

September 26, 2019

**STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC)**

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

**REGULAR MEETING**

**September 26, 2019**

Chairman Fisher called the meeting to order at 9:15 a.m. The flag salute was conducted.

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**

Chairman Fisher  
Renee Jones (Rep. NJDEP Commissioner Catherine R. McCabe)  
Gina Fischetti (Rep. DCA Commissioner Sheila Oliver)  
Brian Schilling  
Jane Brodhecker  
Denis Germano (arrived at 9:28 a.m.)  
Alan Danser  
Scott Ellis  
Pete Johnson  
Ralph Siegel  
James Waltman

**Members Absent**

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

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**Others present as recorded on the attendance sheet:** Brian Wilson, Burlington County Agriculture Development Board (CADB); Sean Pizzio, Monmouth CADB; Bob Hornby,

Hunterdon CADB, Tony McCracken, Somerset CADB, Danielle Dobisch, D&R Greenway; Harriet Honigfeld, Monmouth CADB; Eric Agrew, Gloucester County CADB, Katherine Colye, Morris CADB; Amy Hansen, New Jersey Conservation Foundation (NJCF); Katherine Fullerton, Hunterdon County.

## **Minutes**

### **A. SADC Regular Meeting of July 25, 2019 (Open and Closed Sessions)**

It was moved by Mr. Danser and seconded by Mr. Schilling to approve the Open and Closed Session minutes of the SADC regular meeting of July 25, 2019. Mr. Waltman and Mr. Siegel abstained. The motion was approved.

## **Report of the Chairman**

Chairman Fisher did not give a report in the interest of time.

## **Report of the Executive Director**

Ms. Payne did not give a report in the interest of time.

## **Communications**

Ms. Payne stated that there are some interesting articles that the Committee can take for their review.

## **Public Comment**

No public comment.

## **Old Business**

### **A. Right to Farm – Final Decision- Glassboro v. Gloucester CADB and Summit City Farms, LLC**

Mr. Smith stated that the final decision proposed by staff in the Glassboro v. Gloucester CADB and Summit City Farms, LLC case provides that off farm parking of non-customer commercial vehicles along the frontage of a commercial farm is eligible for Right to Farm (RTF) protection. That conclusion is informed by the RTF Act text, pronouncements by the judicial branch of government, and SADC case law and regulations. It makes sense



that the legislative, judicial and executive branches came to this conclusion because a commercial farm's survival may depend on parking on the street in front of its business.

The final decision emphasizes that the farmer is *eligible* for RTF protection. *Entitlement* to RTF protection is a completely different analysis based on the "balancing test" that the Office of Administrative Law (OAL) is going to engage in pursuant to the Supreme Court's Den Hollander decision. That case said the farmer's interest in engaging in legitimate agricultural activities must be balanced against the municipal interest in enforcing its ordinance. Staff has no evidence of that because this case was decided in the OAL in a summary decision so there was no testimony and no facts provided regarding that balancing.

The weight of the three branches of government commenting on the basis for this decision calls into question the vitality of the Bottone decision which was cited in the initial decision by the judge. Bottone failed to recognize that the farm market in that case was not entitled to RTF protection because it was located on a parcel under 5 acres, requiring that the property generate agricultural or horticultural products that are worth at least \$2,500 annually. Mr. Bottone's farm market was located on an approximate 4 acre commercial parcel generating no production at all.

The other problem with Bottone, which is mentioned in the final decision, is that a conclusion was drawn that municipalities have the right by ordinance to regulate parking, but the RTFA statute says that municipal construction standards for parking that have been enacted are not preempted by the RTF Act.

Mr. Smith informed the Committee that they have a copy of the decision which adopts, modifies and rejects various findings made by the OAL judge. There is a remand order attached with some guidance to the OAL on how to handle the case going forward.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve the final decision in Glassboro v. Gloucester CADB and Summit City Farms, LLC. Mr. Germano abstained from the vote. The motion was approved.

