

STATE AGRICULTURE DEVELOPMENT COMMITTEE

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

REGULAR MEETING

April 25, 2014

Vice Chair Purcell called the meeting to order at 9:01 a.m. Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

Roll call indicated the following:

Members Present

Monique Purcell, Acting Chairperson
Alan A. Danser, Vice Chairman
Renee Jones (rep. DEP Commissioner Martin)
James Requa (rep. DCA Commissioner Constable)
Brian Schilling (rep. Executive Dean Goodman)
Ralph Siegel (rep. State Treasurer Sidamon-Eristoff)
Jane Brodhecker
James Waltman
Peter Johnson
Torrey Reade

Members Absent

Douglas H. Fisher, Chairperson
Denis C. Germano, Esq.

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

Others present as recorded on the attendance sheet: Heidi Winzinger, Brian Smith, Timothy Brill, Paul Burns, Dan Knox, Hope Gruzlovic, Jeffrey Everett, Jill Gorman, Cindy Roberts, Stefanie Miller, Charles Roohr, David Clapp, Patricia Riccitello and Sandy Giambrone, SADC staff; Christopher Howard, Esq.,

Governor's Authorities Unit; Dan Pace, Mercer County Agriculture Development Board; Nicole Kavanaugh, New Jersey Farm Bureau; Tom and Phillip Brodhecker, Brodhecker Farms, Sussex County; Frank McGovern, Esq., McGovern and Roseman Law Firm, Sussex County; Eileen Klose, Hampton Township, Sussex County; Honorable George Fisher, Mayor, West Amwell Township, Hunterdon County; John Cronic, West Amwell Township, Hunterdon County; Lori Space Day, Sussex County Agriculture Development Board, Sussex County; Christine Bell, Ocean County Agriculture Development Board; and James Petrino, New Jersey Department of the Treasury.

Minutes

A. SADC Regular Meeting of March 27, 2014 (Open and Closed Sessions)

It was moved by Mr. Requa and seconded by Mr. Danser to approve the Open Session minutes and the Closed Session minutes of the SADC regular meeting of March 27, 2014. The motion was approved. (Ms. Brodhecker, Mr. Waltman and Mr. Schilling abstained from the vote.)

REPORT OF THE CHAIRPERSON

- Assembly Budget Committee

Ms. Purcell stated that Secretary Fisher testified before the Assembly Budget Committee a little more than a week ago. It appears that the Department's budget will remain level for another year. Issues discussed at the hearing included the school nutrition programs and preservation funding.

- State Board of Agriculture Meeting

Ms. Purcell stated that the New Jersey State Board of Agriculture met on Wednesday of this week. Among the topics discussed was a Q&A session regarding genetically modified organisms (GMOs) that will be held on Friday May 9th at the Rutgers EcoComplex in Bordentown. The session is intended for farmers but anyone with related work is invited to attend.

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Payne made the following comments:

- Ag-Mediation

Ms. Payne stated that the Committee has been provided with copies of the Agricultural Mediation Handbook, which was funded through a USDA grant. The handbook is being widely distributed to promote the Agricultural Mediation Program to all the county agriculture development boards (CADBs), farmers and county boards of agriculture. SADC staff person Dave Kimmel did a great job putting this booklet together. She stated that SADC staff would be happy to come to any CADB meeting on request to discuss the mediation program.

- Atlantic City Electric Memorandum of Understanding (MOU)

Ms. Payne stated that the Memorandum of Understanding (MOU) with Atlantic City Electric (ACE) has been signed by all parties and closings will now commence. Ms. Reade stated that she understood that the Cumberland CADB had related litigation and asked if they have dropped it now that the SADC has resolved the issue. Ms. Payne responded that she had not heard. The Cumberland CADB had requested to the Freeholder Board to initiate litigation to have a judge declare what the unspecified easements provide for. During her last conversation with the attorney at the CADB, Ms. Payne advised that the MOU was forthcoming and she is assuming that will head off any litigation but she would need to get confirmation of that. She stated that this was a very big effort that took more than a year to reach an agreement.

- Financial Disclosure Forms – SADC Members

Ms. Payne advised that if anyone on the Committee has not yet completed their financial disclosure forms, those forms are due by May 15th and there is a \$50 per day penalty for late submissions.

- Jansen Farms

Ms. Payne noted that Mr. Jansen came to a previous SADC meeting requesting a determination of whether his greenhouse project complies with the deed of easement. She stated that Mr. Jansen contacted staff and asked that the matter not be put on today's agenda because of his schedule.

- Solar Approvals

Ms. Payne noted that she had granted an administrative approval for the Medina farm roof-mounted solar energy facility. The farm is located in Montgomery Township, Somerset County.

COMMUNICATIONS

Ms. Payne reminded the Committee to take home the various articles provided in the meeting binders. She referred the Committee to a few pieces of correspondence as follows:

- 1) Letter to Monmouth County congratulating it on achieving its 200th preserved farm.
- 2) Letter to Senator Oroho, Assemblywoman McHose and Assemblyman Space regarding the hearing process for the Brodhecker farm Right to Farm matter. The legislators had received correspondence suggesting that the Brodheckers did not have a thorough hearing process and the SADC needed to clarify for the record that the hearing process was compliant with the Right to Farm Act.
- 3) Letter from the Warren County Agriculture Development Board re: Request to Extend the Highlands Landowner Equity Provision. The CADBs in the Highlands are very concerned about the expiration of the dual appraisal provision on June 30th. It is a legislative issue at this point. A bill has been introduced to extend the provision but there has been no movement on the bill as yet.

PUBLIC COMMENT

Sherry Dragan informed the Committee that she was representing the Township on an agenda item before the Committee today (Agenda Item VIII-C1). She indicated that the Mayor of West Amwell Township, George Fisher, was also in attendance, along with a member of the Open Space Committee.

Tom Brodhecker from Brodhecker Farms thanked the Committee for agreeing to reconsideration of the final decision regarding his farm. He stated that after the last meeting, he, his attorney and son thought that they had to get documentation or a transcript of the entire Office of Administrative Law hearing. The cost of that was going to be prohibitive. He thanked Ms. Payne for clarifying that they could just obtain

excerpts, which they are in the process of working on as a letter from his attorney to Ms. Payne indicated. He noted that the Committee had asked for a CPA's approval or attestation regarding the 49/51 percent rule. He stated that his accountant indicated he cannot do that because of requirements the Committee placed on it. His accountant is trying to put them in touch with another accountant who can do the attestation. He noted that the 49/51 percent rule is in the On-Farm Direct Marketing AMP and stated that the Committee should really stop and think about how detailed it has to be. He stated that most farmers are very honest and will open their books to a reasonable amount of scrutinization. However, there is the perception among farmers of opening your books to what you make and how you make it. He feels that their documentation was sufficient but if the Committee feels that they need this other information they are working on that. Hopefully it will be available at the next meeting.

Lori Space Day, Vice President of the Sussex County Agriculture Development Board, stated that the CADB reviewed the Brodhecker farm site-specific agricultural management practice (SSAMP) over the course of many meetings. She stated that the Brodheckers market is what they call a niche market. They are selling to other farmers in the area. Many of the farms in Sussex County also do this on different levels. The things that they sell are of use to other farmers. She bought boots from a farmer -- not necessarily muck boots and not from the Brodheckers -- and they are of a quality that you cannot find at Walmart or the big box stores. There are a number of things on the list of items for sale that she believes the Committee should reconsider -- gazebos for example. If you have an animal you cannot expose it to a strange building or a strange shed. Their behavior is such that they will not accept that building; they will be afraid of it. Gazebos are sold for horse training. When the horses go to different venues to be in a show, very often gazebos are what the horses have to trot past. So that is why a horse farmer or even a hobbyist or a smaller farm would need a gazebo. There are many different things. Ice melt, those kinds of things we have to protect not only our animals from the ice but also our employees. Muck boots, wood pellets -- you are keeping outbuildings warm with wood pellets sometimes. It really just depends. So the scope of the restrictions that you have placed on the Brodheckers is a little bit tight and we as the Sussex CADB would ask that the SADC open its mind to realize that the Brodheckers are not just selling to everyday individuals, although they are not going to close their door to any business walking in. But they are selling to a lot of other farmers who do need these products. As far as the sheds, all the little outbuildings that they sell, people need them. She bought one last year for an animal enclosure. Please reconsider those things when making your decision. You are the experts and you know what you are doing and keep that in mind because there are many different venues and many different things that are farm-related that can be sold, as long as they are within that 51/49 percent bracket. She hopes the

Committee would consider that when thinking about this case.

Frank McGovern from McGovern and Roseman Law Offices, who represents Hampton Township, stated that there is a substantial record, including CADB transcripts, which he is sure that staff has reviewed. He stated that it seems a little unusual if Ms. Day has to try to supplement that record before the Committee today, four to five years after the hearing took place, without any ability to cross-examine, to recheck and so forth. He noted recent correspondence to the SADC from the attorney for Brodhecker Farms. He stated that it was his impression that Brodhecker Farms decided not to order the transcripts and that they found after reviewing the recordings that none of it would be of assistance to the SADC. Then there was a second letter more recently where they said that maybe they will consider doing the transcripts. He guesses the decision today is that they will produce some transcripts, although he doesn't know what transcripts will be produced. He is a little concerned by that. The other part is, on the request regarding the attestation that has to be prepared and submitted, if you take a close look back at the decision and also at the discussion that the Committee had last January, he knows that there were some very significant concerns regarding some of the representations contained in the financial data. He doesn't think the SADC is declaring statewide that every single farm has to provide this attestation. He thinks there were questions raised by the information in this case that required this additional information for the SADC's review.

Phil Brodhecker from Brodhecker Farms stated that there seems to be a little confusion on the attestation as far as an accountant. They have been told by Mr. Smith that the Brodhecker accountant should be able to do it but according to their accountant some of the documentation and the way it is worded says "independent or another accountant" so their confusion and question is does their accountant as a certified CPA qualify to do the attestation? They don't see any reason why he shouldn't be able to and they don't feel that they should have to hire a whole separate accounting firm. However, their accountant reads the documents the SADC has written and sees questions and confusion in it. They need a little clarification on that, and if their accountant could do it that would certainly cut down the cost on farmers if they could use the accountants they are already using. Most accountants are licensed and certified and wouldn't lie and compromise their licenses on the farmer's behalf. In reading the minutes from the meeting that they missed, there were numerous questions and concerns. He is glad the board has questions and concerns, and hopes the SADC is acknowledging the importance of the CADB and ALJ and their decisions. The reason they didn't get the full transcripts was that they didn't need the SADC to have to read through it all. They are going to try to listen to it and get pieces that are significant and pieces that can help the board members make a little firmer

decision. His concern on some of the minutes is the items list is really what this is all about and what started the problem. If the Committee votes in favor of its decision to exclude all those items, that doesn't put them in any different position than they were in back in 2007 when there was a conflict of what items can be sold on a farm and what can't be sold. Anytime you pick apart and list items, at any point in time in the future, the Township can come in and say, "oh, you are also selling x, y and z and we don't want you to do that." After seven years of this conflict with the Township, he can assure the Committee that if he goes to the Township for permission to sell these items, the odds are pretty good that they are going to say no. He probably had a better chance seven years ago but even then they didn't see it as working out well because of some personal conflicts within their community. That is why they came in for the Right to Farm protections and that is why the items list is so important. He thanked the Committee for an opportunity to review the ALJ hearings and get the correct information to the Committee.

NEW BUSINESS

A. Post-Issuance Compliance Procedures-NJ General Obligations

Ms. Payne introduced James Petrino, Director of the Office of Public Finance at the Treasurer's Office. He is involved in all the issuances of bonds that fund the farmland preservation programs. The Treasurer's Office approached the SADC last year with a draft document that is before the Committee today, with the goal of making sure that every agency that is responsible for spending public bond funds is properly documenting the use of those funds and properly documenting the use of the publicly financed property that is acquired or purchased using those funds. She stated that after several meetings with bond counsel and the Attorney General's Office and Treasury, we have come to this document.

Mr. Petrino stated that they have financed a number of the farmland preservation programs that the Committee oversees over the years, going back to the 1980s. Most recently was the last general allocation bond act. They financed them and his office manages the actual issuance of the bonds that provides the capital for these programs. Treasury issues the bonds generally on a tax-exempt basis following a review of the usage of the bond proceeds. The IRS does put some strings attached to the tax-exemption on the bonds. In the past, they have managed that through their due-diligence process where they would have a discussion with Ms. Payne and her predecessors in years past to go over the nature of the program, what is being financed and how the proceeds or the bond issues are being used. The Tax Counsel would analyze that, assess that it is OK and

meets the IRS code, and then we will issue tax exempt bonds. One of the IRS requirements is that when we sell the bonds, they are outstanding for 20 years – they usually issue bonds on a 20-year basis. While they are outstanding and investors are earning interest tax-free, the IRS wants the issuer, the State in this case, to make sure that there is no change in use, that you haven't sold the farm for a McDonald's so to speak because the IRS doesn't like financing private businesses on a tax-exempt basis.

Mr. Petrino stated that the Treasurer each year signs a certificate that becomes part of the record that says Treasury will monitor and make sure that they continue to monitor the use of proceeds over the life of these bonds. That was well and good for a time but what has happened of late is that the IRS has enhanced its enforcement efforts and beefed up some of their programs to track and monitor the use of tax-exempt bond proceeds. They now require that written procedures be put in place for how we are going to monitor these things over the course of 20 years. That is what is before the Committee today -- a culmination of that. In addition, when Treasury issues bonds, they have to file forms with the IRS. Most recently, within the last year or so, they now have a box that asks if there are written procedures. It has come to Treasury's attention through tax attorneys that failure to check that box is an invitation for an audit. He stated that his office wants to make sure there are written procedures in place. They spent a lot of time with all of the departments and agencies that avail themselves of tax-exempt bond financing to put into place these post-issuance compliance procedures. They are not meant to be onerous and he is hopeful and of the belief that the most onerous part of these will be the initial reading of them. He stated that the most important thing for the SADC, and for Ms. Payne as the representative of this Committee, is that if you become aware of a change in use of tax-exempt financed property or programs to let his office know. It is not a micromanaged process and he doesn't want it to become that, so any individual farm that may change or sell off part of it – we are not concerned about how it would violate the easements and your own programs. But if you become aware of anything, that is where you would notify his office, they would engage the tax counsel and try to review it and see if it is still compliant. Most likely it will be because when we sell bonds, Treasury may sell \$50 million to fund the Farmland Preservation Program for that year or for several years but they will sell \$300 million in bonds because they are funding programs for the the Green Acres program, Historic Preservation, and most recently Higher Education, Facilities and Construction, Human Services facilities, prisons and a variety of items. They have to look at that entire bond issue so if one farm represents one piece of \$300 million dollars, it is going to be de minimus at best. He would encourage the passage of these procedures. That doesn't mean they cannot be amended in the future as well.

Ms. Payne stated that how she sees it playing out is that the data that is requested is

already captured by the agency so to her it is more a matter of compiling it into one place. Her goal is to issue an annual report, like issuing an annual monitoring report, to the Committee. She stated that she always tracks the bond funds and what fund is used for what acquisition. Again, the question is do we summarize that properly in one good spot? She will work with staff to make sure the documentation is as easy as it can be. We should do a good job and it should be clear and be repeated on an annual basis. She wanted the Committee to be aware of the procedures so that it is aware that the SADC has to do this and why. She wanted to make sure in the drafting that it talks about asking the Attorney General's Office to go get bond counsel to go get an opinion. She wanted to make it very clear that is a decision that Treasury makes, it is not the SADC's decision or cost to hire bond counsel. We monitor the program, here is where we spent it, here are the violations, here are the condemnations and money gotten back from the condemnations or the sale of a fee simple farm, and then the decision to take that up the financial or legal ladder is Treasury's decision, not ours. With that she is very comfortable with the document.

It was moved by Mr. Siegel and seconded by Mr. Requa to approve the General Obligation Bonds Post Issuance Compliance Guide – State Agriculture Development Committee – Use of Tax-Exempt Bond Financed Property and Proceeds document, as presented and discussed. The motion was unanimously approved. (A copy of the General Obligation Bonds Post Issuance Compliance Guide – State Agriculture Development Committee – Use of Tax-Exempt Bond Financed Property and Proceeds is attached to and is a part of these minutes.)

B. Stewardship

1. House Replacement Request

a. Leckenbush Farm, Franklin Township Gloucester County

Mr. Roohr referred the Committee to Resolution FY2014R4(1) for a request by Jordan and Bethany Leckenbusch, owners of Block 2701, Lot 19, Franklin Township, Gloucester County, comprising 42.81 acres, to replace an existing single-family residence on the property. The Deed of Easement identifies one single-family residence on the property, no agricultural labor residential units, no RDSOs, and no exception areas. The property was preserved using a partial grant from the USDA-NRCS Federal Farm and Ranch Lands Protection Program (FRPP). The use of FRPP funds stipulates a 4.7-acre building envelope for new infrastructure as well as an overall 7.33 percent impervious cover limitation. The owners propose to replace the existing residence with a new one for themselves. The existing house has extensive termite damage throughout, no plumbing, requires significant foundation repairs and is in close proximity to Monroeville Road.

The proposed new house will be built approximately 250 feet north of the existing house and will require a new driveway, as identified on Schedule "A" of the resolution. The owners propose to build a two-story house with approximately 3,000 square feet of heated living space to replace the original farmhouse, which is approximately 2,000 square feet. The new residence and driveway are being constructed within the FRPP-designated building envelope and will result in approximately 0.64 percent impervious cover. The USDA has confirmed that they have no objections to this request as proposed. The owners intend to remove the existing residence, fill, grade and re-seed the area. The Gloucester CADB has approved the request. Staff has verified that the existing house was not included on the New Jersey Register of Historic Places as of the date the development easement was conveyed. Staff recommendation is to approve the construction of the new residence as presented and discussed, subject to any conditions listed in the resolution.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve Resolution FY2014R4(1) granting a request by Jordan and Bethany Leckenbusch, owners of Block 2701, Lot 19, Franklin Township, Gloucester County, comprising 42.81 acres, to construct a single-family residence, consisting of approximately 3,000 square feet of heated living space, in the location shown on Schedule "A" of said resolution, to replace the single-family residence that currently exists on the property. The existing residence shall be removed and the area restored prior to or within 30 days of receipt of the certificate of occupancy on the new residence. This approval is valid for a period of three years from the date of this resolution. This approval is non-transferable. The construction of the new residence is subject to all applicable local, State and Federal regulations. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. The motion was unanimously approved. (A copy of Resolution FY2014R4(1) is attached to and is a part of these minutes.)

C. Recapture of Grant Funds (Auction of Preserved Farm by Municipality)
1. West Amwell Township, Hunterdon County (Toll Brothers South Farm)

Mr. Knox referred the Committee to Resolution FY2014R4(2) requesting approval of the auction of the West Amwell Township/Hunterdon Land Trust Alliance-Toll Brothers South Farm. The Hunterdon Land Trust Alliance and West Amwell Township jointly acquired fee simple title to the property in March 2010. The SADC holds the deed of easement to the property. In March 2010, the SADC approved the transfer of Hunterdon Land Trust Alliance's interest in the property to West Amwell Township. In April 2011, West Amwell Township auctioned the property through Max Spann Auctioneers. There were five bidders, with the highest bid at \$385,000, or \$2,961 per acre. West Amwell Township did not accept the high bid. It decided to re-auction the property in 2014 and

took various steps to accomplish this (see timeline Schedule "D"). In March 2014, West Amwell Township re-auctioned the property. The auction was a sealed bid auction with a disclosed minimum bid of \$400,000. The only bid was \$407,900, or \$3,137.69 per acre. On March 17, 2014, West Amwell Township passed a resolution accepting the bid of \$407,900 from Leon Walters for the sale of the property. West Amwell Township is requesting SADC approval of the farm property auction and its acceptance of the bid of \$407,900. Staff recommendation is to approve the auction for the amount of \$407,000, subject to the conditions as outlined in said Resolution.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to approve Resolution FY2014R4(2) granting approval to West Amwell Township's auction of the Farm Property known as the West Amwell Township/Hunterdon Land Trust Alliance/Toll Brothers South Farm, Block 8, Lots 20 and 36, West Amwell Township, Hunterdon County, 130 acres, for \$407,900.00, and authorizes a closing on the sale of the Farm Property subject to the following conditions:

- 1) Upon the closing on the sale of the farm property, West Amwell Township will pay the SADC 55 percent of the net proceeds as set forth in the Project Agreement between the Hunterdon Land Trust Alliance, West Amwell Township and the SADC, identified as Schedule "F"; and
- 2) Pursuant to the Project Agreement, the SADC's share is calculated as follows:

Sales Price	\$407,900.00
Minus ancillary expenses -	\$ 67,750.35 (Schedule "G")
Net Proceeds	\$340,149.65
Times 55%	\$187,082.31

The motion was unanimously approved. (A copy of Resolution FY2014R4(2) is attached to and is a part of these minutes.)

