

STATE AGRICULTURE DEVELOPMENT COMMITTEE

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

REGULAR MEETING

February 7, 2011

Chairman Fisher called the meeting to order at 1:10 p.m. In compliance with the “Open Public Meetings Notice”, the following statement was read:

“Pursuant to N.J.S.A. 10:4-6 et seq., adequate public notice of this meeting has been provided by giving written notice of the time, date, location and, to the extent known, the agenda. At least 48 hours in advance, this notice has been posted on the public announcement board, third floor, Health/Agriculture building, John Fitch Plaza, Trenton, NJ, mailed and/or faxed to the Newark Star Ledger, the Times of Trenton, the Camden Courier Post, and filed with the Office of the Secretary of State.”

Roll call indicated the following:

Members Present

Douglas H. Fisher, Chairperson
Fawn McGee (rep. DEP Commissioner Martin)
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff)
Brian Schilling (rep. Executive Dean Goodman)
James Requa (rep. DCA Commissioner Grifa)
Alan Danser
Denis C. Germano, Esq.
Torrey Reade (Via Telephone Conferencing)
Stephen P. Dey
Jane Brodhecker (Via Telephone Conferencing)

Members Absent

James Waltman

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

Others present as recorded on the attendance sheet: Robert Baumley, Heidi Winzinger, Hope Gruzlovic, Brian Smith, Charles Roohr, Edgar Madsen, Ed Ireland, Timothy Brill, Cassandra McCloud, Daniel Knox, Bryan Lofberg, Paul Burns, Patricia Riccitello and Sandy Giambrone, SADC staff, Daniel Pace, Mercer County Agriculture Development Board, Brandon Minde, Governor's Authorities Unit, Nicole Goger, New Jersey Farm Bureau, Renee Jones, New Jersey DEP, Pat Butch, Farmland Preservation Committee Chair, Millstone Township, Monmouth County.

Minutes

A. SADC Regular Meeting of December 9, 2010 (Open Session and Closed Session)

Dr. Dey stated that there were a couple of typographical errors in the minutes. He advised the clerical staff of those errors and stated he would approve the minutes with those corrections. Mr. Schilling stated that he had made a comment during the discussion on the Simpson Farm request for a division of the premises in response to Secretary Fisher asking why some members had abstained from the vote. He stated that he raised the point that it wasn't so much the numbers that Mr. Roohr had indicated versus what Mr. Simpson presented that conflicted him but rather the difficulty he was having in applying the viability criteria test. He asked that his comments be reflected in the minutes.

It was moved by Dr. Dey and seconded by Mr. Danser to approve the open session and closed session minutes of the SADC regular meeting of December 9, 2010 with the above mentioned corrections. The motion approved. (Mr. Germano abstained from the vote.)

REPORT OF THE CHAIRPERSON

Chairman Fisher referred the Committee to Ms. Craft for her comments under Report of the Executive Director.

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Craft thanked the Committee for its ability to attend today's rescheduled SADC meeting from the January 27th date that was cancelled due to inclement weather. She discussed the following with the Committee:

- Proposed Solar AMP Rule

Ms. Craft stated that the proposed solar agricultural management practice (AMP) was published in the New Jersey Register today and there would be a sixty (60) day public comment period. She stated that comments are due back to the SADC by April 8th.

- Passaic County Farmland Preservation Program

Ms. Craft stated in December the SADC closed on a fifteen acre farm in Passaic County, which was one of the two Kuehm properties. She stated that was the first time that the SADC had a closing in Passaic County, after many years of working with the county. This officially adds Passaic County to the list of 18 counties that the SADC has preserved farms.

- State Board of Agriculture Convention

Ms. Craft stated that the NJ State Board of Agriculture Convention will take place on February 8 and 9th. She stated that she would be attending and there will be a listening session on farmland preservation issues. She will be giving a brief presentation on hot topics, including the solar AMP proposed rule and she will be there to take any questions or receive any comments and will report them back to the Committee.