## **B. Soil Protection Standards (Discussion Only)**

Mr. Everett stated that at the July 2019 meeting staff discussed with the Committee various land uses that potentially would and would not count towards a soil protection limitation while balancing the needs of the agriculture community and the public interest in farmland preservation easements. Mr. Everett reviewed a color-coded spreadsheet a which conceptualizes in more detail how soil protection standards could be implemented.



Analogous to a traffic light, the land uses are arranged in a color-coded order of reversibility based on extensive research on agronomic principles and soil science. Mr. Everett stated that “green” represents agricultural production where there is no limit on the agricultural activity; “yellow” activities have no limit provided Best Management Practices (BMPs) are followed, and if BMPs are not followed, activities could fall into the “orange” or “red” category where disturbance would be limited to 8% of the premises, or 6 acres, whichever is greater.

Mr. Everett stated that since the July meeting, the farming community raised the question of introducing waivers because they were currently exceeding the proposed disturbed-acre allowance. He suggested giving farmers that were at or over the disturbance limit and additional 2%. Another question from farmers is if they would they be allowed to remediate portions of their farms that have been used for buildings and bring it back to an agricultural use. Mr. Everett stated that could be done in compliance with Committee standards.

Some Committee members expressed concerns that a 6-acre allowance was excessive on a small farm, and that no waiver was available for a farmer to exceed the caps on the standards.

Mr. Siegel explained that he thinks there should be a “not to exceed” number when referring to the 8% or 6 acres and agreed with Mr. Germano that any “relief” from that standard would necessitate adoption of standards to describe the conditions under which relief could be granted.

Ms. Payne explained to the Committee that staff is trying to develop a standard that maintains a balance between the farmer’s economic need for development and the public interest. She noted that staff is not contemplating relief from the 8% limit because of the agency’s obligation to protect soil resources. The Committee agreed that the Supreme Court’s den Hollander opinion strongly recommended that soil protection standards be adopted.

It was moved by Mr. Ellis and seconded by Mr. Germano to move forward with the existing soil protection plan and to seek continued feedback from farmers. Mr. Siegel abstained from the vote. The motion was approved.

**Note: James Waltman left the meeting at the conclusion of this discussion.**

**C. Resolution: Review of Activities – Hunter Farms, Montgomery Township, Somerset County**



Mr. Roohr stated that this matter was discussed previously with the Committee in July 2019 and involves equine activities on the Princeton Show Jumping (PSJ), LLC/Hunter Farms North property.

In 2012 the PSJ property was purchased by Mr. Philbrick who immediately began using it for hunter-jumper training competitions, including installation of 4 sand rings. In 2013 the SADC was concerned about this development and engaged with Mr. Philbrick to determine whether the property was being exclusively devoted to horse shows rather than to equine production. As a result of the discussions with Mr. Philbrick, the Committee adopted a resolution in 2013 containing requirements that production evidence be submitted on an annual basis, temporary tents used during the shows be taken down at the end of the show, a farm conservation plan be prepared and implemented, and 10% of all the horses competing in the shows, be owned, bred or raised by Hunter Farms. At the time the resolution was adopted, Mr. Philbrick had 9 show licenses, all of which the Committee approved; however, the resolution provided that if evidence of equine production was not confirmed by the Committee, it reserved the right to revoke approval of the shows.

Since 2013, the facility has been successful, and the intensity of the shows has increased, with the addition of more rings, stables and infrastructure. At the July 2019 SADC meeting, concern were raised regarding potential deed of easement violations as to site disturbance, stormwater management and exceeding the 5% impervious coverage limitation.

The resolution presented to the Committee today requires that PSJ provide annual written verification that 10% of all the horses competing in the shows be owned, bred or raised by Hunter Farms, and that PSJ implement a storm water plan, test parts of the property to determine permeability and, therefore, compliance with the 5% impervious coverage limit, and engage in no new site work or improvements without approval from the SADC.