D. Resolutions for Final Approval: Municipal Planning Incentive Grant Program

SADC staff referred the Committee to four requests for final approval under the Municipal Planning Incentive Grant Program. Staff discussed each request with the Committee and stated that their recommendation is to grant final approval, as presented and discussed.

It was moved by Mr. Requa and seconded by Mr. Waltman to approve Resolution

FY2014R4(3) through Resolution FY2014R4(6) granting final approval to the following applications under the Municipal Planning Incentive Grant Program, as presented and discussed, subject to any conditions of said Resolutions.

1. B. Bassett Robbins, Jr. and Darlene D. Robbins and Dorothy D. Robbins, Individually and as Executrix of the Last Will and Testament of John D. Robbins ("Owners"), SADC #17-0126-PG (Resolution FY2014R4(3))
Block 86, Lot 2, Pilesgrove Township, Salem County, 72.87 Surveyed Easement Acres
State cost share of \$5,430 per acre (60%) for a total grant need of approximately \$395,684.10, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C." The SADC will utilize any remaining Federal Farm and Ranch Lands Protection Program grant funds (estimated \$71,412.60) to offset SADC grant needs on the property.

Discussion: The New Jersey Conservation Foundation submitted a parcel application to the USDA, NRCS Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on this property. It has been determined that the property and landowner qualify for FRPP grant funds. At this time the FRPP-approved current easement value has not been finalized; therefore, the FRPP grant will be calculated based on the estimated FRPP current easement value of \$9,200 per acre (highest of the two appraisals), equating to an FRPP grant of \$4,600 per acre (50 percent of \$9,200) or approximately \$335,202 in total FRPP funds. The owners have agreed to the additional restrictions involved with the FRPP grant, including a 7 percent maximum impervious coverage restriction (approximately 5.10 acres) for the construction of agricultural infrastructure on the property, which is the maximum impervious coverage allowable for the property through the FRPP program at this time. The Township and Salem County have requested that FRPP grant funds be "passed through" to cover the entire local cost share due to a shortage of available funds. The Township has requested to use \$335,202 in FRPP grant funds to cover the entire local cost share with any remaining FRPP grant funds to be utilized to reduce the needed SADC cost share, hence, reducing the overall expenditure of Pilesgrove Township's Planning Incentive Grant program grant funds.

2. Michael and Linda Sottile, SADC #17-0120-PG (Resolution FY2014R4(4))
Block 27, Lot 9, Upper Pittsgrove Township, Salem County, 61.3 Net Easement Acres
State cost share of \$3,280 per acre (68.33%), for a total grant need of approximately \$201,064, pursuant to N.J.A.C. 2:76-6.11 and the conditions

contained in Schedule "C." The SADC will utilize any remaining FRPP grant funds (estimated \$53,944) to offset SADC grant needs on the property. Final Approval is conditioned upon receipt of FRPP funds sufficient to cover the Township and County's cost share or in absence of FRPP funding, a resolution by the Township and the County Board of Chosen Freeholders to commit the funds needed to cover the Township's cost share.

Discussion: The original application had the landowners requesting .25 and 1-acre nonseverable exceptions, but upon the recommendation of SADC staff, they agreed to increase both exceptions to allow any infrastructure, e.g., septic fields, to be encompassed by the exceptions. The property includes a 0.4-acre nonseverable exception restricted to one single-family residence and a 1.2-acre nonseverable exception restricted to one single-family residence. The New Jersey Conservation Foundation submitted a parcel application to the USDA, NRCS Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on this property. It has been determined that the property and landowner qualify for FRPP grant funds. The FRPP grant will be calculated based on the FRPP current easement value of \$4,800 per acre (highest of the two appraisals), equating to a grant of \$2,400 per acre (50 percent of \$4,800) or approximately \$147,120 in total FRPP funds. The owners have agreed to the additional restrictions involved with the FRPP grant, including a 6.33 percent maximum impervious coverage restriction (approximately 3.88 acres) for the construction of agricultural infrastructure on the property, outside of the exception areas, which is the maximum impervious coverage allowable for this property through the FRPP program at this time. Due to a shortage of available funds, the Township and Salem County have requested that FRPP grant funds be "passed through" to cover the entire local cost share with no funding commitment. This final approval is conditioned upon FRPP funding an amount sufficient to cover the County and Township's cost share. The Township requested to use \$147,120 in federal grants funds to cover the entire local cost share (county and municipality), with any remaining federal grant funds to be utilized to reduce the needed SADC cost share, hence reducing the overall expenditure of Upper Pittsgrove Township's Planning Incentive Grant program grant funds. SADC staff indicated there was a typographical error on Page One of the resolution in the third "whereas," incorrectly listing the landowner by the last name of Robbins. Staff will correct that to reflect the correct last name of Sottile.

3. Brian and Dorothy Kargman (#1), SADC #08-0134-PG (Resolution
FY2014R4(5)
Block 7002, Lot 8, Franklin Township, Gloucester County, 27.941 Surveyed
Easement Acres

State cost share of \$3,450 per acre for a total grant need of \$96,396.45, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C."

Discussion: The property includes a 1.5-acre nonseverable exception restricted to one single-family residence.

4. Brian and Dorothy Kargman (#3), SADC #08-0139-PG, (Resolution FY2014R4(6))
Block 7102, Lot 14, Franklin Township, Gloucester County, totaling 26.2 Net Surveyed Easement Acres
State cost share of \$4,650 per acre for a total grant need of \$121,830, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C."

Discussion: The property includes a 4.369-acre severable exception around an existing business and restricted to zero residential units. It also includes a 0.101-acre severable exception for a building encroachment from an adjacent property. The property has one existing single-family residence, zero agricultural labor housing and no pre-existing nonagricultural uses on the area to be preserved outside of the exception areas.

The motion was unanimously approved. (Copies of Resolution FY2014R4(3) through Resolution FY2014R4(6) are attached to and are a part of these minutes.)

E. Resolutions of Final Approval: County Planning Incentive Grant Program

SADC staff referred the Committee to five requests for final approval under the County Planning Incentive Grant Program. Staff reviewed the specifics of the requests with the Committee and stated that their recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Schilling to approve Resolution FY2014R4(7) through Resolution FY2014R4(11) granting final approval to the following applications under the County Planning Incentive Grant Program, as presented and discussed, with the amendments to the resolutions suggested by Mr. Danser below for the Greco and Moore farms, and subject to any conditions of said Resolutions:

1. Dante Greco, SADC #17-0123-PG (Resolution FY2014R497))
Block 31, Lot 2, Elmer Borough; Block 82, Lot 7, and Block 83, Lots 1, 8 and 9, Upper Pittsgrove Township; Block 1201, Lot 3; Block 1202, Lots 1, 3, 9, 11, 13 and 14; Block 1203, Lots 3 and 10, Pittsgrove Township, Salem County, 316

Easement Acres

State cost share of \$3,450 per acre for a total grant need of \$1,122,906, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C." The SADC's participation in an installment purchase agreement is subject to review by the Office of the Attorney General.

Discussion: The property includes two Residual Dwelling Site Opportunities (RDSOs), zero single-family residences, zero agricultural labor units and no pre-existing nonagricultural uses. The County has requested to encumber an additional 3 percent buffer for possible final surveyed acreage increases; therefore, 325.48 acres will be utilized to calculate the SADC grant need. The entire estimated SADC grant need will be encumbered from the County's base grants. The County will be utilizing the installment purchase agreement (IPA) to complete the easement purchase transaction.

2. Prestige World Wide Investments, LLC, SADC #17-0121-PG (Resolution FY2014R4(8))

Block 44, Lot 9, Alloway Township, Salem County, 53 Easement Acres

State cost share of \$4,450 per acre for a total grant need of \$242,925.50, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C."

Discussion: The property includes a 3-acre nonseverable exception area restricted to one single-family residence. The County has requested to encumber an additional 3 percent buffer for possible final surveyed acreage increases; therefore, 54.59 acres will be utilized to calculate the SADC grant need. The entire estimated SADC grant need will be encumbered from the County's base grants.

3. Kenneth Dunham, Sr., SADC # 17-0122-PG (Resolution FY2014R4(9))

Block 20, Lot 21.01, Mannington Township, Salem County, 38 Net Easement Acres

State cost share of \$3,750 per acre for a total grant need of \$146,775, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C."

Discussion: The property includes a 1-acre nonseverable exception area for an existing business and restricted to zero residential units. The County has requested to encumber an additional 3 percent buffer for possible final surveyed acreage increases; therefore, 39.14 acres will be utilized to calculate the SADC grant need. The entire estimated SADC grant need will be encumbered from the County's base grants.

4. Charles and Jeanne Mahoney, SADC # 17-0125-PG (Resolution FY2014R4(10))
Block 40, Lot 6.02, Mannington Township, Salem County, 29 Easement Acres
State cost share of \$3,550 per acre for a total grant need of \$106,038.50, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C."

Discussion: At the time of application the property was in hay and equine production. The equine operation consists of 6 horses kept for the landowner's own use with no equine service activities taking place on the property. The County has requested to encumber an additional 3 percent buffer for possible final surveyed acreage increases; therefore, 29.87 acres will be utilized to calculate the SADC grant need. The entire estimated SADC grant need will be encumbered from the County's base grants.

5. John and Lori Moore, SADC # 17-0110-PG (Resolution FY2014R4(11))
Block 21, Lot 8.01 and Block 5, Lot 4, Mannington Township, Salem County, 145 Easement Acres
State cost share of \$3,425 per acre for a total grant need of \$511,523.75, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C." The SADC will utilize any remaining FRPP grant funds (estimated \$239,806.25) to offset the SADC grant needs for this property. **This final approval is conditioned upon receipt of FRPP funds sufficient to cover the County cost share or, in absence of FRPP funding, a resolution by the County Board of Chosen Freeholders to commit the funds needed to cover the County cost share.**

Discussion: The property includes one RDSO, zero residences, zero agricultural labor units and no pre-existing nonagricultural uses. The County has requested to encumber an additional 3 percent buffer for possible final surveyed acreage increases; therefore, 149.35 acres will be utilized to calculate the SADC grant need. The SADC submitted a parcel application to the USDA, NRCS Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on this farm. It has been determined that the property and the landowner qualify for federal grant funds. The owners have agreed to the additional restrictions involved with the federal grant, including a 4.33 percent maximum impervious coverage restriction (approximately 6.27 acres) for the construction of agricultural infrastructure on the property, which is the maximum impervious coverage allowable for this property through the federal program at this time. Due to a shortage of available local funding, Salem County has requested that FRPP grant funds be "passed through" to cover the entire local cost share. Neither the Salem CADB nor the Salem County Board of Chosen Freeholders included a funding commitment in anticipation of FRPP funds. Therefore, this final approval is conditioned upon FRPP funding in an amount sufficient to cover the County cost share.

Mr. Danser stated that the resolutions for the Greco farm and the Moore farms state that the property includes one RDSO and two RDSOs in the "whereas" sections but that is not mentioned anywhere in the "Now Therefore Be It Resolved" section. He questioned if that was correct. Ms. Payne stated that it is normally done that way but she sees Mr. Danser's point. Staff could move the approval of those RDSOs to the Further Be It Resolved sections.

The motion was unanimously approved. (Copies of Resolution FY2014R4(7) through Resolution FY2014R4(11) are attached to and are a part of these minutes.)

F. Resolution for Final Approval – Nonprofit Grant Program

Mr. Knox referred the Committee to Resolution FY2014R4(12) for a request for final approval of the New Jersey Conservation Foundation (NJCF)/Perozzi Farm in Salem County. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Waltman and seconded by Mr. Danser to approve Resolution FY2014R4(12) granting final approval to the following application under the Nonprofit Grant Program, as presented and discussed, subject to any conditions of said Resolution.

NJCF/Perozzi Farm, SADC #17-0044-NP

Block 80, Lot 10, Pilesgrove Township, Salem County, 71 Net Acres

Cost share grant not to exceed \$3,937.50 per acre (total of approximately \$279,562.50 based on 71 acres) to the New Jersey Conservation Foundation for the development easement acquisition on this farm, subject to the availability of funds. **Final approval is conditioned upon securing FRPP funding in an amount sufficient to cover the NJCF's 50 percent cost share.** The SADC approves the use of NJCF federal funding for the preservation of this farm, which will include an impervious coverage limitation of 6.33 percent and other restrictions required under the FRPP program. The application is subject to the conditions contained in Schedule "C."

Discussion: The original application contained a .7-acre nonseverable exception for an existing house and tack shop, and a 1.8-acre nonseverable exception for a future indoor arena facility. Since preliminary approval, the exception areas were merged and enlarged to 5 acres to encompass all of the area where the nonagricultural uses and equine service activities take place. Some of the nonagricultural uses and service activities within the

exception area include a tack shop, horse shows, camps, clinics, equine competitions, boarding and lessons. The property now contains a 5-acre nonseverable exception area restricted to one single-family residence. A parcel application was submitted by the NJCF to the USDA, NRCS Federal Farm and Ranch Lands Protection Program (FRPP), and the NRCS has determined that the property and landowner qualified for federal grant funds. At this time the FRPP-approved current easement value has not been finalized; therefore, for the purpose of this resolution, the FRPP grant will be estimated using the SADC current easement value of \$7,875 per acre equating to an estimated FRPP grant of \$3,937.50 per acre (50 percent of \$7,875) or approximately \$279,562.50 based on 71 acres in total FRPP funds. The landowner has agreed to the additional restrictions associated with the FRPP grant, including the 6.33 percent maximum impervious coverage restriction (approximately 4.5 acres) on the lands being preserved outside of the exception area for the construction of agricultural infrastructure on the property, which is the maximum impervious coverage allowable for the property through the FRPP program at this time. Final approval is conditioned upon securing the federal funding in an amount sufficient to cover the NJCF's 50 percent cost share.

The motion was unanimously approved. (A copy of Resolution FY2014R4(12) is attached to and is a part of these minutes.)

G. Resolution for Final Approval – State Acquisition Program

Ms. Roberts referred the Committee to one request for final approval under the State Acquisition Program. She reviewed the specifics of the request with the Committee and stated that the recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2014R4(13) granting final approval to the following application under the State Acquisition Program, as presented and discussed, subject to any conditions of said Resolution:

1. Salvatore F. and Benvenuta (AKA Dina) Vasta, SADC #17-0210-DE
Block 268, Lot 4, Carneys Point Township, Salem County, 143 Net Easement
Acres
Acquisition of the development easement at a value of \$5,500 per acre for a total of approximately \$786,500, subject to the conditions contained in Schedule "B."

Discussion: The property includes a 7-acre severable exception area restricted to four single-family residences (three existing and one future residence). As a result of the

subdivision of the severable exception prior to closing, the remaining parcel may be re-designated with a new lot number and this re-designation will be reflected in the subsequent closing documents and deed of easement.

The motion was unanimously approved. (A copy of Resolution FY2014R4(13) is attached to and is a part of these minutes.)

H. Proposed SADC Appraisal Handbook Amendments

Mr. Burns referred the Committee to the Draft Summary of Changes to the SADC Appraisal Handbook-2014. He briefly reviewed the various proposed changes with the Committee. He stated that this information is for discussion purposes only at this point for the purpose of the Committee's input and then it will go out to the counties for their input as well. The draft changes will then come back to the Committee at its May meeting for adoption and, if approved, will be distributed to those appraisers on the Approved Appraisers List. No action was needed on this agenda item at this time.

PUBLIC COMMENT

None

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, May 22, 2014, beginning at 9 a.m. Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 10:15 a.m., Mr. Requa moved the following resolution to go into Closed Session. The motion was seconded by Mr. Siegel and unanimously approved.

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

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certification of Values

It was moved by Mr. Siegel and seconded by Mr. Danser to certify the following development easement values as presented and discussed in Closed Session:

Mr. Johnson recused himself from any discussion/action pertaining to the following agenda item (Estate of Harriet Hlubik) to avoid the appearance of a conflict of interest. Mr. Johnson is a member of the Burlington County Agriculture Development Board.

1. Estate of Harriet Hlubik, SADC #03-0390-PG
Block 102, Lot 6; Block 200, Lot 4, and Block 201, Lot 23, North Hanover Township, Burlington County, 74 Acres

The motion was approved. (Mr. Johnson recused himself from the vote.) (A copy of the Certification of Value Report is attached to and is a part of the Closed Session minutes.

It was moved by Ms. Reade and seconded by Mr. Siegel to certify the following development easement values as presented and discussed in Closed Session:

2. Melvin and Josephine McCracken, SADC #06-0156-PG
Block 65, Lot 10 and 10.01, Hopewell Township, Cumberland County, 43 Acres;
47 Acres per SADC
3. Hubschmidt #2 Farm, SADC #06-0157-PG
Block 2201, Lots 10 and 11, Upper Deerfield Township, Cumberland County, 66 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.

Direct Easement Purchase Program

1. Steven Hall, SADC # 17-0271-DE
Block 701, Lot 9.01; Block 903, Lots 1 and 2, Pittsgrove Township, Salem

County, 120 Net 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.)

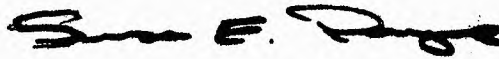
PUBLIC COMMENT

None

ADJOURNMENT

There being no further business, it was moved by Ms. Reade and seconded by Mr. Requa and unanimously approved to adjourn the meeting at 11:05 a.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

S:\MINUTES\2014\Reg April 25 2014pr.doc

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2014R4(1)

Request to Replace a Single Family Residence

Jordan & Bethany Leckenbusch

April 25, 2014

Subject Property: Block 2701, Lot 19
Franklin Township, Gloucester County
42.81 - Acres

WHEREAS, Jordan & Bethany Leckenbusch, hereinafter "Owners," are the record owners of Block 2701, Lot 19 in Franklin Township, Gloucester County, by Deed dated December 27, 2011, and recorded in the Gloucester County Clerk's Office in Book 4927, Page 278, totaling approximately 42.81 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the County of Gloucester, by the former owner Josephine Gallagher, by Deed dated March 30, 2011 and recorded in the Gloucester County Clerk's Office in Book 4860, Page 279, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, and the Garden State Preservation Trust Act, N.J.S.A. 13:8C, et seq.; and

WHEREAS, the Premises was preserved using a partial grant from the USDA-NRCS Federal Farm and Ranchland Protection Program ("FRPP"); and

WHEREAS, the use of FRPP funds stipulates a 4.7-acre building envelope for new infrastructure as well as an overall 7.33% impervious cover limitation; and

WHEREAS, on March 6, 2014, the SADC received a request to replace an existing single family residence on the Premises from the Gloucester CADB on behalf of the Owner; and

WHEREAS, the Deed of Easement identifies one single-family residence on the Premises, no agricultural labor residential units, no RDSOs, and no exception areas; and

WHEREAS, paragraph 15(b) ii of the Deed of Easement allows for the replacement of any existing single family residential building anywhere on the Premises with the approval of the Grantee and Committee; and

WHEREAS, on April 3, 2014, SADC staff visited the site; and

WHEREAS, the Premises is being managed in alfalfa hay over approximately 26-acres; and

WHEREAS, the Owner's propose to replace the existing residence on the premises with a new residence for themselves; and

WHEREAS, the existing house has extensive termite damage throughout, no plumbing requires significant foundation repairs and is in close proximity to Monroeville Road; and

WHEREAS, the proposed new house will be built approximately 250 feet north of the of the existing house, as shown on Schedule "A"; and

WHEREAS, the new house will require a new driveway in the area shown on Schedule "A"; and

WHEREAS, the Owners propose to build a two-story house with approximately 3,000 sq./ft. of heated living space to replace the original farmhouse which is approximately 2,000 sq./ft.; and

WHEREAS, the new house and driveway are being constructed within the FRPP designated building envelope and will result in approximately 0.64% impervious cover over the Premises; and

WHEREAS, on April 1, 2014, the USDA-NRCS was advised of the Owners request and confirmed that they have no objections to the request as proposed; and

WHEREAS, the Owners intend to remove the existing residence, fill, grade and reseed the area; and

WHEREAS, SADC staff have verified that the existing house was not included on the NJ Register of Historic Places as of the date the development easement was conveyed; and

WHEREAS, on April 17, 2014 the Gloucester CADB reviewed and approved the replacement of the existing residence on the Premises; and

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of a single-family residence on the Premises will have a positive impact on the continued agricultural operations of this farm by replacing the deteriorated residence with a new residence which shall serve as the primary residence for the Owners; and

BE IT FURTHER RESOLVED, that the Committee approves the construction of a single family residence, consisting of approximately 3,000 sq./ft. heated living space, in the location shown in Schedule "A", to replace the single family residence which currently exists on the Premises; and

BE IT FURTHER RESOLVED, that the existing residence shall be removed and the area restored prior to or within 30 days of receipt of the certificate of occupancy on the new residence; and

BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution; and

BE IT FURTHER RESOLVED, that this approval is non-transferable; and

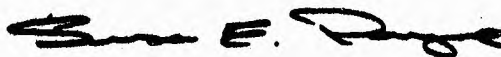
BE IT FURTHER RESOLVED, that the construction of the new residence is subject to all applicable local, State and Federal regulations; and

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

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

4-25-14

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

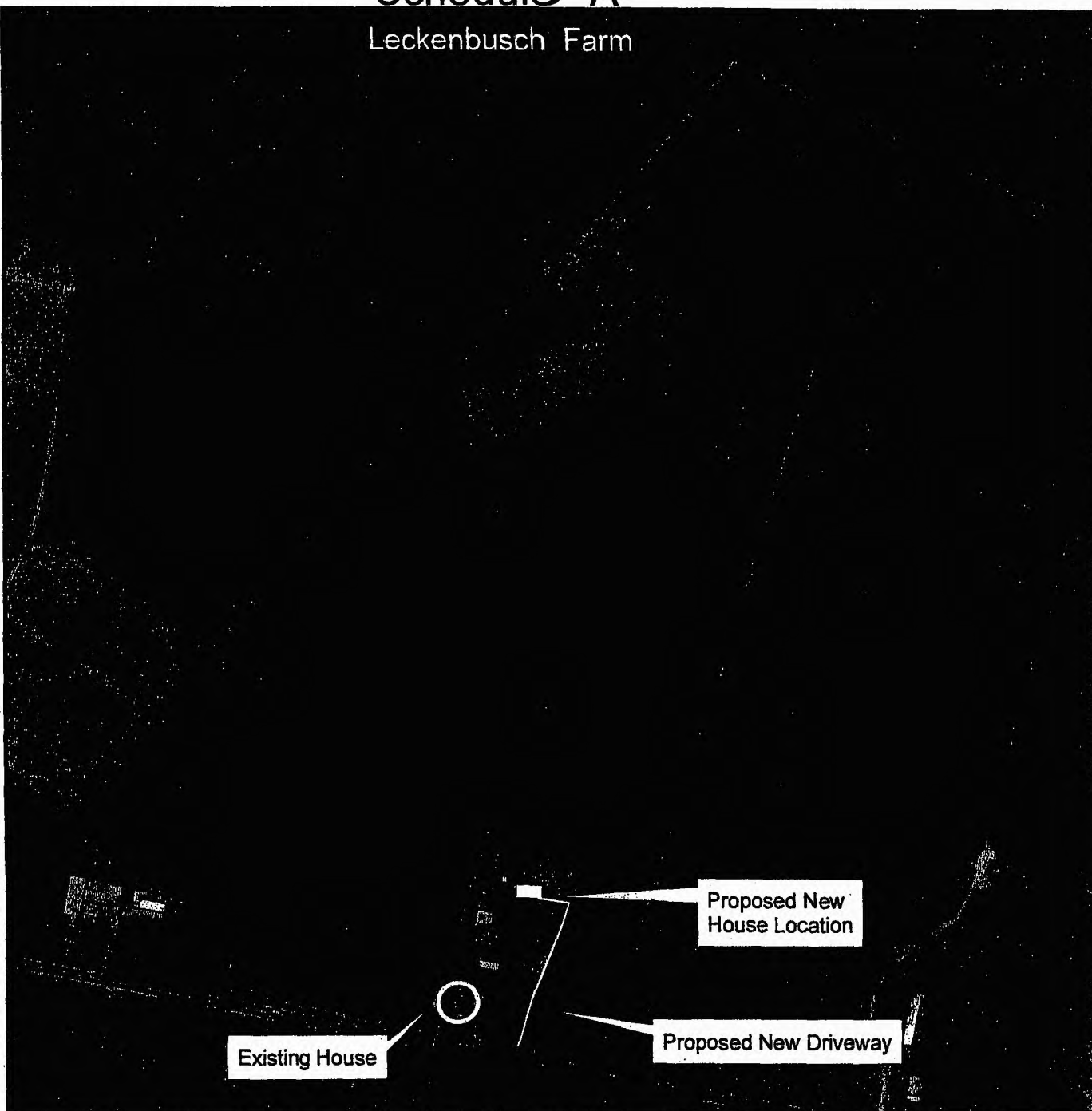
VOTE TO BE RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT

Schedule "A"

Leckenbusch Farm

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Leckenbusch Farm
Block 2701, Lot 19
Franklin Township, Gloucester County
42.81 - Acres



0 135 270 540 810 1,080 Feet

month/day/year

Farmland Preservation Program	
	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	8 YEAR PRESERVED
	TARGETED FARM
	INACTIVE APPLICATION
	NO CORRESPONDING DATA

State Planning Areas	
	(P1) METRO
	(P2) SUBURBAN
	(P3) FRINGE
	(P4) RURAL
	(P4B) RURAL ENV SENS
	(P4C) ENV SENS
	(P4D) ENV SENSITIVE BARRIER IS
	(P10) PINELANDS
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER
	ELLIS ISLAND-NJ
	ELLIS ISLAND-NY
Base Map	
	County Boundaries
	Municipal Boundaries
	Highlands Planning Area
	Highlands Preservation Area
	Pinelands Area
	Green Acres Preserved Easements

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2014R4(2)

**Approval for Resale of
West Amwell Township/Hunterdon Land Trust Alliance – Toll Brothers South Farm**

April 25, 2014

Nonprofit Fee Simple Grant Program:

Subject Property: West Amwell Township/Hunterdon Land Trust Alliance/Toll Brothers South Farm
Block 8, Lots 20 and 36
West Amwell Township, Hunterdon County
130 Acres

WHEREAS, on December 3, 2007, the State Agriculture Development Committee ("SADC") received a non-profit cost share grant application from Hunterdon Land Trust Alliance ("HLTA") for the Toll Brothers South farm, Block 8, Lots 20 and 36, West Amwell Township, Hunterdon County (the "Farm Property") (Schedule A); and

WHEREAS, on March 26, 2009, the SADC granted final approval to the HLTA application by Resolution #FY09R3(5) and appropriated \$825,000 for HLTA's fee simple acquisition of the Farm Property (Schedule B); and

WHEREAS, West Amwell Township (WAT) provided funding to HLTA for the purchase of the Farm Property, and a Project Agreement was entered into by HLTA, WAT and SADC pursuant to N.J.A.C. 2:76-16.1(a); and

WHEREAS, HLTA and WAT jointly acquired fee simple title to the Farm Property by deed dated March 16, 2010 and recorded in the Hunterdon County Clerk's Office on March 22, 2010 in Deed Book 2247 Page 33; and

WHEREAS, pursuant to N.J.A.C. 2:76-16.1(a) iv, the SADC holds the Deed of Easement to the Farm Property dated March 16, 2010 and recorded in the Hunterdon County Clerk's Office on March 22, 2010 in Deed Book 2247, Page 49; and

WHEREAS, N.J.A.C. 2:76-16.1(a)3.ii.(3) requires that the nonprofit shall, for lands acquired in fee simple title, agree not to sell, lease, exchange, or donate the lands unless the Committee is notified that the restricted farm is being offered for sale, exchange or donation and the Committee approves the transfer in writing, prior to the nonprofit's offering, for sale or conveyance, of any of its interest in the land; and

WHEREAS, by Resolution #FY10R3(7) dated March 25, 2010 the SADC approved the transfer of Hunterdon Land Trust Alliance interest in the Farm Property to WAT (Schedule C); and

WHEREAS, by deed dated March 25, 2010 and recorded in the Hunterdon County Clerk's Office on May 27, 2010 in Deed Book 2250, Page 582 Hunterdon Land Trust Alliance transferred its interest in the Farm Property to WAT; and

WHEREAS, on April 21, 2011, WAT auctioned the Farm Property through Max Spann Auctioneers. There were five (5) bidders and the highest bid was \$385,000 (\$2,961.54/acre). WAT did not accept the high bid; and

WHEREAS, WAT decided to re-auction the Farm Property in 2014 and took various steps to accomplish this. See Time Line Schedule D; and

WHEREAS, on March 14, 2014, WAT re-auctioned the Farm Property. The auction was a sealed bid auction with a disclosed minimum bid of \$400,000. The high and only bid was \$407,900 (\$3,137.69 per acre) from a Mr. Leon Walters; and

WHEREAS, on March 17, 2014, WAT passed Resolution #53-2014 accepting the high bid of \$407,900 from Mr. Walters for the sale of the Farm Property (Schedule E); and

WHEREAS, in March of 2014, WAT hired Thomas Rodriguez Appraisal to conduct a deed restricted appraisal of the Farm Property. Mr. Rodriguez's appraised value was \$422,700 (\$3,253 per acre with an as of date of April 3, 2014, which appraisal has been reviewed and accepted by the SADC Review Appraiser; and

WHEREAS, WAT is requesting SADC approval of the Farm Property auction and WAT's acceptance of the bid of \$407,900;

NOW THEREFORE BE IT RESOLVED that the SADC approves West Amwell Township's auction of the Farm Property for \$407,900, and authorizes a closing on the sale of the Farm Property subject to the following conditions:

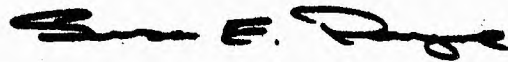
1. WAT agrees that upon the closing on the sale of the Farm Property, it will pay the SADC 55% of the net proceeds as set forth in the Project Agreement between the HLTA, WAT and SADC, attached hereto as Schedule F
2. Pursuant to the Project Agreement the SADC's share is calculated as follows:

Sales price	\$407,900.00
minus ancillary expenses	- \$ 67,750.35 (Schedule G)
Net Proceeds	\$340,149.65
times 55%	\$187,082.31

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

4-25-14

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

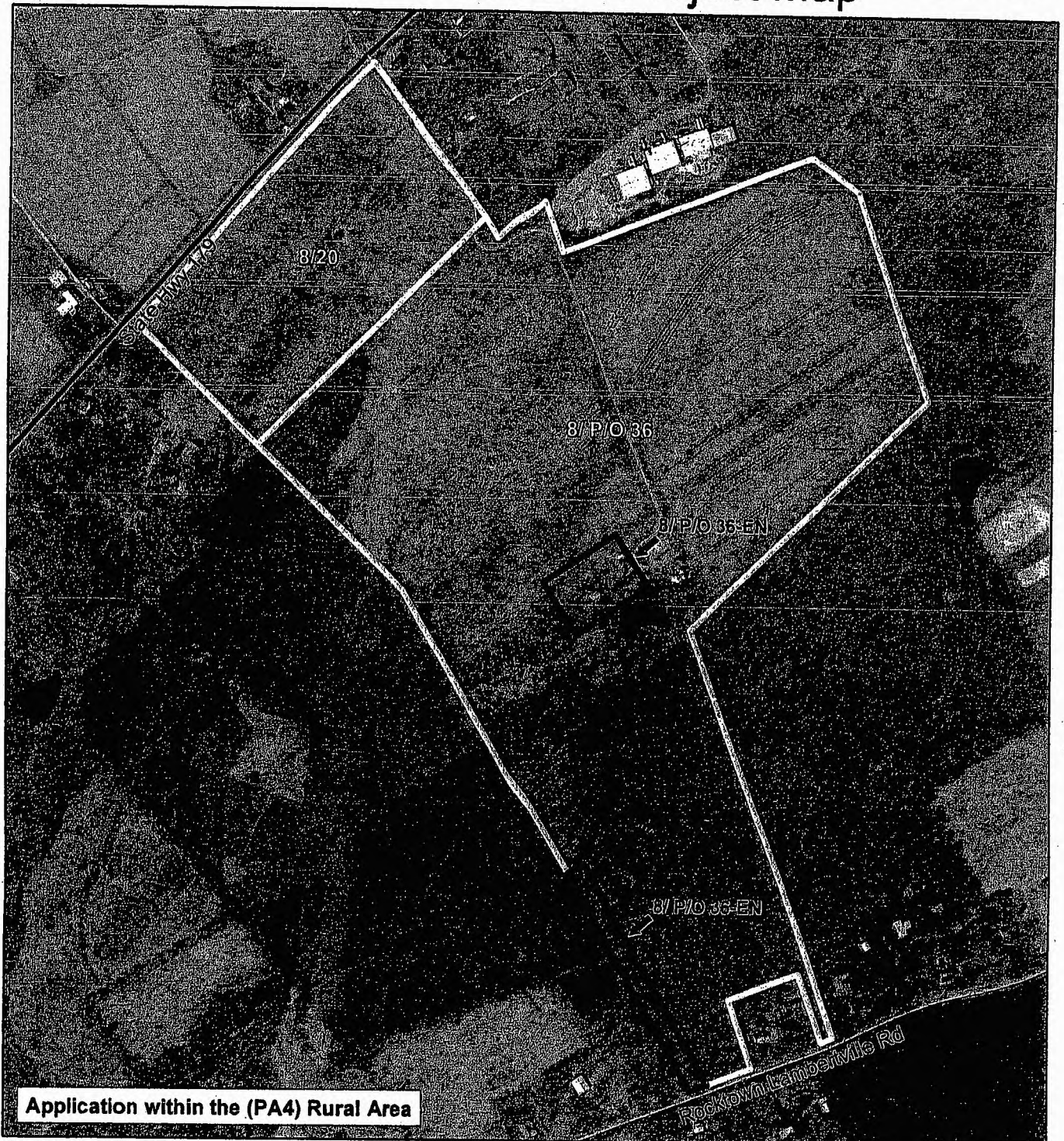
VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT

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Toll Brothers/HLT - Project Map Schedule A

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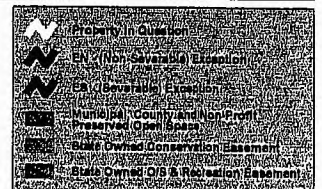


Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Toll Brothers/Hunterdon Land Trust
Block 8 Lots 20 (22.2 ac); P/O 36 (104.4 ac);
P/O 36-EN (non-severable exceptions - 2.0 & 2.0 ac)
Gross Total = 130.6 ac
West Amwell Twp., Hunterdon County

500 250 0 500 1,000 Feet



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

Sources:
Green Acres Conservation Easement Data
NJOTT/OGIS 2012 Digital Aerial Image

February 26, 2014

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY09R3(5)

Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
Hunterdon Land Trust Alliance – Toll Brothers South Farm
2009 Non Profit Round

March 26, 2009

Nonprofit Fee Simple Grant Program:

Subject Property: Hunterdon Land Trust Alliance/Toll Brothers South Farm
Block 8, Lots 20 and 36
West Amwell Township, Hunterdon County
126 Acres

WHEREAS, on December 3, 2007 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from Hunterdon Land Trust Alliance (HLTA) for the Toll Brothers South farm located in West Amwell Township, Hunterdon County, see Schedule A; and

WHEREAS, on April 26, 2007 the SADC granted preliminary approval by Resolution #FY07R4(10) to the HLTA application and appropriated \$825,000 for the acquisition of development easements or fee simple interest to several farms which HLTA had submitted including the Toll Brothers South farm; and

WHEREAS, the Toll Brothers South farm was the highest ranked farm submitted by HLTA in the 2009 round; and

WHEREAS, HLTA is requesting a 2 acre nonseverable exception around an existing single family home; and

WHEREAS, HLTA is also requesting a 2 acre nonseverable exception for a trail easement along the south westerly border of the farm as shown on Schedule A; and

WHEREAS, the farm consists of 75 percent statewide soils and is 65 percent tilled and has a quality score of 60.68; and

WHEREAS, the HLTA/Toll Brothers South application meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, on December 4, 2008 the SADC certified the fee simple value of the Property at \$17,000 per acre based on zoning in place as of 1/01/04 (total of \$2,142,000) and \$13,500 per acre based on current zoning (as of November 9, 2007) for the fee simple acquisition; and

WHEREAS, on January 6, 2009 the SADC informed HLTA of the certified value and its willingness to provide up to a 50 percent cost share grant, or \$8,500 per acre for approximately

\$1,071,000 based on approximately 126 net acres, pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of HLTA's eligible costs and subject to available funds from the \$825,000 to be appropriated in the 2009 Nonprofit round; and

WHEREAS, on January 27, 2009 HLTA informed the SADC that HLTA and the landowner had accepted the certified value of \$17,000 per acre for the fee simple purchase (approximately \$2,142,000) and HLTA was prepared to move forward with the project; and

WHEREAS, subsequently, HLTA advised the SADC that the seller had agreed to donate a significant portion of the value and was willing to accept \$1,500,000 million for the fee simple sale of the farm; and

WHEREAS, HLTA indicated that the difference between the \$1,500,000 million purchase price and the SADC fee simple grant of \$825,000, or \$675,000 in funding would be provided by West Amwell Township and Hunterdon County; and

WHEREAS, the cost share participation for the project will be as follows:

SADC Nonprofit Grant Funds	\$825,000	(39% of CMV and 55% purchase price)
Nonprofit/local funds	\$675,000	(32% of CMV and 45% purchase price)
Total	\$1,500,000	(100% purchase price); and

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Hunterdon Land Trust Alliance/Toll Brothers South fee simple acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, the SADC recognizes a 2 acre nonseverable exception area for an existing single family home and a 2 acre nonseverable exception for a trail easement; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$8,500 per acre (capped at \$825,000) to the Hunterdon Land Trust Alliance for the fee simple acquisition on the Toll Brothers South farm subject to the appropriation of funds; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1 and subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC's cost share grant to Hunterdon Land Trust Alliance for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement, therefore it is recognized that

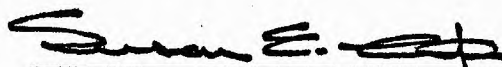
fluctuations in exact cost share amounts in this document may vary as per final surveyed acreage; and

BE IT FURTHER RESOLVED that the SADC authorizes Secretary of Agriculture Douglas H. Fisher as Chairperson of the SADC or Executive Director Susan E. Craft to execute by signature all documents necessary to provide a grant to the Hunterdon Land Trust Alliance for the fee simple acquisition of the Toll Brothers South farm; and

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

3-26-09

Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	
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	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY10R3(7)

Hunterdon Land Trust Alliance – Toll Brothers South Farm
2009 Non Profit Round

March 25, 2010

Nonprofit Fee Simple Grant Program:

Subject Property: Hunterdon Land Trust Alliance/Toll Brothers South Farm
Block 8, Lots 20 and 36
West Amwell Township, Hunterdon County

WHEREAS, on December 3, 2007 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from Hunterdon Land Trust Alliance ("HLTA") for the Toll Brothers South farm ("Property") located in West Amwell Township, Hunterdon County, see Schedule A; and

WHEREAS, on March 26, 2009 the SADC granted final approval by Resolution #FY09R3(5) to the HLTA application and appropriated \$825,000 for the fee simple acquisition of the Property; and

WHEREAS, West Amwell Township is participating with HLTA in the purchase, maintenance and resale of the Property; and

WHEREAS, the Project Agreement entered into between HLTA, West Amwell Township and the SADC provides that upon the resale of the preserved farm, the SADC is to receive 55% of the net proceeds; and

WHEREAS, HLTA and West Amwell Township will jointly acquire fee simple title to the Property; and

WHEREAS, N.J.A.C. 2:76-16.1(a)3.ii.(3) requires that the nonprofit shall, for lands acquired in fee simple title, agree not to sell, lease, exchange, or donate the lands unless the Committee is notified that the restricted farm is being offered for sale, exchange or donation and the Committee approves the transfer in writing, prior to the nonprofit's offering, for sale or conveyance, of any of its interest in the land; and

WHEREAS, HLTA is requesting SADC approval to transfer its ownership interest in the Property to West Amwell Township subsequent to their joint purchase of the Property and HLTA's receipt of the SADC grant; and

WHEREAS, it is the intent of West Amwell Township to sell the restricted farm;

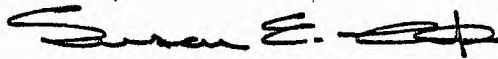
NOW THEREFORE BE IT RESOLVED that the SADC approves Hunterdon Land Trust Alliance request to transfer its interest in the Toll Brothers South farm to West Amwell Township subject to the following conditions:

1. The SADC must approve the deed of conveyance.
2. West Amwell Township must receive SADC approval prior to selling the Property.
3. West Amwell Township must agree that upon the resale of the restricted Property West Amwell Township will pay the SADC 55% of the net proceeds as set forth in the Project Agreement between the SADC, Hunterdon Land Trust Alliance and West Amwell Township.
4. "Net proceeds" pursuant to the terms of the Project Agreement are identified in Schedule B.

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

3-25-2010

Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Monique Purcell, Acting Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Donna Rendeiro (rep. DCA Acting Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	ABSENT
Alan A Danser	YES
James Waltman	YES
Denis C. Germano	YES
Torrey Reade	YES
Stephen P. Dey	YES

Schedule D

Time Line

Hunterdon Land Trust Alliance/West Amwell Township Chronology of events for the auctioning of the former Toll Brothers South farm, Block 8, Lots 20 and 36, West Amwell Township, Hunterdon County.

