finding that because the personal wireless service facility is being constructed on a structure that existed on the Premises prior to preservation and is not owned by the landowner, that it does not have jurisdiction to mandate that space be made available to other entities per N.J.A.C. 2:76-23.5(16). The SADC approves the construction, installation, operation and maintenance of the personal wireless service facility to be located on top of, and within the base of, the high tension electrical transmission tower as identified in Schedule A. The SADC approves this permit for a period of 20 years from the date of this resolution. This action is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. The motion was unanimously approved. (A copy of Resolution FY2015R4(17) is attached to and is a part of these minutes.)

2. Request for Agricultural Labor Housing
 - a. DaCosta Blueberry Farm, Mullica Township, Atlantic County

Mr. Roohr referred the Committee to Resolution FY2015R4(18) for a request by DaCosta Blueberry Farm, Inc., owner of Block 3801, Lot 4; Block 3602, Lots 6, 8, 10, 12, 13, 15, and Block 3514, Lots 11, 12, 15 in Mullica Township, Atlantic County, comprising 189.64 acres to utilize a new pole barn-style building for an agricultural labor dormitory consisting of approximately 6,000 square feet of living space and a separate 480 square foot structure for shower facilities on the property. The owner operates a fresh market blueberry operation on the property and on other nearby farms consisting of approximately 900 acres in production. The owner currently employs up to 550 laborers during the season of June through August and finds that having farm workers on-site is essential to the continuation and expansion of his operation.

Mr. Roohr stated that in 2014 when the County did their annual inspection they came across the agricultural labor dormitory building and shower structure, which were built in

2013. There are bedrooms only in the one building and then the restrooms and shower facilities are in a separate nearby structure. The owners indicated they were not aware that they needed to get SADC approval and once they found out they submitted everything that was required. Everything already has its permits from the Township and from the federal agencies. Staff opinion is that the need is warranted based on the operation and the structure is a site that works.

Mr. Roohr stated that the owner proposes to utilize an existing 30 by 200 foot pole barn-style building on the property built for use as a dormitory in 2013, consisting of dormitory housing totaling approximately 6,000 square feet, to house up to 150 laborers throughout the growing season. The owner proposes to utilize an existing 20 by 24 foot pole barn-style building on the property as the shower facilities. The farm workers will be full-time employees of the farm directly involved in the day-to-day production activities. The owners have utilized off-site labor housing in the past and believe that having on-farm housing will allow them to hire and retain a more consistent work force, which is needed to produce and harvest this time-sensitive crop. Staff recommendation is to approve the request, as presented and discussed.

It was moved by Ms. Brodhecker and seconded by Ms. Connolly to approve Resolution FY2015R4(18) granting a request by DaCosta Blueberry Farms, Inc., owners of Block 3801, Lot 4; Block 3602, Lots 6, 8, 10, 12, 13, 15, and Block 3514, Lots 11, 12, 15, in Mullica Township, Atlantic County, to utilize an existing pole-barn style building on the Premises as an agricultural labor unit, consisting of a dormitory-style unit of approximately 6,000 square feet in size, as depicted on Schedule A, as well as the adjacent 480 square-foot pole barn-style building to be utilized as shower facilities, subject to municipal, State and federal requirements. Only agricultural labor employed on the Premises, in production aspects of the operation, and their immediate family may live in the agricultural labor structure. The agricultural laborers shall be engaged in the day-to-day production activities on the Premises, which at this time include the planting, crop maintenance, irrigation, cultivation, harvest and packing of blueberry crops grown on the Premises. This approval is valid for a period of three years from the date of approval. This approval is not transferrable. The owner's use of any structures for housing agricultural laborers shall be in compliance with all applicable federal, State, county and local regulations. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. The motion was unanimously approved. (A copy of Resolution FY2015R4(18) is attached to and is a part of these minutes.)

F. Right to Farm

1. Right to Farm Outreach Development Plan

Mr. Kimmel referred the Committee to the April 13, 2015 memorandum on the 2015-2016 Right to Farm (RTF) Program Development Plan. Mr. Kimmel stated that staff gets a lot of comments and questions on RTF from all of the different parties that the SADC works with, such as farmers, neighbors, local officials, attorneys and CADBs. There are a lot of informal inquiries and formal cases. SADC staff tries to be as helpful as possible and we're always asking ourselves where technical assistance is needed the most, what can we do, and what audiences, topics, and types of products should we focus on.

Mr. Kimmel stated that staff received feedback from the county agriculture development boards (CADBs) regarding RTF technical assistance needs and noted the information in the memo provided to the Committee. Mr. Kimmel stated that there are a few different ways to provide education and outreach. One would be in-person presentations, and another would be tangible products that we could have at any time for people. The latter is the first step that we are looking at, as the best approach to take may be developing high-quality educational materials such as a RTF type of publication similar to the Agricultural Mediation Handbook that was recently developed. This could also include PowerPoint presentations on RTF basics with voice-over narration, which would be online; an overview of significant RTF case law that would be a Powerpoint or written resource and available online; and annual updates on RTF including new decisions of interest and other developments of note, which could be in print and/or online. As has been the SADC's practice, information on the Agricultural Mediation Program would also be included in all of these RTF education materials. Staff anticipates that the outreach products could be tailored to different audiences and to the extent possible stretch beyond providing basic RTF education into topics such as providing a positive guide for municipalities on how they can support agriculture.

The objective is to increase awareness and understanding of Right to Farm among local officials, the agricultural community, the public and others through the development of enhanced educational reference materials that would be available on the SADC's website, thereby helping reduce conflicts and resolve issues that can impact a farm's viability. Mr. Kimmel stated that staff wanted to get the Committee's input/suggestions on whether these seem like good ideas or if the Committee had any other suggestions as staff develops the RTF program for the next time period.

Mr. Johnson stated he supports this 100 percent. In his industry, the growing agritourism

industry, a whole host of issues come along with that industry and the AMP that was created by this staff and Committee, there has been a whole other raft of allowable uses in the agritourism industry that local officials are unaware of, the Department of Community Affairs (DCA) is unaware of and there is a lot of interpretation that goes on. Any education of township officials, county officials and Department of Community Affairs (DCA) officials he would support.

Mr. Schilling stated that he wouldn't mind being on the distribution list, or he would recommend another additional audience would be some of the County Extension agents, because he constantly receives calls as issues come up. Sometimes he knows the answers and sometimes he doesn't and he would refer them to the appropriate staff here. It is hard to get all the agents together for obvious reasons but possibly, even if it is 15 to 20 minutes, maybe coming to a department meeting at the agency just to get some of these resources would be helpful.

Ms. Payne stated that to the extent that any agency or group calls the SADC and asks if staff could talk to them, staff will always do that but at the moment we want to get a really great core of information developed so that someone from the SADC can go and make presentations. Mr. Schilling stated that he constantly gets calls that show him that people don't understand the difference between what is allowed on a preserved farm and what is protected by RTF, or that not being protected doesn't mean it isn't allowed.

Ms. Payne stated to follow up on Mr. Johnson's comment, if you have concerns specifically with DCA, you should let SADC staff know what department or division you are working with and that is something staff can do more quickly to pull the two agencies together and sit down and make sure they understand what RTF is doing on the ground. Ms. Connolly stated that she agreed and that she is thinking that it would be the Division of Codes and Standards, or Fire Safety, those types of divisions, and the DCA could definitely coordinate something. Ms. Payne stated that staff will follow up with the DCA on that but if you have any specifics that you would like to share with staff as a point of discussion that would be great. Ms. Jones stated that she is sure there are intersections with the Department of Environmental Protection (DEP) as well. They have gotten questions about stormwater regulations and things like that as well. She didn't know if that came up under topics. Some regulations are not waived. Ms. Payne asked Ms. Jones to let staff know if the DEP would like to participate in some discussions with the other agencies so that we can get everyone on the same page regarding RTF. The SADC would be happy to host that.

Mr. Schilling stated that he was reviewing the information in the memorandum and the

idea of webinars he feels would be very effective, especially during lunch hours. That is how a lot of the Extension colleagues are speaking nationally. Chairman Fisher stated that probably when you go out and make these presentations, at the same time you are liable to get feedback, and that issue might come back to the Committee to discuss, where there is a big area of confusion. Ms. Payne stated that at the staff level we cannot just project what an answer would be that the Committee would issue but we can certainly cover cases that have been an issue and discuss what the law says and what the AMP says and what the procedures are, but RTF is a case-by-case determination.

Mr. Schilling stated that a lot of times he also gets questions that just show that people are just not sure what the first steps should be or where the first contact should be. Ms. Payne stated that staff is thinking that something we could do is make presentations or materials that say, so you're a farmer and you want to seek RTF protections, what do you do, and then we would tailor it to that audience. Similarly we would say, OK, you are a planning official for a town and a farmer says he is protected by RTF, what do you do, what are the rules of engagement? Or you are a CADB member and you need a briefing on the basics of RTF and the mechanics. So we are going to try to speak to the different audiences so the RTF materials have more of an intuitive feel. Mr. Schilling stated that possibly the SADC and his agency could do something jointly also to help push it out more broadly. Ms. Payne stated that the SADC would very much appreciate that.

G. Agricultural Mediation

1. Agricultural Mediation Program Update – Presentation

Mr. Everett stated that Right to Farm (RTF) is one tool in the toolbox and then you talk about agricultural mediation as an alternative for dispute resolution. In the farm community you may prevail in RTF but still lose because you are out legal costs and you have neighbors who are upset about your operation. So the Stewardship staff has tried to ramp up mediation efforts, and he has given this presentation to the State Agricultural Convention recently. Mediation is a tool in all walks of life. If you have a good mediator, you are able to narrow the issues at hand. What it requires is the participation of both parties – neighbors and/or municipalities and the farmer. Mediators have no decision-making authority but what they do is describe in writing any agreements that the parties bring to the table.

Mr. Everett stated that people don't know that mediation exists in this state so staff is trying to promote that. Secondly, they don't know that it extends beyond RTF. It isn't just site-specific agricultural management practices (SSAMP) or complaints against

commercial farmers. It is also conflicts between farmers and USDA programs, Farm Bill conservation programs, etc. It is pretty holistic in that it also deals with farm loan programs, FSA or even commercial lenders such as Farm Credit. So the same tool can be used for all the various issues. In the SADC, since 2000 we have been certified by FSA, and we receive 70 percent grant funds. There is movement afoot to expand cases that the USDA will pay for. At the moment they will not pay for RTF cases. In 2012 the SADC created an Agriculture Development section within SADC to focus on the very issues that Secretary Fisher had raised such as how can we be a resource for the farming community. Last month he talked about the new Farm Link website that he and Mr. Kimmel worked on, along with Rutgers – Mr. Schilling’s colleague Lucas Marxen –and NOFA New Jersey, and SADC Stewardship Manager Charles Roohr and Resource Conservationist David Clapp.

Mr. Everett stated that New Jersey has 1,210 persons per square mile and the U.S. average is 90. Seven out of 10 states are more rural than the national average and 3 states – Massachusetts, Rhode Island and New Jersey – are the states that are less than 10 percent rural, so there is a plethora of RTF complaints. Mr. Everett stated that from 1997 to 2014 there has been an increasing number of RTF cases in New Jersey as the population increases, in some years reaching 166 cases, with the overall average for these years at 108 cases. Not all of these are new cases, but some are existing and they become aggravated again and then here we are. It isn’t just RTF conflicts that mediation can help resolve but also USDA program issues. Mr. Everett showed a chart for the newest Farm Bill. He stated that when you have \$56 billion being granted for conservation programs alone, you are going to have adverse determinations for which farmers are going to seek relief.

Mr. Everett reviewed the following with the Committee as outlined in the information provided to the Committee:

1. Ag Mediation Procedures
2. Benefits of Mediation
3. Case Studies
4. Ag Mediation as a Metaphor for Rural Cooperation (irrespective of Geography)

Mr. Everett stated that agricultural mediation is a great tool but why is it so little known? That is our job here at the SADC, to advance that dialogue. All 50 states have RTF programs but not all 50 states have agricultural mediation programs. Over time, people are seeing the benefit of agricultural mediation and more states have begun to add mediation programs. He stated that in the Great Plains states, agricultural mediation is a

precursor to a RTF complaint or an agricultural credit case – you have to go to mediation before you go the more formal route as a requirement.

Mr. Everett stated earlier about the average of 108 cases per year for RTF – the SADC only receives about 9 cases per year for agricultural mediation so we are trying to reverse that conversation. He stated that there are copies of the SADC's Agricultural Mediation Handbook today for anyone who would like a copy. It was distributed to different groups and it is a nice primer on what agricultural mediation is and what it can do for you.

H. Proposed SADC Appraisal Handbook Amendments

Mr. Burns referred the Committee to the Summary of Proposed Changes to the SADC Appraisal Handbook . Mr. Burns reviewed the specifics of the requested changes to the handbook as outlined in the summary. He stated that this is just for discussion today. Staff will request adoption of the handbook at the May SADC meeting and then it will be presented to the appraisers at the June Appraisal Conference. Mr. Burns stated that this summary will be sent out to the appraisal community, the CADBs, municipalities and nonprofits for their comments as well. Ms. Payne stated that staff will make sure a copy gets sent to the Highlands Council. She will be communicating with their Director to make sure that this isn't a surprise to them in any way.

The proposed changes are as follows:

1. Revised **Appraisal Order Checklist** (attached) Appendix A
 - a. Reason: Removal of definition of a farmer
2. Page 3 – Removal of #3 from **Appraisal Submission Procedure**

Each appraiser shall include a signed and scanned PDF copy of the SADC's "Appraiser's Certification of Report Genuineness" with every appraisal; e.g., for all drafts and final versions of appraisals that are electronically submitted to the SADC.

3. Pages 3 & 4 – Edit of **Overview** section to reflect the current funding rules
4. Pages 9&10 – Edit of Appraisals (d) **Zoning as a Valuation Factor** to reflect latest law regarding the dual appraisal provision of the Highlands
5. Pages 10-12 – Edit of Confirmation of Ownership –Definition of a Farmer is removed

6. Page 20 – Edit of Scope of Work
 - a. Federally funded projects removed
 - b. Statement added – Appraisers shall be provided with the project application and appraisal order checklist to identify any special requirements, restrictions or limitations associated with the appraisal assignment.
7. Addition of Eminent Domain Section to the Appendix

EMINENT DOMAIN OF PRESERVED FARMLAND

There are occasions where the preserved farm may be subject to eminent domain takings by authorized government entities pursuant to N.J.S.A. 4:1C-25. In addition, interstate gas pipeline companies have authority to condemn preserved farmland under the Federal Natural Gas Act. This section is meant to advise appraisers as to the required techniques and conditions of appraising preserved farms that are subject to eminent domain takings.

1. All appraisals must be conducted under the hypothetical condition that the farm is unencumbered by the agricultural easement in order to secure just compensation to the easement holder and funding partners based on current value of the land. Highest and Best Use is still as of the date of the eminent domain appraisal but subject to the hypothetical condition that the property is unencumbered by the agricultural easement. This is regardless of the highest and best use conditions that the property was preserved under.
2. All takings must be appraised based on the hypothetical condition of the land as unencumbered by the agricultural easement. This includes fee takings, easements, temporary easements or temporary work space areas as well as damages to the remainder.
3. The easement holder is not entitled to compensation for impacts to improvements, crop losses/damages or other damages unrelated to the value of the land. If the appraiser's assignment is to determine compensation for such items, it will be necessary to break out the value of those improvements or crops from the value of the lands under appraisal. In cases where appraisals are not clear as to the contributory value of land and improvements, the appraiser should discuss the need for a separate land only appraisal with his client.
4. The appraiser's client should provide the appraiser with a detailed map and description of the subject property and taking(s). In instances where takings encumber both preserved and unpreserved areas of a farm, it is not the appraiser's

responsibility to determine compensation to all parties concerned, only to value the property as completely unencumbered. It is the condemnor and easement holder's responsibility to determine appropriate compensation due the easement holder, landowner etc.

PUBLIC COMMENT

Donna Rue from Rue Brothers Farms stated that in referring to education and outreach for the Right to Farm program, she was thinking that the SADC may want to work with the FFA groups, because they are constantly doing community programs and community outreach. If you could possibly do a talking list and send it to the FFA clubs, when they hold their public meetings or fundraisers you may offer to have a public presentation and get information out that way. You could do something like hot topics for Right to Farm.

Ms. Payne thanked Maria Connolly for sitting in for the Department of Community Affairs in Mr. Requa's absence.

Ms. Payne introduced the SADC's newest staff member, Matthew DiStaulo, who is the SADC's Fiscal Analyst. The SADC's fiscal shop used to be three people, two of whom left – one retired and one took another position. Mr. O'Connell has come on as the Chief Fiscal Officer to replace Mr. Lofberg who retired and Mr. DiStaulo will be Mr. O'Connell's right-hand man so to speak. The SADC doesn't anticipate creating three people in the fiscal section but rather anticipates being able to handle the fiscal section with just the two folks on board now.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, May 28, 2015, beginning at 9 a.m. Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 10:28 a.m., Mr. Danser moved the following resolution to go into Closed Session. The motion was seconded by Mr. Schilling and unanimously approved.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, and attorney-client matters, pursuant to N.J.S.A. 10:4-12, the N.J. State Agriculture Development Committee declares the next one-half hour to be private to discuss these matters. The minutes will be

available one year from the date of this meeting.”

The Committee took a five-minute break before going into Closed Session.

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certification of Values

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

County Planning Incentive Grant Program

1. John M. Barton #1, SADC # 21-0568-PG
Block 23, Lot 1; Independence Township
Block 102, Lot 2.01, Mansfield Township
Warren County, 31.4 Acres
Certification of value is contingent upon a 50-foot unrestricted access easement to benefit the farm that will be recorded through the severable exception prior to closing.
2. Estate of Gabriella Klimas, SADC # 21-0543-PG
Block 14, Lots 10, 12.01, Independence Township
Block 101.02, Lots 43, 44, Mansfield Township
Warren County, 190 Acres
3. RLL Enterprises, Inc. (Leyburn), SADC # 21-0572-PG
Block 51, Lot 4, Franklin Township, Warren County, 50 Acres
4. Carl and Barbara Sigler, SADC # 21-0567-PG
Block 9, Lot 23, Franklin Township, Warren County, 170 Acres
This certification of value is contingent upon the 100' wide severable exception providing an access easement benefitting the preserved farm and providing the landowner with the ability to access the preserved farm for farming purposes prior to closing.
5. Oscar and Lorraine Unangst, SADC # 21-0574-PG
Block 47, Lot 5, White Township, Warren County, 86 Acres

Municipal Planning Incentive Grant Program

1. Todd and Margaret Casper #3 (Casper's Nurseries, LLC), SADC # 06-0148-PG Block 601, Lots 1, 1.01, Upper Deerfield Twp., Cumberland County, 15 Gross/15 Net Acres

Direct Easement Purchase Program

1. Coombs Properties, LLC (Cruzan), SADC # 06-0076-DE Block 2, Lot 2, Stow Creek Township, Cumberland County, 90 Gross/90 Net Acres

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

**B. Attorney/Client Matters
Litigation**

1. Condemnations

Ms. Payne stated that with respect to the SADC's procedures as it relates to condemnations and compensation of value, she asked Mr. Danser if he wanted to speak on the issue.

Mr. Danser stated he would motion that the Committee was advised by counsel that the Deed of Easement says that yes, we have a financial interest and it is clear and concise and there is no ambiguity and the SADC will follow that procedure during these matters. The motion was seconded by Ms. Jones and was unanimously approved.

C. AMENDMENT TO ALTERNATE MEMBERS MOTION

Mr. Johnson stated that he would like to amend a motion he made in Open Session earlier regarding alternate members.

Mr. Johnson moved to amend his earlier motion made in Open Session, to exclude when a farmer member resigns from the Committee that they have an alternate. He would also like to include public members in the motion to have alternates. Ms. Brodhecker seconded the amendment to the motion. The motion was unanimously approved.

PUBLIC COMMENT

None

ADJOURNMENT

There being no further business, it was moved by Mr. Schilling and seconded by Mr. Danser and unanimously approved to adjourn the meeting at 12:05 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Susan E. Payne".

Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

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STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(1)

CERTIFICATION OF AMENDED AGRICULTURAL DEVELOPMENT AREA MAP

MORRIS COUNTY

April 24, 2015

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

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

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

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

1. Permanently preserved farmlands;
2. Lands in Eight Year Farmland Preservation Programs;
3. Lands pending permanent farmland preservation by a non-profit, Morris County or the State Agriculture Development Committee (SADC); and

WHEREAS, if none of the above three (3) criteria has been fulfilled, the MCADB specified that the following criteria must be met:

- a. Land that is at least 10 acres;
- b. Land that received farmland assessment;

- c. Lands comprising the premises are adjoining and have common ownership;
- d. The land must be at least 50% tillable, or have at least 25 tillable acres;
- e. Lands less than 25 acres in size shall not contain more than 80% soils with slopes in excess of 15% as identified on a USDA, Natural Resources Conservation Service SSURGO version 2.2 or newer soils map;
- f. The land is located in a municipality that has adopted a Right to Farm Ordinance; and

WHEREAS, the State Agriculture Development Committee (SADC) certified Morris County's designated ADA criteria and map pursuant to N.J.S.A. 4:1C-18, and N.J.A.C. 2:76-1.4 on September 25, 2008 in conjunction with the SADC approval of the County's Comprehensive Farmland Preservation Plan and County Planning Incentive Grant Application; and

WHEREAS, the MCADB recommended the modification of the Morris County ADA to include the Scott Farm (Block 501, Lot 23 in Mendham Borough) and the Simon Farm (Block 10, Lots 18 and 18.02 in Harding Township) in their State Fiscal Year 2016 County Planning Incentive Grant Application as targeted farms in their existing Central Project Area (as shown on Schedule A); and

WHEREAS, the Scott Farm is located in the 1-Acre Residence Zone just outside the Borough's sewer service area, immediately adjacent to Mountain Valley Park and the Biarbor Arboretum (as shown on Schedule B) and less than one mile from the preserved Rienau Farm; and

WHEREAS, the 15-acre Scott Farm is currently a livestock operation consisting of 67% prime soils that are roughly 75% tillable (Schedules C and D); and

WHEREAS, the Simon Farm is located in the 5-Acre Rural Residential Zone outside the sewer service area, in close proximity to the preserved Koven and Lancor / McShane preserved farms and adjacent to the Great Swamp National Wildlife Refuge (as shown on Schedule E); and

WHEREAS, the 44-acre Simon Farm is comprised of approximately 20% prime soils and 71% soils of statewide importance with roughly 50% tillable acreage based on the net acreage excluding a proposed 8.85-acre non-severable exception area around the existing residence and appurtenances (Schedules F and G); and

WHEREAS, both Farms are located in the Highlands Planning Area and the Environmentally Sensitive Planning Area (PA 5) of the State Development and Redevelopment Plan Policy Map; and

WHEREAS, MCADB and its staff reviewed the proposed ADA map amendment against the ADA criteria set forth at N.J.S.A. 4:1C-18 and N.J.A.C. 2:76-1.4 and the certified CADB criteria and policy; and

WHEREAS, on March 12, 2015, the MCADB held a public hearing to consider public comment on the proposed amendment to its ADA map pursuant to N.J.A.C. 2:76-1.5; and

WHEREAS, on March 12, 2015, the MCADB approved the ADA map amendment to include the Scott Farm (Block 501, Lot 23 in Mendham Borough) and the Simon Farm (Block 10, Lots 18 and 18.02 in Harding Township); and

WHEREAS, the MCADB requested the SADC's certification of the amended ADA map (as identified in the attached Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-1.5, the CADB submitted to the SADC, copies of the agenda and minutes of the March 12, 2015 meeting; and

WHEREAS, the SADC has reviewed the CADB's submissions and has determined that the analysis of factors and resultant criteria is reasonable and consistent and in compliance with the provisions of N.J.A.C. 2:76-1.6;

NOW THEREFORE BE IT RESOLVED that the SADC certifies the amendment to the Morris County Agriculture Development Board's Agricultural Development Area map to include the Scott Farm (Block 501, Lot 23 in Mendham Borough) and the Simon Farm (Block 10, Lots 18 and 18.02 in Harding Township); and

