

STATE AGRICULTURE DEVELOPMENT COMMITTEE
Department of Agriculture
Market and Warren Streets
1st Floor Auditorium
Trenton, NJ 08625

April 24, 2009

Chairman Fisher called the meeting to order at 9:08 a.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.”

MEMBERS PRESENT

Douglas H. Fisher, Chairman
Brian Schilling (rep. Executive Dean Goodman)
Ben Spinelli (rep. DCA Commissioner Doria)
Ralph Siegel (rep. State Treasurer Rousseau)
Cecile Murphy (rep. DEP Acting Commissioner Mauriello)
Jane R. Brodhecker
Torrey Reade
Denis C. Germano
Stephen P. Dey
Alan A. Danser
James Waltman

MEMBERS ABSENT

None

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

Others present as recorded on the Attendance Sheet: Robert J. Baumley, Heidi Winzinger, Brian D. Smith, Charles Roohr, Daniel Knox, Bryan Lofberg, Paul Burns, Edgar Madsen, Edward Ireland, Timothy Brill, Steve Bruder, David Kimmel, Cassandra McCloud, Patricia Riccietello and Sandy Giambrone, SADC staff, Nicki Goger, New Jersey Farm Bureau, Ryan Rapp, Middlesex County Agriculture Development Board,

William Millette, Hunterdon County Agriculture Development Board, Harriet Honigfeld, Monmouth County Agriculture Development Board, Barbara Ernst, Cape May County Agriculture Development Board, Katherine Coyle, Morris County Agriculture Development Board, Amy Hansen, New Jersey Conservation Foundation, Vincent M. DeSimone, Esquire, Monmouth County, Roger Mumford, Landowner, Monmouth County, Donna Traylor, Sussex County Agriculture Development Board, Robert Resker, Warren County Agriculture Development Board, Ryan Allen, Ocean County Agriculture Development Board, Maura Tully, Esquire, Governor's Authorities Unit.

MINUTES

A. SADC Regular Meeting of March 26, 2009 (Open Session)

Ms. Murphy stated that during the discussion on a farmland stewardship issue dealing with the review of activities on a preserved farm on the Bartkowski farm in Florence Township, Burlington County, she stated that she made a comment regarding the project appearing to meet the threshold for the stormwater management rules (1/4 acre impervious coverage or 1 acre disturbance) and thus would require municipal review and approvals. She asked that this comment be a part of the minutes.

Mr. Waltman stated that during the discussion on the Bartkowski farm he expressed his concerns regarding the one acre wet area that should not be filled but avoided and also expressed concerns regarding ensuring that the drainage and the stormwater does not cause any issues for the stream that is at the other end of the drainage. He requested that his comments be a part of the minutes.

Mr. Schilling stated that during the discussion on a farmland stewardship issue dealing with the Mumford farm request for a division of the premises he made clarification comments in response to the landowner's attorney's statements on using Rutgers study documents as guidance for their request for a division of the premises. He stated that he did not see his clarification comments that the Rutgers study documents were not policy documents nor do they support the equine industry noted in the minutes and requested that they be part of the minutes.

It was moved by Dr. Dey and seconded by Mr. Danser to approve the open session minutes of the SADC regular meeting of March 26, 2009 with the above noted amendments. The motion was approved. (Mr. Germano abstained.)

B. SADC Regular Meeting of February 26, 2009 (Closed Session)

Ms. Reade stated that on the last page of the minutes there was a typographical error in the section dealing with personnel issues. She stated that the sentence in question readthe SADC has a staff of twenty nine people now and that eight "percent" represents twenty seven percent..... She stated that it should read that eight "positions" represents.... She asked that this correction be made.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve the Closed Session Minutes of February 26, 2009 with the above noted correction. The motion was approved (Dr. Dey and Mr. Germano abstained.).

REPORT OF THE CHAIRPERSON

Chairman Fisher discussed the following with the Committee:

The Senate Environment Committee and the Assembly Environment and Solid Waste Committee held a joint hearing on the future of Garden State Preservation Trust funding. There was a great deal of support expressed for a ballot question on the November ballot. The likely scenario is the question would provide short-term funding of three years and maintain the 40/60 farmland/open space funding split. He stated that he is hopeful that all the communities involved – open space, farmland and historic preservation – will be supportive of this. There is not support right now for long-term funding due to the state's economic constraints. Polling has indicated there is still strong support for preservation.

Chairman Fisher stated that he is in the process of visiting all 20 county boards of agriculture. Garden State Preservation Trust funding is a recurring theme, as is farmland assessment. There was a move for intensity standards for farmland assessment, but the prime sponsor of the bill is backing away from that. He stated that the sponsor wants to make sure that farmland owners are not trying to receive farmland assessment when they are not really farming.

Chairman Fisher stated that there has been a great deal of interest in solar/wind energy and the bills moving through the Legislature.

REPORT OF THE EXECUTIV DIRECTOR

Ms. Craft discussed the following with the Committee:

- The SADC's farmland preservation funding bills are still pending in the Legislature.
- Ms. Craft expressed appreciation for the prompt feedback by counties and municipalities regarding the potential consequences of a lack of farmland preservation funding for some period of time. Feedback indicated that some of the better funded counties will be able to continue but at a diminished level, while other programs would collapse.
- Keep It Green will hold an educational forum on the Garden State Preservation Trust, assessing the benefits of preservation and funding-related impacts, on May 4th in Trenton.

- SADC managers had a very good meeting with CADB administrators. The main focus of the discussion was how to improve the Green Light approval process and improving communications.
- The SADC closed on the Sturgis farm in South Harrison Township, Gloucester County. The farm was the subject of a four-year legal dispute after the former owners entered into a contract of sale with a developer while the farm was enrolled in an eight-year program, and is a very important farm in a very strategic location.
- Passaic County closed on the purchase of a development easement on the Cluff farm last month, its first preserved farm through the County's own farmland preservation program.

COMMUNICATIONS

Ms. Craft encouraged the Committee to take home the various articles provided in the meeting binders. She stated that there was also correspondence from the Morris County Agriculture Development Board regarding proposed ordinance 2-2009 concerning the intensity of use for property devoted to farm purposes.

PUBLIC COMMENT

Nicole Goger from the New Jersey Farm Bureau stated that Passaic County has preserved its first farm and that it would be having an event to celebrate the preservation of the farm.