- | | |
|-----------|---|
| 12/3/07 | Hunterdon Land Trust Alliance (HLTA) submits the Toll Brothers South farm as a nonprofit fee simple acquisition application. |
| 3/26/09 | SADC grants final approval to HLTA application and appropriated \$825,000 for HLTA's fee simple purchase of the farm. West Amwell Township (WAT) was to provide funding for the farm's acquisition. |
| 3/16/10 | HLTA and WAT jointly acquire fee simple title to the farm for \$1,497,169 (\$11,517/acre). HLTA and WAT enter into Project Agreement with the SADC, which provides in part that the SADC will receive 55% of the net proceeds from the resale of the restricted farm. |
| 3/16/10 | SADC holds the Deed of Easement on the farm, which is recorded in the Hunterdon County Clerk's Office in Book 2247, Page 49. |
| 3/25/10 | HLTA assigns its fee simple interest in the farm to WAT, with SADC approval. Assignment recorded in Hunterdon County Clerk's Office in Book 2250, Page 582. |
| 4/21/11 | Max Spann Auctioneers auctioned the property for WAT. Spann advertised and marketed the property. There were 4 or 5 bidders. High bid was Bryce Thompson at \$385,000 (\$2,962/acre). WAT did not accept the high bid. |
| 2011-2013 | WAT held the property. No farming was taking place, although the Township did mow the fields once a year in order to be in compliance with the deed of easement restrictions. |
| June 2013 | WAT started discussion about how to sell the Toll Brothers South farm. |
| 7/24/13 | WAT passed resolution authorizing the public auction of the farm on August 27, 2013. The sale never took place. |
| 11/27/13 | WAT passed another resolution authorizing the public auction of the farm on March 14, 2014. Resolution was published in the Hunterdon County Democrat on 2/27/14 and 3/6/14. |
| 12/27/13 | A for sale sign was posted on the property. Auction brochures were available at the sign and also at Township municipal building and on line. |
| 12/31/13 | Property offering was placed in mlsmyhome.com for a 6 month period |

1/27/14 Property offering was placed in Garden State Multiple Listing Service (MLS) for \$800,000.

2/3 & 2/20/14 A block advertisement announcing the auction was run in the Hunterdon County Democrat.

2/15 & 3/1/14 A block advertisement announcing the auction was run in the New Jersey Farmer.

2/22 & 3/1/14 A block advertisement announcing the auction was run in Lancaster Farming.

Feb/March 2014 Sales brochures were mailed to 8 individuals.

2/26/14 Auction information was distributed to 11 real estate sales persons.

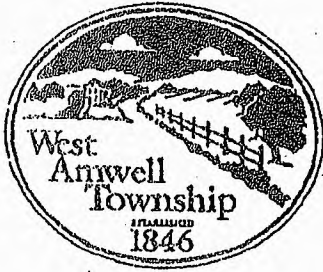
3/8/14 A tour of the farm was conducted with three people attending.

3/14/14 Sealed bid auction was conducted with a minimum bid of \$400,000. Only one bid was submitted for \$407,900 (\$3,138) from Mr. Leon Walters.

3/17/14 Township Committee passed resolution #53-2014 approving the auction subject to SADC approval.

3/28/14 WAT entered into sales agreement with Mr. Walters, anticipated closing the end of June 2014.

4/1/14 WAT hired Tom Rodriguez to prepare a current restricted appraisal. Appraisal reflected a value of \$422,700 (\$3,252/acre) with an as of date of April 3, 2014.



West Amwell Township
150 Rocktown-Lamb. Road, Lambertville, New Jersey 08530-3203
(609) 397-2054 (609) 397-8634 FAX
www.westamwelltp.org

RESOLUTION #53-2014

BE IT RESOLVED by the West Amwell Township Committee that on March 17, 2014 to accept the bid from Leon Walters for Block 8 Lots 20 & 36 in the amount of \$407,900.00, subject to approval by the SADC.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at a special meeting held March 17, 2014.

A handwritten signature in cursive script, reading "Lora L. Olsen", is written over a horizontal line.

Lora L. Olsen, RMC
Township Clerk



Schedule F

State of New Jersey
State Agriculture Development CommitteeFarmland Preservation Program
Non-Profit Fee Simple Grant Program
PROJECT AGREEMENTAgreement Date: ^{March} ~~February~~ 10, 2010

Between:

Hunterdon Land Trust Alliance, a New Jersey Non-Profit Corporation
("HLTA")

Address: 56 Main Street, Suite 2E, Flemington, New Jersey 08822

And

Township of West Amwell, a municipal corporation of the State of new
Jersey, ("WAT")Address: 150 Rocktown-Lambertville Road, Lambertville, New Jersey
08630

And

State of New Jersey, State Agriculture Development Committee ("SADC")

Address: P.O. Box 330
Health & Agriculture Building
John Fitch Plaza
Trenton, New Jersey 08625PropertyProject Name: Toll Brothers South Farm
Block: 8
Lots: 20 and 36
Township: West Amwell
County: Hunterdon

More Particularly Described in Schedule A annexed hereto.

Area: 126.196 acres

Grant Amount: \$825,000.00
SADC ID #10-0047-NP

WHEREAS, HLTA/WAT are the fee simple contract purchasers of the Property; and

WHEREAS, HLTA/WAT intends to sell or lease the Property subject to the agricultural deed restrictions listed in Schedule B annexed hereto in accordance with the Garden State Preservation Trust Act, N.J.S.A. 13:8C-1 et. seq. (the "GSPTA"); and the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq. (the "ARDA"); and

WHEREAS, HLTA has applied to the SADC for a cost sharing grant for HLTA's acquisition of fee simple title to the Premises pursuant to the GSPTA and the ARDA; and

WHEREAS, on December 4, 2008 the SADC certified the fee simple market value of the Property at \$17,000 per acre; and

WHEREAS, on March 26, 2009 the SADC approved a grant to HLTA for the acquisition of the Property in an amount not to exceed \$8,500 per acre, representing 50 percent of the certified fee simple market value of the Property, capped at \$825,000;

NOW THEREFORE, in consideration of the mutual obligations and benefits to each party, HLTA, WAT, and SADC hereby agree as follows:

1. Upon HLTA's compliance with SADC's requirements for reimbursement, N.J.A.C. 2:76-16 et seq., SADC shall issue a fee simple grant to HLTA in the amount of \$8,500 per acre not to exceed \$825,000, which is the total appropriation to HLTA for this project.
2. HLTA shall utilize the grant funds to acquire fee simple title to the Property by bargain and sale deed with covenants against grantor's acts and shall record the deed in the Hunterdon County Clerk's Office. HLTA/WAT shall obtain marketable and insurable title. HLTA shall provide the SADC with a copy of the closing documents and copy of the recorded deed. The original of this Project Agreement shall be kept on file with the SADC.
3. HLTA/WAT represents that it has not done any act to encumber the Property and agrees that it shall do no act to encumber the Property without the approval of SADC: This means that HLTA/WAT has not and shall not allow anyone, other than SADC, to obtain any legal rights which affect the Property, except for a Non-Exclusive Deed of Easement to adjoining property owners of Lots 21.01, 22, and 58 in Block 8 West Amwell Township located on the northeasterly border of the Property

and a restrictive covenant for mowing granted to the County of Hunterdon. This paragraph shall survive the closing of title.

4. HLTA/WAT shall ensure that the Property is maintained for agricultural use and production pursuant to N.J.A.C. 2:76-6.15.
5. HLTA/WAT shall not sell, lease, exchange or donate the Property unless:
 - (a) the Property will continue to be maintained for agricultural use and production pursuant to N.J.A.C. 2:76-6.15; and
 - (b) SADC is notified that the Property is being offered for sale, lease, exchange or donation; and
 - (c) SADC approves the transfer in writing prior to HLTA/WAT's offering, for sale or conveyance, of any of its interest in the land.

The provisions of paragraph 5 shall survive the closing of title.

6. HLTA/WAT shall convey to SADC a deed of easement in form and substance as shown in Schedule B annexed hereto.
7. Pursuant to N.J.A.C. 2:76-16.3(c)2iv(1), HLTA/WAT shall cause SADC to be named as an additional insured on HLTA/WAT's title insurance policy for the Property in the amount of the grant provided hereunder and provide SADC with a title endorsement satisfactory to SADC. In the event the title insurance company refuses to add the SADC as a co-insured to the title policy then HLTA/WAT agrees to the following provisions:

a. In the event of a claim against its title HLTA/WAT shall diligently pursue payment of the proceeds of its title insurance policy.

b. Should there be payment of the title insurance coverage amount as a result of a claim made against or pursuant to the final title policy, HLTA/WAT shall pay SADC its cost share of \$825,000.

c. Should there be any monetary settlement entered into by HLTA/WAT as a result of a claim made against or pursuant to the said final policy for less than the title insurance coverage amount, HLTA/WAT shall pay SADC an amount equal to the settlement amount multiplied by a fraction, the numerator of which is the SADC's cost-share grant and the denominator of which is the title insurance coverage amount. No settlement shall be entered into by HLTA/WAT without the written consent of SADC.

The provisions of paragraph 7 shall survive the closing of title.

8. Pursuant to N.J.A.C. 2:76-16.3(c)2iv(2), HLTA/WAT shall cause its title insurance policy to be endorsed with a survey endorsement removing the general survey exception and insuring the area within the metes and bounds description of the Property as shown on HLTA/WAT's survey.
9. HLTA shall comply with SADC's requirements for recordkeeping and project administration pursuant to N.J.A.C. 2:76-16.4.
10. HLTA/WAT shall sell or lease the Property with the agricultural deed restrictions listed in Schedule B in accordance with the GSPTA and the ARDA. The deed to be used to convey the Property from HLTA/WAT to a buyer shall be subject to approval by SADC prior to the Property being offered for sale.
11. At the closing of title for HLTA/WAT's sale of the Property, HLTA/WAT shall reimburse SADC pursuant to this Project Agreement in the amount of 55 percent of the net proceeds. Net proceeds shall mean the amount of compensation received by HLTA/WAT in excess of any unreimbursed ancillary costs, as approved by the SADC. Ancillary costs shall include: appraisal; title search costs and title insurance premium; survey; and the Phase I environmental analysis. To be considered ancillary costs, demolition fees must be approved in advance and in writing by the SADC after the receipt of the following information from HLTA/WAT: (1) A written certification from the municipal officer authorized by local ordinance, declaring the building(s) unfit for human habitation, occupancy or use and determining that the building(s) must be demolished in accordance with state regulations; (2) Three competitive bids for the demolition work obtained in accordance with the local public contracts law; (3) Written certification from the appraisers that the building(s) to be demolished have no value; (4) Written justification to be reviewed and approved by the SADC that the building(s) to be demolished are of no agricultural use.

The provisions of this paragraph shall survive closing.

12. Any net proceeds received by HLTA/WAT from a resale of the Property shall be dedicated for farmland preservation purposes pursuant to N.J.S.A. 13:8C-37a(2). SADC's pro rata share of any such proceeds shall be deposited in the Garden State Farmland Preservation Trust Fund to be used for the purposes of that Fund.

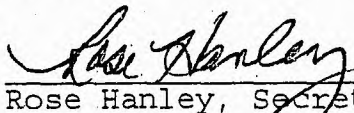
13. HLTA/WAT shall provide SADC with a copy of the following documents within 10 business days after the closing of title:

- (a) fully executed copy of the deed
- (b) marked up title commitment
- (c) seller's affidavit of title
- (d) settlement statement
- (e) copy of HLTA/WAT's or title company's check to seller

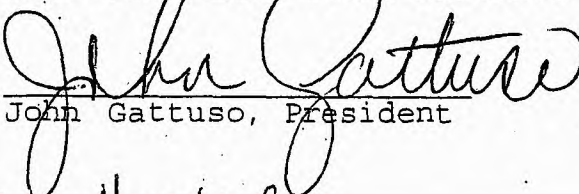
14. In addition to any other rights or remedies available to SADC under law, if HLTA/WAT fails to comply with any of the terms of this Project Agreement, the Deed of Easement, the GSPTA, the ARDA or N.J.A.C. 2:76-1.1 et seq., or if HLTA/WAT makes any material misrepresentation in the project application and/or the documentation submitted in support of the application SADC may take any of the actions described in N.J.A.C. 2:76-16.1(e), (f), (g), or (h).

IN WITNESS WHEREOF; the parties have caused this Project Agreement to be executed by their proper officers as of the date first written above.

ATTEST:

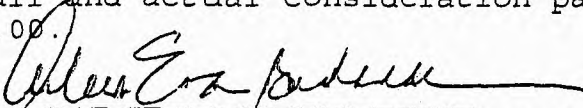

Rose Hanley, Secretary

Hunterdon Land Trust Alliance


John Gattuso, President

STATE OF NEW JERSEY, COUNTY OF Hunterdon SS.:

I CERTIFY that on February 15, 2010 the subscriber Rose Hanley, personally appeared before me, who, being by me duly sworn on his oath, deposes and makes proof to my satisfaction, that John Gattuso is the President of the Hunterdon Land Trust Alliance; that the execution, as well as the making of this Instrument, has been duly authorized by a proper resolution of the Board of Trustees of the said Corporation, that deponent well knows the corporate seal of said Corporation; and that the seal affixed to said Instrument is the proper corporate seal and was thereto affixed and said Instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation, in presence of deponent, who thereupon subscribed his or her name thereto as attesting witness; and that the full and actual consideration paid under this Project Agreement is \$1.00.


Sworn to and subscribed before me, the date aforesaid

ARLEEN EVA BUCHANAN
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES SEPT. 3, 2013

Attest:

Lora L. Olsen
Lora L. Olsen, Clerk

West Amwell Township

Thomas J. Molnar
Thomas J. Molnar, Mayor

STATE OF NEW JERSEY

SS:

COUNTY OF HUNTERDON

I CERTIFY that on February 16, 2010 Lora L. Olsen personally came before me and this person acknowledged under oath, to my satisfaction, that: (a) this person is the Clerk of the Township of West Amwell, a municipal corporation and body politic, named in this Project Agreement; (b) this person is the attesting witness to the signing of this Project Agreement by the proper officer who is Mayor of West Amwell Township; (c) this Project Agreement was signed and delivered by the Township as its voluntary act duly authorized by Ordinance #29, 2009 of the Township Committee; (d) this person knows the proper seal of the Township which was affixed to this Project Agreement; and (e) this person signed this proof to attest to the truth of these facts.

Lora L. Olsen

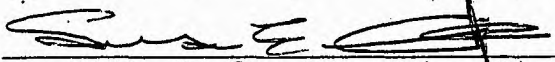
Signed and sworn to before me on

February 16, 2010,

Philip J. Fabbate III
Notary Public) (Seal)

Philip J. Fabbate III
ATTORNEY AT LAW New Jersey

STATE AGRICULTURE DEVELOPMENT COMMITTEE

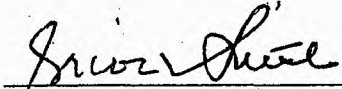

 Susan E. Craft, Executive Director
 State Agriculture Development Committee

3-10-10
 Date

STATE OF NEW JERSEY, COUNTY OF MERCER SS.:

I CERTIFY that on ~~February~~ ^{MARCH} 10, 2010, Susan E. Craft personally came before me and acknowledged under oath, to my satisfaction, that this person:

- (a) signed this PROJECT AGREEMENT pursuant to a proper resolution of the State Agriculture Development Committee,
- (b) signed, sealed and delivered this PROJECT AGREEMENT as the Committee's act and deed, and
- (c) is the Executive Director of the State Agriculture Development Committee.


 Print name and title below signature

Brian D. Smith, Esq.
 Attorney-at-Law, State of New Jersey

Schedule G

Ancillary Costs:

Appraisals	\$11,792.50
Environmental Assessment	\$ 3,427.20
Title	\$ 4,655.95
Survey	\$15,601.70
Demolition	\$32,249.00
Total Ancillary Costs	\$67,750.35

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R4(3)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

PIESGROVE TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

B. Bassett Robbins, Jr. & Darlene D. Robbins and Dorothy D. Robbins, individually
and as Executrix of the Last Will and Testament of John D. Robbins ("Owners")
Pilesgrove Township, Salem County

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

SADC ID# 17-0126-PG

April 25, 2014

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

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

WHEREAS, on July 29, 2013, the SADC received an individual application for the sale of a development easement from Pilesgrove Township for the Robbins Farm identified as Block 86, Lot 2, Pilesgrove Township, Salem County, totaling 72.87 surveyed easement acres hereinafter referred to as "Property" (Schedule A); and

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on September 30, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-

17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on January 23, 2014 the SADC certified a development easement value of \$9,050 per acre based on the current zoning and environmental regulations in place as of November 2013; and

WHEREAS, the Township has contracted with the landowner for the certified value of \$9,050 per acre; and

WHEREAS, to date \$1,750,000 of FY09 - FY13 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Plan; and

WHEREAS, to date Pilesgrove Township has expended \$757,782.28 of its SADC grant funds leaving a cumulative balance of \$992,217.72 (Schedule B); and

WHEREAS, Pilesgrove Township has no other projects currently pending against this balance; and

WHEREAS, the New Jersey Conservation Foundation submitted a parcel application to the United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on the Robbins Farm; and

WHEREAS, it has been determined that the Property and the Landowner qualify for FRPP grant funds; and

WHEREAS, at this time the FRPP approved current easement value has not been finalized, therefore, the FRPP grant will be calculated based on the estimated FRPP current easement value of \$9,200 per acre (highest of the two appraisals) equating to an FRPP grant of \$4,600 per acre (50% of \$9,200) or approximately \$335,202 in total FRPP funds; and

WHEREAS, the Owners have agreed to the additional restrictions involved with the FRPP Grant, including a 7% maximum impervious coverage restriction (approximately 5.10 acres) for the construction of agricultural infrastructure on the Property, which is the maximum impervious coverage allowable for the Property through the FRPP program at this time; and

WHEREAS, due to a shortage of available funds the Township and Salem County have requested that FRPP grant funds be "passed through" to cover the entire local cost share; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on February 25, 2014 the Pilesgrove Township Committee approved the application and County's purchase of the easement with no funding commitment; and

WHEREAS, the County Agriculture Development Board approved the application on March 26, 2014; and

WHEREAS, the Salem County Board of Chosen Freeholders approved this easement purchase on April 2, 2014 with no funding commitment in anticipation of FRPP funds; and

WHEREAS, the Township has requested to use \$335,202 in FRPP grants funds to cover the entire local cost share (County and Municipality) with any remaining FRPP grant funds to be utilized to reduce the needed SADC cost share, hence, reducing the overall expenditure of Pilesgrove Township's PIG grant funds; and

WHEREAS, the cost share breakdown is approximately as follows (based on 72.87 surveyed easement acres):

Cost share breakdown prior to FRPP Grant:

	<u>Total</u>	
SADC	\$395,684.10	(\$5,430/acre or 60%)
Pilesgrove Twp &	\$131,894.70	(\$1,810/acre or 20%)
Salem County	\$131,894.70	(\$1,810/acre or 20% each)
Total Easement Purchase	\$659,473.50	(\$9,050/acre)

Cost share breakdown after estimated \$335,202 FRPP Grant is applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$395,684.10 (\$5,430/acre)	\$71,412.60	\$324,271.50 (\$4,450/acre)
Pilesgrove Twp &			
Salem County	\$263,789.40 (\$3,620/acre)	\$263,789.40	\$0
FRPP Grant			\$335,202 (\$4,600/acre)
	\$659,473.50	\$335,202	\$659,473.50 (\$9,050/acre)

WHEREAS, the Township is requesting \$395,684.10 from the available municipal PIG funding, resulting in a balance of \$596,533.62; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Pilesgrove Township for the purchase of a development easement on the Property, comprising 72.87 surveyed easement acres, at a State cost share of \$5,430 per acre (60%), for a total grant need of approximately \$395,684.10 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$71,412.60) to offset SADC grant needs on the Property; and

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

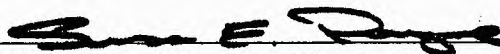
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

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

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

4-25-14

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT



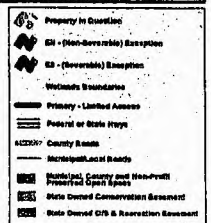
Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM **NJ State Agriculture Development Committee**

Benjamin B. Robbins, Jr & John D. Robbins/Robbins Brothers
Block 86 Lot 2 (71.1 ac)
Gross Total = 71.1 ac
Pilesgrove Twp., Salem County

500 250 0 500 1,000 Feet

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



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

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

August 6, 2013

Municipal Planning Incentive Grant
Pilesgrove Township, Salem County
Plan Approval April 24, 2009