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

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

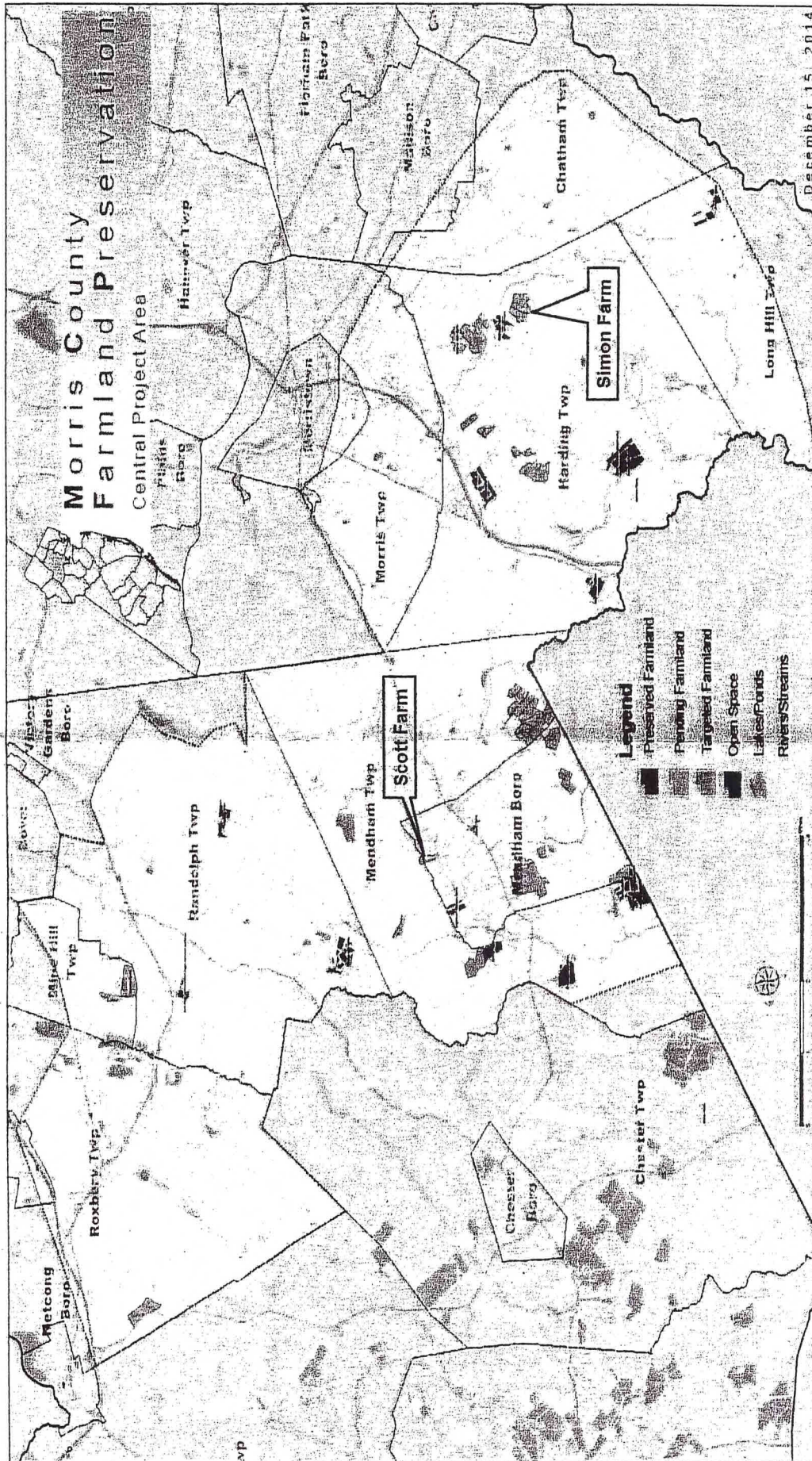
4/24/15
Date

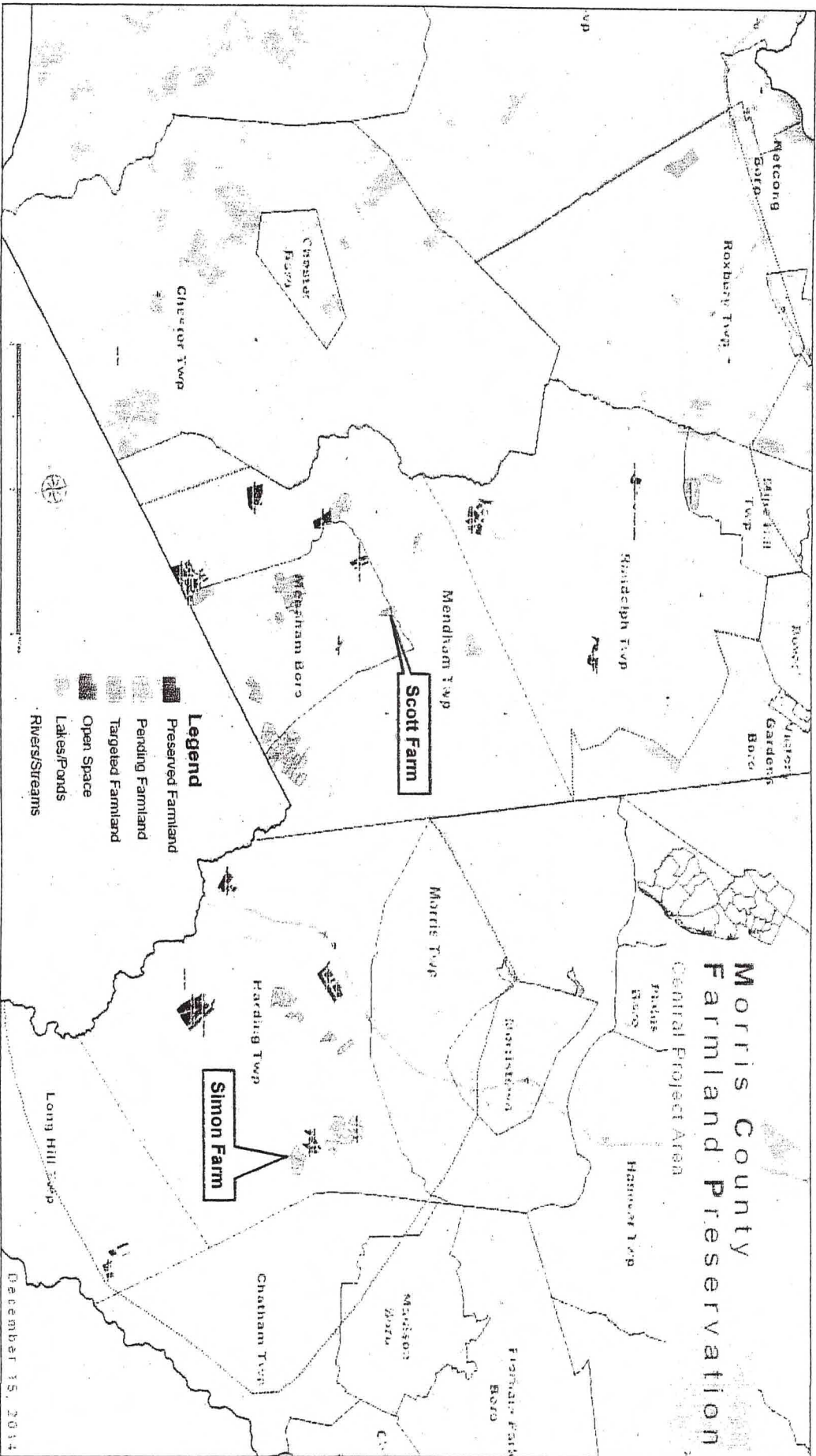


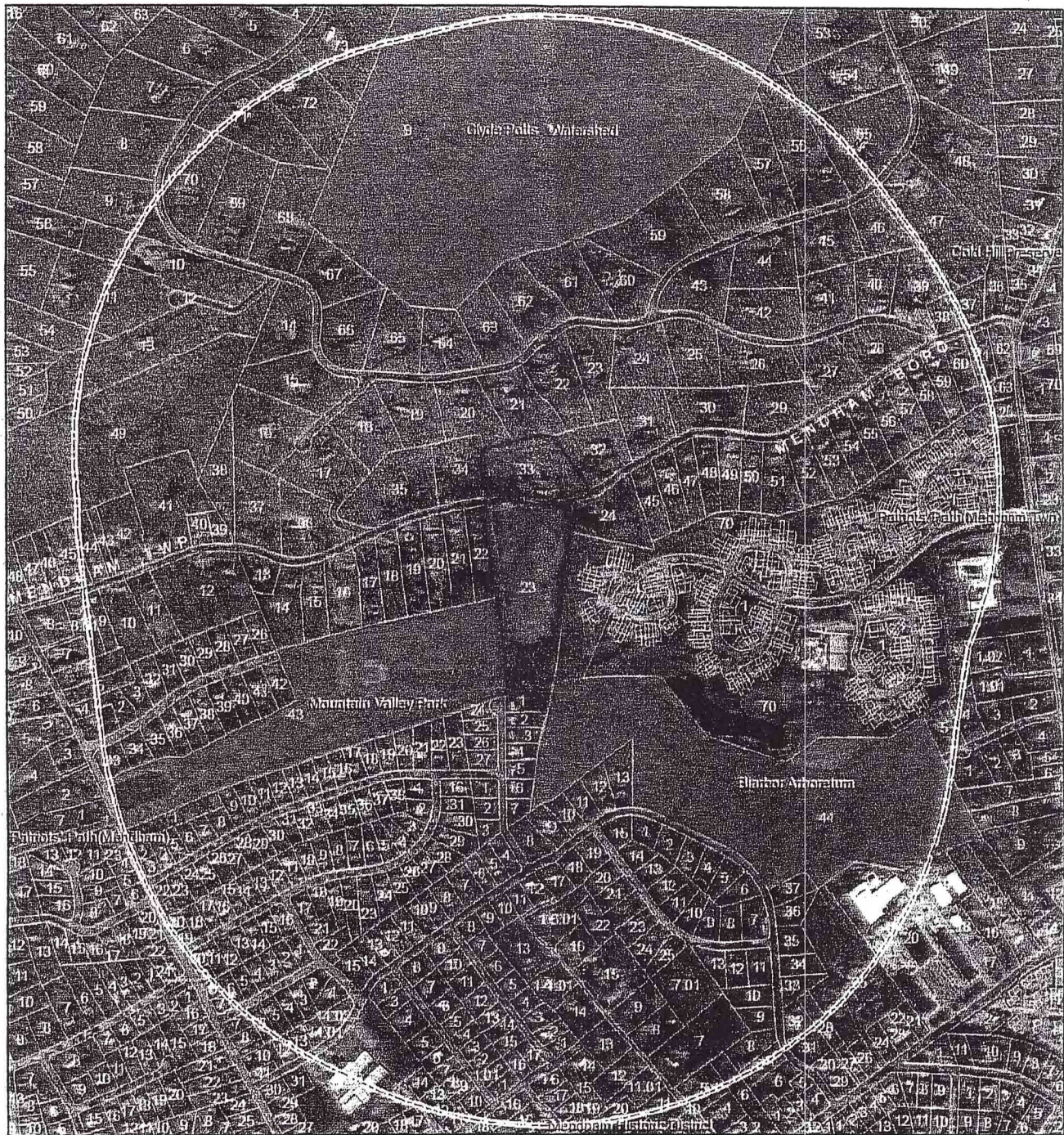
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT







**Farmland Preservation Program
Morris County Agriculture Development Board**

PROJECT NAME: **Scott**

PARCELS: Blk(s):117 Lot(s):33
Blk(s):501 Lot(s):33

LOCATION: 88 Mountainside Road

EXCEPTIONS: 0

HIGHLANDS AREA: Planning Area

SOURCES

Carbonylchloride 100%

APPLICATION YEAR:

TOT ACREAGE: 14.76

EXCEPTION ACREAGE: 0

NET PRESERVATION ACREAGE: 14.76

The interviewee indicated that prior to 1967, there were no known meetings and no known plans to discuss the future of the movement and the future of the nation. On the other hand, the interviewee indicated that the movement was in a state of flux and that the future of the nation was uncertain. The interviewee indicated that the movement was in a state of flux and that the future of the nation was uncertain. The interviewee indicated that the movement was in a state of flux and that the future of the nation was uncertain.

0	470	940	1480
		Feet	

Trail Segments

Easements

GIS.MCGIS.FARM_ProgramTracts

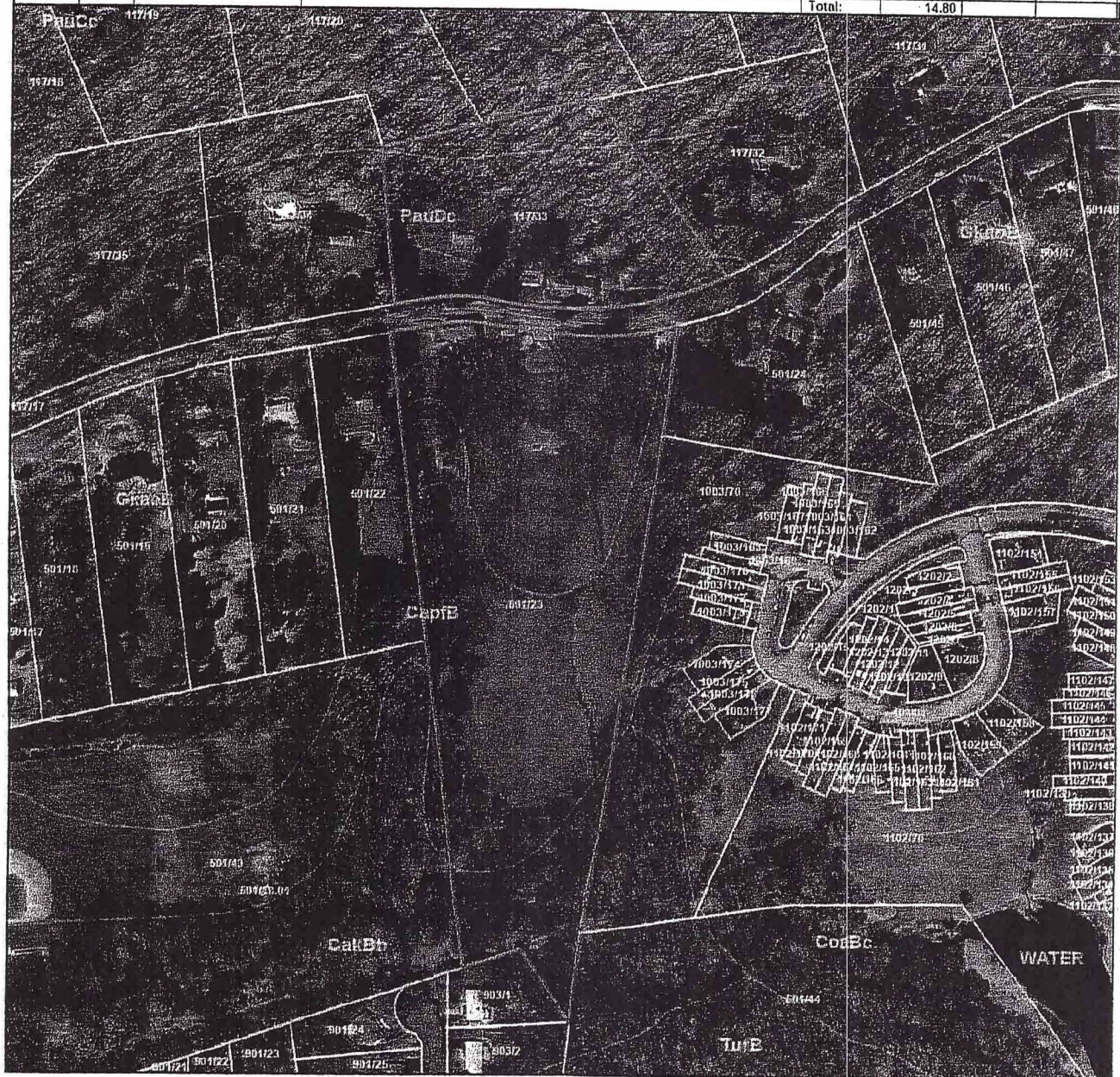
Open Space

Farmhand

	NAME
--	------

Schedule C

Soil Label	MUKEY	Classification	Soil Description	Sq Feet	Acres	Total Acres	Percent Total
CapB	298490	All areas are prime farmland	Califon variant loam, 3 to 8 percent slopes	235,068.17	5.40	14.80	36%
GkaoB	1033893	All areas are prime farmland	Gladstone gravelly loam, 3 to 8 percent slopes	199,197.55	4.57	14.80	31%
CaKB	298486	Not prime farmland	Califon loam, 0 to 8 percent slopes, very stony	60,072.91	1.38	14.80	9%
PauCc	1480285	Not prime farmland	Parker-Gladstone complex, 0 to 15 percent slopes, extremely stony	26,100.12	0.60	14.80	4%
PauDc	1480286	Not prime farmland	Parker-Gladstone complex, 15 to 25 percent slopes, extremely stony (SSURGO1)	124,478.23	2.86	14.80	19%
Total:					14.80		



Farmland Preservation Program
 Morris County Agriculture Development Board
 Scott
 Block 501, Lot 23 - Mendham Borough
 Block 117, Lot 33 - Mendham Twp.
 Exceptions: None
 Morris County
 Highlands Planning Area

N
 Sources: 2007 True Color Aerial Image
 NCRS - SSURGO Soils Data

Exceptions
 Selected Farm
 Parcel Lines

0 225 450 900
 Feet

THE INFORMATION CONTAINED ON THIS PARCEL MAP IS USED TO LOCATE, IDENTIFY AND INVENTORY PARCELS OF LAND IN MORRIS COUNTY FOR DELIBERATIVE PURPOSES AND CONSULTATIVE PURPOSES ONLY AND IS NOT TO BE CONTINUED OR USED AS A LEGAL DESCRIPTION. MAP INFORMATION IS BELIEVED TO BE ACCURATE BUT ACCURACY IS NOT GUARANTEED. ANY ERRORS OR OMISSIONS SHOULD BE REPORTED TO THE MORRIS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT. ON WHICH PLANS IT IS WELL KNOWN THAT MORRIS COUNTY IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING LOSS OF DATA, LOST PROFITS, BUSINESS INTERRUPTION, LOSS OF EARNINGS, INFORMATION OR OTHER PECUNIARY LOSS THAT MIGHT ARISE FROM THE USE OF THIS MAP OR THE INFORMATION IT CONTAINS.

Schedule D



Farmland Preservation Program
Morris County Agriculture Development Board

Scott
Block 501, Lot 23 – Mendham Borough
Block 117, Lot 33 – Mendham Twp.
Exceptions: None
Morris County
Highlands Planning Area



Sources:
200" True Color Aerial Image

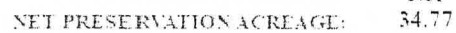
Exceptions
Selected Farm
Tillables
Parcel Lines

0 210 420 840 Feet

THE INFORMATION CONTAINED ON THIS PARCEL MAP IS USED TO LOCATE, IDENTIFY AND Delineate PARCELS OF LAND IN MORRIS COUNTY FOR DEVELOPMENT AND CONSERVATION PURPOSES ONLY AND IS NOT TO BE CONSTRUED OR USED AS A LEGAL DESCRIPTION. MAP INFORMATION IS BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED. ANY ERROR OR OMISSION SHOULD BE REPORTED TO THE MORRIS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT, 601 EASTERN BLVD., SUITE 200, MORRIS COUNTY, NJ 07960. MORRIS COUNTY IS NOT RESPONSIBLE FOR ANY DAMAGE, INCLUDING LOSS OF DATA, LOSS OF PROFITS, BUSINESS INTERRUPTION, LOSS OF BUSINESS INFORMATION OR OTHER PECUNIARY LOSS, THAT MIGHT ARISE FROM THE USE OF THIS MAP OR THE INFORMATION IT CONTAINS.

The map displays the Kovan area in Singapore, featuring numerous land parcels identified by numerical codes such as 1.01, 2.01, 3.01, 4.01, 5.01, 6.01, 7.01, 8.01, 9.01, 10.01, 11.01, 12.01, 13.01, 14.01, 15.01, 16.01, 17.01, 18.01, 19.01, 20.01, 21.01, 22.01, 23.01, 24.01, 25.01, 26.01, 27.01, 28.01, 29.01, 30.01, 31.01, 32.01, 33.01, 34.01, 35.01, 36.01, 37.01, 38.01, 39.01, 40.01, 41.01, 42.01, 43.01, 44.01, 45.01, 46.01, 47.01, 48.01, 49.01, 50.01, 51.01, 52.01, 53.01, 54.01, 55.01, 56.01, 57.01, 58.01, 59.01, 60.01, 61.01, 62.01, 63.01, 64.01, 65.01, 66.01, 67.01, 68.01, 69.01, 70.01, 71.01, 72.01, 73.01, 74.01, 75.01, 76.01, 77.01, 78.01, 79.01, 80.01, 81.01, 82.01, 83.01, 84.01, 85.01, 86.01, 87.01, 88.01, 89.01, 90.01, 91.01, 92.01, 93.01, 94.01, 95.01, 96.01, 97.01, 98.01, 99.01, 100.01. The map also shows various landmarks and infrastructure, including the Kovan Farm, McShane Farm, and the Kovan Road. A large circular area is highlighted in the center, and a rectangular area is highlighted in the bottom right corner.

HIGHLANDS AREA: Planning Area

[illegible]

☐ **Not applicable**

☐ **Nonmember**
 (See back matter for details)

Schedule F



Farmland Preservation Program
Morris County Agriculture Development Board

PROJECT NAME: Simon Farm

PARCELS: BIK(s):10 Lot(s):18, 18.02

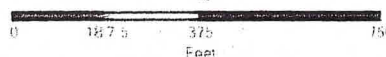
LOCATION: Village Road
Harding Twp.

EXCEPTIONS: 1

HIGHLANDS AREA: Planning Area

SOURCES:

2012 Natural Color
Orthorectified Aerial Imagery



APPLICATION YEAR: 2015

TOT ACREAGE: 43.62

EXCEPTION ACREAGE: 8.85

NET PRESERVATION ACREAGE: 34.77

The information contained on this parcel map is used to locate, identify and inventory parcels of land in Morris County for the purpose of the Farmland Preservation Program. It is not intended to be used for any other purpose. The information is provided for informational purposes only and is not a guarantee. Any errors or omissions should be reported to the Morris County Office of Information Technology. The information is provided as a service to the public and is not intended to be used for any other purpose. The information is provided as a service to the public and is not intended to be used for any other purpose.

- ☐ GIS.MCGIS.FARM - Program Tracts
- ☐ FarmProjects
- ☐ Exceptions
- SSURGO Soil Suitability**
- ☐ All areas are prime farmland
- ☐ Farmland of statewide importance
- ☐ Farmland of unique importance
- ☐ Not prime farmland

Schedule G



275

Farmland Preservation Program
Morris County Agriculture Development Board

PROJECT NAME Simon Farm

PARCELS: Blk(s):10 Lot(s):18, 18.02

LOCATION: Village Road
Harding Twp.

EXCEPTIONS: 1

HIGHLANDS AREA: Planning Area

SOURCES:

2012 National Core
Ordnanceography NJDOTS

APPLICATION YEAR: 2015

TOT ACREAGE: 43.62

EXCEPTION ACREAGE: 8.85

NET PRESERVATION ACREAGE: 34.77

The information contained on this parcel map is used to issue interest and inventory parcels in Morris County for the preservation of farmland and open space. It is not to be used as a legal description. Map information is derived from the National Core and secondary sources. The accuracy of the information is not guaranteed. The user assumes all responsibility for any damages, including loss of data and profit, arising from the use of this map or the information it contains.



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(2)

CERTIFICATION OF AMENDED AGRICULTURAL DEVELOPMENT AREA MAP

HUNTERDON COUNTY

April 24, 2015

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

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

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

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

1. A minimum contiguous area of at least 250 acres;
2. The predominance of prime or statewide important soils;
3. Land use that is reasonably free of non-farm development;
4. The absence of public sewers; and
5. Landowner consent to be included within the ADA; and

WHEREAS, the State Agriculture Development Committee (SADC) certified Hunterdon County's designated ADA criteria pursuant to N.J.S.A. 4:1C-18, and N.J.A.C. 2:76-1.4 on September 23, 1999; and

WHEREAS, on November 6, 2008, the SADC approved the Hunterdon County Comprehensive Farmland Preservation Plan which included statements reaffirming the County's ADA criteria but also recognizing the need to waive certain criteria in suburbanizing areas at the request of landowners and municipal officials in order to protect important farmlands in strategic areas from increasing development pressures; and

WHEREAS, the SADC certified amendments to Hunterdon County's designated ADA map showing the general location of the ADA(s) as defined by the application of the criteria many times over the years at the request of several municipalities, most recently on March 26, 2015; and

WHEREAS, on January 20, 2015, the Township Committee of the Township of Readington adopted a resolution supporting the expansion of the Hunterdon County ADA to include Block 67, Lot 12 and Block 68, Lots 2 and 14; and

WHEREAS, Readington Township included the Cole Farm (Block 67, Lot 12) in their State Fiscal Year 2016 Municipal Planning Incentive Grant Application as a targeted farm; and

WHEREAS, all three (3) lots are primarily in the Agricultural Residential Zone (with a small portion of the area in a Hamlet Residential Zone) and not in a sewer service area or a public water service area and adjacent to an existing ADA; and

WHEREAS, the ADA amendment consists of soils that are primarily classified as prime and of statewide importance; and

WHEREAS, all three (3) lots are in the Fringe Planning Area (PA 3) of the State Development and Redevelopment Plan Policy Map; and

WHEREAS, HCADB and its staff reviewed the proposed ADA amendment against the ADA criteria set forth at N.J.S.A. 4:1C-18 and N.J.A.C. 2:76-1.4 and the certified CADB criteria; and

WHEREAS, both landowners submitted written statements of consent to be included in the Hunterdon County ADA; and

WHEREAS, on February 12, 2015, the HCADB held a public hearing to consider public comment on the proposed amendment to its ADA map pursuant to N.J.A.C. 2:76-1.5; and

WHEREAS, on February 12, 2015, the HCADB approved the ADA amendment to include Block 67, Lot 12 and Block 68, Lots 2 and 14 in Readington Township; and

WHEREAS, the HCADB requested the SADC's certification of the amended ADA map (as identified in the attached "Schedules A and B"); and

WHEREAS, pursuant to N.J.A.C. 2:76-1.5, the CADB submitted to the SADC, copies of the agenda and minutes of the January 15, 2015 and the February 12, 2015 meetings; and

WHEREAS, the SADC has reviewed the CADB's submissions and has determined that the analysis of factors and resultant criteria is reasonable and consistent and in compliance with the provisions of N.J.A.C. 2:76-1.6;

NOW THEREFORE BE IT RESOLVED that the SADC certifies the amendment to the Hunterdon County Agriculture Development Board's Agricultural Development Area map to include Block 67, Lot 12 and Block 68, Lots 2 and 14 in Readington Township; and

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

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

4/24/15
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

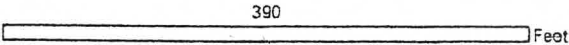
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

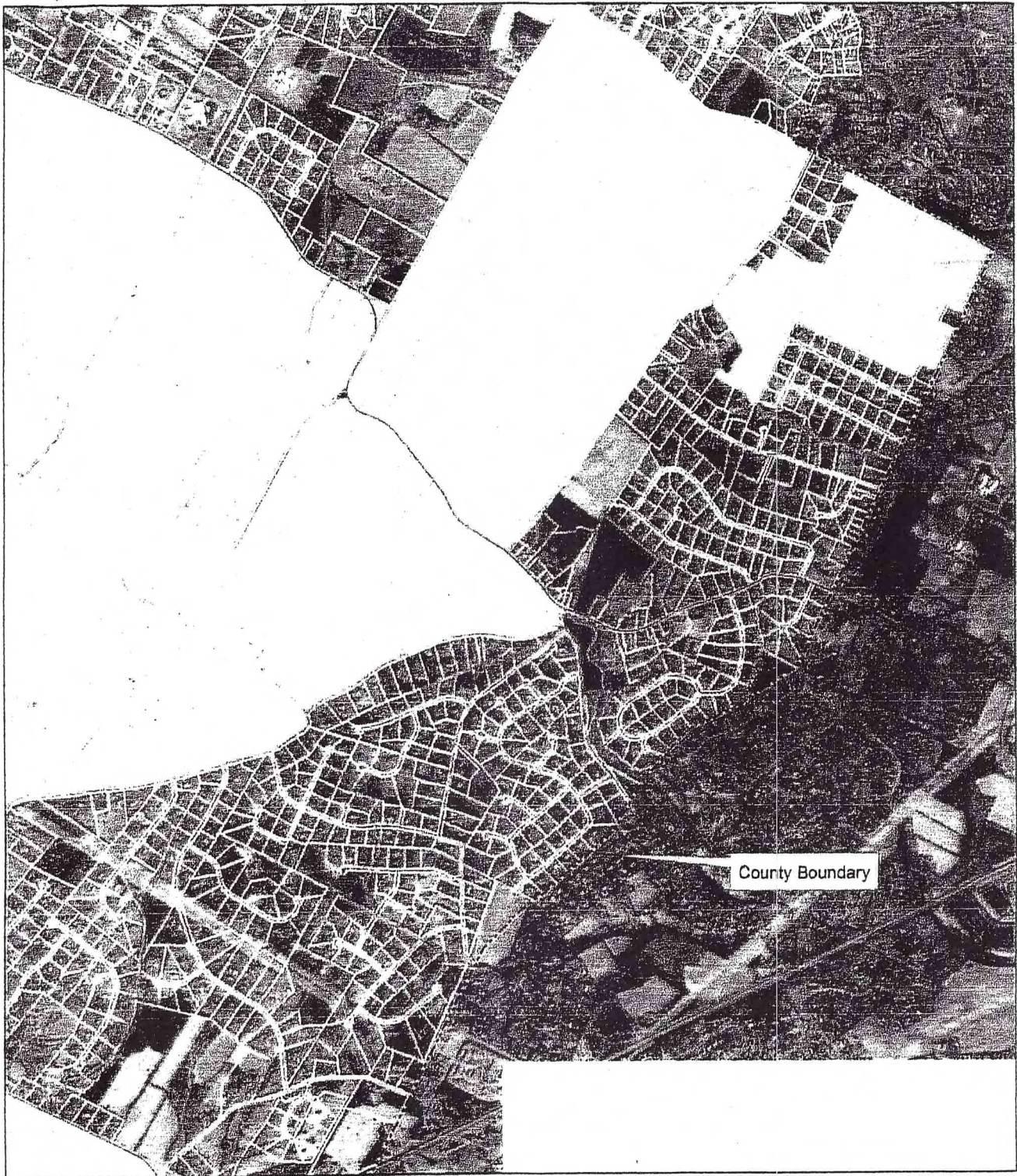


Readington ADA Amendment

Cole - Block 67, Lot 12 & Block 68, Lot 2 - Total Acreage: ~30 acres



Soils Breakdown
Not Important: 1.46 acres, 4.8%
Prime: 5.77 acres, 19.0%
Statewide: 23.09 acres, 76.1%



2015 Readington ADA Amendment

Block 67, Lot 12 & Block 68, Lot 2 ~ 30.32 total acres

6,200

Feet

Soils Breakdown

Not Important: 146 acres, 4.8%

Prime: 5.77 acres, 19.0%

Statewide: 23.09 acres, 76.1%

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(3)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WEST AMWELL TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Lambert Farm LLC ("Owners")

West Amwell Township, Hunterdon County

N.J.A.C. 2:76-17A. et seq.