COMMUNICATIONS

Ms. Craft reminded the Committee to take home the various articles provided in the meeting binders.

PUBLIC COMMENT

Pat Butch, Chair of the Open Space/Farmland Preservation Committee in Millstone Township stated that she wanted to update the Committee on the farm that they have been trying to close. On December 17th they submitted all of their resolutions, both county and township, which are required, as well as the freeholders resolution and asked at that time if they could be put on the agenda for this meeting for final approval. She stated that has not happened. She stated that there was a meeting on January 21st with the SADC, Green Acres, Monmouth County and Millstone Township and they did address conditions of final approval, one of which is the irrigation easement, which they do not have an issue. They

also discussed the open space trail issue, which seems to be the issue that has bogged down this application. She stated that in June 2009 the SADC had questions specific to Perl Acres and at this time she has provided two additional items, one of which is a Millstone Township Open Space Stewardship Policy, and they have submitted a Memorandum of Understanding (MOU), as far as a general document that will address good neighbor policies and will promote good management practices for farmland and open space parcels that are in her township.

Ms. Butch stated that she was given three draft versions that are being considered on the Princeton Nurseries properties and the Township selected one and modified it for its use. The Township felt one document was too intensive and felt that the SADC was trying to micromanage the Township's open space and recreation programs and rejected that version. She is hoping what the Township has submitted will work; it is far more than what they were originally asked to do two and one half years ago. She is hopeful that if necessary next month the SADC will spend the time to review the documents and get through this issue. The documents she has submitted have been reviewed by Millstone Township officials, by Monmouth County staff and by Green Acres and everyone is fine with those documents. She stated that the feeling was to keep it simple and develop trust among agencies and when you start to get into minutia you are eroding the trust factor. You have to go to the table feeling that the groups are going to be able to work within the general policies that are put forth in the documents.

Ms. Butch stated that they also created that document so that it would be able to be used for farmers as well as business people or residents located next to open space or trails. She stated that she is here today to impress the urgency to address the issue on the agenda for the next meeting and receive final approval so that they can do surveys. She stated that the township officials are not comfortable doing surveys until final approval is in place. She stated that she has made four copies of what was submitted to staff and she would leave them for anyone who would like to review them. She stated that she also has the right to farm ordinance for her township that addresses some of the issues that were in the red-line copy so she doesn't think we need to be redundant. They also have an ordinance that covers motorized vehicles so that doesn't need to be in the documents either.

Ms. Craft stated that at the last SADC meeting Ms. Butch asked for a meeting between the partners, which has occurred. What she has supplied to staff is a result of that meeting and it is under review at the present time. There was not enough time to review it and place it on today's agenda so staff has indicated that

it would be on the February 24th agenda. Mr. Siegel asked that the documents Ms. Butch supplied today also be included in what is sent to the Committee for review prior to that meeting.

Chairman Fisher stated that he has not seen the documents but he is hopeful that the document has some teeth. He stated that he heard the word “trust” mentioned several times but he didn’t hear anything about the teeth of the document, nor responsibilities so he is hopeful that the document has that. Ms. Butch stated that she feels it is as far as the Township will go and it has been very forthright about dealing with any issues. They are policies and are not something that will be stagnant from now until eternity. The Township is also not comfortable with giving one resident rights over another resident. She stated that they already have a very strong right to farm ordinance and they support their farms very strong through that ordinance.