Schedule B

Farm	SADC ID#	Acres	Pay Acres	Closed	SADC	Negotiated & Approved Per/Acre	SADC Grant Per/Acre	Grant%	Easement Consideration	SADC	783 - GSPT		
					Certified Per/Acre					Cost Share	Encumbered	Expended	Balance
													1,750,000.00
Williams Lot 1	17-0094-PG	29.719	29.719	04/18/13	9,800.00	9,800.00	5,880.00	60.00%	291,246.20	174,747.72	148,081.60	148,081.60	1,601,918.40
Lippincott	17-0092-PG	152.834	152.834	05/16/13	8,200.00	8,200.00	5,000.00	60.98%	1,253,238.80	764,170.00	609,700.68	609,700.68	992,217.72
Robbins	17-0126-PG	72.870			9,050.00	9,050.00	5,430.00	60.00%	659,473.50	395,684.10	395,684.10		596,533.62
Total Encumbered													
Closed/Expended												757,782.28	
Total													596,533.62
Reprogram Out													

11-21-2014

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R4(4)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

UPPER PITTSBGROVE TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Michael and Linda Sottile ("Owners")

Upper Pittsgrove Township, Salem County

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

SADC ID# 17-0120-PG

April 25, 2014

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

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

WHEREAS, on July 29, 2013, the SADC received an individual application for the sale of a development easement from Upper Pittsgrove Township for the Sottile Farm identified as Block 27, Lot 9, Upper Pittsgrove Township, Salem County, totaling approximately 61.3 net easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in the Township's Project Area 1; and

WHEREAS, in the original application the landowner's requested a .25 and a 1 acre non-severable exceptions, but upon the recommendation of SADC staff, they agreed to increase both exceptions to allow any infrastructure i.e. septic fields to be encompassed by the exceptions; and

WHEREAS, the Property includes a 0.4-acre non-severable exception restricted to one single family residence and a 1.2-acre non-severable exception restricted to one single family residence; and

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on August 19, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on November 14, 2013 the SADC certified a development easement value of \$4,800 per acre based on the current zoning and environmental regulations in place as of August 2012; and

WHEREAS, the Township has contracted with the landowner for the certified value of \$4,800 per acre; and

WHEREAS, to date \$1,750,000 of FY09 – FY13 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Plan; and

WHEREAS, to date Upper Pittsgrove Township has expended \$411,796.60 of its SADC grant funds and encumbered \$365,275.00, leaving a cumulative balance of \$972,928.40 (Schedule B); and

WHEREAS, Upper Pittsgrove Township has no other projects currently pending against this balance; and

WHEREAS, the New Jersey Conservation Foundation submitted a parcel application to the United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on the Sottile Farm; and

WHEREAS, it has been determined that the Property and the Landowner qualify for FRPP grant funds; and

WHEREAS, the FRPP grant will be calculated based on the FRPP current easement value of \$4,800 per acre (highest of the two appraisals) equating to a grant of \$2,400 per acre (50% of \$4,800) or approximately \$147,120 in total FRPP funds; and

WHEREAS, the Owners have agreed to the additional restrictions involved with the FRPP Grant, including a 6.33% maximum impervious coverage restriction (approximately 3.88 acres) for the construction of agricultural infrastructure on the Property, outside of the exception areas, which is the maximum impervious coverage allowable for this Property through the FRPP program at this time; and

WHEREAS, due to a shortage of available funds the Township and Salem County have requested that FRPP grant funds be "passed through" to cover the entire local cost share with no funding commitment; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on March 11, 2014 the Upper Pittsgrove Township Committee approved the application and County's purchase of the easement with no funding commitment; and

WHEREAS, the County Agriculture Development Board approved the application on March 26, 2014 with no funding commitment in anticipation of FRPP funding; and

WHEREAS, the Salem County Board of Chosen Freeholders approved this easement purchase on April 2, 2014 with no funding commitment in anticipation of FRPP funds; and

WHEREAS, this final approval is conditional upon FRPP funding an amount sufficient enough to cover the County and Township's cost share; and

WHEREAS, the Township has requested to use \$147,120 in FRPP grants funds to cover the entire local cost share (County and Municipality) with any remaining FRPP grant funds to be utilized to reduce the needed SADC cost share, hence, reducing the overall expenditure of Upper Pittsgrove Township's PIG grant funds; and

WHEREAS, the cost share breakdown is approximately as follows (based on 61.3 net easement acres):

Cost share breakdown prior to FRPP Grant:

	<u>Total</u>	
SADC	\$201,064	(\$3,280/acre or 68.33%)
Upper Pittsgrove Twp.	\$ 46,588	(\$ 760/acre or 15.835%)
Salem County	\$ 46,588	(\$ 760/acre or 15.835%)
Total Easement Purchase	\$294,240	(\$4,800/acre)

Cost share breakdown after estimated \$147,120 FRPP Grant is applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$201,064 (\$3,280/acre)	\$ 53,944	\$147,120 (\$2,400/acre)
Upper Pittsgrove	\$ 46,588 (\$760/acre)	\$ 46,588	\$0
Salem County	\$ 46,588 (\$760/acre)	\$ 46,588	\$0
FRPP Grant			\$147,120 (\$2,400/acre)
	\$294,240	\$147,120	\$294,240 (\$4,800/acre)

WHEREAS, the Township is requesting \$201,064 from the available municipal PIG funding, leaving a balance of \$771,864.40; and

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

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

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising 61.3 net easement acres, at a State cost share of \$3,280 per acre (68.33%), for a total grant need of approximately \$201,064 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$53,944) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of FRPP funds sufficient enough to cover the Township and County's cost share or in absence of FRPP funding a resolution by the Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the Township's cost share and

BE IT FURTHER RESOLVED, that the Township and County agree to the SADC providing its grant directly to Salem County and the SADC shall enter into a

Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

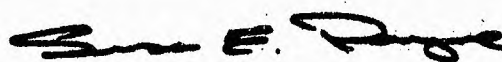
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

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

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

4-25-14

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT



x:/counties/salco/projects/sottile_fw2.mxd

Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Michael and Linda Sottile
Block 27 Lots P/O 9 (61.4 ac)
& P/O 9-EN (non-severable exceptions - 0.4 & 1.2 ac)
Gross Total = 63.0 ac
Upper Pittsgrove Twp., Salem County



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

Legend

- Property in Question
- CR - (non-severable) Exception
- EN - (severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Ways
- County Roads
- Wetlands Local Roads
- Wetlands County and Non-PA4
- State Owned Conservation Easement
- State Owned CR & Recreation Easement



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

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

July 31, 2013

Schedule B

**Municipal Planning Incentive Grant
Upper Pittsgrove Township, Salem County**

Farm	SADC ID#	Acres	SADC	Negotiated &	SADC Grant	Grant%	Easement	SADC	Federal Grant				
			Certified Per Acre	Approved Per Acre				Cost Share %	Total Federal Grant	SADC Federal Grant	Encumbered	Expended	Balance
Kernan	17-0096-PG	75.305	4,200.00		2,920.00	69.52%	316,281.00	219,890.60				219,890.60	1,750,000.00
Newkirk	17-0097-PG	59.622	6,500.00		4,150.00	63.85%	383,812.00	245,049.20	191,906.00	53,143.20	191,906.00	191,906.00	1,338,203.40
Kramme	17-0113-PG	33.000	6,600.00	6,600.00	4,200.00	63.64%	217,800.00	138,600.00			138,600.00		1,199,603.40
Schmid	17-0108-PG	23.000	6,000.00	6,000.00	3,900.00	65.00%	138,000.00	89,700.00			89,700.00		1,109,903.40
Lewis	17-0111-PG	19.000	6,050.00	6,050.00	3,925.00	64.88%	114,950.00	74,575.00			74,575.00		1,035,328.40
Madosky	17-0112-PG	16.000	6,000.00	6,000.00	3,900.00	65.00%	96,000.00	62,400.00			62,400.00		972,928.40
Sottile	17-0120-PG	61.300	4,800.00	4,800.00	3,280.00	68.33%	294,240.00	201,064.00	147,100.00	53,944.00	201,064.00		771,864.40
Pending final													
Withdrawn													
Thomas	17-0114-PG	68.500											
Total Pending	5	220.800					860,990.00	566,339.00					
Total Encumbered	5	91.000					566,750.00	365,275.00			365,275.00		
Closed/Expended	2	134.927					700,093.00	464,939.80				411,796.60	
Total													972,928.40
Reprogram Out													

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Sotille Farm
17- 0120-PG
PIG EP - Municipal 2007 Rule
60 Acres

Block 27 Lot 9 Upper Pittsgrove Twp. Salem County

SOILS:	Other	49% *	0	=	.00
	Prime	35% *	.15	=	5.25
	Statewide	16% *	.1	=	1.60

SOIL SCORE: 6.85

TILLABLE SOILS:	Cropland Harvested	43% *	.15	=	6.45
	Wetlands	46% *	0	=	.00
	Woodlands	11% *	0	=	.00

TILLABLE SOILS SCORE: 6.45

FARM USE: Soybeans-Cash Grain 27 acres

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (.4) acres for around existing house
Exception is not to be severed from Premises
Exception is to be restricted to one existing single family residential unit(s) and zero future single family residential unit(s)
 - 2nd (1.2) acres for around existing house and farm buildings
Exception is not to be severed from Premises
Exception is to be restricted to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions:
 1. Possible FRPP funding via NJCF
 - d. Additional Conditions:

If FRPP funding is secured, pursuant to the Federal Farm and Ranch Land Protection Program the landowner agreed to a maximum impervious coverage of 6.33% or approximately 3.88 acres.
 - e. Dwelling Units on Premises:

No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R4(5)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

FRANKLIN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Brian & Dorothy Kargman (#1)

Franklin Township, Gloucester County

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

SADC ID# 08-0134-PG

April 25, 2014

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

WHEREAS, the SADC granted approval to Franklin Township's Farmland Preservation FY14 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on October 14, 2011, the SADC received an individual application for the sale of a development easement from Franklin Township for the Kargman #1 Farm, identified as Block 7002, Lot 8, Franklin Township, Gloucester County, totaling 27.941 surveyed easement acres (Schedule A); and

WHEREAS, the Kargman #1 Farm is located in the Township's Main Road-Piney Hollow Project Area; and

WHEREAS, the Property includes a 1.5-acre non-severable exception restricted to one single family residence; and

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on November 23, 2011 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 27, 2012, the SADC certified a development easement value of \$5,100 per acre based on zoning and environmental regulations in place as of November 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted an offer from the Township to sell a development easement for \$5,100 per acre; and

WHEREAS, to date \$1,750,000 of FY09, FY11 and FY13 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date Franklin Township has expended \$1,136,151.54 of its SADC grant funds leaving a cumulative balance of \$613,848.46 (Schedule B); and

WHEREAS, Franklin Township has four other projects currently pending against this balance; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on September 10, 2013 the Franklin Township Committee approved the application and a funding commitment for an estimated 20% (\$825 per acre); and

WHEREAS, the Gloucester County Agriculture Development Board approved the application on September 19, 2013 and secured a commitment of funding for an estimated \$825 per acre from the Gloucester County Board of Chosen Freeholders for the required local match on April 16, 2014; and

WHEREAS, the estimated cost share breakdown is as follows (based on 27.941 acres):

	<u>Cost Share</u>	
SADC	\$ 96,396.45	(\$3,450/acre)
Franklin Township	\$ 23,051.33	(\$825/acre)
Gloucester County	<u>\$ 23,051.33</u>	<u>(\$825/acre)</u>
	\$142,499.10	(\$5,100/acre) ; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.4, Franklin Township is requesting \$96,396.45 from its available funding, leaving a balance of \$517,452.01 (Schedule C); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Franklin Township for the purchase of a development easement on the Property, comprising 27.941 surveyed easement acres, at a State cost share of \$3,450 per acre for a total grant need of \$96,396.45 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

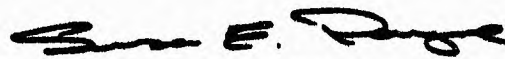
BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Gloucester County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

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

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

4-25-14

Date

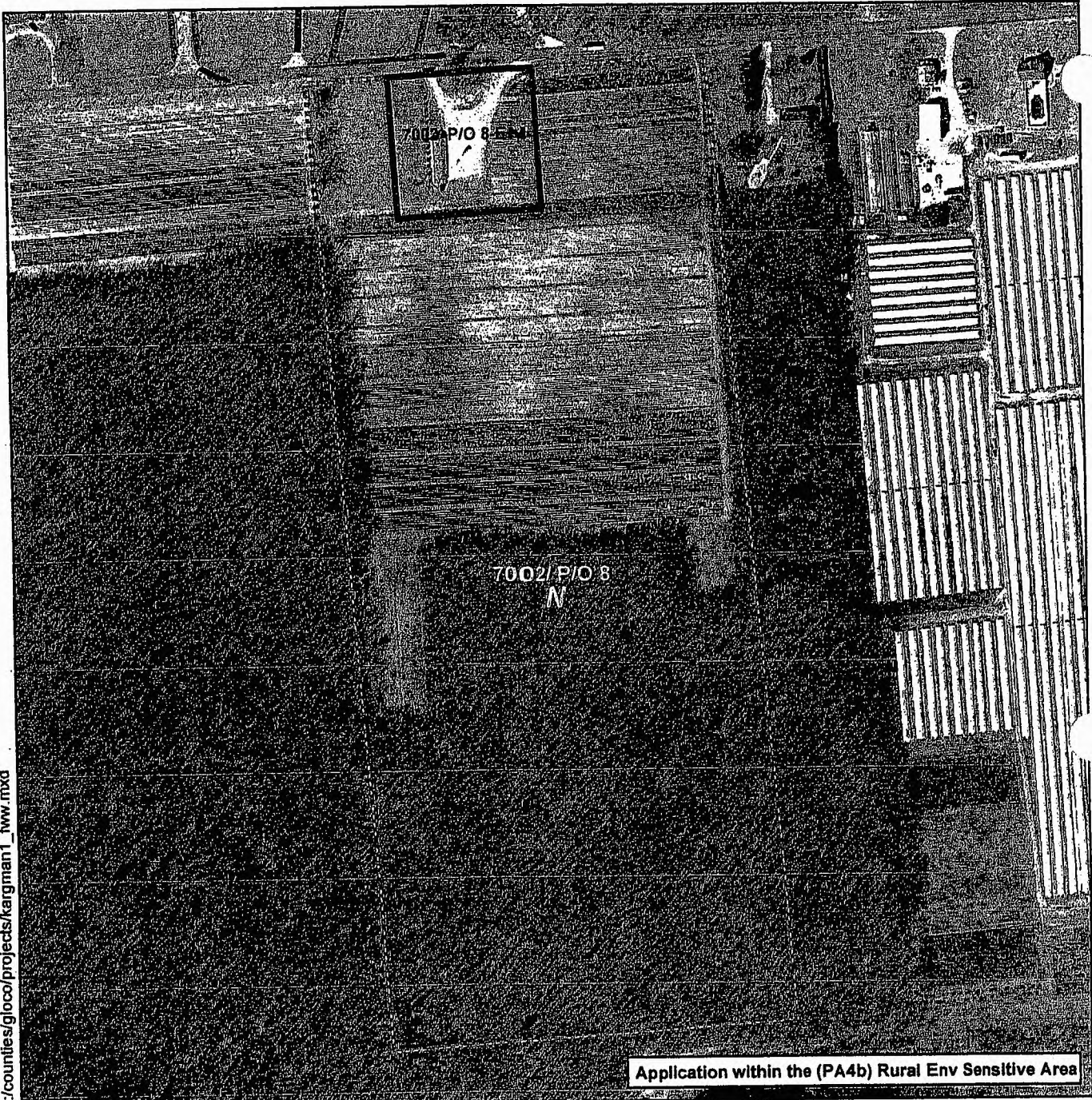


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

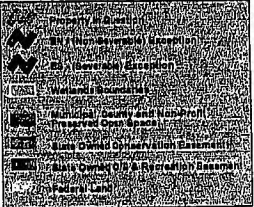
Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT

x:\counties\gloucester\projects\kargman1_fwv.mxd



**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Brian and Dorothy Kargman (# 1)
Block 7002 Lots P/O 8 (29.1 ac)
& P/O 8-EN (non-severable exception - 1.5 ac)
Gross Total = 30.6 ac
Franklin Twp., Gloucester County



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

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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

November 10, 2011

Municipal Planning Incentive Grant
Franklin Township, Gloucester County

Farm	SADC ID#	Acres	Pay (Acres)	Closed	SADC		SADC Grant Per Acre	Grant % Per Acre	Escrow Consideration	SADC		Federal Grant		SADC Federal Grant	733 - GSPT		
					Certified Per Acre	Negotiated & Approved Per Acre				Cost Basis %	Cost Share %	Total Federal Grant	Encumbered		Expended	Balance	
																	1,750,000.00
Genna	08-0121-PG	48.740	49.398	03/30/11	7,000.00	7,000.00	4,400.00	62.86%	345,786.00	345,786.00	217,351.20	173,796.74	45,361.94		171,989.26	1,578,010.74	
Gallagher	08-0122-PG	46.000	42.817	03/30/11	7,000.00	7,000.00	4,400.00	62.86%	299,719.00	299,719.00	188,394.80	147,532.49	36,208.29		152,186.51	1,425,824.23	
Tweed South	08-0124-PG	65.800	63.741	04/28/11	6,000.00		3,900.00	65.00%	382,446.00	382,446.00	248,589.90	191,223.00	57,366.90		191,223.00	1,234,601.23	
Tweed North	08-0123-PG	60.200	56.701	04/28/11	6,600.00	6,600.00	4,200.00	63.64%	374,226.60	374,226.60	238,144.20	187,113.30	51,030.90		187,113.30	1,047,487.93	
Ancillary Costs (Genna, Gallagher, Tweed North, Tweed South)															21,158.52	1,026,329.41	
Stiles	08-0135-PG	25.180		05/01/13	5,000.00	5,000.00	3,400.00	68.00%	125,900.00	125,900.00	85,612.00				85,612.00	85,612.00	940,717.41
Bellone	08-0136-PG	50.382		05/01/13	4,850.00	4,850.00	3,310.00	68.25%	244,352.70	244,352.70	166,764.42				166,764.42	166,764.42	773,952.99
Lenzi (used formula value)	08-0137-PG	38.315		05/01/13	1,410.00	2,699.00	1,989.30	73.71%	103,412.19	103,412.19	76,220.03				76,220.03	697,732.96	
Kargman II (lot 11/12)	08-0138-PG	9.582	9.582	02/19/14	7,500.00	7,500.00	4,650.00	62.00%	71,865.00	71,865.00	44,556.30				44,556.30	44556.30	653,176.66
Kargman IV (lot 18)	08-0140-PG	7.283	7.283	02/19/14	9,000.00	9,000.00	5,400.00	60.00%	65,547.00	65,547.00	39,328.20				39,328.20	39,328.20	613,848.46
Kargman I (lot 8)	08-0134-PG	27.941	27.941		5,100.00	5,100.00	3,450.00	67.65%	142,499.10	142,499.10	96,396.45				96,396.45		517,452.01
pending final approval																	
Ferrucci (lot 1)	08-0160-PG	10.000	10.000		5,800.00	5,800.00	3,800.00	65.52%	58,000.00	58,000.00	38,000.00						
Kargman III (lot 14)	08-0139-PG	26.200	26.200		7,500.00	7,500.00	4,650.00	62.00%	196,500.00	196,500.00	121,830.00						
McSwain	08-0158-PG	20.000	20.000		4,700.00	4,700.00	3,220.00	68.51%	94,000.00	94,000.00	64,400.00						
Hale	08-0613-PG	44.500	44.500		5,200.00	5,200.00	3,500.00	67.31%	231,400.00	231,400.00	155,750.00						
Green Light Denial																	
Ferrucci (lot 15)	08-0159-PG	19.000															
Total Pending	5	128.641		9								1,401,357.50			96,396.45		
Total Encumbered	2	44.806															
Closed/Expended	6	334.617									1,221,076.55		189,988.03		1,336,151.54		
Total																	517,452.01
Reprogram Out																	

encavir

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Kargman, Brian & Dorothy Farm I (8)
08- 0134-PG
PIG EP - Municipal 2007 Rule
29 Acres

Block 7002	Lot 8	Franklin Twp.	Gloucester County
SOILS:		Prime	58% * .15 = 8.70
		Statewide	42% * .1 = 4.20
			SOIL SCORE: 12.90
TILLABLE SOILS:		Cropland Harvested	55% * .15 = 8.25
		Woodlands	45% * 0 = .00
			TILLABLE SOILS SCORE: 8.25
FARM USE:	Ornament Nursery Products	16 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (1.5) acres for future residence
Exception is not to be severed from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be restricted to one existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R4(6)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

FRANKLIN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Brian & Dorothy Kargman (#3)