NEW BUSINESS

A. Renewals, Terminations, Withdrawals of Eight Year Programs

Ms. Craft referred the Committee to the Renewals, Terminations and Withdrawals Summary for the Farmland Preservation Eight Year Program. She stated that there were four terminations of eight-year programs, one of which was terminated due to the applicant, Robert E. and iris B. Phillips from Holland Township, Hunterdon County being permanently preserved. There were no renewals or withdrawals of eight-year programs. She stated that this is informational for the Committee and that no action is needed.

B. Soil and Water Conservation Cost Share Grants

Note: Ms. Murphy and Mr. Waltman indicated that they would be recusing from any discussion/action pertaining to the Honey Brook Organic Farm in Hopewell Township, Mercer County to avoid the appearance of a conflict of interest. Chairman Fisher indicated that action for the Mercer County request for a cost share grant would be taken separately.

Ms. Craft stated that the SADC has secured \$700,000 in funds from the Department of Agriculture's (NJDA) Division of Agriculture and Natural Resources that was identified as the result of canceled CCSP (Conservation Cost Share Program) grants to landowners under that program. Since these grants were not utilized, NJDEP and Department of Treasury have approved transfer of the funds to the SADC for funding of soil and water transfer cost share grants. All pending unfunded soil and water grant request have been reviewed and \$350,000 of the \$700,000 was transferred to SADC's soil and water conservation grant appropriation to fund those unfunded projects.

Mr. Lofberg discussed the funds that remain for soil and water conservation cost share grants. Ms. Craft stated that staff only obligated those funds which would be utilized by pending applications this fiscal year. Chairman Fisher encouraged using the remainder of funding available for soil and water cost share grants this fiscal year rather than waiting until next year to avoid the possibility for Treasury to take any balances to address budget shortfalls this fiscal year.

Mr. Lofberg referred the Committee to the Soil and Water Conservation Project Cost Share Grants – Projects for Funding Summary showing twelve requests for funding under Priority # 1 and two requests for funding under Priority # 2. He reviewed each request with the Committee. He stated that one request under Priority # 2 for the Gary and Karen Smith property listed a condition for approval. He stated that the condition was listed in error and should not have been on the summary. He stated that staff recommendation is to approve the requests as presented and discussed.

Ms. Reade asked about possibly finding another source for soil and water cost share funding. Ms. Craft stated that she needs to get a better understanding in the next month or so regarding what could be used, possibly getting a second transfer of funds or getting another source altogether.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to approve Resolutions FY09R4(1) through FY09R4(14) granting approval to a soil and water conservation cost share grant for the following landowners as presented and discussed:

PRIORITY # 1

ATLANTIC COUNTY

1. Anthony J. and Edith Merlino, SADC #01-0069-PN (Resolution FY09R4(1))
Mullica Township, Atlantic County, 65.415 Acres
Cost Share Grant Amount: \$25,500.00, under Obligation # 1

BURLINGTON COUNTY

1. H.W. Bibus and Sons, SADC # 03-0019-TD (Resolution FY09R4(2))
Chesterfield Township, Burlington County, 287.306 Acres

Cost Share Grant Amount: \$55,275.63, under Obligation # 1

CUMBERLAND COUNTY

1. Wayne C. and Constance Beal, SADC # 06-0014-EP (Resolution FY09R4(3))
Hopewell Township, Cumberland County, 50.240 Acres
Cost Share Grant Amount: \$30,048.00, under Obligation # 1
2. Douglas and Michele Mehaffey, SADC # 17-0160-DE (Resolution FY09R4(4))
Upper Deerfield/Pittsgrove Townships, Cumberland County, 69.200 Acres
Cost Share Grant Amount: \$33,840.00, under Obligation # 1

GLOUCESTER COUNTY

1. S. & J. Leone, SADC # 08-0060-EP (Resolution FY09R4(5))
South Harrison Township, Gloucester County, 278.833 Acres
Cost Share Grant Amount: \$32,837.50, under Obligation # 3

MONMOUTH COUNTY

1. John Megill, Agent for Paul Borshowsky, SADC # 11-0015-FS (Resolution FY09R4(7))
Township of Howell, Monmouth County, 25.240 Acres
Cost Share Grant Amount: \$3,600.00, under Obligation # 1

OCEAN COUNTY

1. Hallock U-Pick Farm, SADC # 15-0001-EP/15-0017-EP (Resolution FY09R4(8))
Plumsted Township, Ocean County, 290.385 Total Acres
Cost Share Grant Amount: \$6,750.00, under Obligation # 1
2. Hisham Moharram, SADC # 15-0031-EP (Resolution FY09R4(9))
Plumsted Township, Ocean County, 54.059 Acres
Cost Share Grant Amount: \$12,275.00, under Obligation # 1

SALEM COUNTY

1. Walter J. Kern, Jr., M. Jeannette Kern and E. Eric Kern, SADC #17-0029-EP (Resolution FY09R4(10))
Upper Pittsgrove Township, Salem County, 365.267 Acres
Cost Share Grant Amount: \$16,325.00, under Obligation # 1
2. Cloverdale Dairy Farm, Agent: Dusty Lane Farm LLC, SADC #17-0001-EP, (Resolution FY09R4(11))
Pilesgrove Township, Salem County, 409.870 Acres; AND

Cloverdale Dairy Farm, Agent: Dusty Lane Farm, LLC, SADC # 17-0006-EP, Pilesgrove Township, Salem County, 23.890 Acres, for a total of 433.75 Acres. Cost Share Grant Amount: \$28,500.00, under Obligation # 1

3. Cloverdale Dairy Farm, Agent: Dusty Lane Farm, LLC, SADC # 17-0001-EP, (Resolution FY09R4(12))
Pilesgrove Township, Salem County, 409.870 Acres;
Cloverdale Dairy Farm, Agent: Dusty Lane Farm, LLC, SADC # 17-0006-EP, Pilesgrove Township, Salem County, 23.890 Acres;
Cost Share Grant Amount: \$44,876.00, under Obligation # 2
AND
Michael Brooks, Agent: Dusty Lane Farm, LLC, SADC # 17-0006-EP, Pilesgrove Township, Salem County, 37.960 Acres
Cost Share Grant Amount: \$19,866.86, under Obligation # 1
TOTAL COMBINED COST SHARE GRANT TOTAL: \$64,742.86

PRIORITY # 2

CAPE MAY COUNTY

1. James V. Flukey, Jr., Agent for Edward and Virginia Chiappini, SADC # 05-0002-8F (Resolution FY09R4(13))
Upper Township, Cape May County, 27.500 Acres
Cost Share Grant Amount: \$12,800.00, under Obligation # 1

SUSSEX COUNTY

1. Gary and Karen Smith, SADC # 19-0008-8F (Resolution FY09R4(14))
Frankford Township, Sussex County
Cost Share Grant Amount: \$9,222.00, under Obligation # 1

The motion was unanimously approved. (A copy of Resolutions FY09R4(1) through FY09R4(14) is attached to and is a part of these minutes.)

