

5/26/05 SADC Meeting Highlights

“Time of Proposed Acquisition” Definition

For the purposes of the Highlands Water Protection and Planning Act (as it amended the Garden State Preservation Trust Act), the SADC determined that “at the time of proposed acquisition” refers to the time of appraisals, provided this determination is consistent with that of the Green Acres Program. The Highlands Act provides that appraisals for preservation purposes be conducted using either zoning, environmental laws and Department of Environmental Protection rules and regulations in effect at the time of proposed acquisition, and alternately, those in effect on January 1, 2004. This alternate valuation procedure applies only to a landowner who has continuously owned the land since enactment of the Highlands Act, an immediate family member of that person or a farmer as defined by the SADC. The SADC at its April meeting proposed a “farmer” definition that will be published in the New Jersey Register in July for public comment.

Right to Farm Final Decision

The SADC determined that the construction of agricultural labor housing is not a protected activity under the Right to Farm Act, but directed staff to begin developing regulations to protect it in the future. The SADC made the finding in a Right to Farm case involving Howell Township, Monmouth County, stable owners who wanted to convert an existing chicken coop into an agricultural labor housing unit. Howell Township objected to the unit, contending it would constitute a second principal building and would violate setback requirements for such buildings under the township’s land use ordinance. The Right to Farm Act lists a number of uses or activities eligible for protection and gives the SADC the right to expand that list through the adoption of regulations.

Installment Purchases

Ralph Siegel, Executive Director of the Garden State Preservation Trust (GSPT), announced that the GSPT plans to study the feasibility of installment purchases at a July 12th retreat at the Smithville Mansion in Burlington County. County agriculture development boards will be contacted regarding the retreat. Anyone interested in attending should contact the GSPT at 984-4600.

Photo Contest

Executive Director Susan Craft announced that the SADC is holding a photo contest open to any government or nonprofit entity that has participated in the Farmland Preservation Program by December 31, 2004. The purpose of the contest is to document the beauty and diversity of New Jersey’s agricultural landscape and industry. The awards will be announced at the first annual Farmland Preservation Summit in early 2006. The summit will feature a full day of sessions focusing on farmland preservation. The deadline for the photo contest is December 1, 2005. Detailed information on the contest has been sent to county agriculture development boards, planning incentive grant municipalities and nonprofit organizations.