SADC ID# 10-0355-PG

April 24, 2015

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted final approval of West Amwell Township's 2014 PIG plan annual update on May 22, 2014; and

WHEREAS, on June 20, 2014, the SADC received an individual application for the sale of a development easement from West Amwell Township for the Lambert Farm, LLC identified as Block 3, Lot 16, West Amwell Township, Hunterdon County, totaling approximately 53 net easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is in West Amwell Township's Project Area; and

WHEREAS, the Property includes a 5.5-acre non-severable exception limited to two (2) single family residential units and a 0.4-acre non-severable exception for an existing cellular installation limited to zero (0) residential units; and

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

WHEREAS, the Property has an existing driveway access easement for access to neighboring Lot 14; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on October 14, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on February 26, 2015 the SADC certified a development easement value of \$11,300 per acre based on current zoning and environmental regulations in place as of November 2014; and

WHEREAS, the landowner has accepted the Township's offer for the certified value of \$11,300 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on March 18, 2015 the West Amwell Township Committee approved the application and a funding commitment for an estimated \$2,260 per acre; and

WHEREAS, the Hunterdon County Agriculture Development Board approved the application on April 9, 2015 and secured a commitment of funding from the Hunterdon County Board of Chosen Freeholders for the \$2,260 required local match on April 21, 2015; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 53 net easement acres):

	<u>Total</u>	
SADC	\$359,340	(\$6,780 per acre and 60% of purchase)
Hunterdon County	\$119,780	(\$2,260 per acre and 20% of purchase)
West Amwell Twp.	<u>\$119,780</u>	<u>(\$2,260 per acre and 20% of purchase)</u>
Total Easement Purchase	\$598,900	(\$11,300 per acre)

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 consistent with the provisions of N.J.A.C. 2:76-6.11; and

WHEREAS, West Amwell Township is requesting \$359,340 and sufficient funds are available (Schedule B); 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, that the SADC grants final approval to provide a cost share grant to West Amwell Township for the purchase of a development easement on the Property, comprising approximately 53 net easement acres, at a State cost share of \$6,780 per acre (60%), for a total grant need of approximately \$359,340 (Schedule B) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes a 5.5-acre non-severable exception limited to two (2) single family residential units and a 0.4-acre non-severable exception for an existing cellular installation limited to zero (0) residential units; and

BE IT FURTHER RESOLVED, the Property has zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of any exception area(s); and

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, 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; and

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

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

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

4/24/15
Date

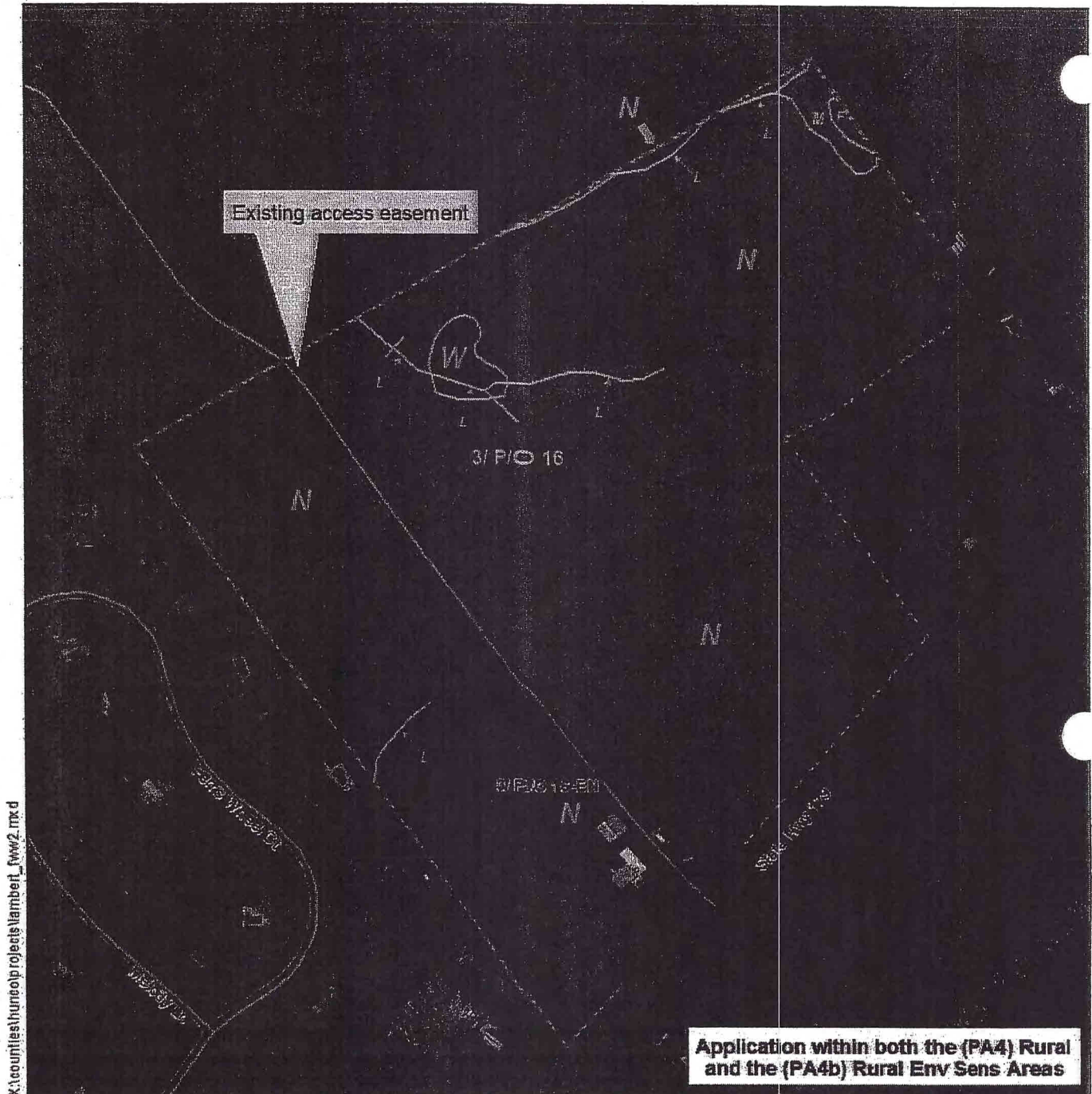


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Wetlands

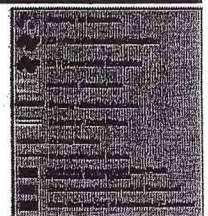


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Janice L. Jarrett & Susan L. Little/Lambert Farm, LLC
Block 3 Lots P/O 16 (53.6 ac)
& P/O 16-EN (non-severable exception - 5.5 ac)
Gross Total = 59.0 ac
West Amwell Twp., Hunterdon County



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

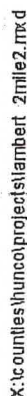


Wetlands Legend:
F - Freshwater Wetlands
L - Lentic Wetlands
M - Wetlands Modified for Agriculture
T - Total Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

SOURCES:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJDOT Road Data
NOAA/USGS 30' Digital Aerial Image

August 7, 2014

— 11 —



August 7, 2014

**Municipal Planning Incentive Grant
West Amwell Township, Hunterdon County**

Farm	SADC ID#	Acres	SADC		Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant% Per Acre	Easement Consideration	SADC			Federal Grant		
			Certified Per Acre	Cost Basis					Cost Basis	Cost Share	Total Federal Grant	Encumbered	Expended	Balance
Lambert Farm, LLC	10-0355-PG	63.000	11,300.00	11,300.00	6,780.00	60.00%	588,900.00	588,900.00	588,900.00	359,340.00		359,340.00		890,660.00
Total Pending	4	162.500								1,016,340.00				
Total Encumbered												359,340.00		
Closed/Expended													0.00	
Total														890,660.00

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase
September 26, 2002

Lambert Farm LLC
10- 0355-PG
PIG EP - Municipal 2007 Rule
53 Acres

Block 3	Lot 16	West Amwell Twp.	Hunterdon County
SOILS:			
		Other	8% * 0 = .00
		Prime	27% * .15 = 4.05
		Statewide	65% * .1 = 6.50
			SOIL SCORE: 10.55
TILLABLE SOILS:			
		Cropland Harvested	92% * .15 = 13.80
		Other	7% * 0 = .00
		Wetlands	1% * 0 = .00
			TILLABLE SOILS SCORE: 13.80
FARM USE:			
	Cash Grains	12 acres	
	Hay	12 acres	barley
	Soybeans-Cash Grain	25 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (5.5) acres for Existing residence, outbuildings and future residence
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s) and one future single family residential unit(s)
 - 2nd (.4) acres for cellular installation
Exception is not to be severed from Premises
Exception is to be limited to zero existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions:
 1. 5.5 acres nonseverable exception is limited to two (2) single family residential units
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(4)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

ALEXANDRIA TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
John & Miriam Jacobson ("Owners")
Alexandria Township, Hunterdon County

N.J.A.C. 2:76-17A. et seq.
SADC ID# 10-0352-PG

April 24, 2015

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted final approval of Alexandria Township's 2014 PIG plan annual update on May 23, 2013; and

WHEREAS, on October 3, 2013, the SADC received an individual application for the sale of a development easement from Alexandria Township for the Jacobson Farm identified as Block 5, Lot 1, Alexandria Township, Hunterdon County, totaling approximately 30 net easement acres hereinafter referred to as "Property" (Schedule A); and

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

WHEREAS, the Property has zero (0) single family residential units, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of any exception area(s); and

WHEREAS, the Property includes a 2.4-acre non-severable exception limited to one (1) single family residential unit; and

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on December 6, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on December 11, 2014 the SADC certified a development easement value of \$11,500 per acre based on January 1, 2004 zoning and environmental regulations and \$10,500 per acre based on current zoning and environmental regulations in place as of September 2013; and

WHEREAS, the landowner has accepted the Township's offer for the certified value of \$11,500 per acre; and

WHEREAS, Alexandria Township is requesting \$207,000 and sufficient funds are available (Schedule C); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on February 11, 2015 the Alexandria Township Committee approved the application and a funding commitment for an estimated \$2,300 per acre; and

WHEREAS, the Hunterdon County Agriculture Development Board approved the application on February 12, 2015 and secured a commitment of funding from the Hunterdon County Board of Chosen Freeholders for the \$2,300 required local match on April 7, 2015; and

WHEREAS, the cost share breakdown is approximately as follows (based on approximately 30 net easement acres):

	<u>Total</u>	
SADC	\$207,000	(\$6,900 per acre and 60% of purchase)
Hunterdon County	\$ 69,000	(\$2,300 per acre and 20% of purchase)
Alexandria Twp.	\$ 69,000	(\$2,300 per acre and 20% of purchase)
Total Easement Purchase	\$345,000	(\$11,500 per acre)

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 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, that the SADC grants final approval to provide a cost share grant to Alexandria Township for the purchase of a development easement on the Property, comprising approximately 30 net easement acres, at a State cost share of \$6,900 per acre (60%), for a total grant need of approximately \$207,000 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property has (1) one, 2.4-acre non-severable exception area for and limited to one (1) single family residential unit; zero (0) single family residences, zero (0) agricultural labor units, and no pre-existing non-agricultural uses on the area to preserved outside of the exception area; and

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, 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; and

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

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

4/24/15
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

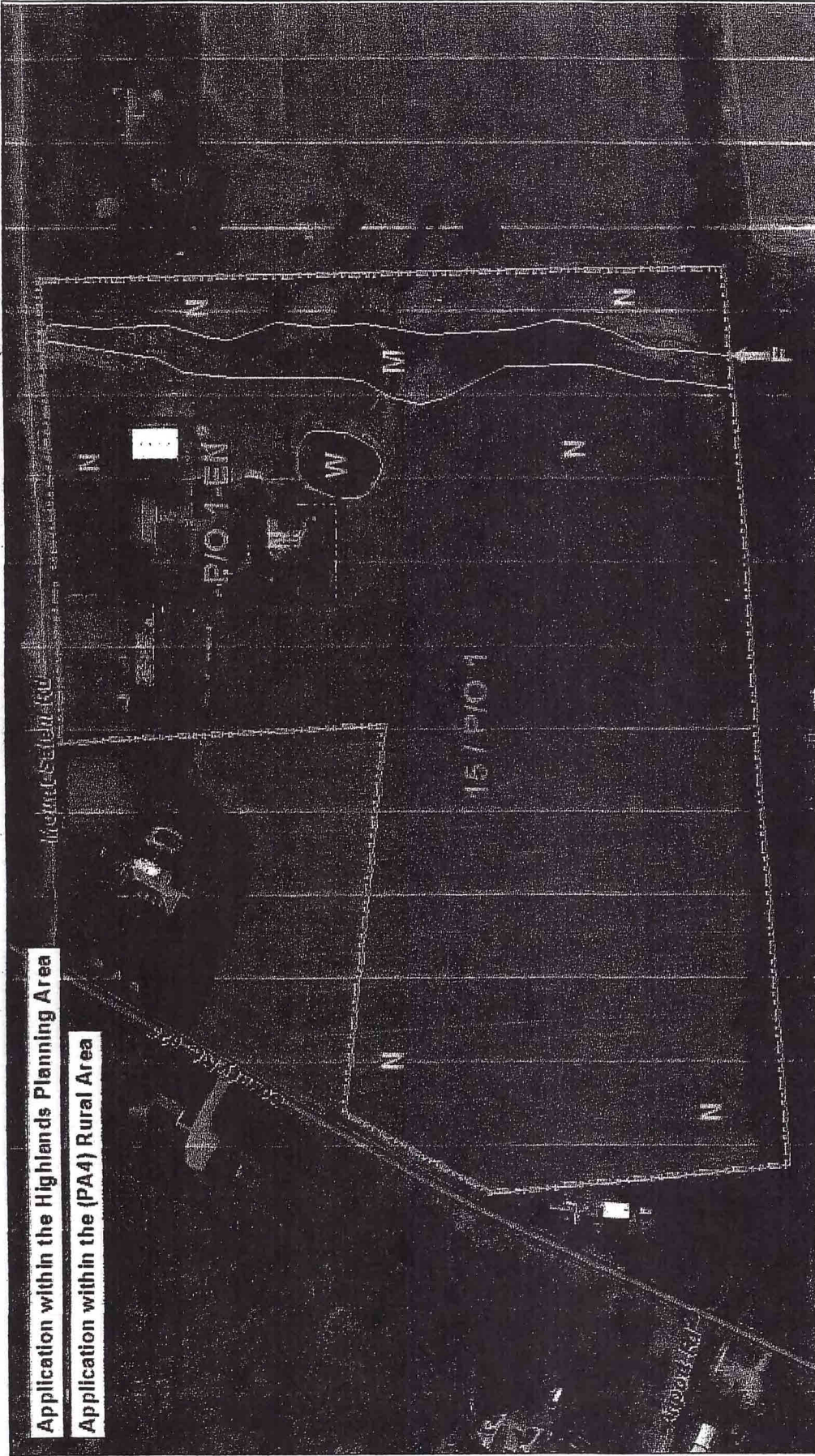
Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Schedule A

Wetlands

Application within the Highlands Planning Area

Application within the (PA4) Rural Area



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Jacobson, John & Miriam

Block 15 P/O Lot 1-(29.35 ac)

& P/O Lot 1-EN (non-severable exception - 2.4 ac)

Gross Total = 31.75 ac

Alexandria Twp., Hunterdon County

250 125 0 250 500 Feet

Legend	Symbol
Wetlands	Blue wavy line
Water	Blue area
Highways	Thick black line
Roads	Thin black line
Boundaries	Dashed line
Other	Various symbols

Map made by: [illegible]
Date: [illegible]
Scale: [illegible]
North Arrow: [illegible]

NOTES: 1. This map is a representation of the wetlands and water resources of the area. It is not a legal document. 2. The wetlands and water resources shown on this map are based on the best available information. 3. The wetlands and water resources shown on this map are subject to change. 4. The wetlands and water resources shown on this map are not to be used for any purpose other than for informational purposes.

Preserved Farms and Active Applications Within Two Miles

Application within the Highlands Planning Area

Application within the (PA4) Rural Area

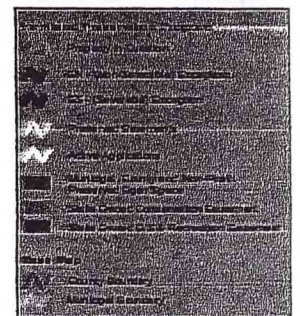
X:\counties\huncos\projects\Jacobson_JM_2mile.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jacobson, John & Miriam
Block 15 P/O Lot 1-(29.35 ac)
& P/O Lot 1-EN (non-severable exception - 2.4 ac)
Gross Total = 31.75 ac
Alexandria Twp., Hunterdon County

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



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

Sources:
NJ Farmland Preservation Program
Green Acres Conversion Government Data
NORTHSTAR 2012 Digital Aerial Image

Date: 10/22/2012

Schedule B

Municipal Planning Incentive Grant Alexandria Township, Hunterdon County

Farm	SADC ID#	Acres	Pay Acres	SADC GIA	SADC Cert	SADC FA	Closing Review	Closed	SADC		SADC Grant Per Acre	Easement Consideration	Cost Basis	Cost Share	SADC		Balance
									Per Acre	Per Acre					Encumbered	Expended	
Rosenfield	10-0275-PG	26.239	25.157	10/27/08	07/23/09	06/24/10	*	09/06/11	9,400.00	9,400.00	5,640.00	236,475.80	236,475.80	141,885.48		141,885.48	1,750,000.00
Kappus	10-0332-PG	17.985	17.985	05/03/12	07/25/13	12/12/13		04/14/15	7,650.00	7,650.00	4,725.00	137,585.25	137,585.25	84,979.130		84,979.130	1,608,114.52
Hahola North	10-0343-PG	42.315	42.315	12/14/12	09/26/13	03/27/14			8,300.00	8,300.00	5,050.00	351,214.50	351,214.50	213,690.75			1,523,135.39
Hahola South	10-0347-PG	14.288	13.965	05/31/13	09/26/13	03/27/14			9,300.00	9,300.00	5,580.00	129,874.50	129,874.50	77,924.70			1,231,519.94
Jacobson	10-0352-PG	30.000		12/06/13	12/11/14	02/26/15			11,500.00	11,500.00	6,900.00	345,000.00	345,000.00	207,000.00			1,024,519.94
Total Pending	4	104.588		1	0	3	0	1						889,000.00			
Total Encumbered	3	74.588	74.265									963,674.25	963,674.25	583,594.59	498,615.45		
Closed/Expended	1	26.239	25.157									236,475.80	236,475.80	141,885.48	0.00	228,864.61	
Total	5	166.827															1,024,519.94

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Jacobson, John & Miriam / This & That Farm
10- 0352-PG
PIG EP - Municipal 2007 Rule
29 Acres

Block 15	Lot 1	Alexandria Twp.	Hunterdon County
SOILS:		Other	18% * 0 = .00
		Prime	49% * .15 = 7.35
		Statewide	33% * .1 = 3.30
			SOIL SCORE: 10.65
TILLABLE SOILS:		Cropland Harvested	98% * .15 = 14.70
		Other	2% * 0 = .00
			TILLABLE SOILS SCORE: 14.70
FARM USE:		Hay	19 acres
		Soybeans-Cash Grain	10 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (2.4) acres for flexibility around house and buildings
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(5)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

FRANKLIN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Joseph P. Nichols and Victoria A. Nichols ("Owners")

Franklin Township, Gloucester County

(formerly Lisa Hale)

N.J.A.C. 2:76-17A. et seq.