Franklin Township, Gloucester County

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

SADC ID# 08-0139-PG

April 25, 2014

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

WHEREAS, the SADC granted approval to Franklin Township's Farmland Preservation FY14 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on November 2, 2011, the SADC received an individual application for the sale of a development easement from Franklin Township for the Kargman #3 Farm, identified as Block 7102, Lot 14, Franklin Township, Gloucester County, totaling 26.2 net surveyed easement acres (Schedule A); and

WHEREAS, the Kargman #3 Farm is located in the Township's Main Road-Piney Hollow Project Area; and

WHEREAS, the Property includes a 4.369-acre severable exception around an existing business and restricted to zero residential units; and

WHEREAS, the Property includes a 0.101-acre severable exception for a building encroachment from an adjacent property; and

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

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

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on November 23, 2011 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 27, 2012, the SADC certified a development easement value of \$7,500 per acre based on zoning and environmental regulations in place as of November 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted an offer from the Township to sell a development easement for \$7,500 per acre; and

WHEREAS, to date \$1,750,000 of FY09, FY11 and FY13 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date Franklin Township has expended \$1,136,151.54 and encumbered \$96,396.45 of its SADC grant funds leaving a cumulative balance of \$517,452.01 (Schedule B); and

WHEREAS, Franklin Township has three other projects currently pending against this balance; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on September 10, 2013 the Franklin Township Committee approved the application and a funding commitment for up to 20% (\$1,500 per acre); and

WHEREAS, the Gloucester County Agriculture Development Board approved the application on April 17, 2013 and secured a commitment of funding for \$1,425 per acre from the Gloucester County Board of Chosen Freeholders for the required local match on April 16, 2014; and

WHEREAS, the estimated cost share breakdown is as follows (based on 26.2 acres):

	<u>Cost Share</u>	
SADC	\$121,830	(\$4,650/ acre)
Franklin Township	\$ 37,335	(\$1,425/ acre)
Gloucester County	<u>\$ 37,335</u>	<u>(\$1,425/ acre)</u>
	\$196,500	(\$7,500/ acre) ; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.4, Franklin Township is requesting \$121,830 from its available funding, leaving a balance of \$395,622.01 (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Franklin Township for the purchase of a development easement on the Property, comprising 26.2 surveyed easement acres, at a State cost share of \$4,650 per acre for a total grant need of \$121,830 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

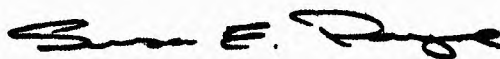
BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Gloucester County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

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

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

4-25-14

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

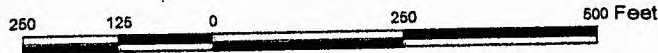
VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT

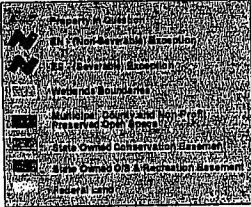


**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Brian & Dorothy Kargman (# 3)
Block 7102 Lots P/O14 (26.2 ac)
& P/O 14-ES (severable exceptions- 4.35 ac)
Gross Total = 30.55 ac
Franklin Twp., Gloucester County



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



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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOTWGIS 2007/2008 Digital Aerial Image

Date: 8/13/2013

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

Farm	SADC ID#	Acres	Pay Acres	Closed	SADC	Negotiated	SADC Grant	Grant %	Assessment Consideration	SADC		Total Federal Grant	SADC Federal Grant	2013-2014		
					Certified Per Acre	Per Acre				Cost Basis	Cost Share			Encumbered	Expended	Balance
																1,750,000.00
Genna	08-0121-PG	48.740	49.398	03/30/11	7,000.00	7,000.00	4,400.00	62.86%	345,786.00	345,786.00	217,351.20	173,796.74	15,361.94		171,989.26	1,578,010.74
Gallagher	08-0122-PG	46.000	42.817	03/30/11	7,000.00	7,000.00	4,400.00	62.86%	299,719.00	299,719.00	188,394.80	147,532.49	36,208.29		152,186.51	1,425,824.23
Tweed South	08-0124-PG	65.800	63.741	04/28/11	6,000.00		3,900.00	65.00%	382,446.00	382,446.00	248,589.90	191,223.00	57,366.90		191,223.00	1,234,601.23
Tweed North	08-0123-PG	60.200	56.701	04/28/11	6,600.00	6,600.00	4,200.00	63.64%	374,226.60	374,226.60	238,144.20	187,113.30	51,830.90		187,113.30	1,047,487.93
Ancillary Costs (Genna, Gallagher, Tweed North, Tweed South)															21,158.52	1,026,329.41
Stiles	08-0135-PG	25.180		05/01/13	5,000.00	5,000.00	3,400.00	68.00%	125,900.00	125,900.00	85,612.00			85,612.00	85,612.00	940,717.41
Bellone	08-0136-PG	50.382		05/01/13	4,850.00	4,850.00	3,310.00	68.25%	244,352.70	244,352.70	166,764.42			166,764.42	166,764.42	773,952.99
Lenzi (used formula value)	08-0137-PG	38.315		05/01/13	1,410.00	2,699.00	1,989.30	73.71%	103,412.19	103,412.19	76,220.03			76,220.03	76,220.03	697,732.96
Kargman II (lot 11/12)	08-0138-PG	9.582	9.582	02/19/14	7,500.00	7,500.00	4,650.00	62.00%	71,865.00	71,865.00	44,556.30			44,556.30	44,556.30	653,176.66
Kargman IV (lot 18)	08-0140-PG	7.283	7.283	02/19/14	9,000.00	9,000.00	5,400.00	60.00%	65,547.00	65,547.00	39,328.20			39,328.20	39,328.20	613,848.46
Kargman I (lot 8)	08-0134-PG	27.941	27.941		5,100.00	5,100.00	3,450.00	67.65%	142,499.10	142,499.10	96,396.45			96,396.45		517,452.01
Kargman III (lot 14)	08-0139-PG	26.200	26.200		7,500.00	7,500.00	4,650.00	62.00%	196,500.00	196,500.00	121,830.00			121,830.00		395,622.01
pending final approval																
Ferrucci (lot 1)	08-0160-PG	10.000	10.000		5,800.00	5,800.00	3,800.00	65.52%	58,000.00	58,000.00	38,000.00					
McSwain	08-0158-PG	20.000	20.000		4,700.00	4,700.00	3,220.00	68.51%	94,000.00	94,000.00	64,400.00					
Hale	08-0613-PG	44.500	44.500		5,200.00	5,200.00	3,500.00	67.31%	231,400.00	231,400.00	155,750.00					
Green Light Denial																
Ferrucci (lot 15)	08-0159-PG	19.000														
Total Pending	5	128.641		9							1,523,187.50			218,226.45		
Total Encumbered	2	71.006														
Closed/Expended	6	334.617									1,221,076.55		189,960.03		1,136,151.54	
Total																395,622.01
Reprogram Out																

— 2000 —

1

Block 7102	Lot 14	Franklin Twp.	Gloucester County			
SOILS:		Prime	28%	*	.15	= 4.20
		Statewide	72%	*	.1	= 7.20
						SOIL SCORE: 11.40
TILLABLE SOILS:		Cropland Harvested	73%	*	.15	= 10.95
		Woodlands	27%	*	0	= .00
						TILLABLE SOILS SCORE: 10.95
FARM USE:	Ornament Nursery Products		19 acres			

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (4.369) acres for Trucking business - no residential opportunities
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
 - 2nd (.101) acres for encroachment from neighboring property - no residential opportunities
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R4(7)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SALEM COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Dante Greco ("Owner")

Elmer Borough, Pittsgrove Township & Upper Pittsgrove Township, Salem County

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

SADC ID# 17-0123-PG

April 25, 2014

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Salem County received SADC approval of its FY2014 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on May 16, 2013 the SADC received an individual application for the sale of a development easement from Salem County for the Property identified as Block 31, Lot 2, Elmer Borough; Block 82, Lot 7; Block 83, Lots 1, 8 & 9, Upper Pittsgrove Township; Block 1201, Lot 3; Block 1202, Lots 1, 3, 9, 11, 13 & 14; Block 1203, Lots 3 & 10, Pittsgrove Township, Salem County, totaling approximately 316 easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Salem County's Elmer Boro #1 Project Area; and

WHEREAS, the Property includes two (2) Residual Dwelling Site Opportunities, zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses; and

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

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

WHEREAS, the Property has a quality score of 72.65, which is at least 70% of the County's average quality score of 46 as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 21, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 12, 2013 the SADC certified a value of \$5,100/ acre based on the "current value" date of October 2013 for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,100 per acre for the development easement for the Property; and

WHEREAS, on February 28, 2014, the County submitted a request to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 325.48 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 325.48 acres):

	<u>Cost Share</u>	
SADC	\$1,122,906.00	(\$3,450 per acre; 67.65%)
Pittsgrove	\$ 15,512.16	(\$51 per acre; 1% on 304.16 acres)
Upper Pittsgrove	\$ 2,059.38	(\$102 per acre; 2% on 20.19 acres)
<u>Salem County</u>	<u>\$ 519,470.46</u>	<u>(\$1,497 per acre; 29.35%);</u>
Purchase Price	\$1,659,948.00	(\$5,100 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Elmer Borough approved the application on March 12, 2014 without a funding commitment, Pittsgrove Township approved the application on March 12, 2014 with a 1% cost share on those lands located within the township and Upper Pittsgrove Township approved the application on March 11, 2014 with a 2% cost share on those lands located in the township; the Salem County Agriculture Development Board approved the application on February 26, 2014, and the Salem County Board of Chosen Freeholders approved a local match of (\$1,497/ acre) on March 5, 2014; and

WHEREAS, the Salem County Agriculture Development Board is requesting \$1,122,906 (the \$617,339.98 balance from its FY09 base funds and \$505,566.02 from its FY11 base grant funding), leaving a cumulative balance of \$0 in the FY09 base grant and \$1,494,433.98 in their FY11 base grant (Schedule B1 & B2); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grants; and

WHEREAS, the County will be utilizing the installment purchase agreement ("IPA") to complete the easement purchase transaction; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising approximately 325.48 easement acres at a State cost share of \$3,450 per acre for a total grant need of \$1,122,906 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

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

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the Property includes two (2) Residual Dwelling Site Opportunities, zero (0) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses; and

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

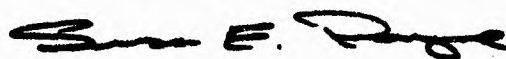
BE IT FURTHER RESOLVED, that the SADC's participation in an installment purchase agreement is subject to review by the Office of the Attorney General; and

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

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

4-25-14

Date



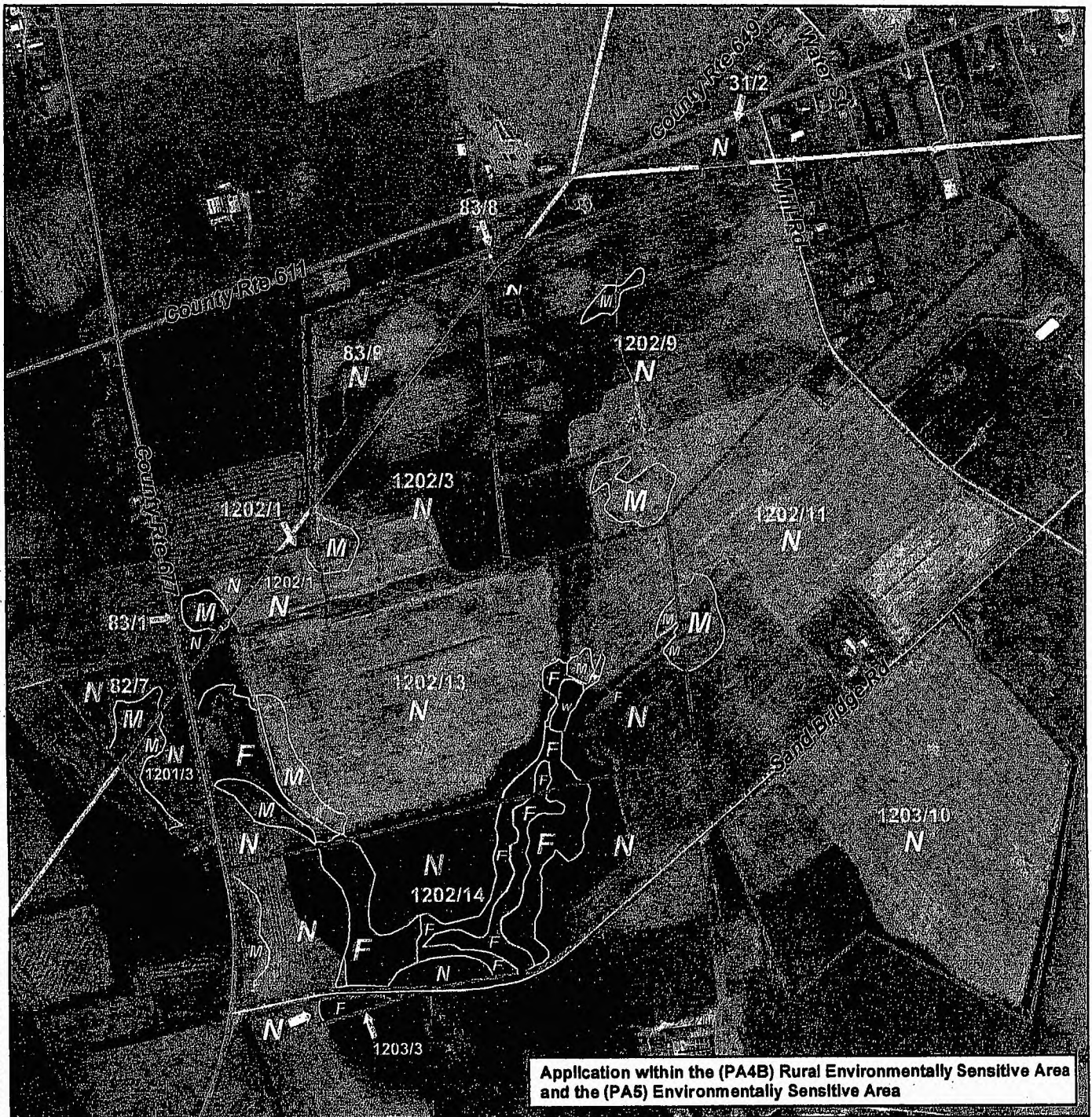
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT

Schedule A

x:\counties\salco\projects\Greco_D_fwv.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

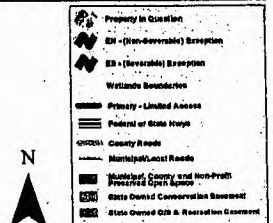
Dante Greco
Elmer Borough - Block 31 Lot 2 (0.9 ac)

Pittsgrove Twp. - Block 1201 Lot 3 (4.3 ac);
Block 1202 Lots 1 (3.5 ac), 3 (21.9 ac), 9 (54.6 ac), 11 (49.0 ac),
13 (66.0 ac) & 14 (40.7 ac)
and Block 1203 Lots 3 (0.8 ac) & 10 (54.5 ac)

Upper Pittsgrove Twp. - Block 62 Lot 7 (4.5 ac), Block 63 Lots 1 (2.9 ac), 8 (0.3 ac) & 9 (11.9 ac)
Gross Total = 315.8 ac.
Salem County

500 250 0 500 1,000 1,500 Feet

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



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
W - Water

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

Date: 3/11/2014

Salem County

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

Farr	Municipality	App F.S. Acres	Plus 1 Percent Acres	SADC Certified No. Acres	Negotiated Acres	SADC Total Acres	Consideration	Shares	Base Grant				Competitive Grant			Cumulative Balance			Balance Carried Forward
									Estimated at (10%)	Encumbered	Expended	Balance	Encumbered	Expended	Balance	Expanded	Encumbered	Reprogram	
FY09 P.I. 2009-004 (001)				estimate					FY09			2,000,000.00	FY09		3,000,000.00	1,340,515.40	859,504.61		3,000,000.00
DiGregorio	Mannington	77.000	79.310	7,000.00	7,000.00	4,400.00	532,399.00	334,650.80	348,964.00	247,185.25	247,185.25	1,752,814.75							
Sickler, Kurt & Scott	Alloway	141.000	145.230	7,500.00	7,500.00	4,650.00	1,055,242.50	654,250.35	675,319.50	654,250.35	654,250.35	1,099,564.40							
Elwell, Clementine	Alloway	73.000	75.190	6,600.00	6,600.00	4,200.00	480,013.40	292,735.80	315,788.00	292,735.80	292,735.80	805,828.60							
Rera, Lenny and Beth	Pittsgrove	33.260	34.258	7,000.00	7,000.00	4,400.00	239,804.60	150,734.32	150,734.32	148,344.00	148,344.00	659,484.60							
Thomas, Andrew & Leonor	Upper Pittsgrove	12.305	12.674	5,050.00	5,050.00	3,425.00	62,140.25	42,144.63	43,608.96	42,144.63	42,144.63	617,339.98							
Greco	Pittsgrove	316.000	325.48	5,100.00	5,100.00	3,450.00	355,338.00	1,122,906.00	617,339.98			0.00							
							Balance of \$505,566.02 to be paid out of FY 11 (09 bond fund)												
Total Pending	2	328.305	338.154				1,587,641.50	1,608,520.75											
Total Encumbered										659,484.61									
Closed/Expended		324.280	333.999				1,525,491.25	1,422,371.12			247,185.25								
Total																			
Reprogram Out																			
FY 10 & 11 expend											247,185.25								
Warr, Andrew & Zofia	Upper Pittsgrove	47.000	48.410																
Ware	Elsinboro	89.000	91.670																
Drummond	Upper Pittsgrove	42.000	43.280																
Weber	Elsinboro	30.000	30.900																
Haab	Pittsgrove	101.000	104.03																

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

[illegible]

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Greco Farm
17- 0123-PG
County PIG Program
316 Acres

Block 31	Lot 2	Elmer Boro	Salem County
Block 1202	Lot 1	Pittsgrove Twp.	Salem County
Block 1202	Lot 3	Pittsgrove Twp.	Salem County
Block 1202	Lot 9	Pittsgrove Twp.	Salem County
Block 1202	Lot 11	Pittsgrove Twp.	Salem County
Block 1202	Lot 13	Pittsgrove Twp.	Salem County
Block 1202	Lot 14	Pittsgrove Twp.	Salem County
Block 82	Lot 7	Upper Pittsgrove Twp.	Salem County
Block 83	Lot 1	Upper Pittsgrove Twp.	Salem County
Block 83	Lot 9	Upper Pittsgrove Twp.	Salem County
Block 83	Lot 8	Upper Pittsgrove Twp.	Salem County
Block 1201	Lot 3	Pittsgrove Twp.	Salem County
Block 1203	Lot 3	Pittsgrove Twp.	Salem County
Block 1203	Lot 10	Pittsgrove Twp.	Salem County

SOILS:	Other	7% * 0	=	.00
	Prime	88% * .15	=	13.20
	Statewide	5% * .1	=	.50

SOIL SCORE: 13.70

TILLABLE SOILS:	Cropland Harvested	82% * .15	=	12.30
	Woodlands	18% * 0	=	.00

TILLABLE SOILS SCORE: 12.30

FARM USE:	Vegetable & Melons	257 acres
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In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 2 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R4(8)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SALEM COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Prestige World Wide Investments, LLC ("Owner")
Alloway Township, Salem County

N.J.A.C. 2:76-17 et seq.
SADC ID# 17-0121-PG

April 25, 2014

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Salem County received SADC approval of its FY2014 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on May 13, 2013 the SADC received an individual application for the sale of a development easement from Salem County for the Property identified as Block 44, Lot 9, Alloway Township, Salem County, totaling approximately 53 easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Salem County's Cohansey-Pole Tavern-Pine Tavern #1 Project Area; and

WHEREAS, the Property includes a 3-acre non-severable exception area restricted to one single family residence; and

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

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

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

WHEREAS, the Property has a quality score of 69.24, which is at least 70% of the County's average quality score of 46 as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 25, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 12, 2013 the SADC certified a value of \$7,100/acre based on the "current value" date of October 2013 for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$7,100 per acre for the development easement for the Property; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 54.59 acres will be utilized to calculate the SADC grant need; and

WHEREAS, currently the County has \$1,494,433.98 of base grant funding and is eligible for up to \$3,000,000 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule B); and

WHEREAS, on February 28, 2014, the County submitted a request to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the Salem County Agriculture Development Board is requesting \$242,925.50 from its base grant funding, leaving a balance of \$1,251,508.48 (Schedule B); and

WHEREAS, the estimated cost share breakdown is as follows (based on 54.59 acres):

	<u>Cost Share</u>	
SADC	\$242,925.50	(\$4,450 per acre; 62.68%)
Alloway Township	\$ 3,875.89	(\$ 71 per acre; 1%)
<u>Salem County</u>	<u>\$140,787.61</u>	<u>(\$2,579 per acre; 36.32%)</u>
Purchase Price	\$387,589.00	(\$7,100 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Alloway Township approved the application on March 20, 2014 with a 1% cost share; the Salem County Agriculture Development Board approved the application on February 26, 2014, and the Salem County Board of Chosen Freeholders approved the required local match (\$2,650/acre) on March 5, 2014; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grants; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising approximately 54.59 net easement acres at a State cost share of \$4,450 per acre for a total grant need of \$242,925.50 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

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

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

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

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

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

4-25-14

Date

Susan E. Payne

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT



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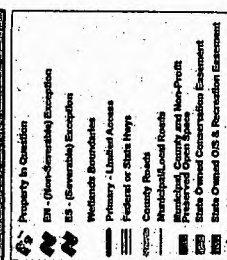
Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Prestige World Wide Investments, LLC/Grant Coleman
Block 44 Lots P/O 9 (52.5 ac)
& P/O 9-EN (non-severable exception - 3.0 ac)
Gross Total = 55.5 ac
Alloway Twp., Salem County



DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The manufacturer disclaims any liability for any errors or omissions in this data layer, as well as any damages or losses arising from the use of this product for purposes other than those intended. The geospatial accuracy and precision of the GIS data contained in this file and any other data provided by the manufacturer shall be limited to the accuracy and precision of the data source. The manufacturer does not intend to be, nor is intended to be, relied upon in matters requiring destination and location of true ground for vertical controls as would be obtained by an actual ground survey conducted by a licensed Land Surveyor.