NEW BUSINESS

A. Eight Year Farmland Preservation Program

Renewals, Terminations and Withdrawals of Eight-Year Programs

Ms. Craft referred the Committee to the Eight Year Program Summary for FY2011 for renewals, terminations and withdrawals of eight year programs, listing five (5) renewals of eight year programs as follows:

1. William A. Mortellite – SADC #0113-45F-01/01-0095-8F
Town of Hammonton, Atlantic County, 147.64 Acres
New Expiration Date: February 9, 2019
New Soil and Water Conservation Cost Share Eligibility Amount:
\$39,764.00
2. Eric M. Hensel – SADC # 0105-15F-01/01-0096-8F
Town of Hammonton, Atlantic County, 32.95 Acres
New Expiration Date: March 9, 2019
New Soil and Water Conservation Cost Share Eligibility Amount:
\$19,770.00
3. Anthony Berenato – SADC # 0117-14F-01/01-0099-8F
Township of Mullica, Atlantic County, 95 Acres
New Expiration Date: March 12, 2019
New Soil and Water Conservation Cost Share Eligibility Amount:
\$11,856.00

4. Eric M. and Liis K. Hensel – SADC #0105-09F-01/01-0097-8F
Boro of Buena Vista, Atlantic County, 18 Acres
New Expiration Date: March 12, 2019
New Soil and Water Conservation Cost Share Eligibility Amount:
\$7,576.00
5. Ralph and Irma Delli Santi – SADC # 1438-05M-01/14-0006-8M
Township of Washington, Morris County, 9.63 Acres
New Expiration Date: October 7, 2018
New Soil and Water Conservation Cost Share Eligibility Amount:
\$5,778.00

There are five (5) terminations of an eight year program as follows:

1. Clement and Nancy Miller – SADC #0332-05F-01/03-0017-8F
Township of Shamong, Burlington County, 184.48 Acres
Soil and Water Conservation Cost Share Funds Remaining at Expiration:
\$3,283.87 – Funds Expended: \$45,164.13
2. Anthony Melora – SADC #0113-44F-01/01-0094-8F
Town of Hammonton, Atlantic County, 5 Acres
Soil and Water Conservation Cost Share Funds Remaining at Expiration:
\$3,000.00 – Funds Expended: \$0.00 (zero)
3. Russell S. Franchescini – SADC #0117-29F-01/01-0027-8F
Township of Mullica, Atlantic County, 99 Acres
Soil and Water Conservation Cost Share Funds Remaining at Expiration:
\$20,200.00 – Funds Expended: \$19,600.00
4. David and Angela Barth – SADC # 1438-21M-01/14-0001-8M
Township of Washington, Morris County, 16 Acres
Soil and Water Conservation Cost Share Funds Remaining at Expiration:
\$9,597.00 – Funds Expended: \$0.00 (zero)
5. Pleasantdale Farms/Anthony, Louis and Frank Bertino *
SADC #0113-27F-01/01-0093-8F
Town of Hammonton, Atlantic County, 136.15 Acres
Soil and Water Conservation Cost Share Funds Remaining at Expiration:
\$37,840.00 – Funds Expended: \$5,775.00

* This property has been permanently preserved.

There are no withdrawals of eight year programs at this time. The summary was for informational purposes only and no action was needed by the Committee.

B. Soil and Water Conservation Cost Share Grant Requests

Chairman Fisher indicated that he would be recusing from any discussion/action pertaining to the DuBois Properties, LLC farm to avoid the appearance of a conflict of interest. Henry DuBois, Jr. is a sitting member of the State Board of Agriculture, to him he reports in the discharge of his duties as New Jersey Secretary of Agriculture.

Ms. Reade indicated that she would be recusing from any discussion/action pertaining to properties located in Salem and Cumberland Counties, to avoid the appearance of a conflict of interest. Ms. Reade is a supervisor for the Salem and Cumberland Soil Conservation Districts.

Mr. Lofberg referred the Committee to the Status of FY 2009, FY 2010 and FY 2011 Funds for the Soil and Water Conservation Project Grants Program. He stated that there is \$267,242.57 available for soil and water conservation cost share grant projects as outlined on the Status Report. He referred the Committee to Projects for Funding Summary showing three (3) requests for soil and water costs share grants under Priority # 1 and one (1) request under Priority # 2 before the Committee today. He indicated that if the Committee approves today's grant requests the remaining balance available for projects will be somewhat over \$156,000.00. He stated that the report supplied to the Committee has since been updated. Originally the report indicated there would be a surplus of \$143,678.93, however that has been updated since that report was provided.