SADC ID# 08-0163-PG

April 24, 2015

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted approval to Franklin Township's Farmland Preservation FY15 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on December 27, 2012, the SADC received an individual application for the sale of a development easement for the "Hale Farm", identified as Block 2801, Lots 45 and 49, Franklin Township, Gloucester County, totaling 41.686 net surveyed easement acres, hereinafter referred to as the "Property" (Schedule A); and

WHEREAS, the Property is located in the Franklin Township's Northern Project Area; and

WHEREAS, the Property includes a 4.0-acre non-severable exception limited to one single family residential unit; and

WHEREAS, the Property has one (1) existing single family residential unit, zero (0) agricultural labor housing and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

WHEREAS, the Property is currently an orchard operation; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on April 9, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on July 25, 2013 the SADC certified a development easement value of \$5,200 per acre based on zoning and environmental regulations in place as of May 2013; and

WHEREAS, Lisa Hale sold the property to Joseph P. Nichols and Victoria A. Nichols by a deed dated August 18, 2014, and recorded in the Gloucester County Clerk's Office on September 23, 2014 in Deed Book 5235, Page 343; and

WHEREAS, Joseph P. Nichols and Victoria A. Nichols have continued with the farmland preservation application originally submitted by Hale; and

WHEREAS, the Township has contracted with the Owners for the certified value of \$5,200 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on March 24, 2015 the Franklin Township Committee approved the application and a funding commitment for an estimated \$850 per acre (16.35%); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 19, 2015 the Gloucester CADB passed a resolution granting final approval to the acquisition of the development easement on the Property; and

WHEREAS, on April 1, 2015, the Gloucester County Board of Chosen Freeholders approved the resolution to acquire the development easement on the Property with a contribution of \$850 per acre (16.35%); and

WHEREAS, the cost share breakdown is approximately as follows (based on 41.686 net surveyed acres):

	<u>Total</u>	
SADC	\$145,901.00	(\$3,500/ acre; 67.30%)
Franklin Township	\$ 35,433.10	(\$ 850/ acre; 16.35%)
<u>Gloucester County</u>	<u>\$ 35,433.10</u>	<u>(\$ 850/ acre; 16.35%)</u>
Total Easement Purchase	\$216,767.20	(\$5,200/ acre)

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 consistent with the provisions of N.J.A.C. 2:76-6.11; and

WHEREAS, Franklin Township is requesting \$145,901 and sufficient funds are available (Schedule B); and

WHEREAS, the municipality is not eligible for 50% of the eligible ancillary costs for the purchase of a development easement because the costs were incurred by the county and not the municipality;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Franklin Township for the purchase of a development easement on the Property by Gloucester County, comprising 41.686 surveyed acres, at a State cost share of \$3,500/acre, (67.30% of certified market value), for an estimated total grant need of \$145,901.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes a 4.0-acre non-severable exception limited to one single family residential unit; and

BE IT FURTHER RESOLVED, the Property has one (1) existing single family residential unit, zero (0) agricultural labor housing and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, 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; and

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

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

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

4/24/15

Date



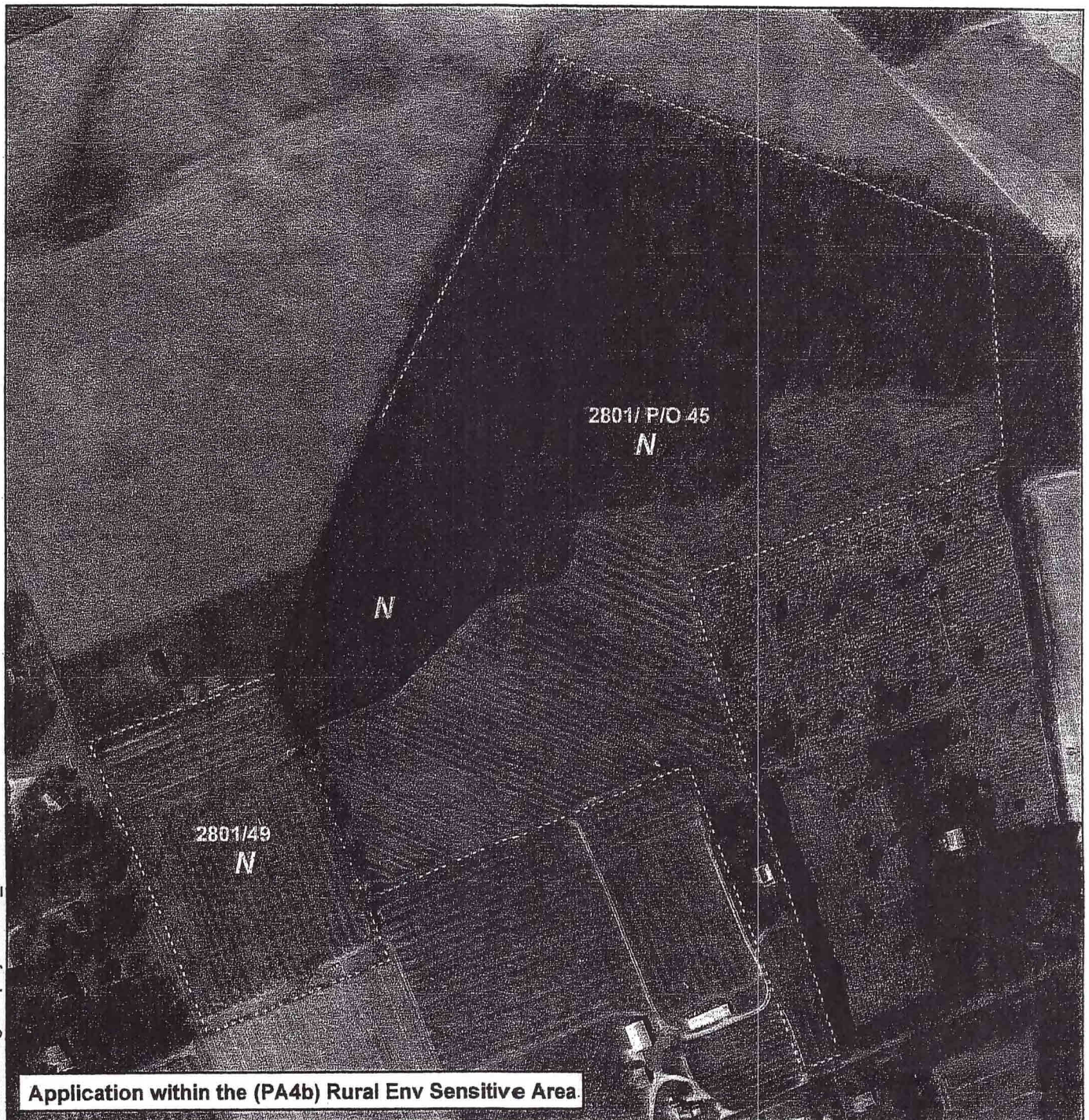
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

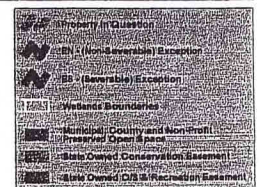
Schedule A

x:\counties\gloucester\projects\hale_fw2.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Lisa Hale sold to Joseph and Victoria Nichols
Block 2801 Lots P/O 45 (35.2 ac);
P/O 45-EN (non-severable exception - 4.0 ac) & 49 (6.8 ac)
Gross Total = 46.1 ac
Franklin Twp., Gloucester County



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

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:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2012 Digital Aerial Image

March 25, 2013

Preserved Farms and Active Applications Within Two Miles

x:\counties\gloucester\projects\hale_2mile2.mxd



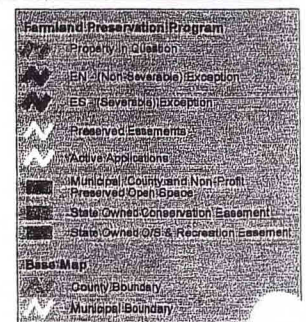
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Lisa Hale
Block 2801 Lots P/O 45 (35.2 ac);
P/O 45-EN (non-severable exception - 4.0 ac) & 49 (6.8 ac)
Gross Total = 46.1 ac
Franklin 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 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
DVRPC 2010 Digital Aerial Image
NJOT/OGIS 2007/2008 Digital Aerial Image

March 25, 2013

Schedule B

**Municipal Planning Incentive Grant
Franklin Township, Gloucester County**

Farm	SADC ID#	Pay Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	SADC		Encumbered	Expended	Balance
							Cost Share	Cost Share			
Genna	08-0121-PG	49.398	7,000.00	7,000.00	4,400.00	345,786.00		217,351.20		171,989.26	1,578,010.74
Gallagher	08-0122-PG	42.817	7,000.00	7,000.00	4,400.00	299,719.00		188,394.80		152,186.51	1,425,824.23
Tweed South	08-0124-PG	63.741	6,000.00		3,900.00	382,446.00		248,589.90		191,223.00	1,234,601.23
Tweed North	08-0123-PG	56.701	6,600.00	6,600.00	4,200.00	374,226.60		238,144.20		187,113.30	1,047,487.93
Ancillary Costs (Genna, Gallagher, Tweed North, Tweed South)											
Stiles	08-0135-PG	25.180	5,000.00	5,000.00	3,400.00	125,900.00		85,612.00		85,612.00	940,717.41
Bellone	08-0136-PG	50.382	4,850.00	4,850.00	3,310.00	244,352.70		166,764.42		166,764.42	773,952.99
Lenzi (used formula value)	08-0137-PG	38.315	1,410.00	2,699.00	1,989.30	103,412.19		76,220.03		76,220.03	697,732.96
Kargman II (lot 11/12)	08-0138-PG	9.582	7,500.00	7,500.00	4,650.00	71,865.00		44,556.30		44,556.30	653,176.66
Kargman IV (lot 18)	08-0140-PG	7.283	9,000.00	9,000.00	5,400.00	65,547.00		39,328.20		39,328.20	613,848.46
Kargman I (lot 8)	08-0134-PG	27.941	5,100.00	5,100.00	3,450.00	142,499.10		96,396.45		96,396.45	517,452.01
Kargman III (lot 14)	08-0139-PG	26.200	7,500.00	7,500.00	4,650.00	196,500.00		121,830.00		121,830.00	395,622.01
McSwain	08-0158-PG	20.000	4,700.00	4,700.00	3,220.00	96,575.60		66,164.56	66,164.56		329,457.45
Nichols (formerly Lisa Hale)	08-0613-PG	41.686	5,200.00	5,200.00	3,500.00	216,767.20		145,901.00	145,901.00		183,556.45
Total Pending	1							38,000.00			
Total Encumbered	2								212,065.56		
Closed/Expended	12							1,523,187.50		1,354,377.99	
Total											183,556.45

Schedule D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Nichols Farm (was Lisa Hale)
08- 0163-PG
PIG EP - Municipal 2007 Rule
42 Acres

Block 2801	Lot 45	Franklin Twp.	Gloucester County
Block 2801	Lot 49	Franklin Twp.	Gloucester County
SOILS:		Prime	75% * .15 = 11.25
		Statewide	25% * .1 = 2.50

SOIL SCORE: 13.75

TILLABLE SOILS:	Cropland Harvested	52% * .15 = 7.80
	Other	2% * 0 = .00
	Woodlands	46% * 0 = .00

TILLABLE SOILS SCORE: 7.80

FARM USE:	Deciduous Tree Fruit	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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st four (4) acres for future residence
 - Exception is not to be severed from Premises
 - Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: 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
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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(6)

AMENDED FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE
GRANT TO

HUNTERDON COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Amwell Chase, Inc. ("Owner")
West Amwell Township, Hunterdon County

N.J.A.C. 2:76-17. et seq.

SADC ID# 10-0350-PG

April 24, 2015

Amendment Synopsis:

- Enlarge the nonseverable exception from 4 to +/- 28-acres, with restrictions.
- Recognize one single family residence on the Property, outside the exception area.
- Recognize a new SADC certified easement value \$8,700/acre.
- Approve a new cost share based on the new certified easement value.

WHEREAS, on February 19, 2013 the SADC received an individual application for the sale of a development easement from Hunterdon County for the Property identified as Block 5, Lots 24 & 24.01, West Amwell Township, Hunterdon County, totaling approximately 209.6 gross acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the SADC granted Final Approval for the Property on May 22, 2014 which included a 4-acre nonseverable exception area for and limited to 2 single family residential units, with no residential units on the Property outside the exception area and an easement value of \$8,900/acre (Schedule B); and

WHEREAS, subsequent to SADC Final Approval discussions between the County, the Owner, SADC staff and the contract purchaser of the farm, T&T Tree Service, revealed that the contract purchaser is planning for a composting and soil amendment production operation on the farm; and

WHEREAS, since a portion of the raw wood and soil products will be brought in from other sources outside of the Property and planned farming operation, and the finished product will be sold to offsite customers, the operation would be deemed a nonagricultural use; and

WHEREAS, in order to provide flexibility for developing and operating the future nonagricultural use, the exception area was increased in size significantly from 4-acres to approximately 21-acres and reconfigured to follow the existing farm roads and natural boundaries; and

WHEREAS, because this change to the exception area impacted the easement value, on February 26, 2015 the SADC amended the certified easement value \$8,700/acre based on the "current value" date of May 2013 for the development easement on the Property of approximately 181 net acres; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$8,700 per acre for the development easement for the Property; and

WHEREAS, subsequent to increasing the exception area size to 21-acres the County and Landowner have requested that the exception area include the driveway which increased the size from approximately 21-acres to approximately 28-acres; and

WHEREAS, both appraisers and the SADC review appraiser agreed that including the driveway did not impact their values and the \$8,700 per acre easement value remains unchanged; and

WHEREAS, the application has been amended to enlarge the nonseverable exception area to +/- 28-acres, subject to the following restrictions:

- the exception area is limited to one (1) single family residential unit.
- the following language will be included in the Deed of Easement "the use of the exception area shall not impair, hinder or negatively impact the agricultural use of the Premises as determined by the easement holder."
- Standard Right to Farm language for non-severable exceptions will be included in the Deed of Easement; and

WHEREAS, the Property has one (1) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and

WHEREAS, the revised quality score of the Property is 66.03, which is at least 70% of the County's average quality score of 45 as determined by the SADC on September 27, 2012; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 186.43 acres will be utilized to calculate the SADC grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, by resolution the West Amwell Township Committee approved the application and its funding commitment for \$1,725/acre of the easement purchase on March 18, 2015 and secured a commitment of funding for \$1,725/acre of the easement purchase from the Hunterdon County Board of Chosen Freeholders for the required local match on March 17, 2015; and

WHEREAS, at the Hunterdon County Agriculture Development Board, (CADB) meeting, held March 12, 2015, the CADB voted to approve the amended application with the stipulation that the driveway be included in the exception; and

WHEREAS, the new estimated cost share breakdown is as follows (based on 186.43 acres):

SADC	\$978,757.50	(\$5,250/ acre)
West Amwell Twp.	\$321,591.75	(\$1,725/ acre)
Hunterdon County	\$321,591.75	(\$1,725/ acre)
Total	\$1,621,941.00	(\$8,700/ acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Hunterdon County Agriculture Development Board is requesting \$978,757.50 from both the FY11 and FY13 Competitive fund, and sufficient funds are available (Schedule C); and

NOW THEREFORE BE IT RESOLVED, that the SADC amends the exception area, the certified easement value and the cost share of the May 22, 2014 final approval Resolution FY2014R5(4); and

BE IT FURTHER RESOLVED, the SADC approves a revised cost share grant to Hunterdon County for the purchase of a development easement on the Property, comprising approximately 186.43 net easement acres at a State cost share of \$5,250 per acre for a total grant need of \$978,757.50 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule D); and

BE IT FURTHER RESOLVED, the Property includes a 28-acre non-severable exception area limited to one single family residential unit and the use of the exception area shall not impair, hinder or negatively impact the agricultural use of the Premises as determined by the easement holder; and

BE IT FURTHER RESOLVED the Property has one (1) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and

BE IT FURTHER RESOLVED, all other provisions of the April 27, 2012 final approval shall remain in effect; and

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

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

4/24/15

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

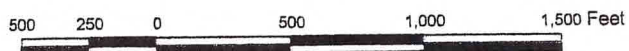
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

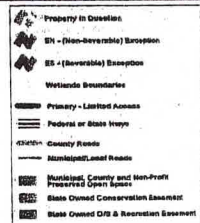


FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Amwell Chase, Inc.
 Block 5 Lots 24 & 24.01
 P/O Lot 24 - Net = 15.01 ac
 P/O 24.01 - Net = 167.03 ac
 Nonseverable Exception = 27.79 ac
 Gross Total = 209.79 ac
 West Amwell Twp., Hunterdon County



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



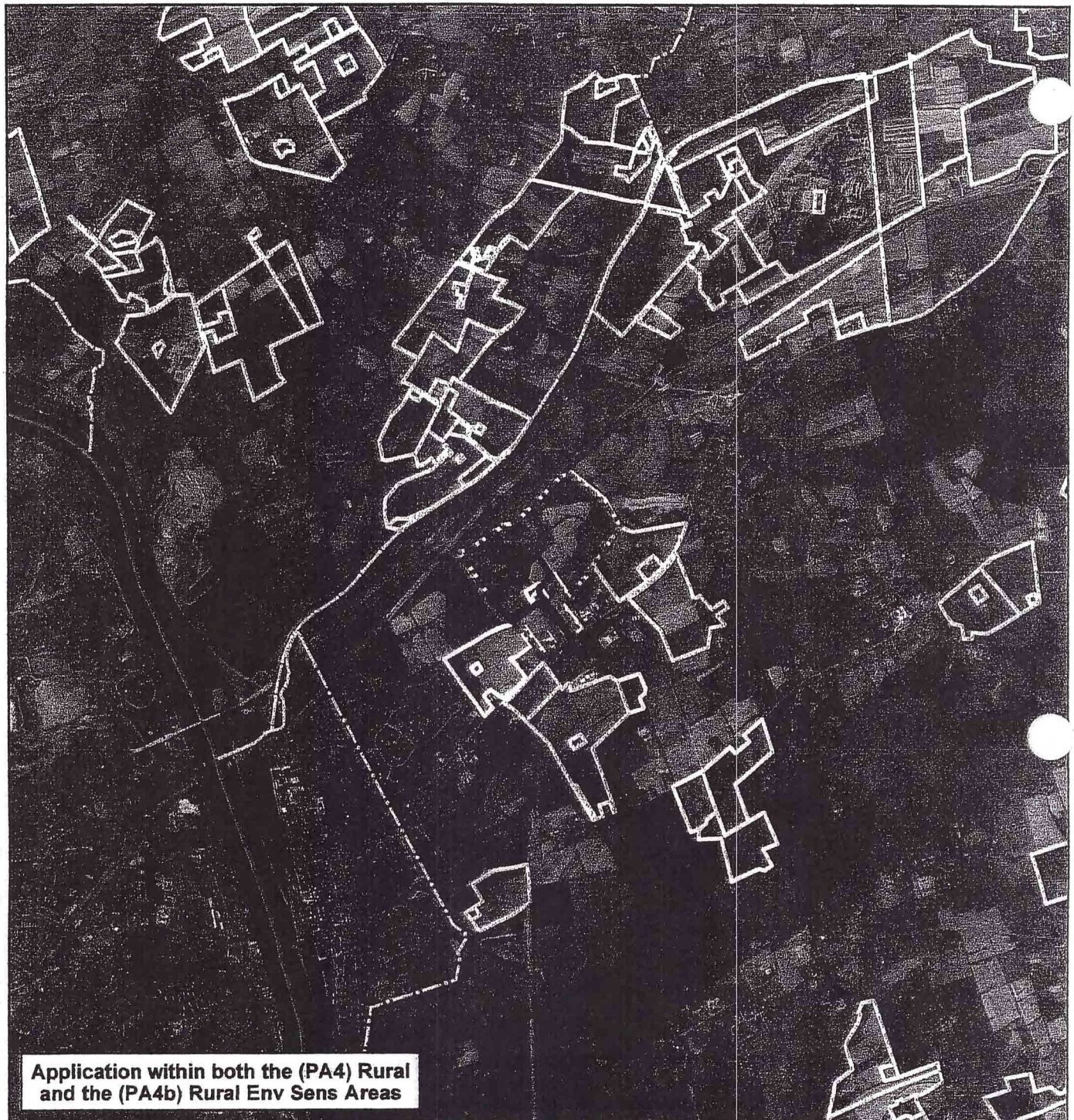
Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 300' Buffer
 W - Water

Sources:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJOT/OGIS 2012 Digital Aerial Image

April 10, 2015

Preserved Farms and Active Applications Within Two Miles

X:\counties\hunc\projects\amwell_chase_2mile4.mxd



**Application within both the (PA4) Rural
and the (PA4b) Rural Env Sens Areas**

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Amwell Chase, Inc.
Block 5 Lots 24 & 24.01
P/O Lot 24 - Net = 15.01 ac
P/O 24.01 - Net = 167.03 ac
Nonseverable Exception = 27.79 ac
Gross Total = 209.79 ac
West Amwell Twp., Hunterdon County

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

NOTE:

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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJGIT/OGIS 2012 Digital Aerial Image

April 10, 2015

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R5(4)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

HUNTERDON COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Amwell Chase, Inc. ("Owner")

West Amwell Township, Hunterdon County

N.J.A.C. 2:76-17 et seq.

SADC ID# 10-0350-PG

May 22, 2014

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Hunterdon County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Hunterdon County received SADC approval of its FY2015 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on February 19, 2013 the SADC received an individual application for the sale of a development easement from Hunterdon County for the Property identified as Block 5, Lots 24 & 24.01, West Amwell Township, Hunterdon County, totaling approximately 205 net easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Hunterdon County's South Project Area; and

WHEREAS, the Property includes a 4-acre non-severable exception area limited to two single family residences; and

WHEREAS, the Property includes zero (0) single family residences, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and

WHEREAS, at the time of application the Property was in field crops; and

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

WHEREAS, the Property has a quality score of 66.83, which is at least 70% of the County's average quality score of 45 as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on April 3, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, February 27, 2014, the SADC certified a value of \$8,900/acre based on the "current value" date of May 2013 for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$8,900 per acre for the development easement for the Property; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 211.150 acres will be utilized to calculate the SADC grant need; and

WHEREAS, currently the County has \$0 of base grant funding and is eligible for up to \$3,000,000 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule B); and

WHEREAS, the statewide balance of FY11 competitive funding is \$745,033.31; and

WHEREAS, on March 27, 2014, the County submitted a request 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. 2:76-17.14 (d) (f), if there are sufficient funds available in a county's base grant, the county may request additional funds from the competitive grant fund; and

WHEREAS, the Hunterdon County Agriculture Development Board is requesting the remaining \$745,033.31 in the FY11 competitive funding and \$384,619.19 from the FY13 competitive grant funding, leaving a FY13 balance of approximately \$4,615,380.81 (Schedule B); and

WHEREAS, the estimated cost share breakdown is as follows (based on 211.150 acres):

	<u>Cost Share</u>	
SADC	\$1,129,652.50	(\$5,350 per acre; 60.11%)
Hunterdon County	\$ 374,791.25	(\$1,775 per acre; 19.945%)
West Amwell Township	\$ 374,791.25	(\$1,775 per acre; 19.945%)
Purchase Price	\$1,879,235.00	(\$8,900 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, West Amwell Township approved the application on March 26, 2014 with a funding commitment of \$1,775/acre; the Hunterdon County Agriculture Development Board approved the application on May 8, 2014 and the Hunterdon County Board of Chosen Freeholders approved the required local match (\$1,775/acre) on May 20, 2014; 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Hunterdon County for the purchase of a development easement on the Property, comprising approximately 211.150 net easement acres at a State cost share of \$5,350 per acre for a total grant need of \$1,129,652.50 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the County will utilize FY11 and FY13 competitive grant funding to cover the SADC cost share; and

BE IT FURTHER RESOLVED, that if additional funds are needed due to an increase in acreage base grant funding, if available, may be utilized so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises 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 of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the Property includes a 4-acre non-severable exception area limited to two single family residences, zero (0) single family residences, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and

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

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

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

5-22-14

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSENT
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

Schedule C

New Jersey Farm Preservation Program
County Planning Incent.

FY2011/FY2013 funding
Program
ant - N.J.A.C. 2:76-17 et seq.

Farm	App Acres	Municipality	Prelim Acres	SADC Certified Per Area	Negotiated & Approved Per Area	SADC Grant Per Acre	SADC Grant Contribution	SADC Basis	SADC Share	SADC				Base Grant		Competitive Grant		Statewide Total	Competitive Grant Eligibility (subject to available funds)
										Encumbered at Final	Voucher	Expended	Balance	Encumbered at Final	Voucher	FY11 Balance	FY13 Balance		
Rothpletz #2 (et seq)	43,000	Tewksbury	44,290	15,000	15,000	9,000.00	850,520.00	383,912.00	383,912.00	293,912.00	293,912.00	2,105,085.00	2,105,085.00					0.00	3,000,000
Peterson, Linda	34,000	Franklin	35,020	6,200	6,200.00	4,000.00	217,048.80	140,832.00	140,832.00	140,832.00	140,832.00	1,958,055.00	1,958,055.00						
Cooper, Gail	43,000	Holland	44,290	7,100	7,100.00	4,450.00	314,459.00	197,090.50	197,090.50	197,090.50	189,246.50	1,778,806.40	1,778,806.40						
Snyder, Doris	50,000	Rertian	51,500	15,900	15,900.00	9,480.00	744,290.60	445,571.36	445,571.36	428,542.92	386,697.28	1,569,205.12	1,569,205.12						
Hill & Dale #1 (et seq)	91,000	Tewksbury	93,730	17,000	17,000.00	10,200.00	1,593,410.00	956,046.00	956,046.00	340,374.58		1,049,531.54	1,049,531.54						
Gross, Joni and Rosemary	56,000	Kingwood	59,740	7,700	7,700.00	4,750.00	442,819.30	273,167.75	273,167.75	283,765.00	49,534.54	49,534.54	384,328.92						
Headington Lot 19 Little Hills Associated Tree Movers	81,981	Headington	48,440	12,000	12,000.00	7,200.00	983,772.00	590,263.20	590,263.20	215,328.92									
Papazian, Aram	44,000	Alexandria	45,320	9,300	9,300.00	5,580.00	409,674.30	245,804.58	245,804.58										
KJA Holdings/Alexis	68,000	Holland	70,040	9,000	9,000.00	5,400.00	630,360.00	378,216.00	378,216.00										
Helmer	50,000	Kingwood	51,500	7,800	7,800.00	4,800.00	401,700.00	247,200.00	247,200.00										
Zander I	27,000	Alexandria	27,810	7,400	7,400.00	4,600.00	205,794.00	127,925.00	127,925.00										
Zander II	24,000	Kingwood	24,720	7,950	7,950.00	4,875.00	196,524.00	120,510.00	120,510.00										
Amwell Chase, Inc. Revised	181,000	W. Amwell	186,430	8,700	8,700.00	5,250.00	1,821,941.00	978,757.50	978,757.50										
Encumbered/Expended FY11								408,000.00	408,000.00	340,374.58	1,159,625.42	1,159,625.42	0.00	2,257,319.61	2,257,319.61	230,555.00	230,555.00	506,095.19	3,775,861.45
Encumbered/Expended FY13										831,900.34	169,549.06	169,549.06	0.00	221,908.55	221,908.55	0.00	0.00	0.00	
Total	872,581	14					8,527,025.00	5,432,154.69	5,432,154.69	1,171,974.92	1,329,625.06	1,329,625.06	0.00	2,462,348.36	2,462,348.36	230,555.00	230,555.00		

Schedule D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Amwell Chase, Inc (Toll North)
10- 0350-PG
County PIG Program
181 Acres

Block 5	Lot 24	West Amwell Twp.	Hunterdon County
Block 5	Lot 24.01	West Amwell Twp.	Hunterdon County

SOILS:	Other	30% * 0	=	.00
	Prime	4% * .15	=	.60
	Statewide	66% * .1	=	6.60

SOIL SCORE: 7.20

TILLABLE SOILS:	Cropland Harvested	65% * .15	=	9.75
	Wetlands	1% * 0	=	.00
	Woodlands	34% * 0	=	.00

TILLABLE SOILS SCORE: 9.75

FARM USE:	Wheat-Cash Grain	25 acres
	Corn-Cash Grain	95 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (27.79) acres for Existing residence, barns and future flexibility
 - Exception is not to be severed 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)
 - Use of the Exception Area shall not impair, hinder or negatively impact the agricultural use of the Premises as determined by the easement holder.
 - 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
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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(7)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
John H. Smith and Jean M. Smith ("Owners")
Windy Acres North Farm
Harmony and White Townships, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0530-PG

April 24, 2015

WHEREAS, on December 15, 2007 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Warren County received SADC approval of its FY2015 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, and Block 12, Lot 20, White Township, Warren County, totaling approximately 77 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, a 39 acre portion of Block 14, Lot 9 was submitted as a separate application for the sale of a development easement known as the Windy Acres South Farm; and

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

WHEREAS, the Property includes one (1) single-family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses on the area to preserved; and

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

WHEREAS, the Owner(s) has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, the Property has a quality score of 61.34 which exceeds 41, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 10, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 11, 2014 the SADC certified a development easement value of \$4,600 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,300 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14; and

WHEREAS, the SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,600 per acre for the development easement for the Property; and

WHEREAS, on January 29, 2015 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 March 3, 2015 the Harmony Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on March 12, 2015 the White Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 19, 2015 the Warren CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and a commitment of funding for \$1,440 per acre per acre to cover the entire local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 79.31 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 79.31 acres); and