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

Sources:
NIDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NIDOT/OGIS Digital Aerial Image
May 21, 2013

cheque ✓

Salem County

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

FY2011 fund (Bond Fund)

Farm	Municipality	App. Acres	Plus 1% Percent Acres	SADC Carried Per Acres	Negotiated & Approved Per Acres	SADC Grant Per Acres	Easement Consideration	Contributions	Cost Share	Encumbered at End	BASE GRANT		COMPETITIVE GRANT		TOTAL	ELIGIBILITY	
											FY11	FY11 Balance	FY11	FY11 Balance		FY11	FY11
											1,500,000	745,033		745,033	3,000,000		
											500,000	15,172,298		15,172,298	5,000,000		
											Total	12,000,000					
											Encumbered at End	Expended	Encumbered at End	Voucher	Expended	Balance subject to availability	Balance subject to availability
Greco	Pittsgrove	316.000	325.48	5,100.00	5,100.00	3,450.00	1,659,948.00	1,659,948.00	1,122,906.00	505,566.02		1,494,433.98					
							Balance - \$617,339.98 paid with FY09 (2007) base grant funds										
							387,589.00	387,589.00	242,925.50	242,925.50		1,251,508.48					
Prestige World Wide	Alloway	53.000	54.590	7,100.00	7,100.00	4,450.00											
Dunham	Mannington	37.000	38.110	5,700.00	5,700.00	3,750.00											
Mahoney	Mannington	28.000	28.84	5,300.00	5,300.00	3,550.00											
Moore	Mannington	145.000	149.350	5,050.00	5,050.00	3,425.00											
Brown	Upper Pittsgrove	58.000	59.740														
Eckert	Elsinboro	48.000	49.440														
Dickinson	Upper Pittsgrove	22.000	22.66														
											Encumbered	Expended	Encumbered	Expended	Balance		
Encumbered/Expended FY11											748,491.52	0.00	0.00	0.00	751,508.48	3,000,000.00	5,000,000.00
Encumbered/Expended FY13											0.00	0.00	0.00	0.00	500,000.00		
Total	8	707.00	728.21				2,047,537.00	2,047,537.00	1,365,831.50	748,491.52	0.00	1,251,508.48	0.00	0.00	1,251,508.48		
Reprogram Out																	

Schedule B

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Prestige World Wide Investments, LLC
17- 0121-PG
County PIG Program
53 Acres

Block 44	Lot 9	Alloway Twp.	Salem County
SOILS:		Other	11% * 0 = .00
		Prime	69% * .15 = 10.35
		Statewide	20% * .1 = 2.00
			SOIL SCORE: 12.35
TILLABLE SOILS:		Cropland Harvested	89% * .15 = 13.35
		Wetlands	11% * 0 = .00
			TILLABLE SOILS SCORE: 13.35
FARM USE:	Corn-Cash Grain	46 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st three (3) acres for Future housing
 - Exception is not to be severed from Premises
 - Exception is to be restricted to one single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R4(9)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SALEM COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Kenneth Dunham, Sr. ("Owner")
Mannington Township, Salem County

N.J.A.C. 2:76-17 et seq.
SADC ID# 17-0122-PG

April 25, 2014

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Salem County received SADC approval of its FY2014 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on May 14, 2013 the SADC received an individual application for the sale of a development easement from Salem County for the Property identified as Block 20, Lot 21.01, Mannington Township, Salem County, totaling approximately 38 net easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Salem County's Mannington Meadows-Seven Stars-Algonkin Lake #2 Project Area; and

WHEREAS, the Property includes a 1-acre non-severable exception area for an existing business and restricted to zero residential units; and

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

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

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

WHEREAS, the Property has a quality score of 69.41, which is at least 70% of the County's average quality score of 46 as determined by the SADC on September 27, 2012; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 23, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 12, 2013 the SADC certified a value of \$5,700/acre based on the "current value" date of October 2013 for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,700 per acre for the development easement for the Property; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 39.14 acres will be utilized to calculate the SADC grant need; and

WHEREAS, currently the County has \$1,251,508.48 of base grant funding and is eligible for up to \$3,000,000 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule B); and

WHEREAS, on February 28, 2014, the County submitted a request to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the Salem County Agriculture Development Board is requesting \$146,775 from its base grant funding, leaving a balance of \$1,104,733.48 (Schedule B); and

WHEREAS, the estimated cost share breakdown is as follows (based on 39.14 acres):

	<u>Cost Share</u>	
SADC	\$146,775.00	(\$3,750 per acre; 65.79%)
Mannington	\$ 2,230.98	(\$ 57 per acre; 1%)
<u>Salem County</u>	<u>\$ 74,092.02</u>	<u>(\$1,893 per acre; 33.21%)</u>
Purchase Price	\$223,098.00	(\$5,700 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Mannington Township approved the application on March 6, 2014 with a 1% cost share; the Salem County Agriculture Development Board approved the application on February 26, 2014, and the Salem County Board of Chosen Freeholders approved the required local match (\$1,893/acre) on March 5, 2014; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grants; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising approximately 39.14 net easement acres at a State cost share of \$3,750 per acre for a total grant need of \$146,775 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

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

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

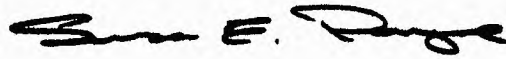
BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

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

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

4-25-14

Date

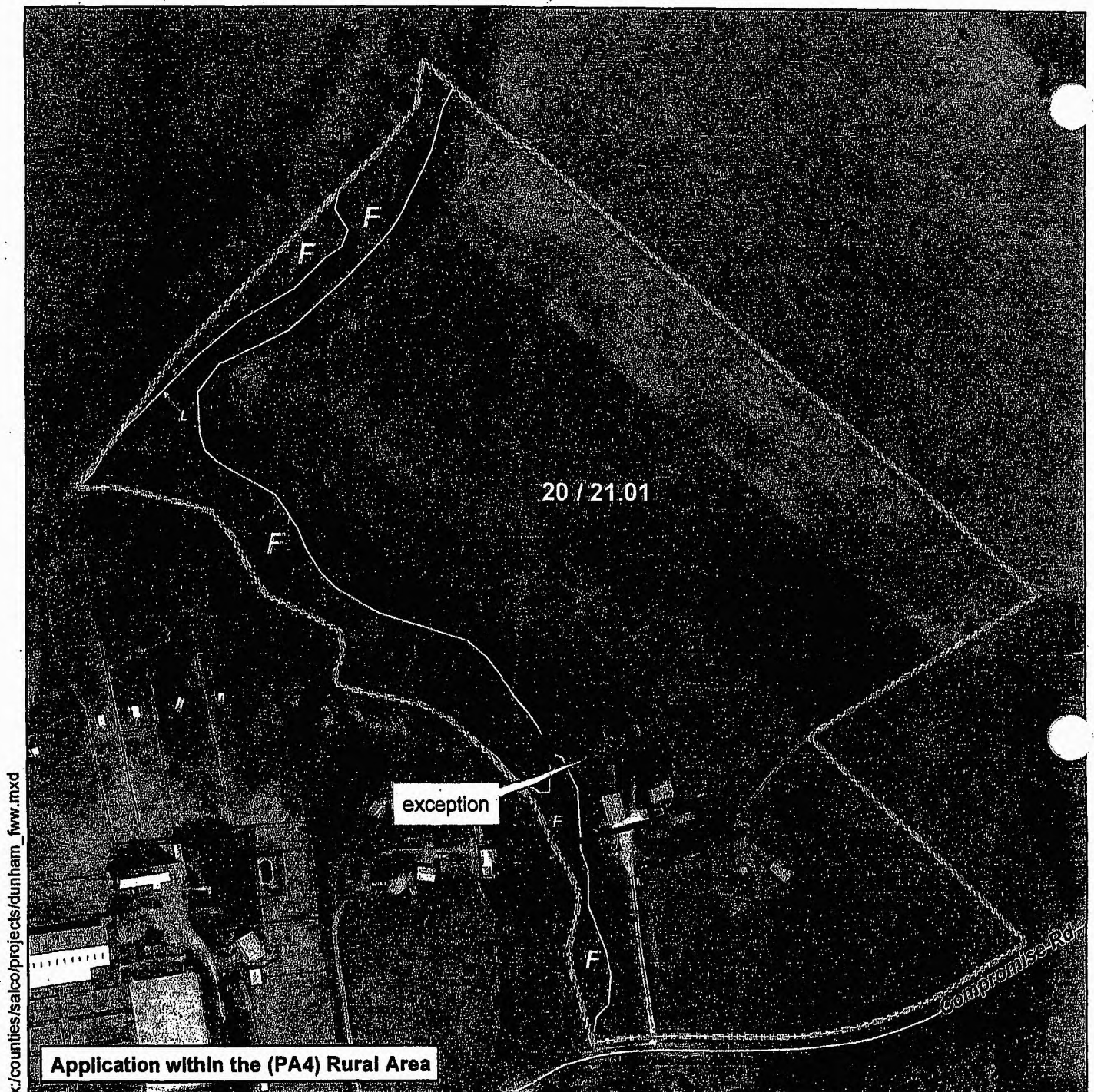


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT

Schedule A



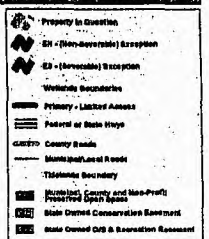
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kenneth Dunham, Sr.
Block 20 P/O Lot 21.01 (38.43 ac) & P/O Lot 21.01-EN (non-severable exception - 1.0 ac)
Gross Total = 39.43 ac
Mannington Twp., Salem County

250 125 0 250 500 Feet

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

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



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

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

July 1, 2013

Salem County

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

FY2011 fund Bond Fund)

											BASE GRANT			COMPETITIVE GRANT		TOTAL	ELIGIBILITY		
											FY11	FY11	FY11	FY11 Balance	FY11 Balance	745,033	3,000,000	5,000,000	
											FY13	FY13	FY13	FY13 Balance	FY13 Balance	15,162,298			
SADC										Total			2,000,000						
Farm	Municipality	App Acres	Plus 3% Percent Acres	SADC 1% Certified Per Acre	Regulated & Approved Per Acre	SADC Grant Per Acre	Grant % Per Acre	Easement Consideration	Cost Basis	Cost Share	Encumbered at Final	Expend	Balance	Encumbered at Final	Voucher	Expend	FY11 Balance Subject to Availability	FY13 Balance Subject to Availability	
Greco	Pittsgrove	316.000	325.48	5,100.00	5,100.00	3,450.00	67.65%	1,659,948.00	1,659,948.00	1,122,906.00	505,566.02		1,494,433.98						
										Balance - \$617,339.98 paid with FY09 (2007) base grant funds									
Prestige World Wide	Alloway	53.000	54.590	7,100.00	7,100.00	4,450.00	62.68%	387,589.00	387,589.00	242,925.50	242,925.50		1,251,508.48						
Dunham	Mannington	38.000	39.140	5,700.00	5,700.00	3,750.00	65.79%	223,098.00	223,098.00	146,775.00	146,775.00		1,104,733.48						
Mahoney	Mannington	28.000	28.84	5,300.00	5,300.00	3,550.00	66.98%												
Moore	Mannington	145.000	149.350	5,050.00	5,050.00	3,425.00	67.82%												
Brown	Upper Pittsgrove	58.000	59.740																
Eckert	Elsinboro	48.000	49.440																
Dickinson	Upper Pittsgrove	22.000	22.66																
												Encumbered	Expend	Balance	Encumbered	Expend	Balance		
Encumbered/Expended FY11												895,266.52	0.00	604,733.48	0.00	0.00	3,000,000.00		
Encumbered/Expended FY13												0.00	0.00	500,000.00	0.00	0.00	0.00		
Total												895,266.52	0.00	1,104,733.48	0.00	0.00	3,000,000.00		
Reprogram Out																			

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Dunham Farm
17- 0122-PG
County PIG Program
38 Acres

Block 20	Lot 21.01	Mannington Twp.	Salem County
SOILS:		Other	28% * 0 = .00
		Prime	72% * .15 = 10.80
			SOIL SCORE: 10.80
TILLABLE SOILS:		Cropland Harvested	76% * .15 = 11.40
		Other	9% * 0 = .00
		Wetlands	15% * 0 = .00
			TILLABLE SOILS SCORE: 11.40
FARM USE:	Cash Grains	6 acres	Barley
	Corn-Cash Grain	10 acres	
	Hay	8 acres	
	Beef Cattle Feedlots	4 acres	
	Poultry & Eggs	12 acres	

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for around building used for butchering animals and shop
 - Exception is not to be severed from Premises
 - Exception is to be restricted to zero single family residential unit(s) non-residential
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R4(10)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SALEM COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Charles and Jeanne Mahoney ("Owners")
Mannington Township, Salem County

N.J.A.C. 2:76-17 et seq.
SADC ID# 17-0125-PG

April 25, 2014

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Salem County received SADC approval of its FY2014 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on July 17, 2013 the SADC received an individual application for the sale of a development easement from Salem County for the Property identified as Block 40, Lot 6.02, Mannington Township, Salem County, totaling approximately 29 easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Salem County's Mannington Meadows-Seven Stars-Algonkin Lake #2 Project Area; and

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

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

WHEREAS, the equine operation consists of 6 horses kept for the landowner's own use with no equine service activities taking place on the Premises; and

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

WHEREAS, the Property has a quality score of 75.06, which is at least 70% of the County's average quality score of 46 as determined by the SADC on July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on September 25, 2013 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 12, 2013 the SADC certified a value of \$5,300/acre based on the "current value" date of October 2013 for the development easement for the Property; and

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

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 29.87 acres will be utilized to calculate the SADC grant need; and

WHEREAS, currently the County has \$1,104,733.48 of base grant funding and is eligible for up to \$3,000,000 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule B); and

WHEREAS, on February 28, 2014, the County submitted a request to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the Salem County Agriculture Development Board is requesting \$106,038.50 from its base grant funding, leaving a balance of \$998,694.98 (Schedule B); and

WHEREAS, the estimated cost share breakdown is as follows (based on 29.87 acres):

	<u>Cost Share</u>	
SADC	\$106,038.50	(\$3,550 per acre; 66.98%)
Mannington	\$ 1583.11	(\$ 53 per acre; 1%)
<u>Salem County</u>	<u>\$ 50,689.39</u>	<u>(\$1,697 per acre; 32.02%)</u>
Purchase Price	\$158,311.00	(\$5,300 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Mannington Township approved the application on March 6, 2014 with a 1% funding commitment; the Salem County Agriculture Development Board approved the application on February 26, 2014, and the Salem County Board of Chosen Freeholders approved the required local match (\$1,647/acre) on March 5, 2014; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grants; and

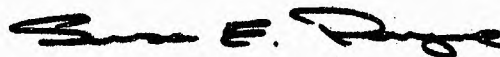
WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising approximately 29.87 easement acres at a State cost share of \$3,550 per acre for a total grant need of \$106,038.50 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

- BE IT FURTHER RESOLVED, that if additional funds are needed due to an increase in acreage base grant funding, if available, may be utilized so long as it does not impact any other applications' encumbrance; and
- BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and
- BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and
- BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and
- BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall subject to review and approval by the SADC; and
- BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

4-25-14

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Charles and Jeanne Mahoney
Block 40 Lot 6.02 (28.8 ac)
Gross Total = 28.8 ac
Mannington Twp., Salem County



TIDELANDS DISCLAIMER:
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	Property in Question
	EIS (Non-Reviewable) Exception
	CE (Reviewable) Exception
	Wildlands Boundaries
	Primary / Limited Access
	Federal or State Highways
	County Roads
	Statecraft/Joint Routes
	Tribal Lands Boundary
	Ruralized, County and Non-Pork Preserved Open Space
	State Owned Conservation Easement
	State Owned CDS & Recreation Segment

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

Sources:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJOTD GIS 2012 Aerial Image

July 23, 2013

Salem County

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

FY2011 funding (09 Bond Fund)

											BASE GRANT			COMPETITIVE GRANT		TOTAL	ELIGIBILITY					
											FY11	1,500,000		FY11 Balance	745,033	3,000,000						
											FY13	500,000		FY13 Balance	(15,172,298)	5,000,000						
SADC											Total	2,000,000										
Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant% Per Acre	Easement Consideration	Cost Basis	Cost Share	Encumbered at Final	Expend	Balance	Encumbered at Final	Voucher	Expend	FY11 Balance subject to availability	FY13 Balance subject to availability				
Greco	Pittsgrove	316.000	325.48	5,100.00	5,100.00	3,450.00	67.85%	1,659,948.00	1,659,948.00	1,122,906.00	505,566.02		1,494,433.98									
								Balance - \$617,339.98 paid with FY09 (2007) base grant funds														
Prestige World Wide	Alloway	53.000	54.590	7,100.00	7,100.00	4,450.00	62.68%	387,589.00	387,589.00	242,925.50	242,925.50		1,251,508.48									
Dunham	Mannington	38.000	39.140	5,700.00	5,700.00	3,750.00	65.79%	223,098.00	223,098.00	146,775.00	146,775.00		1,104,733.48									
Mahoney	Mannington	29.000	29.87	5,300.00	5,300.00	3,550.00	66.98%	158,311.00	158,311.00	106,036.50	106,036.50		998,694.98									
Moore	Mannington	145.000	149.350	5,050.00	5,050.00	3,425.00	67.82%															
Brown	Upper Pittsgrove	58.000	59.740																			
Eckert	Elsinboro	48.000	49.440																			
Dickinson	Upper Pittsgrove	22.000	22.66																			

Line 111

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Charles and Jeanne Mahoney
17- 0125-PG
County PIG Program
28 Acres

Block 40	Lot 6.02	Mannington Twp.	Salem County
SOILS:			
	Other	3% * 0	= .00
	Prime	68% * .15	= 10.20
	Statewide	29% * .1	= 2.90
			SOIL SCORE: 13.10
TILLABLE SOILS:			
	Cropland Harvested	77% * .15	= 11.55
	Other	7% * 0	= .00
	Permanent Pasture	8% * .02	= .16
	Wetlands	8% * 0	= .00
			TILLABLE SOILS SCORE: 11.71
FARM USE:			
	Hay	20 acres	
	Horse & Other Equine	8 acres	6 horses for personal use

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

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2014R4(11)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SALEM COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
John and Lori Moore ("Owners")
Mannington Township, Salem County

N.J.A.C. 2:76-17 et seq.
SADC ID# 17-0110-PG

April 25, 2014

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Salem County received SADC approval of its FY2014 PIG Plan application annual update on May 23, 2013; and

WHEREAS, on August 23, 2012 the SADC received an individual application for the sale of a development easement from Salem County for the Property identified as Block 21, Lot 8.01 and Block 5, Lot 4, Mannington Township, Salem County, totaling approximately 145 easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Salem County's Mannington Meadows-Seven Stars-Algonkin Lake #2 Project Area; and

WHEREAS, the Property includes one (1) Residual Dwelling Site Opportunity, zero (0) residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses; and

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

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

WHEREAS, the Property has a quality score of 74.14, which is at least 70% of the County's average quality score of 48 as determined by the SADC on July 28, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on November 2, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 26, 2013 the SADC certified a value of \$5,050/ per acre based on the "current value" date of December 2012 for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owners accepted the County's offer of \$5,050 per acre for the development easement for the Property; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 149.35 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the SADC submitted a parcel application to the United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on the Moore Farm; and

WHEREAS, it has been determined that the Property and the Landowner qualify for FRPP grant funds; and