Note: Vice Chairman Danser presided over the meeting at this point.

Mr. Lofberg reviewed the soil and water cost share grant requests with the Committee and stated that staff recommendation is to grant approval to the four cost share grant requests as presented and discussed.

It was moved by Mr. Siegel and seconded by Dr. Dey to approve Resolution FY2011R2/7(1) through Resolution FY2011R2/7(3), granting a soil and water conservation cost share grant to the following landowners, as presented and discussed and subject to any conditions of said Resolutions:

PRIORITY # 1

MERCER COUNTY

1. Jill and David Kosek (Resolution FY2011R2/7(1))
SADC #11-0101-EP
Hopewell Township, Mercer County, 132.9366 Acres
Cost Share Grant Amount: \$38,664.46 under Obligation # 1

SALEM COUNTY

1. James Catalano (Resolution FY2011R2/7(2))
SADC #17-0184-DE
Mannington Township, Salem County, 125.7060 Acres
Cost Share Grant Amount: \$31,381.18 under Obligation # 1
2. DuBois Properties, LLC (Agent: Spring Brook Farms) (Resolution FY2011R2/7(3))
SADC #s: 17-0054-EP; # 17-0064-DE; #17-0065-DE; # 17-0171-DE;
#17-0228-DE; #17-0055-EP; # 17-0034-EP;
Pittsgrove/UpperPittsgrove/Alloway Townships, Salem County, 1,124.71
Total Acres
SADC #s: #06-0023-EP; #06-0055-EP
Upper Deerfield Township, Cumberland County; 234.141 Total Acres
Cost Share Grant Amount: \$23,536.20 under Obligation # 3
(Project associated with SADC # 17-0054-EP)

The motion was approved. (Chairman Fisher and Ms. Reade recused themselves from the vote.) (A copy of Resolution FY2011R2/7(1) through Resolution FY2011R2/7(3) is attached to and is a part of these minutes.)

Note: Chairman Fisher presided over the meeting at this point.

It was moved by Mr. Danser and seconded by Mr. Germano to approve Resolution FY2011R2/7(4), granting a soil and water conservation cost share grant to the following landowner, as presented and discussed and subject to any conditions of said Resolution:

PRIORITY # 2

CUMBERLAND COUNTY

1. Sarah Lee Bonham (Agent: Bonham Farms, LLC) (Resolution FY2011R2/7(4) *
SADC #06-0025-8F; #06-0005-PG
Hopewell Township, Cumberland County, 165.518 Total Acres
Cost Share Grant Amount: \$29,981.80 under Obligation # 1

(Project associated with SADC #06-0025-8F)

- * Approval of this soil and water conservation cost share grant is conditioned upon the recording of the eight-year farmland preservation program certified by the SADC on December 9, 2010, in the Cumberland County Clerk's Office.**

The motion was approved. (Ms. Reade recused herself from the vote.) (A copy of Resolution FY2011R2/7(4) is attached to and is a part of these minutes.)

C. Soil and Water conservation Cost Share Grant – Requests for Extension

Mr. Lofberg referred the Committee to the Extension of Project Approvals Summary showing three (3) requests for an extension of a soil and water conservation cost share grant approval. He reviewed the specifics with the Committee and stated that staff recommendation is to grant the requests for extension as presented and discussed.