PRIORITY # 1

MERCER COUNTY

Ms. Murphy and Mr. Waltman recused themselves from any discussion/action pertaining to the below agenda item to avoid the appearance of a conflict of interest.

It was moved by Mr. Spinelli and seconded by Mr. Danser to approve Resolution FY09R4(6) granting approval to a soil and water conservation cost share grant for the following landowner as presented and discussed:

1. Honey Brook Organic Farm, Agent for Bhanwarlal Chowdbury, SADC # 11-0015-FS (Resolution FY09R4(5))
Hopewell Township, Mercer County, 92.240 Acres
Cost Share Grant Amount: \$10,812.50, under Obligation # 1

The motion was approved. (Ms. Murphy and Mr. Waltman recused.) (A copy of Resolution FY09R4(5) is attached to and is a part of these minutes.)

C. FY200 Federal Farm and Ranch Lands Grant Proposal and Guidelines

Ms. Winzinger referred the Committee to the Federal Farm and Ranch Lands Protection Program FY2009 Grant Proposal and Guidelines document. She stated that the SADC has received notice of the 2009 funding opportunity and that the USDA, NRCS will be accepting applications through May 1, 2009. She stated that the amount that would be available for New Jersey is approximately \$5.7 million and that would be used to reimburse eligible entities for up to fifty (50) percent of the current market value of the conservation easement on approved parcels. All parcels are ranked individually on their own merit by the USDA, NRCS. She stated that funds would be awarded to the highest ranked eligible parcels through a statewide competitive process and that all funded parcels must close by March 21, 2011 or risk the loss of the grant funds. Ms. Winzinger stated that some eligibility standards and requirements have changed from previous requirements for funding in response to the FY 2008 Farm Bill. She reviewed the current requirements with the Committee as listed in the proposal document.

Ms. Winzinger stated that staff recommendation is to request funding for projects that meet the requirements and deadlines outlined by the USDA, NRCS as funding becomes available. The SADC will attempt to prioritize the use of federal funds on farms where impervious coverage restrictions will support or advance other state/federal land use strategies/programs such as:

- ▶ Preservation and Planning area of the Highlands Region
- ▶ Airport Hazard Zones (to provide buffers around airports)
- ▶ Pinelands Preservation Areas (Agricultural Production, Special Agricultural Production and Preservation Areas): Funds may be used provided that the appraisals to determine the fair market value of the development easement are done based on standard appraisal procedures, not based on the SADC's formula valuation.
- ▶ Military Installation Buffers: Provides natural buffers around military installations where structures and nonagricultural uses are discouraged for security purposes.
- ▶ Environmentally Sensitive Areas: Coordinate with nonprofits and other conservation partners in areas deemed to be environmentally sensitive.

However, in the absence of active viable applications seeking the use of FRPP funding

and meeting the NRCS criteria and deadlines in these areas the SADC will process application requests on a first come, first serve basis.

SADC Conditions of Grant:

- Request ability to go up to 50 percent of the current market value of the development easement;
- FRPP funds will typically be distributed between the SADC and the local cost share partners according to their normal, respective cost share percentages. SADC may approve distributing, or “passing through”, up to 100% of the FRPP grant at the time of final approval based on project need.
- The SADC will continue to offer up to a 100% “pass through” of FRPP funds to funding partners on projects located in the Highlands Region and Pinelands Region.
- Grants will be allocated on a first come first serve basis.

May 1, 2009 Parcel Submissions:

To date the following parcels and grant requests (based on 50% of the estimated “current” value) are targeted for submission for the May 1, 2009 grant opportunity pending the completion of all necessary documentation required by the NRCS. This list may be modified to adjust grant requests and to add or delete farms as necessary.

Farm	Program	Acres	FRPP Grant Request
Van Nuys I Farm Hillsborough Township Somerset County	2009 Municipal PIG	76.45 acres	\$745,387.50
Van Nuys II Farm Hillsborough Township Somerset County	2009 Municipal PIG	51.22 acres	\$499,395.00
Van Nuys III Farm Hillsborough Township Somerset County	2009 Municipal PIG	46.62 acres	\$769,230.00
Suydam Farm Franklin Township Somerset County	2009 Municipal PIG	38 acres	\$855,000.00
Silva Farm Holland Township Hunterdon County	2007 Non Profit	93 acres	\$418,500.00
Felix Farm Kingwood Township Hunterdon County	2009 Municipal PIG	171 acres	\$581,750.00

Baldichino Farm	2009 County PIG	68 acres	\$680,000.00
Manalapan Township			
Monmouth County			

Total Grant Request	373.29 acres	\$4,549,262.50
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It was moved by Mr. Siegel and seconded by Dr. Dey to approve the Federal Farm and Ranch Lands Protection Program FY 2009 Grant Proposal and Guidelines and presented and discussed and to authorize SADC staff to request Federal Farm and Ranch Lands Protection funding for FY 2009. The motion was unanimously approved. (A copy of the Federal Farm and Ranch Lands Protection Program FY 2009 Grant Proposal and Guidelines is attached to and is a part of these minutes.)

D. Nonprofit Grant Program – Preliminary Approval Request

1. New Jersey Conservation Foundation/Thompson Farm, Delaware Township, Hunterdon County

Mr. Knox referred the Committee to Resolution FY09R4(15) for a request for preliminary approval on the New Jersey Conservation Foundation (NJCF)/Thompson Farm in Delaware Township, Hunterdon County, comprising 42 net acres. He reviewed the specifics with the Committee and stated that staff recommendation is to grant preliminary approval. Ms. Murphy stated that Green Acres is partnering with the SADC and the NJCF on this farm for approximately 59 acres for open space purposes. Ms. Murphy stated that the resolution before the Committee reflects the incorrect block and lot information. She stated that the correct block and lot is Block 13, Lot 19. Mr. Knox indicated that staff would correct the resolution.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to approve Resolution FY09R4(15) granting preliminary approval to the New Jersey Conservation Foundation/Thompson Farm, Block 13, Lot 19, Delaware Township, Hunterdon County, 42 net acres, as presented and discussed, subject to any conditions of said resolution. The motion was approved. (Secretary Fisher was not present for this vote.) (A copy of Resolution FY09R4(15) is attached to and is a part of these minutes.)