At the July 2019 meeting, the Committee was made aware that in addition to the 9 approved shows, there are 2 additional shows on this year's calendar to end the 2019 season. Mr. Roohr stated that staff acknowledges that Mr. Philbrick would like the ability to host those remaining two shows and that Mr. Philbrick has made some progress in meeting the Committee's conditions of approval in the last couple months, but recommends that no additional shows be authorized for the 2019 season. Further, staff recommends that if the PSJ property is not in full compliance with SADC requirements by spring of 2020, then this matter be brought back to the Committee to reconsider allowing the 9 shows that could be held in the 2020 season.

Mr. Sposaro, attorney for Mr. Philbrick, noted that the soil was tested and looks good for the growth of most crops. The National Resources Conservation Service (NRCS) was contacted, and if it concludes that more action needs to be taken, Mr. Philbrick will take the necessary steps to do so. Mr. Philbrick's application for a road opening permit on



Skillman Road was denied by Montgomery. The area of the PSJ property affected by the road opening has since been restored, and a meeting was requested with the township to discuss the permit.

There were also questions regarding the PSJ property's tie-in to the township storm water system. Mr. Sposaro explained there are two tie-ins above ground that divert and collect storm water and distribute it to the municipal system. That action has resulted in no storm water runoff on the neighbors who have complained about it, and the engineer that Mr. Philbrick hired is present to testify to that. Mr. Sposaro stated that Mr. Philbrick met with his neighbors to address their concerns; however, their complaints regarding storm water management is not related to what is going on with the property and they can feel free to get an engineer to meet with Mr. Philbrick's engineer to discuss the matter further.

Mr. Sposaro stated that staff believes the property to be over the 5% limit for impervious cover, but that calculation was based on an aerial view. However, Mr. Philbrick's engineer concluded, based on soil testing and onsite inspection, that the impervious cover is 4.85%.

Mr. Sposaro noted that Mr. Philbrick has constructed and developed a world class facility for hunter-jumper horses. There is a national junior championship show that is going on right now and today is the 42nd day of shows at PSJ this year. The 2013 resolution stated that the maximum number of show days is 42, but also contemplated more show days if warranted and if the demand was there.

Mr. Sposaro introduced Mary Babick, president of the United States (US) Hunter Jumper Association (HJA), to speak to the Committee as to the importance of Hunter Jumper Facilities in NJ. Ms. Babick stated that the HJA is the recognized affiliate for the US Equestrian Federation that covers hunter jumper sport and is interested in having quality competitions throughout the US at different levels. She emphasized that sport horse production is like race horse production and if the horses can't compete, they lose value and Mr. Philbrick's national level facility allows professionals from all over the country to compete. She noted that the NJ Department of Agriculture is a member of the American Horse Council (AHC) and, according to the most recent economic study of the AHC, the equine industry has a positive financial and employment impact and is an integral part of NJ's agricultural network. Over the last several years facilities have gotten taken over by development, so Mr. Philbrick's facility is very necessary. Ms. Babick encouraged the Committee to support equestrian competitions at the PSJ property, as NJ will be able to maintain its long-standing position for horse farms and horse production.

Ms. Payne asked Ms. Babick when Mr. Philbrick would have to apply for the permits to have the shows in October. Ms. Babick stated that applications for permits are to take place a year before competition occurs.



Mr. Sposaro apologized for Mr. Philbrick's lack of attention to the requirements of the SADC's 2013 resolution due to personal issues, the Penn East pipeline going through the PSJ property, and building his world class facility.

Mr. Sposaro believed that there are three things left to be addressed. The first was the storm water drainage complaints from the neighbors; second, the soil nutrient areas that need to be rectified; and finally, storm water management for the parking area. Mr. Sposaro noted that he and Mr. Philbrick did everything that they can do up to this point and now they are waiting on NRCS to respond. Mr. Sposaro requested that the rest of the shows that are scheduled for this year be allowed to continue.

The Committee expressed to Mr. Sposaro several concerns which included additional shows being done without requirements being met, compliance with the farm conservation plan for the entire farm, soil erosion issues, tent removal, and impervious cover .