SADC	\$ 250,619.60 (\$3,160/ acre)
Warren County	\$ 114,206.40 (\$1,440/ acre)
Total Easement Purchase	\$ 364,826.00 (\$4,600/ acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$250,619.60 from the FY13 Competitive fund, 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 79.31 acres, at a State cost share of \$3,160 per acre, (68.7% of purchase price), for a total grant need of \$250,619.60 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property has one (1) single family residential unit , zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to-preserved; and

BE IT FURTHER RESOLVED, final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises 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 of the premises as identified in Policy P-3-B Supplement; and

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

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

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

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

4/24/15

Date



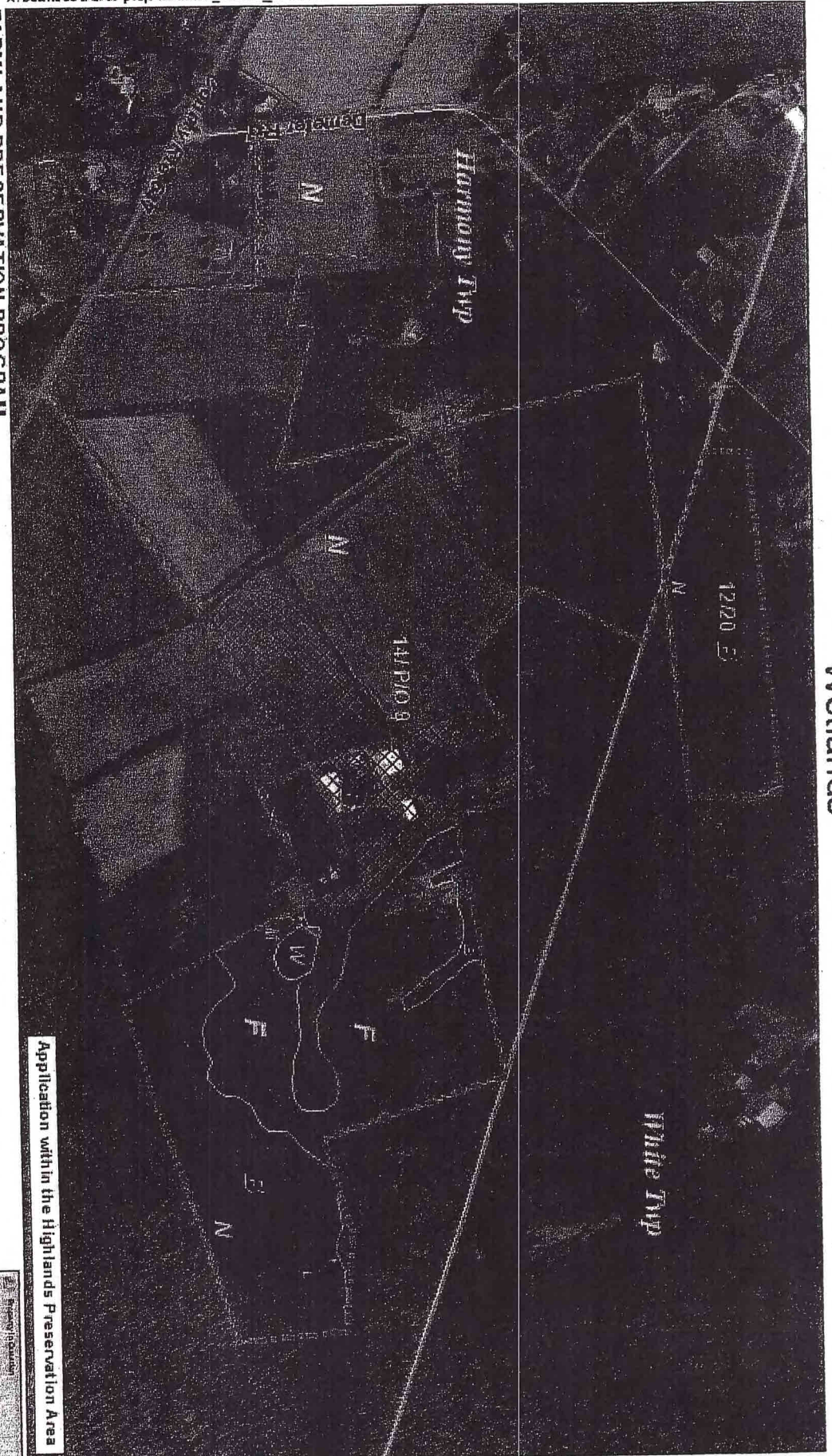
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

X:\counties\warco\projects\smith_north1_fw.mxd

Wetlands



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John and Jean Smith
White Twp. - Block 12 Lot 20 (6.8 ac) &
Harmony Twp. - Block 14 Lot P/O 9 (69.9 ac)
Gross Total = 76.7 ac
Warren County



This is a preliminary map of the proposed wetlands and farmland preservation areas. The wetlands are shown in green and the farmland preservation areas are shown in yellow. The map is for informational purposes only and does not constitute a final determination of wetlands or farmland preservation status. The final determination will be made by the NJ State Agriculture Development Committee.

Application within the Highlands Preservation Area



	Wetland
	Wetland - Shrubland
	Wetland - Forested
	Wetland - Open Water
	Wetland - Emergent
	Wetland - Shrubland
	Wetland - Forested
	Wetland - Open Water
	Wetland - Emergent
	Wetland - Shrubland
	Wetland - Forested
	Wetland - Open Water
	Wetland - Emergent

Warren County
NJ State Agriculture Development Committee
2014

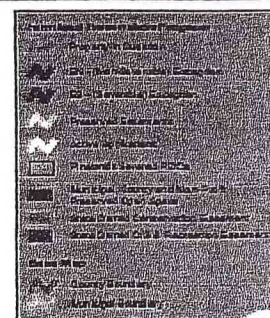
Preserved Farms and Active Applications Within Two Miles



X:\counties\warco\projects\smith north\ 2 mile.mxd

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

John and Jean Smith
White Twp. - Block 12 Lot 20 (6.8 ac) &
Harmony Twp. - Block 14 Lot P/O 9 (69.9 ac)
Gross Total = 76.7 ac
Warren 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.

Sources:
 NJ Farmland Preservation Program
 Green Acres Conservation System Data
 NUTR06GIS 2012 Data April 2016

— 22 —

New Jersey Farmland Preservation Program
Preservation Program
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Warren County

Municipality	Plus 3 Percent Action	SABG Certified Per Acre	Negotiated & Approved Per Acre	SABG Grant Per Acre	Expenditure Consideration	Port Ball Cost Share	SABG				COMPETITIVE GRANT		STATEWIDE TOTAL	COMPETITIVE GRANT Eligibility (Subject to Available Funds Available)			
							Encumbered at Final	Voucher	Expend	Balance	Encumbered at Final	Voucher		Expend	Balance	FY11	FY13
Alamuchy	208,060	4,000.00	4,000.00	2,800.00	513,532.00	359,472.40	93,870.40	93,870.40	995,531.10	1,945,258.00	554,643.60	1,945,258.00	0	3,000,000	5,000,000		
Drake et al	51,500	6,500.00	6,500.00	4,150.00	334,750.00	198,826.50	286,391.50	286,391.50	1,460,138.40	1,745,529.90	198,826.50	1,745,529.90					
Bowers, Russell	69,910	6,500.00	7,000.00	4,150.00	483,070.00	448,566.00	294,650.00	286,391.50	8,258.50	1,451,879.90	286,391.50	1,460,138.40					
Drisilo, Irma																	
Pruden, Timothy	130,810	4,000.00	4,000.00	2,800.00	513,532.00	359,472.40	93,870.40	93,870.40	995,531.10	1,945,258.00	554,643.60	1,945,258.00					
McConnell	57,580	6,200.00	6,200.00	4,000.00	325,016.40	325,016.40	209,688.00	136,849.60	115,817.60	882,719.50	115,817.60	882,719.50					
Cooke	48,410	3,700.00	3,700.00	2,620.00	179,028.20	174,617.80	123,648.28	126,834.20	84,931.03	797,788.47	84,931.03	797,788.47					
Pohatcong	96,820	5,400.00	5,400.00	3,600.00	510,678.00	340,452.00	340,452.00	340,452.00	340,452.00	84,931.03	340,452.00	84,931.03					
Czar	139,950	3,978.00	3,978.00	2,787.40	553,279.95	373,787.55	366,301.30	372,500.88	372,500.88	94,836.59	372,500.88	94,836.59					
Beaver Brook/TLNJ																	
White	60,770	3,900.00	3,900.00	2,740.00	237,003.00	166,509.80	166,509.80	36,136.82	372,500.88	48,698.77	372,500.88	48,698.77	1,286.67	1,286.67	4,876,422.82		
Bullock																	
Harmony	47,380	6,000.00	6,000.00	3,900.00	284,280.00	284,280.00	184,782.00	6,795.60		184,782.00		184,782.00			4,691,640.62		
J&K Smith #1	52,530	5,500.00	5,500.00	3,650.00	288,915.00	191,734.50	191,734.50			191,734.50		191,734.50			4,499,906.12		
Harmony	187,460	6,200.00	6,200.00	4,000.00	1,162,252.00	749,840.00	749,840.00			74,220.00		74,220.00		2,924,493.33			
Cecilola #1																	
Franklin																	
Cecilola #2	31,42	5,750.00	6,000.00	3,775.00	188,520.00	180,565.00	118,610.50	41,903.17	0.00	118,610.50		118,610.50			3,824,286.12		
Franklin	36,110	5,500.00	5,500.00	3,700.00	181,720.00	120,065.00	120,065.00	41,903.17		91,703.83	76,161.83	91,703.83			3,705,675.62		
Kimley Estate	79,31	4,600.00	4,600.00	3,160.00	364,826.00	250,619.60	250,619.60			250,619.60		250,619.60			3,627,513.79		
JJ Smith North															3,376,894.19		
Harmony	40,17	6,000.00	6,000.00	3,900.00	241,020.00	156,663.00	156,663.00			156,663.00		156,663.00			3,220,231.19		
JJ Smith South																	
Encumbered/Expended FY11								8,795.60	1,752,264.40	1,752,264.40	74,220.00	1,752,264.40	1,286.67	2,924,493.33	3,250,231.19		
Encumbered/Expended FY13								76,091.99	921,950.01	921,950.01	1,779,748.81	1,779,748.81	0.00				
Subtotal					5,617,501.75	6,579,758.12	4,343,952.73	84,635.59	2,415,164.41				1,286.67				

Schedule 4

State Agriculture Development Committee *Schedule C*
SADC Final Review: Development Easement Purchase

Smith, John & Jean (Windy Acres North) #1
21- 0530-PG
County PIG Program
77 Acres

Block 14	Lot P/O 9	Harmony Twp.	Warren County
Block 12	Lot 20	White Twp.	Warren County
SOILS:		Other	40% * 0 = .00
		Prime	53% * .15 = 7.95
		Statewide	7% * .1 = .70
			SOIL SCORE: 8.65
TILLABLE SOILS:		Cropland Harvested	37% * .15 = 5.55
		Wetlands	15% * 0 = .00
		Woodlands	48% * 0 = .00
			TILLABLE SOILS SCORE: 5.55
FARM USE:		Corn-Cash Grain	12 acres
		Hay	9 acres
		Beef Cattle Except Feedlots	4 acres
		Sheep & Goats	4 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: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:

SADC's staff acceptance of the J & J Smith North and South Farms , as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing the subdivision prior to closing.
 - e. Dwelling Units on Premises:

Standard Single Family
 - 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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(8)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
John H. Smith and Jean M. Smith ("Owners")
Windy Acres South Farm
Harmony Township, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0558-PG

April 24, 2015

WHEREAS, on December 15, 2007 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Warren County received SADC approval of its FY2015 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, Warren County, totaling approximately 39 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, a 77 acre portion of Block 14, Lot 9 was submitted as part of a separate application for the sale of a development easement known as Windy Acres North Farm; and

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

WHEREAS, the Property includes a 1-acre non-severable exception area limited to one single family residential unit; and

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

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

WHEREAS, the Owner(s) has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, the Property has a quality score of 62.14 which exceeds 41, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 10, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 11, 2014 the SADC certified a development easement value of \$6,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$600 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14; and

WHEREAS, the SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$6,000 per acre for the development easement for the Property; and

WHEREAS, on January 29, 2015 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 March 3, 2015 the Harmony Township Committee approved the Owner's application for the sale of a development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 19, 2015 the Warren CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and a commitment of funding for \$2,100 per acre per acre to cover the entire local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 40.17 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 40.17 acres); and

SADC	\$ 156,663.00 (\$3,900/ acre)
Warren County	\$ 84,357.00 (\$2,100/ acre)
Total Easement Purchase	\$ 241,020.00 (\$6,000/ acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$156,663.00 from the FY13 Competitive fund, 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 40.17 acres, at a State cost share of \$3,900 per acre, (65% of purchase price), for a total grant need of \$156,663.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property has a 1-acre non-severable exception area for and limited to one single family residence; and

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

BE IT FURTHER RESOLVED, the SADC's final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises 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 of the premises as identified in Policy P-3-B Supplement; and

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

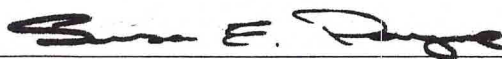
BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

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

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

4/24/15

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

x:\counties\warco\projects\smith_south2_fw.w_mxd

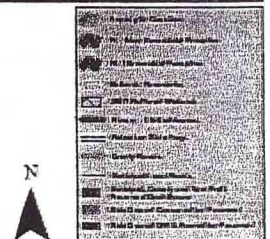


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John and Jean Smith (South #2)
Block 14 Lots P/O 9 (39.2 ac)
& P/O 9-EN (non-severable exception - 1.0 ac)
Gross Total = 40.2 ac
Harmony Twp., Warren County

250 125 0 250 500 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 geospatial accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend:
E - Freshwater Wetlands
L - Lateral Wetlands
M - Marsh
F - Freshwater Wetlands for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
S - 300 Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Assessment Data
NJ Office of 21st Century Agriculture

Version 2.004

Application within the Highlands Preservation Area

Application within the Highlands Preservation Area

John J. Frawley, Jr.
 President, Frawley & Associates, Inc.
 10000 Wilshire Blvd., Suite 1000
 Beverly Hills, CA 90212
 (310) 276-1100

Robert J. Frawley
 President, Frawley & Associates, Inc.
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Robert J. Frawley
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 Beverly Hills, CA 90212
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140-0014 F-2744

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.

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Smith, John & Jean (Windy Acres South) #2
21- 0558-PG
County PIG Program
38 Acres

Block 14	Lot P/O 9	Harmony Twp.	Warren County
SOILS:		Other	29% * 0 = .00
		Prime	61% * .15 = 9.15
		Statewide	10% * .1 = 1.00
			SOIL SCORE: 10.15
TILLABLE SOILS:		Cropland Harvested	60% * .15 = 9.00
		Wetlands	6% * 0 = .00
		Woodlands	34% * 0 = .00
			TILLABLE SOILS SCORE: 9.00
FARM USE:	Cash Grains	23 acres	Corn & Hay

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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for future single family residence
Exception is not to be severed from Premises
Exception is to be limited to zero existing
single family residential unit(s) and one future
single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:

SADC staff's acceptance of the J & J Smith North and South Farms, as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing a subdivision prior to closing.
 - e. Dwelling Units on Premises:

No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(9)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

Cumberland COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Melvin and Josephine McCracken ("Owners")
Hopewell Township, Cumberland County

N.J.A.C. 2:76-17 et seq.
SADC ID# 06-0156-PG

April 24, 2015

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Cumberland County received SADC approval of its FY2015 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on December 20, 2013 the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 65, Lots 10 & 10.01, Hopewell Township, Cumberland County, totaling approximately 47 acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Cumberland County's Shiloh-Hopewell Central Project Area; and

WHEREAS, the Property has one (1) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

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

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

WHEREAS, the Property has a quality score of 68.57 which exceeds 41, which is 70% of the County's average quality score as determined by the SADC September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on March 7, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 25, 2014 the SADC certified a development easement value of \$4,300 per acre based on zoning and environmental regulations in place as of the current valuation date 10/1/13; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,300 per acre for the development easement for the Property; and

WHEREAS, on February 25, 2015 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on August 14, 2014 the Hopewell Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 11, 2014 the Cumberland CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on August 28, 2014, the Board of Chosen Freeholders of the County of Cumberland passed a resolution granting final approval and a commitment of funding for \$1,320.00 per acre to cover the entire local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 48.41 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 48.41 acres); and

SADC	\$ 144,261.80	(\$2,980/acre)
Cumberland County	\$ 63,901.20	(\$1,320/acre)
Total Easement Purchase	\$208,163.00	(\$4,300/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 Cumberland County Agriculture Development Board is requesting \$144,261.80 in FY13 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Property, comprising approximately 48.41 acres, at a State cost share of \$2,980.00 per acre, (69.30% of purchase price), for a total grant need of \$144,261.80 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property has one (1) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises 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 of the premises as identified in Policy P-3-B Supplement; and

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

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

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

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

4/24/15

Date

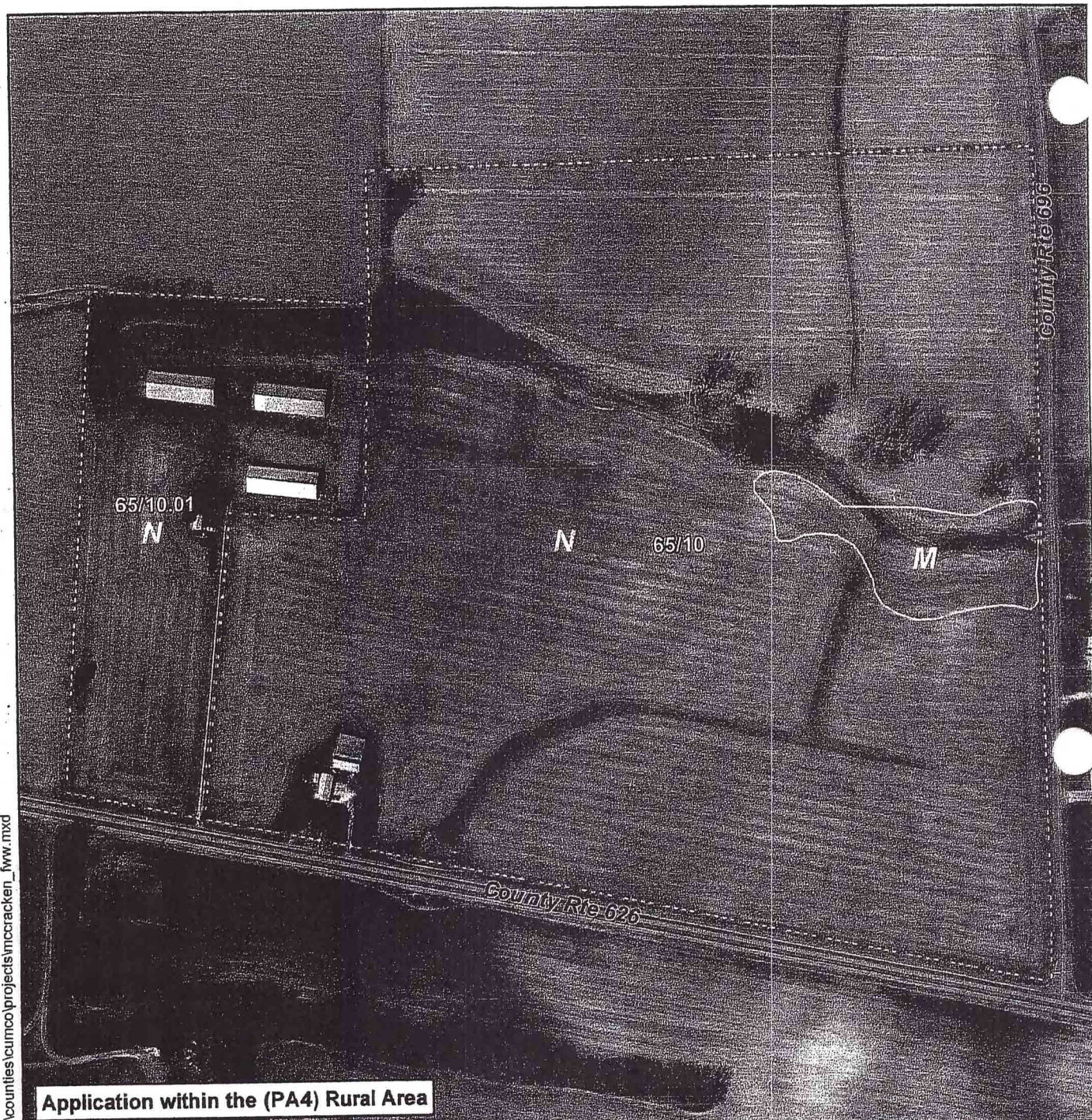


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

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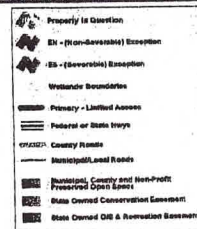


FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Melvine and Josephine McCracken
 Block 65 Lots 10 (39.7 ac)
 & 10.01 (7.5 ac)
 Gross Total = 47.2 ac
 Hopewell Twp., Cumberland 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.



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

Sources:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJOIT/OGIS 2012 Digital Aerial Image

January 13, 2014

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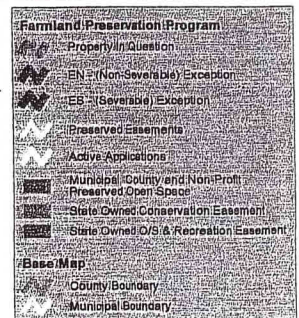


Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Melvine and Josephine McCracken
Block 65 Lots 10 (39.7 ac)
& 10.01 (7.5 ac)
Gross Total = 47.2 ac
Hopewell Twp., Cumberland County

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



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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDOTGIS 2012 Digital Aerial Image

January 13, 2014

Schedule B

Cumberland County
 New Jersey Farmland Preservation Program
 Preservation Program
 County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

FY2011

	Municipality	Apn. Acres	Plus/Minus Acres	SADG Certified Parcels	Negotiated & Approved Parcels	SADG Grant Per Acre	SADG Grant Consideration	SADG Cost Share	Total Base Grant		Balance FY11		FY11 Balance		FY13 Balance		FY11 Balance	
									Encumbered at Final	Voucher	Expend	Balance	Encumbered at Final	Expend	Encumbered at Final	Expend	Encumbered at Final	Expend
Porter	Stow Creek	43	44,290	5,300.00	5,300.00	3,550.00	230,995.20	154,723.20										
Sorantino 1	Fairfield	35	36,050	5,000.00	5,000.00	3,400.00	180,250.00	122,570.00										
Casper #2	U. Deerfield	24	24,720	4,600.00	4,600.00	3,160.00	113,712.00	78,115.20										
Ulland	Stow Creek	30	30,900	4,700.00	4,700.00	3,220.00	145,230.00	99,498.00	27,585.20									
Sorantino 2	Fairfield	35	36,050	5,300.00	5,300.00	3,550.00	191,065.00	127,977.50										
Hubschmidt #2	Upper Deerfield	66	67,980	4,800.00	4,800.00	3,280.00	326,304.00	222,974.40										
Garrison	Upper Deerfield	65	66,950	4,600.00	4,600.00	3,160.00	307,970.00	211,562.00										
McCracken	Hopewell	47	48,410	4,300.00	4,300.00	2,980.00	208,163.00	144,261.80										
Riley	Lawrence	47	48,410	3,500.00	3,500.00	2,500.00	169,435.00	121,025.00										
Coleman II	Deerfield	22	22,660	5,300.00	5,300.00	3,550.00	120,098.00	80,443.00										
Casper, Mary Ann	Downie	33	33,990	3,500.00	3,500.00	2,500.00	118,965.00	84,975.00										
Encumbered/Expended FY11									0.00	1,500,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Encumbered/Expended FY13									27,585.20	972,414.80	0.00	0.00	2,218,597.68	2,191,096.50	0.00	0.00	0.00	0.00
Total		55	2,974				1,470,629	9,873,930	27,585.20	2,472,414.80	0.00	0.00	2,218,597.68	2,191,096.50	0.00	0.00	0.00	0.00

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

McCracken Farm
06- 0156-PG
County PIG Program
47 Acres

Block 65	Lot 10	Hopewell Twp.	Cumberland County
Block 65	Lot 10.01	Hopewell Twp.	Cumberland County

SOILS:	Prime	63% * .15	= 9.45
	Statewide	37% * .1	= 3.70

SOIL SCORE: 13.15

TILLABLE SOILS:	Cropland Harvested	91% * .15	= 13.65
	Other	9% * 0	= .00

TILLABLE SOILS SCORE: 13.65

FARM USE:	Soybeans-Cash Grain	33 acres
	Corn-Cash Grain	8 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: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - 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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(10)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

Cumberland COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Pearl E. Riley ("Owner")
Lawrence, Cumberland County

N.J.A.C. 2:76-17 et seq.
SADC ID# 06-0158-PG

April 24, 2015

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Cumberland County received SADC approval of its FY2015 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on February 19, 2014 the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 245, Lot 6, Lawrence Township, Cumberland County, totaling approximately 47 acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Cumberland County's Fairfield-Lawrence Project Area; and

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

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

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

WHEREAS, the Property has a quality score of 74.63 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 23, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on October 3, 2014 the SADC certified a development easement value of \$3,500 per acre based on zoning and environmental regulations in place as of the current valuation date 1/1/14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$3,500 per acre for the development easement for the Property; and

WHEREAS, on February 25, 2015 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on November 10, 2014 the Lawrence Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on October 8, 2014 the Cumberland CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on December 23, 2014, the Board of Chosen Freeholders of the County of Cumberland passed a resolution granting final approval and a commitment of funding for \$1,000 per acre to cover the entire local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 48.41 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 48.41 acres); and

SADC	\$ 121,025.00	(\$2,500/acre)
Cumberland County	\$ 48,410.00	(\$1,000/acre)
Total Easement Purchase	\$169,435.00	(\$3,500/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 Cumberland County Agriculture Development Board is requesting \$121,025.00 in FY13 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Property, comprising approximately 48.41 acres, at a State cost share of \$2,500.00 per acre, (71.43% of purchase price), for a total grant need of \$121,025.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises 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 of the premises as identified in Policy P-3-B Supplement; and