It was moved by Mr. Danser and seconded by Mr. Germano to approve Resolution FY2011R2/7(5) through Resolution FY2011R2/7(7), granting an extension of a soil and water conservation cost share grant to the following landowners, as presented and discussed and subject to any conditions of said resolutions:

SALEM COUNTY

1. Ronald and Sharon Hitchner (Resolution FY2011R2/7(5))
SADC #17-0081-EP
Upper Pittsgrove Township, Salem County
Cost Share Grant Extension Amount: \$25,807.50 under Obligation # 1
Extension Expiration Date: December 6, 2011
2. Smithville Farms (Resolution FY2011R2/7(6))
SADC #03-0134-EP
Eastampton Township, Burlington County
Cost Share Grant Extension Amount: \$23,405.00 under Obligation # 1
Extension Expiration Date: March 6, 2011
3. Charles Tomasello, Sr. (Resolution FY2011R2/7(7))
SADC #04-0014-8F
Winslow Township, Camden County
Cost Share Grant Extension Amount: \$25,746.27
Extension Expiration Date: March 27, 2012

The motion was approved. (Ms. Reade recused herself from the vote.) (A copy of Resolution FY2011R2/7(5) through Resolution FY2011R2/7(7) is attached to and is a part of these minutes.)

D. Request for Final Approval – FY 2009 Municipal Planning Incentive Grant Program (PIG) Applications Including Comprehensive Farmland Preservation Plans and Project Area Agreements

1. Greenwich Township, Warren County

Mr. Brill referred the Committee to Resolution FY2011R2/7(8) for a request for final approval of the Greenwich Township, Warren County Municipal Planning Incentive Grant Program applications, including the comprehensive farmland preservation plans and project area summaries. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Dr. Dey and seconded by Mr. Germano to approve Resolution FY2011R2/7(8) granting final approval to the Greenwich Township, Warren County Municipal Planning Incentive Grant Program Applications, including Comprehensive Farmland Preservation Plans and Project Area Summaries, as presented and discussed and subject to the conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY2011R2/7(8) is attached to and is a part of these minutes.)

2. Upper Deerfield Township, Cumberland County

Mr. Bruder referred the Committee to Resolution FY2011R2/7(9) for a request for final approval of the Upper Deerfield Township, Cumberland County Municipal Planning Incentive Grant Program applications, including the comprehensive farmland preservation plans and project area summaries. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Dr. Dey and seconded by Mr. Germano to approve Resolution FY2011R2/7(9) granting final approval to the Upper Deerfield Township, Cumberland County Municipal Planning Incentive Grant Program Applications, including Comprehensive Farmland Preservation Plans and Project Area Summaries, as presented and discussed and subject to the conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY2011R2/7(9) is attached to and is a part of these minutes.)

3. Blirstown Township, Warren County

Mr. Brill referred the Committee to Resolution FY2011R2/7(10) for a request for final approval of the Blairstown Township, Warren County Municipal Planning Incentive Grant Program applications, including the comprehensive farmland preservation plans and project area summaries. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Dr. Dey and seconded by Mr. Germano to approve Resolution FY2011R2/7(10) granting final approval to the Blairstown Township, Warren County Municipal Planning Incentive Grant Program Applications, including Comprehensive Farmland Preservation Plans and Project Area Summaries, as presented and discussed and subject to the conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY2011R2/7(10) is attached to and is a part of these minutes.)

E. Request for Final Approval – New Rule Municipal Planning Incentive Grant Program

Ms. Winzinger referred the Committee to five resolutions for final approval under the new rule Municipal Planning Incentive Grant Program. She reviewed the specifics of each with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2011R2/7(11) through Resolution FY2011R2/7(15), granting final approval to the following landowners as presented and discussed and subject to any conditions of said resolutions:

1. Josephine Gallagher (Resolution FY2011R2/7(11))
Block 2701, Lot 19
Franklin Township, Gloucester County, 42.817 Acres
State cost share grant at \$4,400.00 per acre for an estimated total of \$188,394.80 (62.86% of the certified market value and purchase price); the SADC will utilize a grant in the amount of approximately \$158,500.00 from the USDA, NRCS FY2009 Federal Farm and Ranch Lands Protection Program to offset the SADC cost share and cover the local cost share on this property; the SADC cost share grant shall utilize an approximate total of \$141,219.00 from Franklin Township's Planning Incentive Grant funds due to the offset provided by approximately \$47,175.80 from the USDA, NRCS FY2009 grant funds; the Landowner has agreed to the additional restrictions involved with the use of federal funds,

including a 7.33 percent maximum impervious coverage restriction (approximately 3.37 acres) on the lands being preserved; **SADC final approval and cost share grant are conditioned upon Township and County approvals.**