Mr. Sposaro stated that he made requests to the NRCS for a conservation plan, but they did not have the time to do one, so Mr. Philbrick hired his own professional to create a plan and the plan was approved by the NRCS. Mr. Sposaro noted that the soil erosion issue was due to illegal run off from the church on an adjoining property.

Chairman Fisher suggested that PSJ be allowed to continue their shows for the rest of the year, and then come back to the Committee next year explaining how they complied, in order to get Committee approval to do shows for the 2020 season. Mr. Sposaro agreed that was a fair suggestion.

Several neighbors of Mr. Philbrick's testified to the Committee as to the issues that they are having due to the PSJ facility. Their issues included tent removal, water runoff, noise, garbage and soil erosion.

Anthony Todaro Esq., attorney for Montgomery Township, stated that the township is willing to work with Mr. Philbrick regarding storm water runoff . He noted that the 2013 resolution mentions breeding on the site for it to be considered an agricultural use, but Mr. Philbrick has not done that yet. Mr. Todaro requested that the SADC provide some sort of enforcement or deadline for PSJ to come into compliance with the requirement in the resolution.

Mr. Siegel asked Mr. Todaro if the township has taken any enforcement action . Mr. Todaro stated that there was a municipal court case regarding the road opening on the Skillman Road right of way which resulted in remediation of the affected area on the PSJ property in late September.

Lauren Wasilauski, Open Space Coordinator for Montgomery Township, stated that there is an increase in ponding of water on Skillman Road which is causing a huge impact on the



right of way. She noted the township has yet to receive anything from Mr. Philbrick's engineer regarding a storm water plan. Ms. Payne requested that Mr. Sposaro submit a report and Mr. Sposaro agreed that he will submit everything to the township that he submitted to the SADC and that Mr. Philbrick is willing to give the Montgomery Township engineer full access to the PSJ property.

Mr. Sposaro stated that production at PSJ consists of training of horses and their ability to participate in the competitions and the value that it adds to them. Ms. Payne stated that the issue of production needs to be clarified in any future resolution, as the 2013 resolution conditioned approval of PSJ's activities on the owner's development and use of the premises for equine production including breeding and raising of horses.

Ms. Fischetti asked if it was the Committee's responsibility to address noise and garbage resulting from PSJ. Mr. Tony McCracken, assistant planning director for Somerset County, stated that a prior RTF complaint was received, a meeting took place where the neighbors discussed their issues, an SSAMP was issued for the property, and now the county is currently waiting on some information from the neighbors to see if there are any adjustments needing to be made to the prior SSAMP

After much deliberation and discussion regarding the many outstanding issues at PSJ, it was determined that PSJ could continue their shows through October 2019; however, PSJ's shows scheduled in 2020 are disapproved unless all outstanding requirements outlined by staff are addressed to the satisfaction of the Committee, and the Committee passes a resolution to reinstate the shows.

It was moved by Mr. Danser and seconded by Mr. Germano to approve Resolution FY2020R9(1) with an amendment that allows the shows at Princeton Show Jumping to continue through October 2019; however, there will not be any shows approved for 2020 unless all the outstanding items are taken care of to the satisfaction of the Committee and the Committee passes a new resolution to approve shows for 2020 and beyond. The motion was approved. Mr. Schilling recused because Princeton Show Jumping consulted with the Rutgers Equine Science Center.

## **New Business**

### **A. Delegation of SADC Approvals (Discussion)**

Ms. Winzinger stated that staff is proposing to delegate certain routine approvals to the Executive Director in order to improve the agency's operational efficiency and customer service. This approach would eliminate the substantial time required to prepare and process approvals for scheduled Committee meetings, which adds 50 days to an application



process, and much longer delays when the Committee does not meet in August and November.