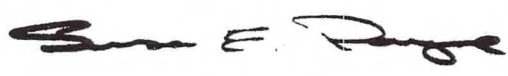
BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

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

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

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

4/24/15
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Schedule A



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Application within the (PA4) Rural Area

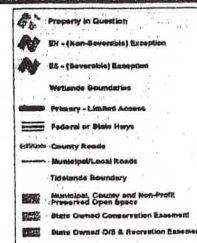
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Pearl G. Riley
Block 245 Lot 6 (40.3 ac)
Gross Total = 40.3 ac
Lawrence Twp., Cumberland County



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

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



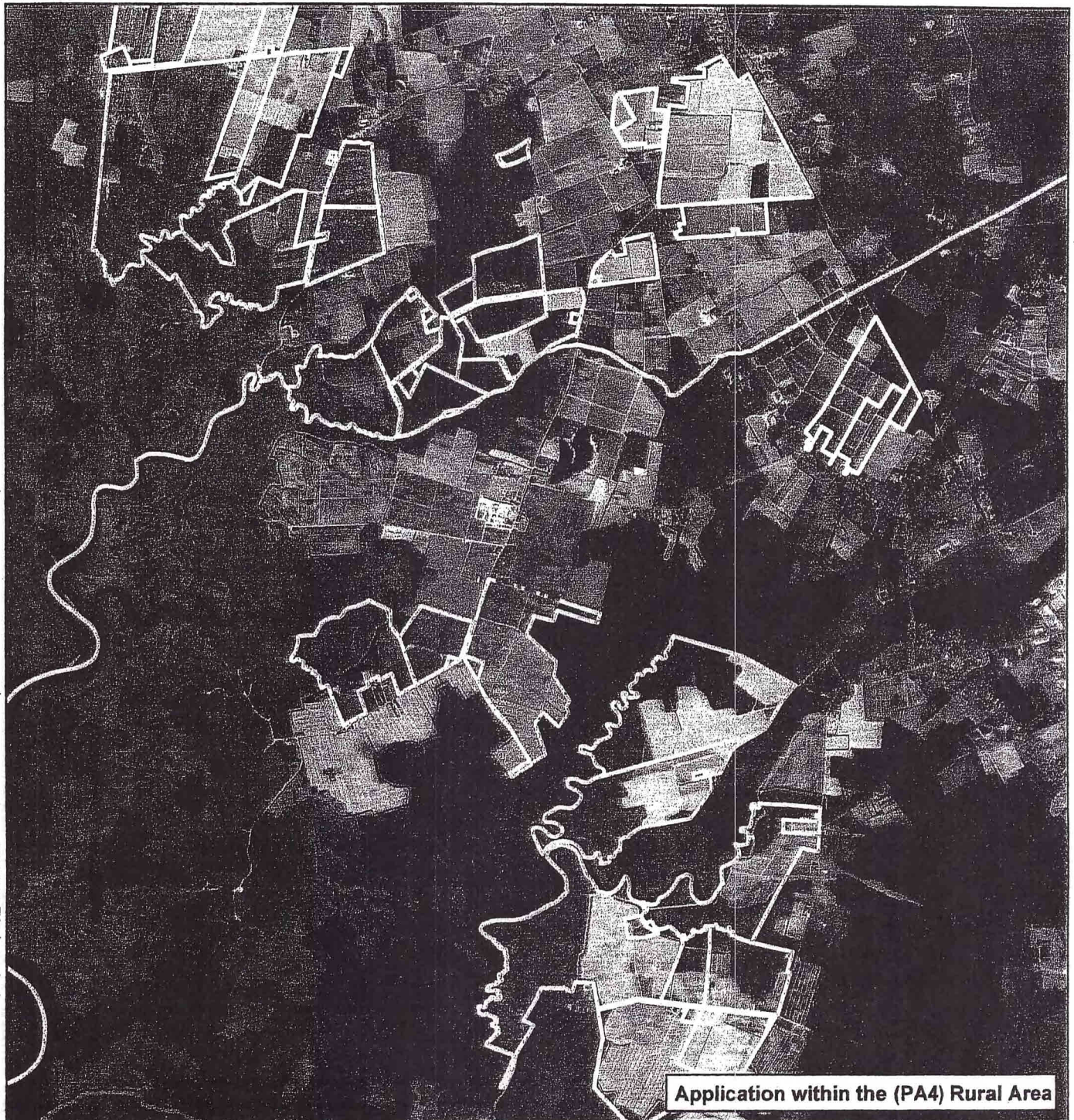
Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 300' Buffer
 W - Water

Sources:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJOTISGIS 2012 Digital Aerial Image

March 5, 2014

Preserved Farms and Active Applications Within Two Miles

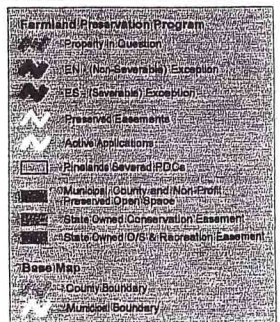
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Pearl G. Riley
Block 245 Lot 6 (40.3 ac)
Gross Total = 40.3 ac
Lawrence Twp., Cumberland County

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



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

Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2012 Digital Aerial Image

March 5, 2014

Schedule B

**New Jersey Farmland Preservation Program
Preservation Program
County Planning Incentive Grant - N.J.A.C. 2:76-17.6**

FY2011/FY201

County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Research Incentive Grant - 2007 rules Counting Fund tracking (2012) to financial statement.xls

4/15/201

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Riley, Pearl E.
06- 0158-PG
County PIG Program
47 Acres

Block 245	Lot 6	Lawrence Twp.	Cumberland County
SOILS:		Other	1% * 0 = .00
		Prime	93% * .15 = 13.95
		Statewide	6% * .1 = .60
			SOIL SCORE: 14.55
TILLABLE SOILS:		Cropland Harvested	99% * .15 = 14.85
		Wetlands	1% * 0 = .00
			TILLABLE SOILS SCORE: 14.85
FARM USE:	Vegtable & Melons	46 acres	lettuce and sweet peppers

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: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - 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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(11)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

Cumberland COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Raymond Coleman (2) ("Owner")

Deerfield Township, Cumberland County

N.J.A.C. 2:76-17 et seq.

SADC ID# 06-0154-PG

April 24, 2015

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Cumberland County received SADC approval of its FY2015 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on December 19, 2013 the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 59, Lot 5, Deerfield Township, Cumberland County, totaling approximately 22 acres hereinafter referred to as "Property" (Schedule A); and

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

WHEREAS, the Property has (1) one, 3 acre severable exception area limited to one single family residence; and

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

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

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

WHEREAS, the Property has a quality score of 48.47 which exceeds 41, which is 70% of the County's average quality score as determined by the SADC September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on April 28, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 26, 2014 the SADC certified a development easement value of \$5,300 per acre based on zoning and environmental regulations in place as of the current valuation date 10/1/13; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,300 per acre for the development easement for the Property; and

WHEREAS, on February 27, 2015 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 18, 2015 the Deerfield Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on November 12, 2014 the Cumberland CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 27, 2015, the Board of Chosen Freeholders of the County of Cumberland passed a resolution granting final approval and a commitment of funding for \$1,750.00 per acre to cover the entire local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 22.66 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 22.66 acres); and

SADC	\$ 80,443.00	(\$3,550/acre)
Cumberland County	\$ 39,655.00	(\$1,750/acre)
Total Easement Purchase	\$120,098.00	(\$5,300/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 Cumberland County Agriculture Development Board is requesting \$80,443.00 in FY13 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Property, comprising approximately 22.66 acres, at a State cost share of \$3,550 per acre, (66.98% of purchase price), for a total grant need of \$80,443.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property has (1) one, 3 acre severable exception area limited to one single family residence; and

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

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises 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 of the premises as identified in Policy P-3-B Supplement; and

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

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

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

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

4/24/15
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Preserved Farms and Active Applications Within Two Miles

X:\counties\cumco\projects\coleman2_2mile.mxd



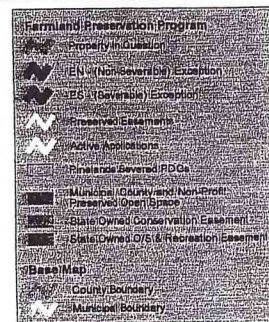
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Raymond Coleman III (#2)
Block 59 Lots P/O 5 (22.4 ac)
& P/O 5-ES (severable exception - 3.0 ac)
Gross Total = 25.4 ac
Deerfield Twp., Cumberland County

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

NOTE:

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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJGIS/OGIS 2012 Digital Aerial Image

April 2, 2014

Schedule A

X:\counties\cumco\projects\coleman2_fwv.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Raymond Coleman III (#2)
Block 59 Lots P/O 5 (22.4 ac)
& P/O 5-ES (severable exception - 3.0 ac)
Gross Total = 25.4 ac
Deerfield Twp., Cumberland County



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

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:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJOTISGIS 2012 Digital Aerial Image

April 2, 2014

Schedule B

Imberland County

New Jersey Farmland Preservation Program
Preservation Program
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

FY2011/FY201:

	Municipality	App. Acres	Plus 3 Percent Acres	SADC Certified Per Acre	Unutilized & Approved Per Acre	SADC Grant Per Acre	Estimate Consideration	SADC	Total base Grant			Balance FY11		FY11 Balance	0	3,000,000		5,000,000
									Encumbered at FY11	Voucher	Expend	Balance	Encumbered at FY11	Voucher	Expend	Balance	Encumbered at FY11	Balance
Porter	Stow Creek	43	44,290	5,300.00	5,300.00	3,550.00	230,995.20	154,723.20						154,723.20	154,723.20			
Sorantino 1	Fairfield	35	36,050	5,000.00	5,000.00	3,400.00	180,250.00	122,570.00										
Casper #2	U. Deerfield	24	24,720	4,500.00	4,500.00	3,160.00	113,712.00	78,115.20										
Uhland	Stow Creek	30	30,900	4,700.00	4,700.00	3,220.00	145,230.00	99,498.00	27,595.20			0.00						
Sorantino 2	Fairfield	35	36,050	5,300.00	5,300.00	3,550.00	191,065.00	127,977.50										
Hubschmidt #2	Upper Deerfield	66	67,980	4,600.00	4,600.00	3,280.00	326,304.00	222,974.40										
Garrison	Upper Deerfield	65	66,950	4,600.00	4,600.00	3,160.00	307,970.00	211,562.00										
McCracken	Hopewell	47	48,410	4,300.00	4,300.00	2,960.00	208,163.00	144,261.80										
Riley	Lawrence	47	48,410	4,300.00	4,300.00	2,500.00	169,435.00	121,025.00										
Coleman II	Deerfield	22	22,660	5,300.00	5,300.00	3,550.00	120,098.00	80,443.00										
Casper, Mary Ann	Downe	33	33,990	3,500.00	3,500.00	2,500.00	118,965.00	84,975.00										
Encumbered/Expended FY11									0.00		1,500,000.00	0.00	0.00		3,000,000.00	0.00		
Encumbered/Expended FY13									27,595.20		372,413.80	0.00	221,897.69		219,1096.50	0.00		
Total		65	2,974				1,471,029	9,571,930	27,595.20		2,472,413.80	0.00	221,897.69		5,191,096.50	0.00		590,305.82

Schedule B

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Coleman Farm (II)
06- 0154-PG
County PIG Program
22 Acres

Block 59	Lot 5	Deerfield Twp.	Cumberland County
SOILS:			
		Other	7% * 0 = .00
		Prime	62% * .15 = 9.30
		Statewide	31% * .1 = 3.10
			SOIL SCORE: 12.40
TILLABLE SOILS:			
		Cropland Harvested	93% * .15 = 13.95
		Wetlands	1% * 0 = .00
		Woodlands	6% * 0 = .00
			TILLABLE SOILS SCORE: 13.95
FARM USE:		Soybeans-Cash Grain	20 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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st three (3) acres for Future residence
 - Exception is severable
 - Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(12)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

Cumberland COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Mary Ann Casper ("Owner")
Downe Township, Cumberland County

N.J.A.C. 2:76-17 et seq.
SADC ID# 06-0159-PG

April 24, 2015

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Cumberland County received SADC approval of its FY2015 PIG Plan application annual update on May 22, 2014; and

WHEREAS, on February 19, 2014 the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 55, Lot 4 and Block 56, Lots 15 & 16, Downe Township, Cumberland County, totaling approximately 33 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Cumberland County's Downe Project Area; and

WHEREAS, the Property has one (1), 2.6-acre non-severable exception area limited to one (1) single family residential unit; and

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

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

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

WHEREAS, the Property has a quality score of 44.86 which exceeds 43, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 30, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 13, 2014 the SADC certified a development easement value of \$3,500 per acre based on zoning and environmental regulations in place as of the current valuation date 1/1/14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$3,500 per acre for the development easement for the Property; and

WHEREAS, on February 27, 2015 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 December 1, 2014 the Downe Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 14, 2015 the Cumberland CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 27, 2015, the Board of Chosen Freeholders of the County of Cumberland passed a resolution granting final approval and a commitment of funding for \$1,000 per acre to cover the entire local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 33.99 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 33.99 acres); and

SADC	\$ 84,975.00	(\$2,500/acre)
<u>Cumberland County</u>	<u>\$ 33,990.00</u>	<u>(\$1,000/acre)</u>
Total Easement Purchase	\$118,965.00	(\$3,500/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 Cumberland County Agriculture Development Board is requesting \$84,975.00 in FY13 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Property, comprising approximately 33.99 acres, at a State cost share of \$2,500.00 per acre, (71.43% of purchase price), for a total grant need of \$84,975.00 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property has one (1), 2.6-acre non-severable exception area limited to one (1) single family residential unit; and

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

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises 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 of the premises as identified in Policy P-3-B Supplement; and

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

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

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

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

Susan E. Payne

4/24/15
Date

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Schedule A



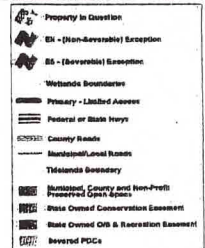
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mary Ann Casper
Block 55 Lot 4 (5.5 ac); Block 56 Lots 15 (2.0 ac); P/O 16 (28.1 ac)
& P/O 16-EN (non-severable exception - 2.6 ac)
Gross Total = 38.2 ac
Downe Twp., Cumberland County

250 125 0 250 500 Feet

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

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



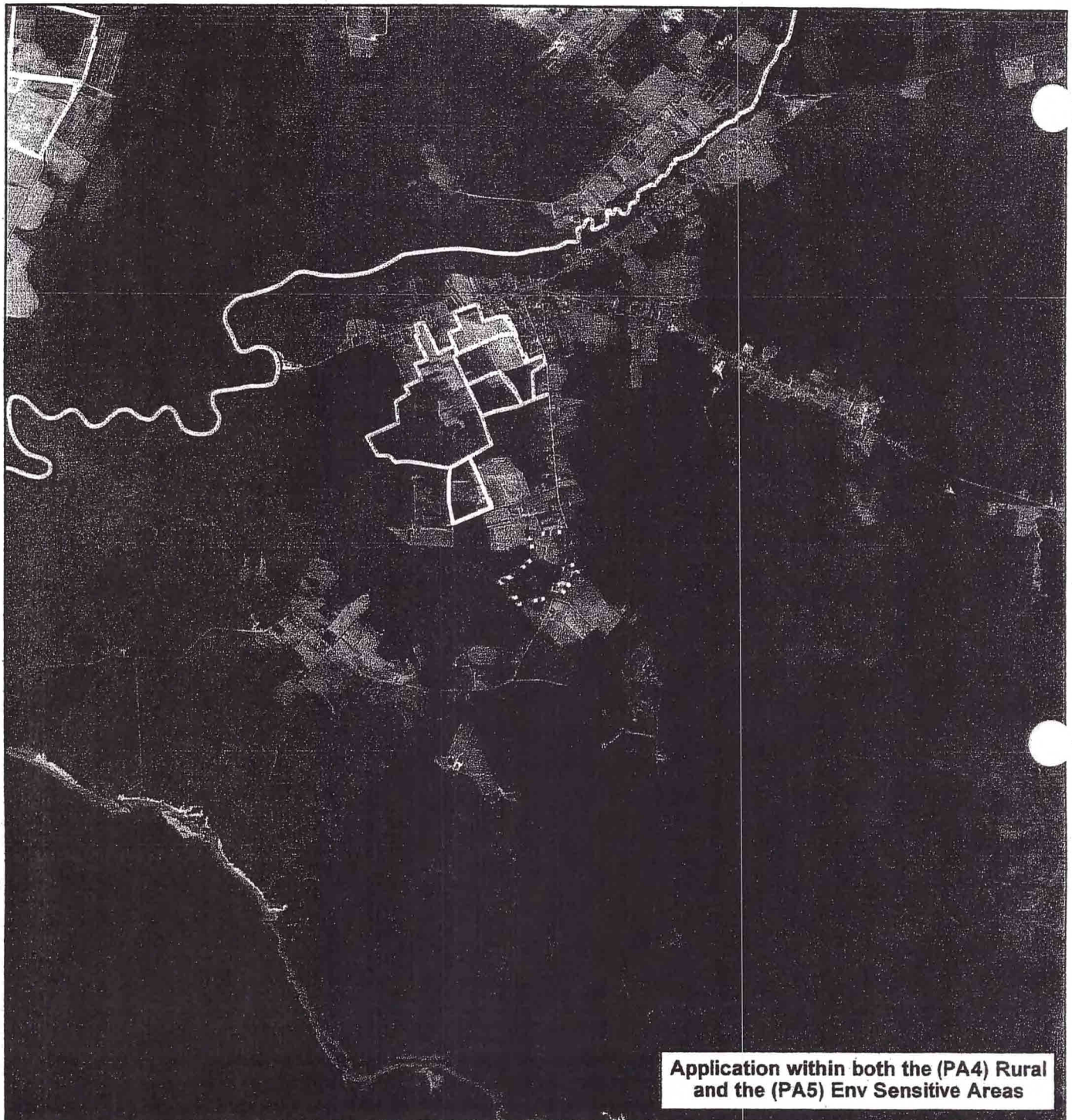
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2012 Digital Aerial Image

July 23, 2014

Preserved Farms and Active Applications Within Two Miles

X:\counties\cumco\projects\casper4_2mile2.mxd



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

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mary Ann Casper

Block 55 Lot 4 (5.5 ac); Block 56 Lots 15 (2.0 ac); P/O 16 (28.1 ac)

& P/O 16-EN (non-severable exception - 2.6 ac)

Gross Total = 38.2 ac

Downe Twp., Cumberland County

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

NOTE:

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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2012 Digital Aerial Image

July 23, 2014

Schedule B

Cumberland County

New Jersey Farmland Preservation Program Preservation Program County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

FY2011/F

Farm	Municipality	App. Acres	Plus 3 Percent Acres	SADG Certified Per Acre	Negotiated & Approved Per Acre	SADG Grant Per Acre	Estimated Consideration	SADG	Total base grant			FY11 Balance		0	3,000,000	5,000,000
									Encumbered at Final	Vouchers	Expend	Encumbered at Final	Vouchers	Expend		
Porter	Stow Creek	43	44,290	5,300.00	5,300.00	3,550.00	230,995.20	154,723.20				157,225.50	154,723.20			
Sorantino 1	Fairfield	35	36,050	5,000.00	5,000.00	3,400.00	180,250.00	122,570.00				122,570.00				
Casper #2	U. Deerfield	24	24,720	4,500.00	4,500.00	3,160.00	113,712.00	78,115.20				78,115.20				
Uhland	Stow Creek	30	30,900	4,700.00	4,700.00	3,220.00	145,230.00	99,498.00	27,555.20							
Sorantino 2	Fairfield	35	36,050	5,300.00	5,300.00	3,550.00	191,065.00	127,977.50				127,977.50				
Hubschmidt #2	Upper Deerfield	66	67,980	4,800.00	4,800.00	3,280.00	326,304.00	222,974.40				222,974.40				
Garrison	Upper Deerfield	65	66,950	4,800.00	4,800.00	3,160.00	307,970.00	211,562.00				211,562.00				
McCracken	Hopewell	47	48,410	4,300.00	4,300.00	2,980.00	205,163.00	144,261.80				144,261.80				
Riley	Lawrence	47	48,410	3,500.00	3,500.00	2,500.00	169,435.00	121,025.00				121,025.00			0.00	
Coleman II	Deerfield	22	22,560	5,300.00	5,300.00	3,550.00	120,098.00	80,443.00				80,443.00				
Casper, Mary Ann	Downs	33	33,980	3,900.00	3,900.00	2,500.00	118,965.00	84,975.00				84,975.00				
Encumbered/Expended FY11									Encumbered	Expend	Balance	Encumbered	Expend	Balance		
Encumbered/Expended FY13									0.00	1,500,000.00	0.00	0.00	3,000,000.00	0.00		
Total									27,555.20	972,414.50	0.00	27,555.20	2,161,597.68	2,191,096.50	590,305.82	0.00

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Casper, Mary Ann
06- 0159-PG
County PIG Program
36 Acres

Block 55	Lot 4	Downe Twp.	Cumberland County
Block 56	Lot 15	Downe Twp.	Cumberland County
Block 56	Lot 16	Downe Twp.	Cumberland County

SOILS:	Prime	55% *	.15	=	8.25
	Unique zero	45% *	0	=	.00

SOIL SCORE: 8.25

TILLABLE SOILS:	Cropland Harvested	51% *	.15	=	7.65
	Other	2% *	0	=	.00
	Wetlands	29% *	0	=	.00
	Woodlands	18% *	0	=	.00

TILLABLE SOILS SCORE: 7.65

FARM USE:	Vegetable & Melons	acres
	Hay	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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (2.6) acres for flexibility of use around bldgs.
Exception is not to be severed from Premises
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: 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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(13)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

CAMDEN COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
John Pagano ("Owner")
Winslow Township, Camden County

N.J.A.C. 2:76-17. et seq.
SADC ID# 04-0027-PG

April 24, 2015

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Camden County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7 Camden County received SADC approval of its FY2015 PIG plan annual update on May 22, 2015; and

WHEREAS, on September 4, 2012, the SADC received an individual application for the sale of a development easement from Camden County for the Pagano Farm, identified as Block 8201, Lot 5, Winslow Township, Camden County, totaling approximately 23 net acres (Schedule A); and

WHEREAS, the Property is located in Camden County's Great Swamp Project Area; and

WHEREAS, the Property includes a 3.2 acre non-severable exception area limited to one (1) single family residential unit; and

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

WHEREAS, the farm's agricultural production at the time of application was in vegetable production; and

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

WHEREAS, at the time of Preliminary review the property had a quality score of 53.94: and

WHEREAS, pursuant to N.J.A.C. 2:76-6.16 the quality score must be equal to or greater than 70 percent of the average quality score of applications granted preliminary approval by the SADC from Camden county during the three previous fiscal years; and

WHEREAS, since no applications were granted preliminary approval in Camden County for the three fiscal years, prior to the submission of the application, the SADC was unable to establish an average quality score; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7 the SADC may grant relief of the minimum score criterion for applications submitted under the County PIG program as per Resolution #FY2012R7(35) approved on July 28, 2011(effective January 1, 2012); and

WHEREAS, the Camden County Agriculture Development Board requested a review and approval of this farm which was approved by the SADC on September 27, 2012, via Resolution #FY2013R9(22),(Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on April 29, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.(a); and

WHEREAS, the New Jersey Pinelands Commission Letter of Interpretation #1440 allocated 1 Pinelands Development Credits(PDCs) to the Property; and

WHEREAS, as a result of the conveyance of the deed of easement to the County, the 1 PDC will be retired; and

WHEREAS, as per N.J.A.C. 2:76-19.3 landowners shall have a choice of having the development easement appraised as per the Pinelands Valuation Formula (Formula) or pursuant to N.J.S.A. 4:1C-31; and

WHEREAS, the Formula takes into consideration the PDCs for a particular parcel and the presence of important agricultural and environmental features. The Formula provides for certain base values to be adjusted upward in varying percentages depending on factors such as site-specific environmental quality, access to highways, septic suitability and agricultural viability; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 14, 2013, the SADC certified a development easement value of \$2,409 per acre based on zoning and environmental regulations in place as of November 1, 2011; and

WHEREAS, on April 24, 2014, a Pinelands Valuation Formula (Formula) was finalized between SADC and CADB staff as per N.J.A.C. 2:76-19.3, yielding:

Formula Valuation without impervious cover option: \$3,005 per acre
 Formula Valuation with 10% impervious cover option: \$3,381 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13 a landowner may choose to receive a higher base value pursuant to N.J.A.C. 2:76-19.4(c) by placing a deed restriction on the property that limits impervious coverage on the property to 10% of the total property acreage; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted an offer from the County to sell a development easement for \$3,381 per acre, (which is the Pinelands Formula Valuation with 10% impervious cover option); and

WHEREAS, pursuant to N.J.A.C. 2:76-19.13, impervious coverage shall include, but is not limited to, houses, barns, stables, sheds, silos, outhouses, cabanas, and other buildings, swimming pools, docs or decks. Temporary greenhouses or other temporary coverings which do not have impervious floors are not included, outside the exception area; and

WHEREAS, in accordance with N.J.A.C. 2:76-19.4 the formula value of \$3,381 does not exceed 80% of the Committee certified fee simple market value of \$7,409; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 23.69 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on December 16, 2014 the Winslow Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-7.13, on December 18, 2014 the Camden CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-7.13, on December 18, 2014 the Camden County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$952.40 per acre to cover the required local match; and

WHEREAS, the estimated cost share breakdown is as follows (based on 23.69 acres):

	<u>Cost Share</u>	
SADC	\$57,533.53	(\$2,428.60/acre or 71.83% of Pinelands Value)
Camden County	\$22,562.36	(\$ 952.40/acre or 28.17% of Pinelands Value)
	\$80,095.89	(\$3,381acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Camden County Agriculture Development Board is requesting \$57,573.53 in FY09 base grant funding which is available at this time (Schedule C); 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Camden County for the purchase of a development easement on the Property, comprising approximately 23.69 acres, at a State cost share of \$2,428.60 per acre (71.83% of Pinelands Formula Valuation with 10% impervious coverage), for a total grant need of \$57,533.53 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule D); and; and

BE IT FURTHER RESOLVED, the Property includes a 3.2 acre non-severable exception area limited to one (1) single family residential unit; and

BE IT FURTHER RESOLVED, the Property has zero (0) housing opportunities, zero (0) agricultural labor housing and no pre-existing non-agricultural uses outside the exception area; and

BE IT FURTHER RESOLVED, that the landowner has agreed to limit impervious coverage on the property to a maximum of 10% of the total property acreage; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises 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 of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

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

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

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

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

4/24/15
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Schedule A

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John Pagano
Block 8201 Lots P/O 5 (23.0 ac) and
P/O 5-EN (non-severable exception - 3.2 ac)
Gross Total = 26.2 ac
Winslow Twp., Camden County

250 125 0 250 500 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.