2. Estate of Janice Tweed–North Farm (Res. FY2011R2/7(12)) *
Block 2701, Lots 17.01 and 18
Franklin Township, Gloucester County, 56.701 Acres
State cost share grant at \$4,200.00 per acre for an estimated total of \$238,144.20 (63.64% of the certified market value and estimated total cost); the SADC cost share grant shall utilize an approximate total of \$181,113.30 from Franklin Township's Planning Incentive Grant funds and \$51,030.90 from the New Jersey Conservation Foundation's FY 2009 USDA, NRCS Federal Farm and Ranch Lands Protection Program grant funds, if approved or the SADC's federal grant funds, if approved; the Landowner has agreed to the additional restrictions involved with the use of federal funds, including a 7 percent maximum impervious coverage restriction (approximately 3.97 acres) on the lands being preserved. **SADC final approval and cost share grant are conditioned upon Township and County approvals and approved use of federal funds.**

* Discussion: The SADC had applied for federal funding for this farm through its grant application in October, 2010 and it was denied because there was a lot of competition for federal funding. The SADC was advised to leave the application with NRCS because it may have some funding at the end of January 2011. The SADC received word last week that it looks like this SADC grant application may not get any federal funding. The SADC contacted the New Jersey Conservation Foundation last week and it did have FY 2009 federal funding that it needed to use immediately and have submitted this farm to NRCS with a request to utilize those funds. Normally staff would not present an application for final approval unless all the resolutions were passed and signed at the county level, however, this property needs to close by March 31st and staff has already received title and survey work, which looks in order and is waiting for the local resolutions.

3. Estate of Janice Tweed–South Farm (Resolution FY2011R2/7(13))
Block 2702, Lot 25
Franklin Township, Gloucester County, 63.741 Acres
State cost share grant at \$3,900.00 per acre for an estimated total of \$248,589.90 (65% of the certified market value and estimated total cost); the SADC will utilize a grant in the amount of

approximately \$192,000.00 from the USDA, NRCS FY2009 Federal Farm and Ranch Lands Protection Program to offset the SADC cost share and cover the local cost share on this property; the SADC cost share grant shall utilize an approximate total of \$192,446.00 from Franklin Township's Planning Incentive Grant funds due to the offset provided by approximately \$58,143.90 from the USDA, NRCS FY2009 grant funds; the Landowner has agreed to the additional restrictions involved with the use of federal funds, including a 7 percent maximum impervious coverage restriction (approximately 4.48 acres) on the lands being preserved; **SADC final approval and cost share grant are conditioned upon Township and County approvals.**

4. Stuart Ring (Resolution FY2011R2/7(14))
Block 34, Lot 25, Knowlton Township, Warren County, 42 Acres
State cost share grant at \$2,860.00 per acre for an estimated total of \$120,120.00 (69.76 percent of the certified market value and purchase price and estimated total cost).
5. Fox River Farm LLP (Resolution FY2011R2/7(15)) *
Block 23, Lot 8, Greenwich Township, Warren County, 65 Acres
State cost share grant at \$4,850.00 per acre for an estimated total of \$315,250.00 (61.39 percent of the certified market value and estimated total cost).

* Discussion: It is noted that there is a 2.5 acre exception, which includes an apartment in the barn, that is a nonconforming use. The Township wishes to restrict it to its existing square footage and will be restricted by the deed of easement from any single family residential opportunity.

The motion was unanimously approved. (A copy of Resolution FY2011R2/7(11) through FY2011R2/7(15) is attached to and is a part of these minutes.)