E. Nonprofit Grant Program – Final Approval Request

1. New Jersey Conservation Foundation/Kern Farm, Upper Pittsgrove Township, Salem County

Mr. Knox referred the Committee to Resolution FY09R4(16) for a request for final approval on the New Jersey Conservation Foundation(NJCF)/Kern Farm in Upper Pittsgrove Township, Salem County. He reviewed the specifics with the Committee and stated that the NJCF has indicated that the farm is included on NJCF's FY2006 USDA, NRCS Federal Farm and Ranch Lands Protection Program grant application as a targeted farm and that it intends to utilize those funds for its matching grant. He stated that the landowner has agreed to the additional restrictions associated with the federal funding, which will include a four (4) percent impervious coverage restriction that translates to

approximately two acres available for the construction of agriculture related structures. He stated that staff recommendation is to grant final approval to this application.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY09R4(16) granting final approval to the New Jersey Conservation Foundation/Kern Farm, Block 38, Lot 3 and 3.01, Upper Pittsgrove Township, Salem County, 51 Acres with the New Jersey Conservation Foundation using Federal Farm and Ranch Land Protection Program FY 2006 funds, which will include an impervious coverage limitation of four (4) percent and other restrictions required under the Federal Farm and Ranch Land Protection program, and subject to any other conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY09R4(16) is attached to and is a part of these minutes.)

F. Direct Easement Purchase Program – Final Approval Request

1. Milton and Margery Eachus, Pilesgrove/U. Pittsgrove Twps., Salem County

Mr. Knox referred the Committee to Resolution FY09R4(17) for a request for final approval on the Milton and Margery Eachus farm, located in both Pilesgrove and Upper Pittsgrove Townships, Salem County, comprising approximately 175 acres. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval to this application.

It was moved by Dr. Dey and seconded by Mr. Danser to approve resolution FY09R4(17) granting final approval to the Milton and Margery Eachus Farm, Block 43, Lot 15 and Block 81, Lots 6 and 7, Pilesgrove Township and Block 63, Lot 3, Upper Pittsgrove Township, Salem County, approximately 175 Acres, as presented and discussed, subject to any conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY09R4(17) is attached to and is a part of these minutes.)

G. Resolution for Approval: Municipal Planning Incentive Grant Applications and Comprehensive Plans: Millstone Township, Monmouth County, Pilesgrove Township, Salem County, Franklin and Frelinghuysen Townships, Warren County

Mr. Bruder referred the Committee to Resolution FY09R4(18) for the Municipal Planning Incentive Grant Program applications, which include comprehensive farmland preservation plans and project area summaries. He reviewed the specifics for each township and stated that staff recommendation is to approve the applications and comprehensive plans for Millstone Township, Monmouth County, Pilesgrove Township, Salem County, Franklin and Frelinghuysen Townships, Warren County.

It was moved by Dr. Dey and seconded by Ms. Murphy to approve Resolution FY09R4(18) granting approval to the Municipal Planning Incentive Grant Applications including Comprehensive Farmland Preservation Plans and Project Area Summaries, 2009 Funding Round, as presented and discussed. The motion was unanimously

approved. (A copy of the Municipal Planning Incentive Grant Applications and Comprehensive Plans: Millstone Township, Monmouth County, Pilesgrove Township, Salem County, Franklin and Frelinghuysen Townships, Warren County, FY 2009 Round is attached to and is a part of these minutes.)

H. Review of a Non-Agricultural Development Project in an Agricultural Development Area Including Condemnation of Preserved Farmland – Monmouth County Division of Engineering Bridge Repair and Replacement on Taylor Palmer’s Boxwood Farm, Manalapan Township, Monmouth County

Mr. Brill referred the Committee to Resolution FY09R4(19) regarding the filing of a Notice of Intent (NOI) by the Monmouth County Division of Engineering (County) with the Monmouth CADB and the SADC, informing both agencies of the County’s intent to condemn a 0.105 acre portion of the Boxwood Farm property known as Block 59, Lot 5 in Manalapan Township on Iron Ore Road (County Route 527A). He stated that County Route 527A functions as an arterial highway connection between the Borough of Englishtown and Manalapan Township as well as an important component in western Monmouth County’s highway network. He stated that condemnation proceedings are necessary for the purpose of replacing, in its entirety, County Bridge MN-29 over the North Brook in Manalapan Township due to the poor condition of both the deck and foundation. He stated that after careful consideration the County has determined that total reconstruction of the bridge on its existing alignment is the only viable alternative and the County is seeking fee rights to a 0.096 acre area of the Boxwood Farm, owned by C. Taylor Palmer, Jr. and June Palmer, which is a preserved farm, to repair and ultimately replace the bridge to meet the standards of the NJ Department of Transportation and the American Association of State Highway and Transportation Officials. Mr. Brill stated that the County is also seeking a permanent utility easement on 0.009 acre of the Boxwood Farm to relocate existing cable and utility lines as part of the bridge replacement project. He stated that this project would be confined to the extreme southern end of the property that is primarily wooded wetland, not currently in active pasture use to support the equine operation.

Mr. Brill stated that SADC staff has reviewed the NOI, conducted a site visit, met with the landowner and determined that the County has adequately addressed all requirements and information about the project. He stated that staff recommendation is to find that the proposed condemnation of a 0.105 acre portion of the Palmer farm, more specifically the southern corner of Block 59, Lot 5, on Iron Ore Road (County Route 527A) would not cause unreasonably adverse effects on the preserved farm, ADA or State agricultural preservation and development policies for the reasons set forth in Resolution FY09R4(19) and that the SADC agrees with the Monmouth CADB’s determination that there are no other immediately apparent feasible alternatives to correct the structural deficiencies of County Bridge MN-29 and that the proposed taking and use of the 0.105 acre portion of the property will not cause unreasonably adverse affects on the subject property, ADA or State agricultural preservation and development policies. Staff further recommends that the Governor declare the action necessary for the public health, safety

and welfare and that there is no immediately apparent feasible alternative and that the County is directed to work with the SADC to insure the condemnation is properly valued and approved by the Committee and net proceeds of the condemnation award be distributed to both the landowner and the SADC pursuant to paragraph 23 in the Deed of Easement.