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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
DVRPC 2010 Digital Aerial Image

September 6, 2012

Preserved Farms and Active Applications Within Two Miles

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John Pagano
Block 8201 Lots P/O 5 (23.0 ac) and
P/O 5-EN (non-severable exception - 3.2 ac)
Gross Total = 26.2 ac
Winslow Twp., Camden 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
DVRPC 2010 Aerial Image
NJOT/OGIS 2007/2008 Digital Aerial Image

September 6, 2012

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R9(22)

ELIGIBILITY REVIEW AND WAIVER

For

CAMDEN COUNTY PLANNING INCENTIVE GRANT

On the Property of

John Pagano

Winslow Township, Camden County

SADC ID# 04-0021-PG

September 27, 2012

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Camden County ("County") pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, the Plan received final approval on December 4, 2008 and its latest annual update was approved April 28, 2011; and

WHEREAS, on September 4, 2012, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Camden County, for the Pagano Farm, identified as Block 8201, Lot 5, Winslow Township, Camden County, totaling approximately 23 acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, at this time the County has \$2,000,000 in SADC FY2009 PIG base grant funding and the \$1,500,000 in SADC FY2011 PIG base grant funds; and

WHEREAS, the Property is located in Camden County's Great Swamp Branch Project Area; and

WHEREAS, the Property currently supports a vegetable operation; and

WHEREAS, the Property has one 3.2 acre non-severable exception around the existing residence; and

WHEREAS, SADC staff has reviewed the application and determined that it is complete and accurate and meets the minimum standards as per N.J.A.C. 2:76-6.20 and has a quality score of 54.44 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7 and 17.2 the SADC is responsible for establishing standards for determining an "eligible farm" by determining minimum score requirements in the County PIG program; and

WHEREAS, Pursuant to N.J.A.C. 2:76-17.2 an "eligible farm" means a targeted farm that qualifies for grant funding under subchapter (17) 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 SADC through the County Easement Purchase Program and/or the County PIG program within the previous three fiscal years, as determined by the SADC; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7 the SADC may grant relief of the minimum score criterion for applications submitted under the County PIG program as per Resolution #FY2012R7(35) approved on July 28, 2011 (effective January 1, 2012); and

WHEREAS, because there were no applications during the past three fiscal years that received preliminary approval through the County PIG program in order to establish an average quality score for Camden County, the SADC considers applications in Camden County on a case by case basis until an average quality score can be calculated in future years; and

WHEREAS, the Camden County Agriculture Development Board (CADB) has requested that the SADC consider and approve the application based on the following factors:

- The farm has a quality score of 54.44;
- The farm is approximately 83% tillable and in active agriculture;
- The farm is located within a designated Agriculture Development Area and Project Area as delineated by Camden County in its Farmland Preservation Plan;
- The farm is adjacent to an eight year program and within 1,900 feet of 200 acre preserved farm (Schedule C);
- Although this farm is small it is of above average agricultural resource value to Camden County, particularly due to its soil characteristics (20% Prime soils and 77% statewide soils);
- the farm is situated in an area adjacent to other productive farms which have not been preserved yet, therefore, the preservation of this farm could act as a catalyst for neighboring landowners to apply for preservation
- The Great Swamp Branch Project Area includes 19 targeted farms totaling 1,864 acres

WHEREAS, based on the factors presented by the CADB above SADC staff recommend the SADC approve the application in order to finalize preliminary approval as per N.J.A.C. 2:76-17.9;

NOW THEREFORE BE IT RESOLVED, the SADC approves this application based on the factors listed above; and

BE IT FURTHER RESOLVED, that the SADC shall notify the County in writing that the application has been approved and SADC staff will finalize the preliminary approval as per N.J.A.C. 2:76-17.9 ; and

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

9/27/12

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Einstoff)	YES
Denis Germano	YES
Peter Johnson	YES
Torrey Reade	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	ABSENT

Soils

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Application within the Pinelands Ag Production Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John Pagano
Block 8201 Lots P/O 5 (23.0 ac) and
P/O 5-EN (non-severable exception - 3.2 ac)
Gross Total = 26.2 ac
Winslow Twp., Camden County

250 125 0 250 500 Feet



Property In Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Soils Boundaries
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned ORS & Recreation Easement

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Sources:
NRCS - SSURGO 2010 Soil Data
Green Acres Conservation Easement Data
DVRPC 2010 Digital Aerial Image

September 6, 2012

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Camden Winslow Twp. 0436

APPLICANT John Pagano

PRIORITIZATION SCORE

SOILS:

Other	3% *	0	=	.00
Prime	20% *	.15	=	3.00
Statewide	77% *	.1	=	7.70

SOIL SCORE: 10.70

TILLABLE SOILS:

Cropland Harvested	83% *	.15	=	12.45
Other	6% *	0	=	.00
Wetlands	11% *	0	=	.00

TILLABLE SOILS SCORE: 12.45

BOUNDARIES
AND BUFFERS:

EP Applications	20% *	.13	=	2.60
Commercial	5% *	0	=	.00
Farmland (Unrestricted)	37% *	.06	=	2.22
Residential Development	25% *	0	=	.00
Streams and Wetlands	13% *	.18	=	2.34

BOUNDARIES AND BUFFERS SCORE: 7.16

CONTIGUOUS
PROPERTIES
/ DENSITY:

Matro	Restricted Farm or Current Application	2
Bates Run Farms	Restricted Farm or Current Application	2
Donio	Restricted Farm or Current Application	2
Pagano	Restricted Farm or Current Application	2

DENSITY SCORE: 8.00

LOCAL COMMITMENT:

100% * 10 = 10.00

LOCAL COMMITMENT SCORE: 10.00

SIZE:

SIZE SCORE: 2.45

IMMIMENCE OF CHANGE: SADC Impact factor = 3.68

IMMINENCE OF CHANGE SCORE: 3.68

COUNTY RANKING:

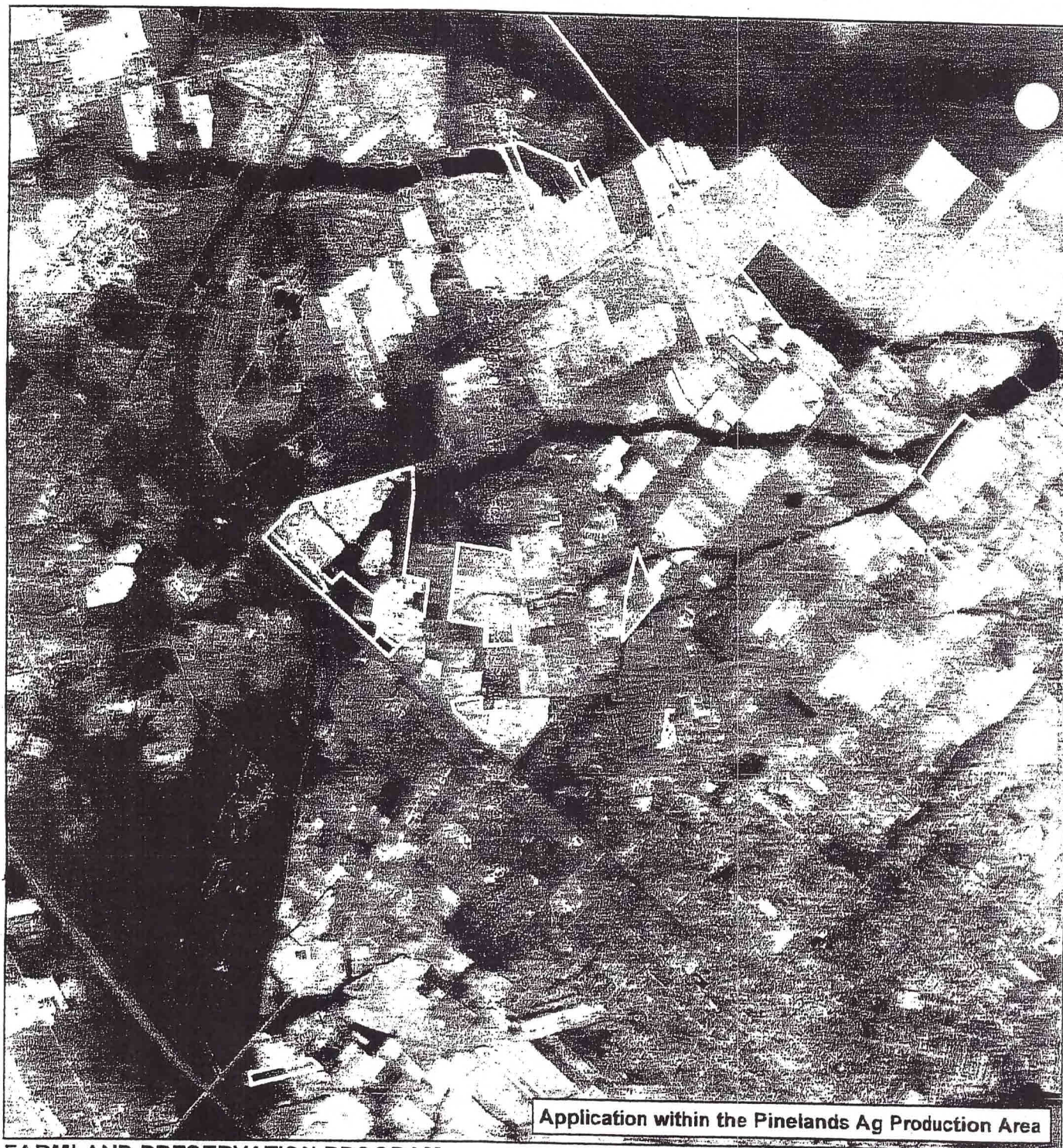
EXCEPTIONS:

EXCEPTION SCORE: .00

TOTAL SCORE: 54.44

Preserved Farms and Active Applications Within Two Miles

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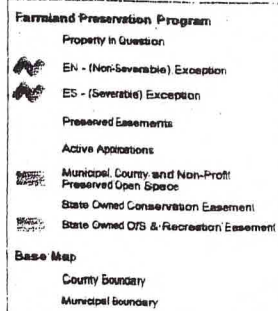


Application within the Pinelands Ag Production Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John Pagano
Block 8201 Lot 5 (26.2 ac)
Gross Total = 26.2 ac
Winslow Twp., Camden 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
DVRPC 2010 Aerial Image
NJOT/OGIS 2007/2008 Digital Aerial Image

September 6, 2012

Present Program
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Farm (pineland formula 10%)	Municipality W/inslow	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	SADC Cost	2,000,000		
									Encumbered at Final	Encumbered PV	Base Grant Expend
Pagano (pineland formula 10%)		23,000	23,690	2,409	3,381.00	2,428.60	80,095.89	57,533.53	57,533.53		Balance 1,942,466.47
Total Pending	1	23,000	23,690					57,533.53			
Total Encumbered	1	23,000	23,690						57,533.53		
Closed/Expended											
Total											1,942,466.47
Reprogram Out											

Schedule D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Pagano Farm
01- 0004-PG
County PIG Program
23 Acres

Block 8201	Lot 5	Winslow Twp.	Camden County	
SOILS:		Other	3% * 0	= .00
		Prime	20% * .15	= 3.00
		Statewide	77% * .1	= 7.70
				SOIL SCORE: 10.70
TILLABLE SOILS:		Cropland Harvested	83% * .15	= 12.45
		Other	4% * 0	= .00
		Wetlands	13% * 0	= .00
				TILLABLE SOILS SCORE: 12.45
FARM USE:		Vegetable & Melons	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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (3.2) acres for around existing house
 - Exception is not to be severed from Premises
 - Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 - 10% impervious coverage limit
 - e. Dwelling Units on Premises:
 - No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2015R4(14)

Final Approval and Authorization to Execute Closing Documents
Authorization to Contract for Professional Services
SADC Easement Purchase

On the Property of
Coombs Properties, LLC ("Owner")
a.k.a. Downer Farm

April 24, 2015

Subject Property: Coombs Properties, LLC ("Owner")
Block 52, Lot 1, Upper Pittsgrove Township, Salem County
SADC ID#: 17-0275-DE
Approximately 114 *Net* Easement Acres

WHEREAS, on June 11, 2014, the State Agriculture Development Committee ("SADC") received a development easement sale application from Coombs Properties, LLC, hereinafter "Owner," identified as Block 52, Lot 1, Upper Pittsgrove Township, Salem County, hereinafter "Property," totaling approximately 114 net easement 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, 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 24, 2014, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Salem County (minimum acreage of 95 and minimum quality score of 59) because it is 114 acres and has a quality score of 70.76; and

WHEREAS, the Property includes a 4.4-acre severable exception area limited to zero (0) housing opportunities; and

WHEREAS, the Property has been allocated one (1) Residual Dwelling Site Opportunity (RDSO), has zero (0) single family residential units, zero (0) agricultural labor units, and no pre-existing non-agricultural uses outside of the exception areas; and

WHEREAS, at the time of application, the Property was devoted to corn and potato production; and

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

WHEREAS, on February 26, 2015 the SADC certified the development easement value of the Property at \$8,100 per acre based on current zoning and environmental conditions as of November 2014; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property for \$8,100 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 that the SADC grants final approval to the Property, for its acquisition of the development easement at a value of \$8,100 per acre for a total of approximately \$923,400 subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, the Property includes a 4.4-acre severable exception area limited to zero (0) housing opportunities; and

BE IT FURTHER RESOLVED, the Property has been allocated one (1) Residual Dwelling Site Opportunity (RDSO), has zero (0) single family residential units, zero (0) agricultural labor units, and no pre-existing non-agricultural uses outside of the exception areas; and

BE IT FURTHER RESOLVED, that the SADC's purchase price shall be based on the final surveyed acreage of the Property adjusted for proposed road rights of way, other rights of way or easements as determined by the SADC, tidelands claim and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, 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 on the Property; and

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

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

4/24/15

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Schedule A

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Coombs Properties, LLC/Downer Farm
Block 52 Lots P/O 1 (113.6 ac)
& P/O 1-ES (severable exception - 4.4 ac)
Gross Total = 117.9 ac
Upper Pittsgrove Twp., Salem County



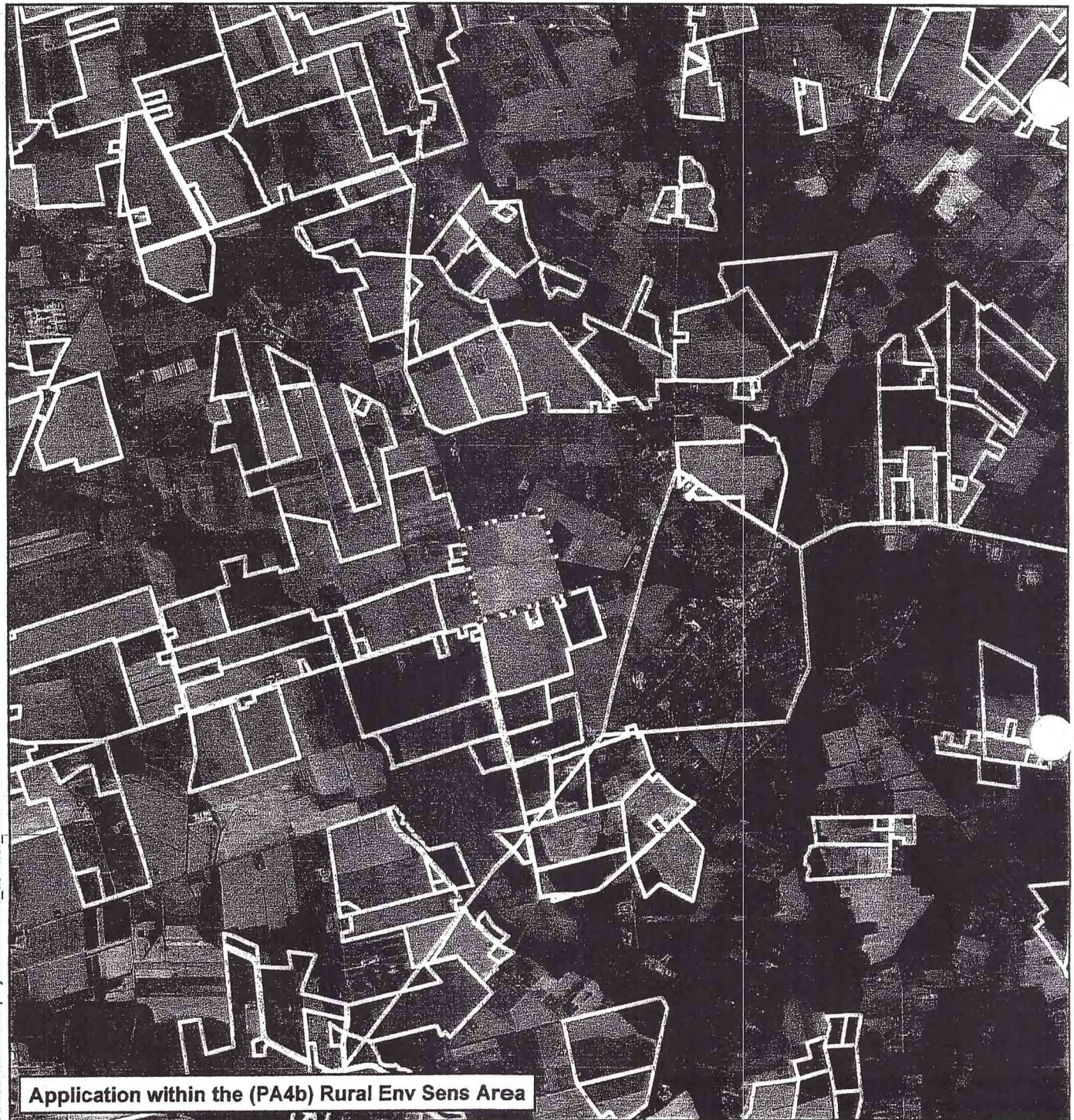
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

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Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJDOT Road Data
NJDOTGIS 2012 Digital Aerial Image

Preserved Farms and Active Applications Within Two Miles

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Goombs Properties, LLC/Downer Farm
Block 52 Lots P/O 1 (113.6 ac)
& P/O 1-ES (severable exception - 4.4 ac)
Gross Total = 117.9 ac
Upper 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
NJ Pinelands Commission PDC Data
NJOT/OGIS 2012 Digital Aerial Image

June 25, 2014

Schedule D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Coombs Properties, LLC (Downer)
State Acquisition
Easement Purchase - SADC
114 Acres

Block 52 Lot 1 Upper Pittsgrove Twp. Salem County

SOILS:	Prime	95% *	.15	=	14.25
	Statewide	5% *	.1	=	.50

SOIL SCORE: 14.75

TILLABLE SOILS:	Cropland Harvested	100% *	.15	=	15.00
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TILLABLE SOILS SCORE: 15.00

FARM USE:	Corn-Cash Grain	50 acres
	Irish Potatoes-Field Crop	60 acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 1 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (4.4) acres for Lot line adjustment for lot 5
Exception is severable
Exception is to be limited to zero existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additonal Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2015R4(15)

Final Approval and Authorization to Execute Closing Documents
Authorization to Contract for Professional Services
SADC Easement Purchase

On the Property of
Patricia A. Toal-Kibort ("Owner")

April 24, 2015

Subject Property: Patricia A. Toal-Kibort ("Owner")
Block 801, Lot 36, 37, 48
Block 1002, Lots 12, 13
Pittsgrove Township, Salem County
SADC ID#: 17-0276-DE
Approximately 124 Net Easement Acres

WHEREAS, on June 11, 2014, the State Agriculture Development Committee ("SADC") received a development easement sale application from Patricia A. Toal-Kibort, hereinafter "Owner," identified as Block 801, Lot 36, 37, 48, Block 1002, Lots 12, Pittsgrove Township, Salem County, hereinafter "Property," totaling approximately 124 net easement 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, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 25, 2013, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Salem County (minimum acreage of 95 and minimum quality score of 59) because it is 124 acres and has a quality score of 69.81; and

WHEREAS, the Property includes a 3.1-acre severable exception area limited to one (1) single family residential unit; and one, 1-acre non-severable exception limited to one (1) single family residential unit; and

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

WHEREAS, at the time of application, the Property was devoted to snap bean production; and

WHEREAS, the Owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, Non-agricultural uses and Division of the Premises (for farms with Non-contiguous parcels); and

WHEREAS, on March 26, 2015 the SADC certified the development easement value of the Property at \$5,300 per acre based on current zoning and environmental conditions as of November 2014 and conditioned on the placement of an access easement, consistent with the existing cartway across Block 801, Lot 36 to Lot 38 (landlocked parcel); and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property for \$5,300 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 that the SADC grants final approval to the Property, for its acquisition of the development easement at a value of \$5,300 per acre for a total of approximately \$657,200 subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, the Property includes a 3.1-acre severable exception area limited to one (1) single family residential unit and a 1-acre non-severable exception limited to one (1) single family residential unit; and

BE IT FURTHER RESOLVED, the Property has zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses outside of the exception areas; and

BE IT FURTHER RESOLVED, this approval is conditioned on the recording of an access easement consistent with the existing cartway over Block 801, Lot 36 to Lot 38 (landlocked parcel); and

BE IT FURTHER RESOLVED, that the access easement must be approved by the SADC and recorded prior to closing; and

BE IT FURTHER RESOLVED, that the SADC's purchase price shall be based on the final surveyed acreage of the Property adjusted for proposed road rights of way, other rights of way or easements as determined by the SADC, tidelands claim and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, 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 on the Property; and

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

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

4/24/16
Date

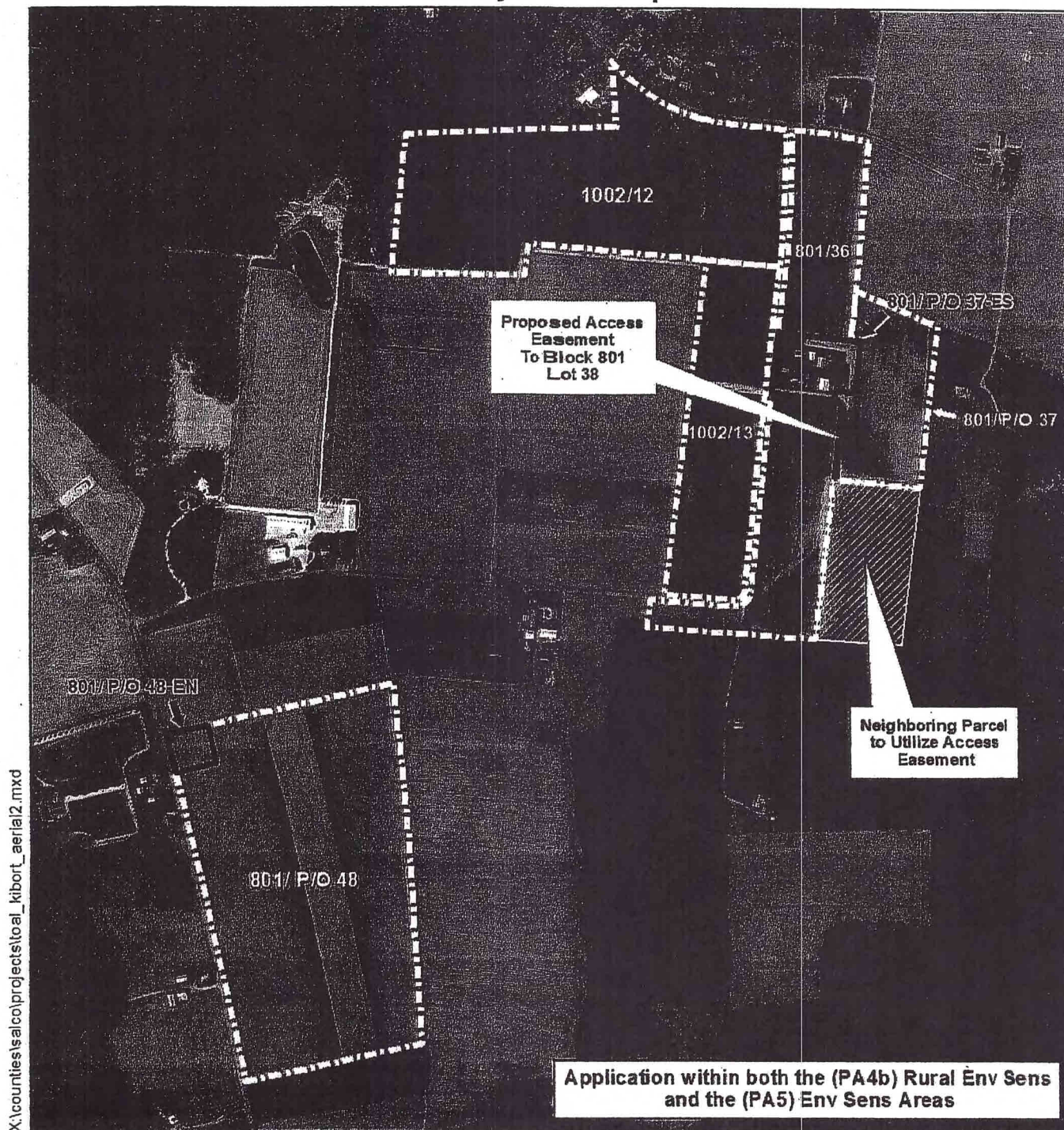


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Project Map

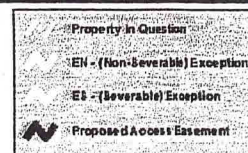


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Toal-Kibort Farm
Block 801 Lots 36 (9.1 ac); P/O 37 (21.4 ac);
P/O 37-ES (severable exception - 3.1 ac);
P/O 48 (44.9 ac) & P/O 48-EN (nonseverable exception - 1.0 ac)
& Block 1002 Lots 12 (32.4 ac) & 13 (15.8 ac)
Gross Total = 127.8 ac
Pittsgrove Twp., Salem County