F. Request for Final Approval – New Rule County Planning Incentive Grant Program

Ms. Winzinger stated that there are four requests for final approvals before the Committee under the new rule County Planning Incentive Grant Program. She reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Dr. Dey and seconded by Mr. Siegel to approve Resolution

FY2011R2/7(16) through Resolution FY2011R2/7(19), granting final approval to the following landowners, as presented and discussed, and subject to any conditions of said resolutions.

CUMBERLAND COUNTY

1. Everett C. Dickinson et al (Resolution FY2011R2/7(16))
Block 12, Lot 6
Shiloh Borough, Cumberland County, 40 Acres
State cost share grant at \$4,050.00 per acre (64.29 percent of the certified market value and purchase price); to account for any potential increase in the final surveyed acreage a 3 percent buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$166,860.00. No competitive grant funds will be utilized. **SADC grant funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and availability of those funds;**
2. Cum. Co./Thomas B. Kates, Jr., et al (Res. FY2011R2/7(17))
Block 2, Lot 4
Lawrence Township, Cumberland County, 25 Acres
State cost share grant at \$3,500.00 per acre (67.31 percent of the certified market value and purchase price); to account for any potential increase in the final surveyed acreage a 3 percent buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$90,125.00. No competitive grant funds will be utilized. **SADC grant funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and availability of those funds.**
3. Kevin A. Coll # 1 (Resolution FY2011R2/7(18))
Block 25, Lot 10
Stow Creek Township, Cumberland County, 45.32 Acres
State cost share grant at \$3,340.00 per acre (68.16 percent of the certified market value and purchase price); to account for any potential increase in the final surveyed acreage a 3 percent buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$151,368.80. No competitive grant funds will be utilized. **SADC grant funds are conditioned on the appropriation of funding by**

the legislature and approval by the Governor and availability of those funds.

4. Cum. Co./Anna M. Sheppard (Resolution FY2011R2/7(19))
Block 18, Lot 1
Greenwich Township, Cumberland County, 72 Acres
State cost share grant at \$2,650.00 per acre (70.67 percent of the certified market value and purchase price); to account for any potential increase in the final surveyed acreage a 3 percent buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$193,794.50. No competitive grant funds will be utilized. **SADC grant funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and availability of those funds.**

The motion was unanimously approved. (A copy of Resolution FY2011R2/7(16) through Resolution FY2011R2/7(19) is attached to and is a part of these minutes.)

G. Requests for Preliminary Approval – Nonprofit Grant Program

Mr. Knox referred the Committee to two requests for preliminary approval under the Nonprofit Grant Program. He reviewed the specifics of each with the Committee and stated that staff recommendation is to grant preliminary approval as presented and discussed.

It was moved by Mr. Schilling and seconded by Mr. Danser to approve Resolution FY2011R2/7(20) and Resolution FY2011R2/7(21), granting final approval to the following landowners as presented and discussed, subject to any conditions of said resolutions:

1. Hunterdon Land Trust Alliance/Harder Farm (Resolution # FY2011R2/7(20))
Block 11, Lots 2 and 2.06
Holland Township, Hunterdon County, 112 Acres
2. Hunterdon Land Trust Alliance/Gordeuk Farm (Resolution # FY2011R2/7(21))
Block 23, Lot 17
Kingwood Township, Hunterdon County, 24 Acres

The motion was unanimously approved. (A copy of Resolution FY2011R2/7(20)

and Resolution FY2011R2/7(21) is attached to and is a part of these minutes.)

PUBLIC COMMENT

None

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, February 24, 2011, beginning at 9:00 a.m. Location: **Health/Agriculture Building, First Floor Auditorium.**

CLOSED SESSION

At 2:18 p.m. Mr. Schilling moved the following resolution to go into Closed Session. The motion was seconded by Mr. Germano and unanimously approved.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, attorney-client matters, pursuant to N.J.S.A. 10:4-12, the NJ 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.”