It was moved by Dr. Dey and seconded by Ms. Brodhecker to approve Resolution FY09R4(19) finding that the proposed condemnation of a 0.105 acre portion of the Boxwood farm, more specifically the southern corner of Block 59, Lot 5, on Iron Ore Road (County Route 527A) would not cause unreasonably adverse effects on the preserved farm, ADA or State agricultural preservation and development policies for the reasons set forth in Resolution FY09R4(19) and that the SADC agrees with the Monmouth CADB's determination that there are no other immediately apparent feasible alternatives to correct the structural deficiencies of County Bridge MN-29 and that the proposed taking and use of the 0.105 acre portion of the property will not cause unreasonably adverse affects on the ADA or State agricultural preservation and development policies. Staff further recommends that the Governor declare the action necessary for the public health, safety and welfare and that there is no immediately apparent feasible alternative and that the County is directed to work with the SADC to insure the condemnation of the land is properly valued and approved by the Committee and net proceeds of the condemnation award be distributed to both the landowner and the SADC pursuant to paragraph 23 in the Deed of Easement. The motion was unanimously approved. (A copy of Resolution FY09R4(19) is attached to and is a part of these minutes.)

SADC Legal Specialist Brian Smith asked the Committee if this would be a type of situation that would require approval of substantive minutes due to the serious problems with the bridge. He stated that the action taken by the Committee today would not be official until the middle of June. The Committee would review and approve these minutes at its May 28th meeting and then there is a fifteen (15) day Governor review period. Mr. Imperiale, Assistant County Engineer from the County stated that it would need to go through the bidding process for the project work, which will take some time for advertising, receive and analyze the bids and then award the contract for the work. He stated that it would probably be a very similar timeline with the mid June date that Mr. Smith mentioned. He stated that both timelines should merge very nicely.

I. 2004 County Easement Purchase Amended Final Approval Request
Hazel M. Harrison Estate, East Amwell Township, Hunterdon County

Ms. Winzinger referred the Committee to Resolution FY09R4(20) for a request to approve an amendment to the final approval that was previously granted by the Committee on the Hazel M. Harrison Living Trust (Leverton) Farm, known as Block 31, Lots 4 and 10 in East Amwell Township, Hunterdon County. She stated that the property was granted final approval in June 2004 for 101 acres and that based on a survey from B2A Consultants dated September 6, 2005 it was found that the acreage for lots 4 and 10 totaled 99.450 gross acres. She stated that N.J.A.C. 2:76-6.17 does not allow for an

RDSO on property that is less than 100 acres and the landowner had requested a waiver to the Committee's rule and that request was denied based on an opinion by the Attorney General's Office that a waiver to that rule cannot be considered. She stated that the landowner subsequently requested to donate a non-contiguous four (4) acre wooded parcel to increase the acreage from 99.45 acres to 103.45 acres, allowing for the RDSO and that this request was denied when it was determined that the four (4) acre area had no legal access.

Ms. Winzinger stated that the landowner then requested to amend the application to remove the RDSO and include a 2.5 acre nonseverable exception for the construction of a single family home and that the CADB approved the amendment request to the application. She stated that the two independent appraisers who appraised the property reviewed the impact of the amendment on the per acre easement value and it was found that there was no significant impact to the per acre easement value, however, the certification report was changed to reflect a slight easement value reduction in one of the appraisal reports due to the removal of the RDSO and addition of the 2.5 acre nonseverable exception for a single family home. She stated that the SADC recertified the report to reflect these changes, however, the easement value remains at \$7,000.00 per acre as stated in the original certification report.

Ms. Winzinger stated that staff recommendation is to approve the request to amend the 2004 A County Cost Share Easement Purchase application removing the RDSO and including a 2.5 acre nonseverable exception for a future single family residence on Block 31, Lots 4 and 10 (net 96.95 surveyed acres)

It was moved by Dr. Dey and seconded by Mr. Danser to approve Resolution FY09R4(20) approving a request by Betty Leverton, Executrix of the Hazel M. Harrison Living Trust, to amend the 2004A County Cost Share Easement Purchase application removing the RDSO and including a 2.5 acre nonseverable exception for the construction of a future single family residence on Block 31, Lots 4 and 10 (net 96.95 surveyed acres), located in East Amwell Township, Hunterdon County, granting amended final approval to a cost share grant to Hunterdon County at a State cost share of \$4,400.00 per acre for a total of \$426,580.00 (62.86% of the certified market value and purchase price), as presented and discussed, subject to any conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY09R4(20) is attached to and is a part of these minutes.)

J. Farmland Stewardship

1. Deed of Easement Interpretation: Chesterfield Commons Deeds Requirements for residing in existing dwellings

Mr. Roohr referred the Committee to Resolution FY09R4(21) dealing with an interpretation of a deed of easement (DOE). He stated that Chesterfield Commons is a reference to the first five farms that were preserved in the State through the farmland preservation program. He stated that that these properties were purchased by the Burlington CADB in 1984 and then were resold at auction. Those farms and five other

farms throughout the State have this original deed associated with them. One of the things that is unique about those deeds is the paragraph that deals with the housing. Today's deeds reference what kind of housing is on the farm, whether it is single family, agricultural labor, the number of houses and if there are exception areas or if there is an RDSO. With these ten original deeds, the key reference is "any new housing built on the farm must be for a household's primary source of income that is from agricultural production." He stated that three of these properties at one point had houses on them. Two of them, which we are discussing today, had houses on them when they were preserved and reauctioned and still have houses on them. One is a property that had two homes on it but they burned down and were leveled prior to them being sold as preserved farms. For that particular property SADC staff obtained advice from the Attorney General's Office in 2003. The owner was looking to sell the property and wanted to know if her buyer could purchase the property and rebuild those houses as two new single family residences. The advice at that time from the Attorney General's Office was because these houses burnt down to the ground they would be considered new houses and would trigger the primary source of income test. That advice did not address the two current existing houses.

He stated that the two farms (originally preserved as the Glock and VanTruen Farms) had existing habitable single family houses on them at the time they were resold and were sold to Mark Erickson and Michael and Mary Lisehora. He stated that the deed of easement does not describe the number of structures, residences or residential opportunities existing at the time of conveyance and the County's advertising for the resale of the farms, as well as subsequent site visit records clearly document the existence of the two homes on these properties.

Mr. Roohr stated that paragraph 12 of the deed provides:

"The Board and any subsequent owners, their heirs, executors, administrators, personal or legal representatives, successors, and assigns may use, maintain, and improve the existing buildings and said lands for personal and family residential and recreation use subject to the following conditions:

No new residential units or buildings or recreation buildings or improvements to existing buildings for purposes other than agricultural production shall be allowed except for such new residential structure or structures or improvements or converted residential structures as will provide housing for agricultural labor for the subject farm or such new residential unit or structures or converted residential unit or structures as will serve as a farm house for a household which will derive its primary source of income from agricultural production. Such exceptions are subject to prior joint approval in writing by the board and the committee"

Mr. Roohr stated that the current owners of those two properties with the existing residences on them have requested a determination of who may live in these houses and whether the use of existing houses is limited to those households whose primary source of income is from agricultural production.