WHEREAS, the Owners have agreed to the additional restrictions involved with the FRPP Grant, including a 4.33% maximum impervious coverage restriction (approximately 6.27 acres) for the construction of agricultural infrastructure on the Property, which is the maximum impervious coverage allowable for this Property through the FRPP program at this time; and

WHEREAS, the Moore Farm was approved by the NRCS for an estimated grant of \$482,500 (3,327.59/acre) not to exceed 50% of the federal current fair market value (\$6,655.17/acre); and

WHEREAS, due to a shortage of available local funding, Salem County has requested that FRPP grant funds be "passed through" to cover the entire local cost share; and

WHEREAS, currently the County has \$998,694.98 of base grant funding and is eligible for up to \$3,000,000 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule B); and

WHEREAS, on February 28, 2014, the County submitted a request to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the estimated cost share breakdown is as follows (based on 149.35 acres):

Cost share breakdown prior to FRPP Grant:

	<u>Total</u>	
SADC	\$511,523.75	(\$3,425/ acre or 67.82%)
Mannington	\$ 7,542.18	(\$50.50/ acre; 1%)
Salem County	\$235,151.57	(\$1,574.50/ acre or 31.18%)
Total Easement Purchase	\$754,217.50	(\$5,050/ acre)

Cost share breakdown after estimated \$482,125 FRPP is applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$511,523.75 (\$3,425/ ac.)	\$239,806.25	\$271,717.50 (\$1,722.41/ acre)
Mannington	\$ 7,542.18 (\$ 50.50/ ac.)	\$ 7,542.18	\$0
Salem County	\$235,151.57 (\$1,574.50/ ac.)	\$ 235,151.57	\$0
FRPP Grant			\$482,500 (\$3,327.59/ acre)
	\$754,217.50	\$482,500	\$754,217.50 (\$5,050/ acre)

WHEREAS, the Salem County Agriculture Development Board is requesting \$511,523.75 from its base grant funding, leaving a balance of \$487,171.23 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Mannington Township approved the application on March 6, 2014 with a 1% funding commitment; the Salem County Agriculture Development Board approved the application on February 26, 2014, and the Salem County Board of Chosen Freeholders approved with no funding commitment on March 5, 2014; and

WHEREAS, neither the Salem County Agriculture Development Board or the Salem County Board of Chosen Freeholders included a funding commitment in anticipation of FRPP funds, therefore this final approval is conditional upon FRPP funding in an amount sufficient to cover the County cost share; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grants; and

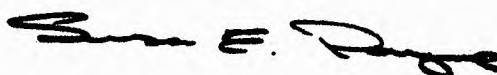
WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising approximately 149.35 easement acres at a State cost share of \$3,425 per acre for a total grant need of \$511,523.75 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

- BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$239,806.25) to offset SADC grant needs on the Property; and
- BE IT FURTHER RESOLVED, this approval is conditioned upon receipt of FRPP funds sufficient enough to cover the County cost share or in absence of FRPP funding a resolution by the County Board of Chosen Freeholder's to commit the funds needed to cover the County cost share; and
- BE IT FURTHER RESOLVED, that if additional funds are needed due to an increase in acreage base grant funding, if available, may be utilized so long as it does not impact any other applications' encumbrance; and
- BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and
- BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and
- BE IT FURTHER RESOLVED, the Property includes one (1) Residual Dwelling Site Opportunity, zero (0) residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses; and
- BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and
- BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall subject to review and approval by the SADC; and
- BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

4-25-14

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT



x:\counties\sarco\projects\moore_fw.mxd

**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

John and Lori Moore
Block 5 Lot 4 (99.3 ac)
& Block 21 Lot 8.01 (47.2 ac)
Gross Total = 146.5 ac
Mannington Twp., Salem County



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

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



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

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

September 17, 2012

Salem County

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

FY2011 funding (09 Bond Fund)

Farm	Municipality	App Acres	Plus % Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant % Per Acre	Essential Consideration	Cost Basis	Cost Sharing	BASE GRANT			COMPETITIVE GRANT		TOTAL	ELIGIBILITY	
											FY11	FY12	FY13	FY11 Balance	FY12 Balance		FY11	FY12
											1,500,000.00	1,500,000.00	1,500,000.00			4,500,000.00	3,000,000.00	5,000,000.00
Greco	Pittsgrove	316.000	325.48	5,100.00	5,100.00	3,450.00	67.65%	1,659,948.00	1,659,948.00	1,122,906.00	505,566.02			1,494,433.98				
								Balance - \$617,339.98 paid with FY09 (2007) base grant funds										
Prestige World Wide	Alloway	53.000	54.590	7,100.00	7,100.00	4,450.00	62.68%	387,589.00	387,589.00	242,925.50	242,925.50			1,251,508.48				
Dunham	Mannington	38.000	39.140	5,700.00	5,700.00	3,750.00	65.79%	223,098.00	223,098.00	146,775.00	146,775.00			1,104,733.48				
Mahoney	Mannington	29.000	29.87	5,300.00	5,300.00	3,550.00	66.98%	158,311.00	158,311.00	106,038.50	106,038.50			998,694.98				
Moore	Mannington	145.000	149.350	5,050.00	5,050.00	3,425.00	67.82%	754,217.50	754,217.50	511,523.75	498,694.98			500,000.00				
											12,828.77			487,171.23				
Brown	Upper Pittsgrove	58.000	59.740															
Eckert	Elsinboro	48.000	49.440															
Dickinson	Upper Pittsgrove	22.000	22.66															
											Encumbered	Expend	Balance	Encumbered	Expend	Balance	Balance	Balance
Encumbered/Expended FY11											1,500,000.00	0.00	0.00	0.00	0.00	0.00	3,000,000.00	5,000,000.00
Encumbered/Expended FY12											12,828.77	0.00	2,487,171.23	0.00	0.00	0.00	0.00	0.00
Total											1,512,828.77	0.00	2,487,171.23	0.00	0.00	0.00	0.00	0.00
Reprogram Out																		

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Moore, John J. & Lori A.
17- 0110-PG
County PIG Program
145 Acres

Block 21	Lot 8.01	Mannington Twp.	Salem County
Block 5	Lot 4	Mannington Twp.	Salem County
SOILS:		Other	11% * 0 = .00
		Prime	89% * .15 = 13.35
			SOIL SCORE: 13.35
TILLABLE SOILS:		Cropland Harvested	90% * .15 = 13.50
		Wetlands	10% * 0 = .00
			TILLABLE SOILS SCORE: 13.50
FARM USE:		Field Crop Except Cash Grain	acres

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

1. Available funding.
2. The allocation, not to exceed 1 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions:
 1. Possible FRPP funding via SADC
 - d. Additional Conditions:

If FRPP funding is secured, pursuant to the Federal Farm and Ranch Land Protection Program the landowner agreed to a maximum impervious coverage of 4.33% or approximately 6.27 acres
 - e. Dwelling Units on Premises:

No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2014R4(12)

**Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
New Jersey Conservation Foundation - Perozzi Farm
FY2013 Non Profit Round - SADC #17-0044 NP**

April 25, 2014

WHEREAS, on May 21, 2012 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from New Jersey Conservation Foundation ("NJCF") for the Perozzi farm identified as Block 80, Lot 10, Pilesgrove Township, Salem County, totaling approximately 71 net acres, hereinafter referred to as "Property" (Schedule A); and

WHEREAS, on September 27, 2012 the SADC granted preliminary approval by Resolution #FY2013R9(26) to the NJCF application and appropriated \$2,169,237 for the acquisition of development easement on seven farms including the Perozzi farm; and

WHEREAS, the original application contained a .7 acre non-severable exception for an existing house and tack shop and a 1.8 non-severable exception for a future indoor arena facility; and

WHEREAS, since preliminary approval the exception areas were merged and enlarged to 5 acres to encompass all of the area where the non-agricultural uses and equine service activities take place; and

WHEREAS, some of the non-agricultural uses and service activities within the exception include: a tack shop, horse shows, camps, clinics, equine competitions, boarding and lessons; and

WHEREAS, the Property now contains a 5 acre non-severable exception area restricted to one single family residence; and

WHEREAS, at the time of application, the majority of the Property, outside of the exception area was in corn, hay and pasture and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, NJCF has received final approval for the McAlonan and Matthews farms which will utilize approximately \$178,550 leaving a balance of \$1,990,687 in the nonprofit's account (Schedule B); and

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

WHEREAS, at the time of SADC preliminary approval the Property had a quality score of 60.06 which is greater than 70% of the County average quality score of 48 as determined on July 28, 2011; and

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

WHEREAS, on January 23, 2014 the SADC certified the easement value of the Property to be \$7,875 per acre based on current zoning and environmental regulations (as of November 7, 2013); and

WHEREAS, the SADC advised NJCF of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of NJCF's eligible costs and subject to available funds from the \$1,990,687 appropriated in the 2013 Nonprofit round; and

WHEREAS, on February 13, 2014 NJCF informed the SADC that it accepted the SADC cost share of \$3,937.50 per acre; and

WHEREAS, a parcel application was submitted by the NJCF to the United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP); and

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

WHEREAS, at this time the FRPP approved current easement value has not been finalized, therefore, for the purpose of this resolution, the FRPP grant will be estimated using the SADC current easement value of \$7,875 per acre equating to an estimated FRPP grant of \$3,937.50 per acre (50% of \$7,875) or approximately \$279,562.50 based on 71 acres in total FRPP funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP grant, including a 6.33% maximum impervious coverage restriction (approximately 4.5 acres) on the lands being preserved outside of the exception area for the construction of agricultural infrastructure on the Property, which is the maximum impervious coverage allowable for the Property through the FRPP program at this time; and

WHEREAS, the anticipated cost share participation for the project will be as follows based on 71 acres:

NJCF FRPP Grant	\$279,562.50	\$3,937.50/acre (50% of \$7,875)
SADC Nonprofit Grant Funds	<u>\$279,562.50</u>	<u>\$3,937.50/acre (50% of \$7,875)</u>
Total	\$582,750.00	\$7,875/acre; and

WHEREAS, this final approval is conditional upon securing FRPP funding in an amount sufficient enough to cover the NJCF's 50% cost share; and

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the NJCF/Perozzi easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$3,937.50 per acre (total of approximately \$279,562.50 based on 71 acres) to New Jersey Conservation Foundation for the development easement acquisition on the Perozzi farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, that this final approval is conditional upon securing FRPP funding in an amount sufficient enough to cover the NJCF's 50% cost share; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF Federal Farm and Ranch Land Protection Program funds for the preservation of the Perozzi farm, which will include an impervious coverage limitation of 6.33% and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC's cost share grant to New Jersey Conservation Foundation for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

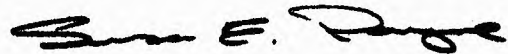
BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to the New Jersey Conservation Foundation for the acquisition of a development easement on the Perozzi farm; and

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

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

4-25-14

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT



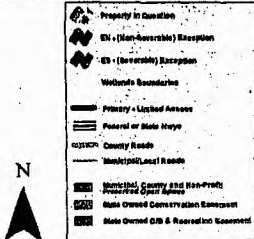
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**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Lisa Perozzi/NJCF
Block 80 Lots P/O 10 (69.4 & 2.8 ac)
& P/O 10-EN (non-severable exception - 5.4 ac)
Gross Total = 77.6 ac
Pilesgrove Twp., Salem County



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

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

March 21, 2014

**New Jersey Farmland Preservation Program
2013 NON PROFIT GRANT ROUND**

Applicant (Project)	County	Municipality	Acres	Date Closed	Approp.	Total Cost	SADC Grant	Grant Amount Balance
New Jersey Conservation Foundation								2,169,237.00
McAlonan	Salem	Alloway	29.000	F/A 9/26/13			85,550.00	2,083,687.00
Matthews	Salem	Alloway	30.000	F/A 9/26/13			93,000.00	1,990,687.00
Perozzi	Salem	Pilesgrove	71.000	F/A 4/25/14			279,562.50	1,711,124.50
							458,112.50	
Timchall	Salem	Alloway	75.000					
Doak	Salem	Alloway	69.000					
Rupert	Somerset	Bedminster	42.000					
Ziebarth	Somerset	Bedminster	24.000					

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Perozzi Farm
17- 0044-NP
FY 2012 Easement Purchase - Nonprofit
71 Acres

Block 80	Lot 10	Pilesgrove Twp.	Salem County
SOILS:		Prime	7% * .15 = 1.05
		Statewide	93% * .1 = 9.30
			SOIL SCORE: 10.35
TILLABLE SOILS:		Cropland Pastured	38% * .15 = 5.70
		Other	4% * 0 = .00
		Permanent Pasture	58% * .02 = 1.16
			TILLABLE SOILS SCORE: 6.86
FARM USE:		Horse & Other Equine	70 acres
		Field Crop Except Cash Grain	46 acres
		Fowls, Broilers & Fryers	4 acres
		Chicken Eggs	3 acres
		Poultry & Eggs	10 acres ducks

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st five (5) acres for around existing house, barn, arena
 - Exception is not to be severable from Premises
 - Right to Farm language is to be included in Deed of Easement
 - Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions:
 1. Possible FRPP via NJCF
 - d. Additional Conditions:
 - If FRPP funding is secured, pursuant to the Federal Farm and Ranch Land Protection Program the landowner agreed to a maximum impervious coverage of 6.33%.or approximately 4.5 acres.
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2014R4(13)

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

On the Property of
Salvatore F. & Benvenuta Vasta ("Owners")

April 25, 2014

Subject Property: Salvatore F. & Benvenuta (AKA Dina) Vasta (Owners)
Block 268, Lot 4
Carneys Point Township
Salem County
SADC ID#: 17-0210-DE
Approximately 143 Net Easement Acres

WHEREAS, on July 30, 2009, the State Agriculture Development Committee ("SADC") received a development easement sale application from Salvatore F. & Benvenuta Vasta, hereinafter "Owners," identified as Block 268, Lot 4, Carneys Point Township, Salem County, hereinafter "Property," totaling approximately 143 net easement acres, identified in (Schedule A); and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 25, 2013, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Salem County (minimum acreage of 95 and minimum quality score of 59) because it is 143 acres and has a quality score of 69.78; and

WHEREAS, the Property includes a 7-acre severable exception area restricted to four single family residences; (three existing and one future residence); and

WHEREAS, as a result of the subdivision of the severable exception prior to closing, the remaining parcel may be re-designated with a new lot number and this re-designation will be reflected in the subsequent closing documents and deed of easement; and

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

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

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

WHEREAS, on January 23, 2014, the SADC certified the development easement value of the Property at \$5,500 per acre based on current zoning and environmental conditions as of December 2013; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property for \$5,500 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Property, for its acquisition of the development easement at a value of \$5,500 per acre for a total of approximately \$786,500 subject to the conditions contained in (Schedule B); and

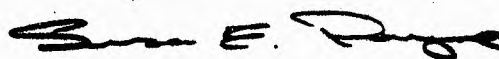
BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on the Property; and

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

4-25-14

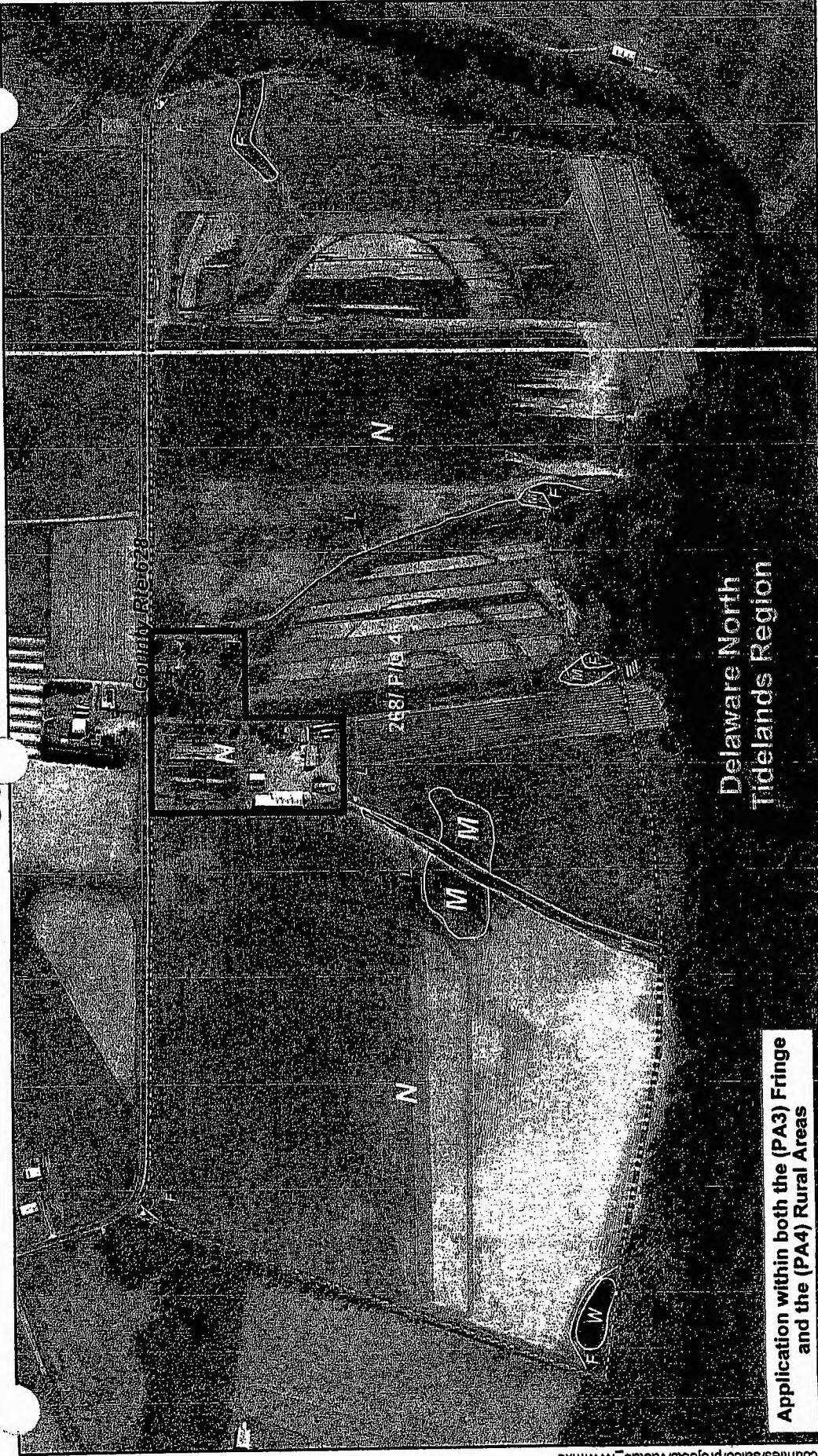
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Alan A. Danser, Vice Chairman	YES
Renee Jones (rep DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane Brodhecker	YES
James Waltman	YES
Peter Johnson	YES
Torrey Reade	YES
Denis C. Germano, Esq.	ABSENT



Application within both the (PA3) Fringe
and the (PA4) Rural Areas

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Salvatore and Benevenuta Vasta
Block 268 Lots P/O 4 (143.1 ac)
& P/O4-ES (severable exception - 7.0 ac)
Gross Total = 150.1 ac
Cameys Point, Salem County



- Legend**
- Property to Consider
 - ES - (Non-Severable) Exception
 - ES - (Severable) Exception
 - Wetlands Boundaries
 - Private - Limited Access
 - Federal or State Highways
 - County Roads
 - Boardwalks and Roads
 - Tidelands Boundary
 - Unimproved, County and Non-PA4
 - PA4 - (Severable) Exception
 - State Owned Conservation Easement
 - State Owned DCS & Recreation Easement

- Wetlands Legend**
- F - Freshwater Wetlands
 - M - Marine Wetlands
 - T - Tidal Wetlands
 - N - Non-Wetlands
 - W - Water

Sources:
NJDEP Freshwater Wetlands Data
NJDEP Marine Wetlands Data
NJDEP Tidal Wetlands Data
NJOTPOGIS 2007 Aerial Image
February 20, 2013

DISCLAIMER:
The configuration and geo-referenced location of parcels depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4, "Tidelands, Chins Mins"
These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau
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of Tidelands Management can perform an official determination of Tidelands/Exception status.

- acreage D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Vasta Farms
State Acquisition
Easement Purchase - SADC
143 Acres

Block 268	Lot 4	Carneys Point Twp.	Salem County
SOILS:		Local	80% * .05 = 4.00
		Other	2% * 0 = .00
		Statewide	18% * .1 = 1.80
			SOIL SCORE: 5.80
TILLABLE SOILS:		Cropland Harvested	90% * .15 = 13.50
		Other	10% * 0 = .00
			TILLABLE SOILS SCORE: 13.50
FARM USE:	Vegetable & Melons		acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st seven (7) acres for Existing infrastructure and ag labor single family residence
 - Exception is severable
 - Right to Farm language is to be included in Deed of Future Lot
 - Exception is to be restricted to three existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.