Action as a Result of Closed Session

A. Certification of Values

Municipal Planning Incentive Grant Program

It was moved by Mr. Siegel and seconded by Mr. Danser to certify the development easement values for the following landowners as presented and discussed in closed session:

1. Diamond Developers (Burke Farms)
Block 69, Lots 8.01 and 9, Manalapan Township, Monmouth County, 96 Acres
2. Clifford and Margaret Oberly
Block 20, Lots 6 and 7; Block 42, Lot 11, Greenwich Township, Warren

County, 210 Acres

Certification of Value is contingent upon the Haggerty access easement being amended to allow for highest and best use development on the Oberly property to be approved by the SADC staff and recorded prior to final approval.

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

County Planning Incentive Grant Program

It was moved by Mr. Siegel and seconded by Dr. Dey to certify the development easement values for the following landowners as presented and discussed in closed session:

1. Burlington County/Cora Wainwright
Block 58, Lot 42.01; Block 59, Lot 6, Mansfield Township, Burlington County, 135 Acres
Certification of Value is contingent upon two fifty (50) foot wide access easements sufficient for intensive residential development being in place across Block 59, Lot 4.01 (lands owned by Curtis Wainwright). Burlington County has provided a signed and fully executed but unrecorded copy of this easement. Certification of Value is also contingent upon Burlington County allowing an access easement between Block 59, Lot 6 and Block 58, Lot 42.01 across Block 800.07, Lot 1 (the Kinkora Trail). The county has provided a signed and fully executed but unrecorded copy of this easement, which mistakenly identifies Block 59, Lot 6 as Block 50, Lot 6 and then again as Block 50, Lot 5.
2. Burlington County/Curtis Wainwright
Block 59, Lot 4.01, Mansfield Township, Burlington County, 106 Acres
Certification of Value is subject to a deed of easement allowing a fifty (50) foot wide access easement across the subject property to lands belonging to Cora Wainwright (Block 59, Lot 6). The SADC has been provided a signed and fully executed but unrecorded copy of this easement. The severable exception is limited to zero residential opportunities, unless it is merged with the neighboring lot (which already has one single family home). The newly created lot would contain a maximum of one single family home, which could be moved to any portion of that lot (Block 59, Lot 1). The landowner has elected to take the residential opportunity within the nonseverable exception.

3. Clayton Block Company, LLC (Clayton Block East)
Block 7, Lot 2, New Hanover Township, Burlington County, 197 Acres
4. Noreen Lanza
Block 1001, Lots 1 and 2, E. Greenwich Township, Gloucester County, 78 Acres
5. Darren Kinney
Block 34, Lot 16, Harmony Township, Warren County, 124 Acres
6. Beverly Arnold
Block 2, Lot 5; Block 3, Lot 6; Greenwich Township, Cumberland County
Block 14, Lot 16, Stow Creek Township, Cumberland County, 277 Total 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.)

State Acquisition (Easement)

It was moved by Mr. Siegel and seconded by Dr. Dey to certify the development easement values for the following landowners as presented and discussed in closed session:

1. Robert Barnett
Block 44, Lot 2; Block 45, Lot 3, Bethlehem Township, Hunterdon County, 128 Acres

The motion was unanimously approved. (A copy of the Certification of Value Report is attached to and is a part of the closed session minutes.)

Nonprofit Grant Program

It was moved by Mr. Siegel and seconded by Dr. Dey to certify the development easement values for the following landowners as presented and discussed in closed session:

1. Monmouth Conservation Foundation/Thomas Gimbel
Block 835, Lot 16, Middletown Township, Monmouth County, 37 Acres

The motion was unanimously approved. (A copy of the Certification of Value Report is

attached to and is a part of the closed session minutes.)

C. ATTORNEY/CLIENT MATTERS

None

ADJOURNMENT

There being no further business, it was moved by Ms. Brodhecker and seconded by Dr. Dey and unanimously approved to adjourn the meeting at 2:51 p.m.

Respectfully Submitted,

Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

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