Mr. Roohr stated that SADC staff recommends that the two existing single family residential units on the Chesterfield Commons farms, preserved originally as the Glock farm (Block 600, Lot 26) and the Van Truen farm (Block 600, Lot 45), may be used as residences for any individual(s) regardless of primary household income source, and that such occupants are not subject to the household income restrictions set forth in paragraph 12 of the DOE and that occupants of these two residential units are permitted to “maintain” the units as necessary including, but not limited to, such standard changes and repairs as replacement of windows, floors, roofs, upgrades and replacement of building materials, whether they be cosmetic or structural in nature and that “improvement”, replacement or reconstruction of the two existing single family residential units is considered “new” construction by the SADC and would require that residents of any such newly improved, constructed or replaced unit derive their primary source of income from production agriculture as described in paragraph 12 of the deed of easement. For purposes of this paragraph, “improvement” means any expansion of floor area of the residential unit. He stated that this recommendation differed somewhat from Burlington County’s recommendation in that Burlington County felt that the houses could be replaced without the primary source of income trigger.

Mr. Siegel stated that the person bought the farm fully aware of the conditions. Ms. Craft stated that the deed contained specific language. Mr. Danser stated that is the way that local land use treats a pre-existing non-conforming use. He stated that you are not allowed to expand it without going through use variance and if it burns all the way down you are not allowed to rebuild it. Ms. Craft stated that the old advice talked about “improvement” being the language that triggers this test so if you took a 2,000 square foot house and put a few levels on it, even though you are not expanding your footprint you are dramatically improving the structure. Mr. Danser stated it should be improvement but expansion and adding a second story is still only expansion even though it is not an increase in the footprint. He stated that someone could argue that if you are putting in a new kitchen that is an improvement and he didn’t think that should trigger the test but if you put a second story on then that would be an expansion. Mr. Siegel asked what the harm would be if you added a second story because you are not using any more land. Ms. Craft stated that staff is trying to come to something that is not inconsistent with the position that the Committee took previously when it gave advice on the house. She referred the Committee to the third “Be It Further Resolved” in the resolution before it that states that the occupants are permitted to “maintain” the units as necessary including, but not limited to, such standard changes and repairs as replacement of windows, floors, roofs, upgrades and replacement of building materials, whether they be cosmetic or structural in nature. She stated that you could totally renovate the house and that would be maintenance but when you get to improvement, the resolution states that “improvement”, replacement or reconstruction of the two existing single family residential units is considered “new”..... and it goes on to further state that “improvement” means any expansion of floor area of the residential unit.”

Ms. Craft stated that this interpretation is intended to address when someone wants to tear down a house and rebuild it, not if say someone had a fire and wanted to rebuild their

house. Chairman Fisher stated that for those ten properties, this is enormously important to those landowners that they would have the right to restore something to at least its original size and space. Ms. Craft stated that the Attorney General opinion stated no, that since the houses had burnt down at the time of acquisition they did not exist so to put new houses there would be considered new construction. It did not discuss restoring the existing structure. She stated that if the Committee is more comfortable with that, then that would be the clarification staff could make, that restoration of what is there now is not considered new construction. If somebody has a fire and the house burns all the way down, they need to be able to rebuild the house they had. Chairman Fisher asked if any of the Committee members had any objections to that? There was no objections by the Committee to that suggestion. Chairman Fisher asked staff to make that change in the resolution. Ms. Craft stated that staff would need to clarify that “maintenance” would include restoration of the property to its pre-existing square footage should something happen to the residence by an act of God or some other accidental destruction.

It was moved by Dr. Dey and seconded by Ms. Brodhecker to approve Resolution FY09R4(21) as presented and discussed, subject to any conditions of said resolution, finding that the two existing single family residential units on the Chesterfield Commons farms, preserved originally as the Glock farm (Block 600, Lot 26) and the VanTruen farm (Block 600, Lot 45), may be used as residences for any individual(s) regardless of primary household income source, and that such occupants are not subject to the household income restrictions set forth in paragraph 12 of the deed of easement; that occupants of these two residential units are permitted to “maintain” the units as necessary including, but not limited to, such standard changes and repairs as replacement of windows, floors, roofs, upgrades and replacement of building materials, whether they be cosmetic or structural in nature; that any voluntary improvement, replacement or reconstruction of the two existing single family residential units is considered “new” construction by the SADC and would require that the residents of any such improved, replaced or reconstructed unit derive their primary source of income from production agriculture as described in paragraph 12 of the deed of easement. For purposes of this paragraph, “improvement, replacement or reconstruction” includes, but is not limited to, any expansion of floor area of the residential unit; that any improvement, replacement or reconstruction of the two existing single family residential units resulting from damage caused by fire, flood or other casualty may be completed, regardless of the primary source of income requirements set forth in paragraph 12 of the deed of easement, subject to the approval of the County and the SADC; and that if such approval is granted by the County and the SADC, the improvement, replacement or reconstruction of either or both of the existing single family residential units shall be within the same or substantially similar footprint as the former unit and with a total square footage not to exceed 2,500 square feet of heated living space for the former Glock Farm, Block 600, Lot 26, and 3,050 square feet of heated living space for the former Van Truen Farm, Block 600, Lot 45.

2. **Division of Premises Request
Yellowbrook Farm (Roger Mumford), Colts Neck Twp.,
Monmouth Co.**

Ms. Craft stated that at the last meeting of the Committee a large amount of information was reviewed and discussed by the Committee regarding a proposed request for a division. She stated that staff had not finalized a recommendation at that time but with the direction of the Committee staff went back and did finalize a recommendation, which is before the Committee today via Resolution FY09R4(22).

Ms. Craft stated that there has been extensive discussion with the Office of the Attorney General at the last meeting and the Committee has the opportunity during today's deliberation, should it want to seek advice from the SADC's counsel in closed session. She stated that staff is not anticipating a closed session discussion with its DAG prior to discussing the resolution, but if the Committee has a need to do so it can. Chairman Fisher stated that at the last meeting of the Committee there was a request for information by a Committee member and he asked if that information had been provided to staff. Mr. Roohr stated that there was a request made by Dr. Dey and Mr. Mumford's attorney did make a submission on April 9th and that is part of the Committee's resolution packet, identified as Schedule "X".