1,000 500 0 1,000 2,000 Feet

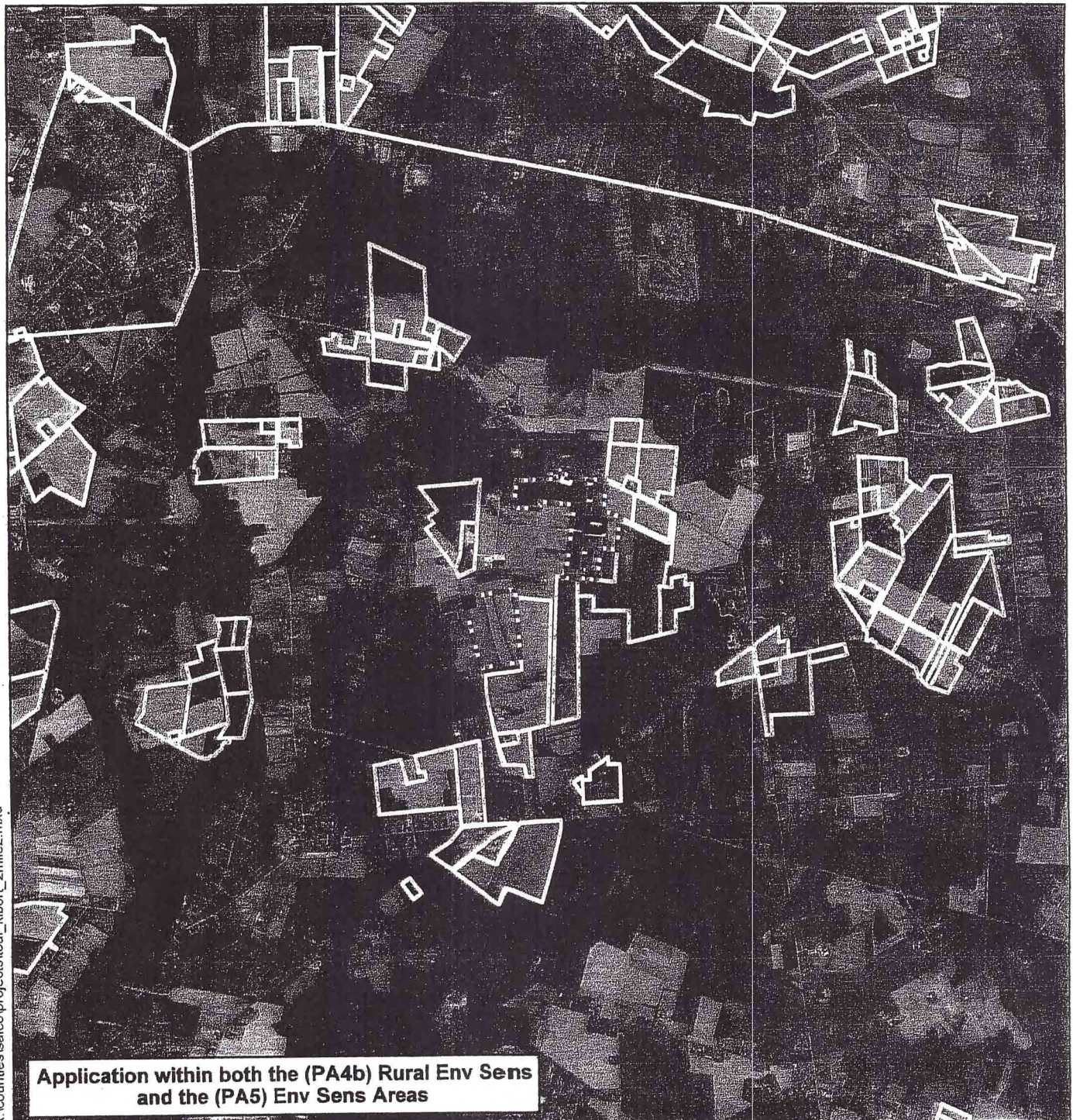
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision 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 2012 Digital Aerial Image

October 14, 2014

Preserved Farms and Active Applications Within Two Miles



X:\counties\saltco\projects\toal_kibort_2mile2.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Toal-Kibort Farm
Block 801 Lots 36 (9.1 ac); P/O 37 (21.4 ac);
P/O 37-ES (severable exception - 3.1 ac);
P/O 48 (44.9 ac) & P/O 48-EN (nonseverable exception - 1.0 ac)
& Block 1002 Lots 12 (32.4 ac) & 13 (15.8 ac)
Gross Total = 127.8 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
NJ Pinelands Commission PDC Data
NJOT/IGIS 2012 Digital Aerial Image

October 14, 2014

JANUARY 12

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Toal-Kibort Farm
State Acquisition
Easement Purchase - SADC
124 Acres

Block 801	Lot 36	Pittsgrove Twp.	Salem County
Block 801	Lot 37	Pittsgrove Twp.	Salem County
Block 801	Lot 48	Pittsgrove Twp.	Salem County
Block 1002	Lot 12	Pittsgrove Twp.	Salem County
Block 1002	Lot 13	Pittsgrove Twp.	Salem County

SOILS:	Prime	100% * .15	= 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:	Cropland Harvested	79% * .15	= 11.85
	Woodlands	21% * 0	= .00
			TILLABLE SOILS SCORE: 11.85
FARM USE:	Vegetable & Melons	99 acres	

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acre for Housing opportunity
Exception is not to be severable from Premises
Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - 2nd (3.1) acres for Solar & well for irrigation, residence
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
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:
Certification is contingent upon placement of an access easement consistent with the existing cartway across Block 801, Lot 36 to Lot 38.
 - e. Dwelling Units on Premises:
No Structures On Premise
 - 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 FY2015R4(16)

Final Approval and Authorization to Execute Closing Documents
Authorization to Contract for Professional Services
SADC Easement Purchase

On the Property of
Dirt Capital Partners, LLC ("Owner(s)")

April 24, 2015

Subject Property: Dirt Capital Partners, LLC ("Owner(s)")
Block 4, Lot 3, Kingwood Township and
Block 41, Lot 17 Franklin Township, Hunterdon County
SADC ID#: 10-0227-DE
Approximately 76 *Net* Easement Acres

WHEREAS, on June 16, 2014, the State Agriculture Development Committee ("SADC") received a development easement sale application from Dirt Capital Partners, LLC, hereinafter "Owner(s)," identified as Block 4, Lot 3, Kingwood Township and Block 41, Lot 17, Franklin Township, Hunterdon County, hereinafter "Property," totaling approximately 76 net easement 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, 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 24, 2014, 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 46 and minimum quality score of 57) because it is 76 acres and has a quality score of 65.89; and

WHEREAS, the Property includes a 2-acre non-severable exception area limited to one (1) single family residential unit and a 7-acre severable exception limited to one (1) single family residence; and

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

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

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

WHEREAS, on January 22, 2015 the SADC certified the development easement value of the Property at \$7,300 per acre based on current zoning and environmental conditions as of November 2014; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property for \$7,300 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 that the SADC grants final approval to the Property, for its acquisition of the development easement at a value of \$7,300 per acre for a total of approximately \$554,800 subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, the Property includes a 2-acre non-severable exception area limited to one (1) single family residential unit and a 7-acre severable exception limited to one (1) single family residence; and

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

BE IT FURTHER RESOLVED, that the SADC's purchase price shall be based on the final surveyed acreage of the Property adjusted for proposed road rights of way, other rights of way or easements as determined by the SADC, tidelands claim and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, 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 on the Property; and

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

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

4/24/15

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

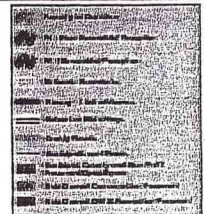
Map showing a rural area with various labels and a legend. The map includes a road labeled "Houghton Rd" on the left. A large area is labeled "41/PIC 17". Other labels include "N" (North) and "F" (Forest). A legend at the bottom right indicates "Application within the (PA4b) Rural Env Sens Area".

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Fernandez/Baker Road Farm
Franklin Twp. - Block 41 Lots P/O 17 (74.1 ac); P/O 17-ES (severable exception - 7.0 ac).
& P/O 17-EN (non-severable exception - 2.0 ac)
Kingwood Twp. - Block 4 Lot 3 (0.5 ac)
Gross Total = 83.6 ac
Hunterdon County



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



Wiederholungs-Lösungssatz:
 1. - Ersetze alle Wiederholungen
 2. - durch Wiederholungs-
 3. 14 - Wiederholungs-Modifikator für Aggregations
 4. 15 - Total-Wiederholungs-
 6 - Non-Wiederholungs-
 6 - 200 300 400
 10 - Wieder-

Sources :
 NUGP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NUGP Road Data
 NUGP/USGS 22.5 Degree Aerial Maps

2000 2001 2002

Application within the (PA4b) Rural Env Sens Area

[illegible]

Source:
NJ Farmland Preservation Program
Green Acres Conservation, Eastmont, NJ
NJ Pinelands Commission, PDC Data
NORTHGIS 2012 Data Assembly
June 2014

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Dirt Capital Partners, LLC (Baker Road Farm)
State Acquisition
Easement Purchase - SADC
76 Acres

Block 41	Lot 17	Franklin Twp.	Hunterdon County
Block 4	Lot 3	Kingwood Twp.	Hunterdon County
SOILS:		Other	16% * 0 = .00
		Prime	23% * .15 = 3.45
		Statewide	61% * .1 = 6.10
			SOIL SCORE: 9.55
TILLABLE SOILS:		Cropland Harvested	57% * .15 = 8.55
		Wetlands	20% * 0 = .00
		Woodlands	23% * 0 = .00
			TILLABLE SOILS SCORE: 8.55
FARM USE:	Soybeans-Cash Grain		42 acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st seven (7) acres for around existing residence and buildings
Exception is severable
Exception is to be limited to one existing single family residential unit(s)
 - 2nd two (2) acres for future residence
Exception is not to be severable from Premises
Exception is to be limited to one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - 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 FY2015R4(17)

Thomas & Wendy Niederer Farm

April 24, 2015

**Installation of a Wireless Service Facility, Structures and Equipment on an Existing Structure
Located on a Preserved Farm**

Subject Property: Thomas & Wendy Niederer
Block 61, Lot 5.01
Hopewell Township, Mercer County
112.92-Acres

WHEREAS, Thomas & Wendy Niederer, hereinafter "Owners", are the record owners of Block 61, Lots 5.01, in the Township of Hopewell, County of Mercer, by Deed dated December 29, 2011, and recorded in the Mercer County Clerk's Office in Deed Book 138, Page 365, totaling approximately 112.92 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the State Agriculture Development Committee on February 20, 2009, by the former owner Lilian Niederer, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, as a Deed of Easement recorded in Deed Book 5987, Page 737; and

WHEREAS, P.L. 2005, c.314 (N.J.S.A. 4:1C-32.2), signed into law on March 13, 2006, requires the State Agriculture Development Committee (SADC) issue a special permit for constructing personal wireless service facilities on preserved farmland on which a development easement exists ; and

WHEREAS, the SADC adopted regulations for personal wireless service facilities to implement P.L. 2005, c.314, N.J.A.C. 2:76-23.1, et seq., to establish the process for owners of preserved farms, pursuant to N.J.S.A. 4:1C-32.2, to apply for a special permit to allow for a personal wireless service facility to be erected on the premises, and to identify the standards for review of an application for a special permit by the SADC; and

WHEREAS, the SADC has determined that it may accept and review applications for the construction of personal wireless service facilities on preserved farms, and may issue such a special permit, in its sole discretion, in order to limit, to the maximum extent possible, the intensity of the permitted activity and its impact on the land and surrounding area; and

WHEREAS, N.J.A.C. 2:76-23.4 states that the owner of a preserved farm may apply for a special permit to allow a personal wireless service facility to be erected on the land, provided that:

- (1) The land is a commercial farm;
- (2) No other special permit for a personal wireless service facility on the premises has been granted;
- (3) There is no commercial nonagricultural activity in existence on the premises at the time of application for the special permit or on any portion of the farm that is not subject to the development easement, except that the SADC may waive this requirement entirely, or subject to any appropriate conditions: (a) if such preexisting commercial nonagricultural activity is deemed to be of a minor or insignificant nature or to rely principally upon farm products, as defined pursuant to N.J.S.A. 4:10-1, derived from the farm, or (b) for other good cause shown by the applicant;
- (4) Notwithstanding (3) above, a person who has been granted a special permit for a commercial nonagricultural activity pursuant to N.J.A.C. 2:76-22 is eligible for a special permit on the same premises pursuant to the Rule; and
- (5) The development easement was acquired without the participation of Federal Farm and Ranch Lands Protection Program funds; and

WHEREAS, on February 25, 2015, the SADC received a completed "Application for a Special Permit for the Installation of a Personal Wireless Service Facility" from New Cingular Wireless PCS, LLC (AT&T) on behalf of the Owner pursuant to both N.J.S.A. 4:1C-32.2 and N.J.A.C. 2:76-23.4; and

WHEREAS, the SADC has determined that the Owner has met the qualifications of N.J.A.C. 2:76-23.4 to apply for a personal wireless service facility; and

WHEREAS, AT&T has provided the required \$1,000.00, application fee; and

WHEREAS, the Owners are seeking SADC approval for the construction and use of a personal wireless facility on the premises; and

WHEREAS, N.J.A.C. 2:76-23.6 states that the SADC shall determine whether the application meets the following criteria:

- (1) The premises meets the definition of "commercial farm" set forth in this subchapter;
- (2) No other special permits for a personal wireless service facility have been granted on the premises;
- (3) The personal wireless service facility is necessary and serves a public benefit by potentially improving cellular communications, in particular, for emergency purposes;
- (4) There are no commercial nonagricultural activities in existence on the premises or on any portion of the farm that is not subject to the development easement.

- i. The Committee and the easement holder may waive this requirement if they find the preexisting commercial nonagricultural activity is of a minor or insignificant nature or relies principally upon farm products, as defined pursuant to N.J.S.A. 4:10-1, derived from the premises, or for other good cause shown by the applicant;
- (5) The personal wireless service facility utilizes, or is supported by, a structure existing on the premises as of the date of application;
- (6) If an expansion of an existing structure(s) is requested:
 - i. The expansion cannot exceed 500 square feet in footprint area in total for all the structures needed to accommodate the personal wireless facility;
 - ii. The expansion is necessary to the operation or functioning of the personal wireless service facility; and
 - iii. The area of the proposed footprint of the expansion is reasonably calculated based solely upon the demands of accommodating the personal wireless service facility and does not incorporate excess space;
- (7) If a new structure is being proposed to support of accommodate the personal wireless service facility:
 - i. The new structure cannot exceed 500 square feet in footprint area;
 - ii. The new structure is necessary to the operation or functioning of the personal wireless service facility;
 - iii. The area of the proposed footprint of the expansion is reasonably calculated based solely upon the demands of accommodating the personal wireless service facility and does not incorporate excess space;
 - iv. There are no existing structures on the land which could be utilized or occupied to adequately support the personal wireless service facility and the relevant deficiencies associated with each existing structure, as provided by the applicant pursuant to N.J.A.C.2:76-23.5(a)9i, support that conclusion;
- (8) The personal wireless service facility does not interfere with the use of the land for agricultural purposes;
- (9) The personal wireless service facility uses the land in its existing condition, except as otherwise allowed pursuant to paragraph 7 above;
- (10) The personal wireless service facility does not have an adverse impact upon the soils, water resources, air quality, or other natural resources of the land or the surrounding area and does not require the creation of additional parking spaces, paved or unpaved and is consistent with the deed of easement and land use approvals and any other applicable approvals that may be required by Federal, State, or local laws, rules, regulations, or ordinances, provided that if such approvals contain any requirements for implementation of the personal wireless service facility that are inconsistent with N.J.S.A. 4:1C-32.2, N.J.A.C. 2:76-23.1, et seq., or the special permit itself, the special permit will be denied;

- i. To the maximum extent possible, the facility shall avoid being placed on soils classified as prime farmland and Statewide importance;
- (11) The location, design, height, and aesthetic attributes of the personal wireless service facility reflect, to the greatest degree possible without creating an undue hardship on the applicant or an unreasonable impediment to the erection of the personal wireless service facility, the public interest of preserving the natural and unadulterated appearance of the landscape and structures;
- (12) All necessary local zoning and land use approvals, and any other approvals required by Federal, State, or local law, rule, regulation or ordinance have been obtained, and such approvals do not contain any requirements for implementation of the personal wireless service facility that are inconsistent with N.J.S.A. 4:1C-32.2, this subchapter or the special permit itself;
- (13) Additional factors, such as traffic generated and the number of employees are limited to the maximum extent possible to limit the intensity of the activity and its impact on the land and surrounding area;
- (14) The personal wireless service facility provider has agreed in writing to allow, at no charge to the requesting State or local government entity, the sharing of the facility or any State or local government owned or sponsored compatible wireless communication use for public purposes, such as law enforcement or emergency response communication equipment, as permitted by the Committee;
- (15) The personal wireless service company is not requiring conveyance of an easement or another interest in the premises to construct or access the personal wireless service facility;
- (16) The owner of the premises is not in violation of any provision of the deed of easement; and
- (17) The personal wireless service facility otherwise complies with N.J.S.A. 4:1C-32.2.

WHEREAS, the SADC finds that application meets all the criteria listed above with the exception of number 12 above; and

WHEREAS, AT&T has indicated that use of tower space for public purposes, such as law enforcement or emergency response communication equipment is standard language in arrangements it makes when sighting antennas on facilities it controls; and

WHEREAS, in this case the antenna facilities will be located on a high tension electricity tower owned by JCP&L and AT&T's lease agreement with JCP&L prohibits them from offering space on the tower to other entities; and

WHEREAS, the structure that will support the personal wireless service facility is an existing high tension electrical transmission tower identified on Schedule "A"; and

WHEREAS, there are no other personal wireless service facilities or permits existing on the Premises; and

WHEREAS, the personal wireless service facility will be owned by AT&T; and

WHEREAS, N.J.A.C. 2:76-23.4, allows for up to 500 sq./ft. of new structures to accommodate the personal wireless service facility; and

WHEREAS, the elevated platform used to accommodate the equipment cabinets associated with the personal wireless service facility is located inside the base of the high tension tower and measures approximately 480 sq./ft.; and

WHEREAS, the electrical and telecommunications lines connecting the facility to existing pole lines are underground lines, approximately two feet deep, that go from the equipment cabinets directly to the closest pole line on the adjacent property along the existing farm lane (as shown on Schedule "A"); and

WHEREAS, access to the personal wireless service facility for purposes of erecting and maintaining the facility is from an existing unimproved farm lane which connects to Bear Tavern Road; and

WHEREAS, as a result of the personal wireless service facility antenna being located on top of an existing high tension tower and the equipment cabinets being located within the base of the high tension tower, no useable farmland is taken out of production to accommodate this facility; and

WHEREAS, N.J.A.C. 2:76-23.5 (18), allows for permits to be granted in excess of five years with justification; and

WHEREAS, the applicant has requested a permit for 20 years based on its lease arrangement with the owner of the high tension tower and the necessary investment to construct the personal wireless service facility; and

NOW THEREFORE BE IT RESOLVED, that the SADC finds that the Owner has complied with all of the applicable provisions of N.J.S.A. 4:1C-32.2 and N.J.A.C. 2:76-23, et seq., concerning a personal wireless service facility to be erected on the land; and

BE IT FURTHER RESOLVED, that the SADC finds that because the personal wireless service facility is being constructed on a structure which existed on the Premises prior to preservation and is not owned by the landowner, that it does not have jurisdiction to mandate that space be made available to other entities, per N.J.A.C. 2:76-23.5 (16); and

BE IT FURTHER RESOLVED, that the SADC approves of the construction, installation, operation and maintenance of the personal wireless service facility to be located on top of, and within the base of, the high tension electrical transmission tower as identified in Schedule "A"; and

BE IT FURTHER RESOLVED, that the SADC approves this permit for a period of 20 years from the date of this resolution; and

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

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

4/24/15
DATE



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Schedule "A"

Niederer Farm

Proposed Cell Antenna
On Existing High Tension Line

G:\SADC\Niederer\Niederer-1.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Niederer Farm
Block 61, Lot 5.01
Hopewell Township, Mercer County
112 - Acres



4/13/2015

Farmland Preservation Program

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

State Planning Areas	
	(PA1) METRO
	(PA2) SUBURBAN
	(PA3) FRINGE
	(PA4) RURAL
	(PA4b) RURAL ENV SENS
	(PA5) ENV SENS
	(PA5b) ENV SENSITIVE BARRIER IS
	(P10) PINELANDS
	PARK
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER
	ELLIS ISLAND- NJ
	ELLIS ISLAND- NY
Base Map	
	County Boundaries
	Municipal Boundaries
	Highlands Planning Area
	Highlands Preservation Area
	Pinelands Area
Green Acres Preserved Easements	

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2015R4(18)

Construction of Onsite Agricultural Labor Housing

DaCosta Blueberry Farm Inc.

April 24, 2015

Subject Property: DaCosta Blueberry Farm Inc.
Block 3801, Lot 4
Block 3602, Lots 6, 8, 10, 12, 13 & 15
Block 3514, Lots 11, 12 & 15
Mullica Township, Atlantic County
189.64 - Acres

WHEREAS, DaCosta Blueberry Farm, Inc., ("Owner") is the current record owner of Block 3801, Lot 4, Block 3602, Lots 6, 8, 10, 12, 13 & 15, and Block 3514, Lots 11, 12 & 15, as identified in the Township of Mullica, County of Atlantic, by deed dated December 21, 2012 and recorded in the Atlantic County Clerk's office in Deed Book 13541, Page 5749, totaling 189.64 acres, hereinafter referred to as "Premises", see attached Schedule "A"; and

WHEREAS, the development easement on the Premises was conveyed to Atlantic County on May 1, 1992, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 5356, Page 294; and

WHEREAS, the farmland preservation Deed of Easement identifies no residual dwelling site opportunities (RDSOs), no existing single family residential buildings, one residential unit used for agricultural labor purposes and no exception areas; and

WHEREAS, the agricultural labor unit that existed at the time of preservation consist of housing for approximately 20 laborers and contains the kitchen facilities for all the laborers onsite; and

WHEREAS, on March 31, 2015, the SADC received a request from the Atlantic CADB on behalf of the Owner to utilize a new pole barn-style building for an agriculture labor dormitory consisting of approximately 6,000 sq./ft. of living space and a separate 480 sq./ft structure for shower facilities, on the Premises in the location as shown on Schedule "A"; and

WHEREAS, the Owner operates a fresh market blueberry operation on the Premises and on other nearby farms consisting of approximately 900 acres in production; and

WHEREAS, the Owner has approximately 70 acres planted in blueberries on the Premises and 250 acres in blueberries on his adjacent preserved farm; and

WHEREAS, the Owner currently employs up to 550 laborers during the season of June through August, and finds that having farm workers on-site is essential to the continuation and expansion of the operation; and

WHEREAS, paragraph number 13 of the Deed of Easement allows for the construction of housing for agricultural labor employed on the Premises but only with the approval of the Grantee and the Committee; and

WHEREAS, the Owner proposes to utilize an existing 30' x 200' pole barn-style building on the Premises built for use as a dormitory in 2013, (as shown in Schedule "B") consisting of dormitory housing totaling approximately 6,000 sq./ft., to house up to 150 laborers throughout the growing season of June through August; and

WHEREAS, the Owner proposes to utilize an existing 20' x 24' pole barn-style building on the Premises as the shower facilities; and

WHEREAS, the farm workers will be a full-time employees of the farm directly involved with the day-to-day production activities of planting, crop maintenance, irrigation, cultivation, harvest and packing of the blueberry crop; and

WHEREAS, the Owner has utilized off-site labor housing in the past and believes that having on-farm housing for agricultural labor will allow them to hire and retain a more consistent work force which is needed to produce and harvest this time sensitive crop; and

WHEREAS, the Atlantic CADB and the SADC have reviewed the Owner's request to construct an agricultural labor unit and have determined that the size and location of the proposed unit minimize any adverse impact on the agricultural operation; and

WHEREAS, by resolution dated February 17, 2015, the Atlantic CADB approved the Owner's request; and

WHEREAS, the SADC finds that the proposed construction and use of the agriculture labor unit is consistent with the requirements of the Deed of Easement; and

NOW THEREFORE BE IT RESOLVED, that the SADC approves the request to utilize an existing pole barn-style building on the Premises as an agriculture labor unit, consisting of a dormitory style unit of approximately 6,000 square feet in size, as depicted on Schedule "A", as well as the adjacent 480 sq./ft. pole barn-style building to be utilized as shower facilities, subject to municipal, state and federal requirements; and

BE IT FURTHER RESOLVED, that only agricultural labor employed on the Premises, in production aspects of the operation, and their immediate family, may live in the agricultural labor structure; and

BE IT FURTHER RESOLVED, that the agricultural laborers shall be engaged in the day-to-day production activities on the Premises, which at this time include the planting, crop maintenance, irrigation, cultivation, harvest and packing of blueberry crops grown on the Premises; and

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

BE IT FURTHER RESOLVED, that this approval is not transferrable; and

BE IT FURTHER RESOLVED, that the Owner's use of any structures for housing agricultural laborers shall be in compliance with all applicable Federal, State, County and local regulations; and

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

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



4/24/15
DATE

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Schedule "A"

DaCosta Blueberry Farm

New 30 x 200
Ag Labor Dorm

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

DaCosta Blueberry Farm
Block 3801, Lot 4
Block 3602, Lots 6, 8, 10, 12, 13 & 15
Block 3514, Lots 11, 12 & 15
Mullica Township, Atlantic County
189 -acres



0 375 750 1,500 2,250 Feet

5/18/2015

Farmland Preservation Program

	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
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Schedule "B"

DaCosta Blueberry Farm

Original Ag Labor Unit

New 30 x 200
Ag Labor Dorm

New 20 x 24
Shower Room

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

DaCosta Blueberry Farm
Block 3801, Lot 4
Block 3602, Lots 6, 8, 10, 12, 13 & 15
Block 3514, Lots 11, 12 & 15
Mullica Township, Atlantic County
189 -acres



0 105 210 420 630 Feet

4/14/2015

Farmland Preservation Program

	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
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