Mr. Roohr stated that a few pieces of new information will be presented today, along with approximately twenty photographs of the property, mostly of the nursery stock that currently exists on the property, which were taken. He stated that another part is the nursery certification and inspection reports for the nursery. He stated that when you have a nursery and are going to sell nursery stock you have to be certified. He stated that Yellowbrook Farm is a certified nursery so they are able to sell tree stock. The certifications show that in 2006 and 2007 there were eighteen and one half acres certified and in 2008 there were two acres certified and that the two acres referenced would be the younger Christmas tree stock located on Parcel B. He stated that the third piece of information is being provided by Mr. Mumford's attorney, submitted on April 9th, which is Schedule "X". He stated that Mr. Mumford and his attorney, Mr. DeSimone are present today.

Mr. Roohr stated that in 2000 there was a division of the premises on the original preserved farm which resulted in an 89-acre parcel and a 104-acre parcel. In 2003 Mr. and Mrs. Mumford purchased the 104-acre parcel from the Dittmars and also purchased a small rectangular parcel that was not preserved and comprised approximately 4.5 acres. He stated that the Mumfords built their home and some outbuildings on the unpreserved portion and behind that is an equestrian facility that they built. Mr. Roohr reviewed the proposal for the division of premises with the Committee. He showed various aerial photos of the property taken during his site inspection. He stated that in October Mr. Mumford intended to keep what is being called Parcel "A", which was 50 acres around his house and he intended to market the other fifty acres. He stated that Mr. Mumford then revised the application in February with some changes, one being that the Mumford residence on the unpreserved parcel had been sold in December and in January 2009 Mr. Mumford entered into a contract to sell Parcel "A" to the couple who purchased his house. He was then going to keep the unimproved fifty acres with the intent to build his house on an exception area and develop that portion into a similar type equestrian

facility.

Mr. Roohr reviewed the various photos of the tree stock with the Committee. He reviewed Resolution FY09R4(22) with the Committee discussing the proposed Parcels "A" and "B". He stated that staff conducted site visits on October 28, 2008 and March 17, 2009. He stated that there was an overall staff determination, one of which was Parcels "A" and "B" have significant areas that are not available currently for agricultural use and production due to disbursed large hardwoods and evergreen trees which do not appear to be marketable but is occupying the land. A number of the holly trees and evergreen trees on Parcel "A" are larger than what he has found on other production nursery operations that he has been to and the quality is inconsistent, some are fine others are not. He stated that as points of reference the SADC received correspondence from the Colts Neck Preservation Committee and the Township of Colts Neck, each requesting that the SADC deny the application for the division of premises for a variety of reasons. Copies of those letters have been provided to the Committee.

Mr. Roohr stated that at last month's meeting some of the Committee members had additional questions for Mr. Mumford and on April 9th the information was provided by Mr. Mumford and his attorney, which is included in the packet of information provided to the Committee. That information included the same list of horses that were previously provided to the Committee but does not provide any further information on the history of the horses, which was requested by Dr. Dey. Dr. Dey stated that there was a list of horses that the trainer provided to the Committee for which she said was on the property for the last eighteen months with no other information about the horses. He stated he requested a history of that list of horses such as who owned the horses, what are they, when were they purchased, how old were they when they were purchased and how old were they when they were sold. Chairman Fisher asked why would that be pertinent. Dr. Dey responded because if they were purchased as young horses and then you train the horses then sell them, the difference between the cost of when they were purchased and when they were sold would be "production" if they took 120 days, under the Right to Farm rules. He stated that he still does not have the answers to those questions since the response information provided the same list as previously submitted with no other information.

Mr. Roohr stated that requests for division of premises must meet two tests 1) each parcel that is being created must be agricultural viable for a variety of agricultural production activities that would result in reasonable economic income solely from the output of the particular farms and 2) the division must be for an agricultural purpose. Mr. Roohr reviewed staff's findings with the Committee as outlined in the resolution. He stated that Mr. Mumford was very forthright in providing a printout of the farm expenses for 2008 (Schedules Q and Q1), identifying expenses totaling \$255,970.00 and income totaling \$292,980.00 for a net profit of \$37,010.00 however, the issue staff is having is that as far as staff can tell the income is primarily from the boarding operation, which the SADC is not counting as production. He stated that staff did not receive receipts for horses born or raised, training for the 120 days or other products sold from the farm, therefore there is an issue of verifying the production aspect. He stated that the same is true for the nursery

stock. Mr. Mumford has attested that the nursery stock has averaged about \$10,000.00 yearly but staff has not received any receipts. A portion of that may be explained in that Mr. Mumford has used his nursery stock in his other business so there may not be receipts but it still leaves staff with the fact of not having any receipts to verify production. He stated that the nursery stock certifications, reducing the acreage from 18 and ½ acres to 2 acres shows a decrease in the emphasis on the nursery production. The alpacas, are on the farm but again there are no receipts provided for the sale of alpacas or alpaca fiber.

Mr. Roohr stated that Mr. Orgo attested last month that there were at least 1,100 bales of hay produced on the farm. He stated that he did see the hay fields but that hay is used on the farm so there is no way to verify that production, but 1,100 bales of hay on approximately 12 acres alone would not make it viable even if there were receipts for the hay. He stated that Mr. Mumford's attorney has also suggested that the manure produced in the operation is evidence of production. Mr. Roohr stated that the SADC, the Department of Agriculture or any other State law that staff could find does not recognize animal manure as a production activity. While it is recognized as a useful resource and byproduct the intent is not to raise animals to produce the manure so it is not viewed as a production activity. Mr. Roohr stated that based on those factors staff did not feel that it met the agricultural purpose test.

Mr. Roohr stated that regarding the viability test (page 12 of the resolution), the extent of the nonproduction related structures on the property already as well as the open space that you would need to effectively run that nonproduction activity already seems to be taking up a large part of the farm so by dividing the property and creating two of those operations would exaggerate an already problematic situation regarding lack of production. The large amount of overgrown stock that is somewhat interfering with complete efficient production on the property in the southern portion of Parcel "A" and the northern corner of Parcel "B" also gave staff concern in that we may already be seeing some decrease in the available agricultural production land and dividing the farm in half doesn't help that situation either. Therefore the limited amount of completely tillable acres is a definite concern in the viability of the farm just as it currently exists and if you were to divide it and develop another equine operation with additional infrastructure and a house it would be taking even more land out of production. For those reasons, staff felt it does not meet the viability test. The overall recommendation of staff is to deny the request for the division of premises.

Mr. DeSimone, attorney for Roger Mumford addressed the Committee in support of Mr. Mumford's request for a division of the Premises. He stated that Policy P-30-A should look forward not backward. He stated he was confident that the nursery stock could be used and he questioned the agricultural viability and agricultural purpose interpretation by staff. Mr. Mumford stated that regarding the letter from the Township urging that the SADC not approve this request, the Mayor did sign off on the letter that was sent to the SADC but the Mayor did not actually read the letter and just signed off on it. Mr. Danser expressed concern that the Committee must consider production agriculture in its analysis of division of the premises.

Ms. Craft indicated that perhaps a deed of easement subcommittee could be established to look at the broader issue of how divisions of the premises and other provisions of the deed may need further refinement. Ms. Murphy stated that perhaps rather than creating a new subcommittee, the existing Farmland Affordability/Availability Subcommittee could be used to evaluate these issues. There were many recommendations made by the subcommittee that should be considered. Mr. Siegel stated that buyers of preserved farms do not understand the restrictions in the deed of easement and that some sort of handbook is needed possibly. He stated that farms need to be considered viable prior to applying for a division of the premises. In this case, there is a question of whether or not the current 104-acre property is in fact a farm. In situations where an operation is not considered a farm, the Committee should not consider requests for division of the premises.

It was moved by Dr. Dey and seconded by Mr. Waltman to approve Resolution FY09R4(22) denying a request by Roger Mumford (2007 Yellowbrook Revocable Trust) for a division of the premises, finding that the Owner has not demonstrated that the division of the Premises is for an agricultural purpose and would result in agriculturally viable parcels such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output, pursuant to the Deed of Easement and Policy P-30-A. A roll call vote was taken as follows:

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Acting Commissioner. Mauriello)	YES
Ben Spinelli (rep. DCA Commissioner. Doria)	YES
Ralph Siegel (rep. State Treasurer. Rousseau)	YES
Brian Schilling (rep. Executive. Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	YES
Torrey Reade	YES
Stephen P. Dey	YES

11 Yes Votes – The motion carries.

Chairman Fisher stated that although the Committee rejected the application, Mr. Mumford may present a different application in the future.

K. Proposed Appraisal Handbook Amendments

Mr. Burns referred the Committee to the Draft Summary of Changes to the SADC Appraisal Handbook – 2009. He reviewed the various recommended changes with the Committee. He stated that on page one of the draft summary the heading for item # 1 should read “Zoning as a Valuation Factor” instead of “Program Procedures”. He

advised that staff would make that change to the document. He stated that no action is needed at this time by the Committee and that staff would send out the documents to the approved appraisers, county agriculture development boards, the Planning Incentive Grant Program coordinators and nonprofit organizations to get informal written comments and then come back to the Committee at its May 28th meeting for adoption.

PUBLIC COMMENT

Robert Resker thanked Ms. Winzinger and Ms. Craft for their informative discussion at Warren CADB's meeting last night.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, May 28, 2009 - **Health/Agriculture Building, First Floor Auditorium.**

CLOSED SESSION

At 12:30 p.m. Mr. Siegel moved the following resolution to go into Closed Session. The motion was seconded by Ms. Murphy and unanimously approved.

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

ACTION AS RESULT OF CLOSED SESSION

A. Real Estate Matters Certification of Values

Planning Incentive Grant Program

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

1. 55 Edison Road LLC (2009 County PIG)
Block 26, Lot 18, Franklin Township, Warren County, 121 Acres
2. Peter and Teresa Peck (prev. Bond Farm) (2007 Rule – Municipal)
Block 61, Lot 13, Knowlton Township, Warren County, 38 Acres
3. Ina VanNuys (Farm 1) (2009 Municipal PIG)
Block 201, Lot 8, Hillsborough Township, Somerset County, 70 Acres

4. Ina VanNuys (Farm 2) (2009 Municipal PIG)
Block 201, Lot 7, Hillsborough Township, Somerset County, 49 Acres
5. Ina VanNuys (Farm 3) (2009 Municipal PIG)
Block 202, Lot 11, Hillsborough Township, Somerset County, 45 Acres
6. Jeffrey and Nancy Vermeulen (John Vermeulen and Son) (2009 Cty PIG)
Block 88, Lots 4 and 5; Block 13.01, Lot 3, Branchburg Township,
Somerset Co., 55 Acres
7. Elma Davidson (2009 Cty. PIG)
Block 46, Lot 6, Woolwich Township, Gloucester County, 29 Acres

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

2004 County Easement Purchase Program – Amended Certification
Harrison Living Trust, East Amwell Township, Hunterdon County

It was moved by Dr. Dey and seconded by Mr. Danser to certify the amended development easement value for the following landowner as presented and discussed in closed session:

1. Hazel M. Harrison (Living Trust)
Block 31, Lots 4 and 10, East Amwell Township, Hunterdon County, 97
Acres

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

PUBLIC COMMENT

Dr. Dey stated that there are many acres of farmland in NJ not receiving proper stewardship, mostly county owned lands. Some lands are left fallow and are not in production. Annual monitoring needs to be done.

Ms. Murphy stated that Green Acres purchases lands for use by Parks and Forestry, Fish and Wildlife that are not for agricultural use.

Chairman Fisher stated that there are approximately 200,000 preserved acres and the SADC is now dealing with the next generation. He suggested that as noted earlier, a deed interpretation subcommittee may need to be created to determine how to inform owners of preserved farms about the deed of easement.

Ms. Craft suggested that the volunteers for the Deed of Easement Subcommittee could be Dr. Dey, Mr. Schilling, and Mr. Siegel, if they would be willing to sit on that subcommittee.

Mr. Waltman suggested that the charge of the soil disturbance subcommittee can be expanded. Ms. Craft responded that the Agricultural and Horticultural Development Subcommittee could be renamed to the Deed of Easement Subcommittee since the soil disturbance issue is a deed of easement concern and that many of the other issues being raised by the Committee are also related to provisions of the deed of easement. The consensus of the Committee was to expand the charge of the current Agricultural and Horticultural Development Subcommittee to be renamed as the Deed of easement Subcommittee and to evaluate other amendments that are needed in the deed of easement.

ADJOURNMENT

There being no further business, it was moved by Ms. Reade and seconded by Mr. Danser and unanimously approved to adjourn the meeting at 2:02 p.m.

Respectfully Submitted,

Susan E. Craft, Executive Director
State Agriculture Development Committee

Attachments