Ms. Winzinger noted that the Committee previously delegated approval for appraised and final values of development easements on a farms subject to eminent domain, and for approval of roof mounted solar installation systems. Some preliminary items that are identified for potential delegation include soil and water cost share grant projects and certified market values (CMV). Ms. Winzinger review a proposed list of subject areas where staff is recommending delegation be considered and noted that for any of the listed items staff would work to develop parameters around each delegated matter so that at a certain point such approvals would still need to be brought to the Committee. Ms. Payne added that we are only contemplating a process where the SADC delegates approval authority to the executive director, and if the director cannot approve the application then it would be placed on the SADC agenda for full consideration by the Committee.

Mr. Schilling stated that he is concerned about the rural microenterprise (RME) applications because they are new and might need some refinement. Ms. Payne stated that she intended to bring the first six or so RME applications to the Committee so that it can gain familiarity with this new aspect of the program and then perhaps future RME applications could go to staff for approval. Mr. Danser, Mr. Ellis and Mr. Siegel stated that they had concerns about not being able to see the certified market value (CMV) reports. Ms. Winzinger suggested that staff could compose a spreadsheet or quarterly report for the Committee's review which would list all the CMVs for the month.

It was moved by Mr. Germano and seconded by Ms. Jones to approve staff continuing to develop a plan for delegation of select approvals to the Executive Director. The motion was unanimously approved.

## **B. Minimum Standards for Acquisition Projects – FY20 (Resolution)**

### **1. County Planning Incentive Grant (PIG) Program**

Ms. Winzinger stated that every year staff adopts minimum standards for quality scores and that any farm within 70% of the quality score is processed for preliminary or "green light" approval and any farm that does not meet that score will be brought to the Committee for approval. There are 6 counties that have submitted one or fewer applications each; therefore it is not possible to establish a quality score for these counties. Staff is proposing to utilize the average quality scores adopted in 2018 for Mercer and Middlesex counties and to consider applications under the waiver provision for the other four counties..

### **2. SADC Direct Easement Purchase Program**



Ms. Winzinger stated that state acquisition requirements are being updated from the 2012 census acres to the 2017 census acres. A priority farm is 70% or more of the census acres and 90% of the average quality score by county. When there is a priority farm for state acquisition that meets that criteria staff will move ahead with those farms. If it's less than the 70%, those farms will be brought before the Committee.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve Resolutions FY2020R9(2) and FY2020R9(3) for the minimum standards for acquisition projects for FY20 for the County Planning Incentive Grant (PIG) program and the Direct Easement Purchase program. The motion was unanimously approved.

### **C. Resolutions: Final Approval – County PIG Program**

Ms. Roberts and Ms. Miller referred the Committee to four requests for final approval under the County PIG Program. They reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolutions FY2020R9(4) through FY2020R9(7), granting approval to the following applications under the County PIG Program, as presented, subject to any conditions of said resolution.

1. Elizabeth Ann Dolinski, SADC ID #08-0200-PG, Resolution FY2020R9(4), Block 1901, Lots 11 & 12, Franklin Township, Gloucester County, 69.837 acres.
2. Diane Carol & Paul Charles Duffy (Lot 16.04), SADC ID # 17-0204-PG, Resolution FY2020R9(5), Block 40, Lot 16.4, & 15, Block 42, Lot 2.02, Mannington Township, Salem County, 61.1 gross acres.
3. Ralph & Jill Johnson, SADC ID # 17-0210-PG, Resolution FY2020R9(6), Block 6, Lot 1, Mannington & Quinton Townships, Salem County, 45.9 acres.
4. Edward Stampone & CDEK LLC, SADC ID # 21-0370-PG, Resolution FY2020R9(7), Block 41, Lot 10, Knowlton Township, Warren County, 35.2 acres.

The motion was unanimously approved. A copy of Resolutions FY2020R9(4) through FY2020R9(7) is attached to an is a part of these minutes.

### **D. Resolutions: Final Approval- Municipal PIG Program**

Ms. Miller and Ms. Roberts referred the Committee to two requests for final approval under the Municipal PIG Program. They reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.



It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolutions FY2020R9(8) through FY2020R9(9), granting approval to the following applications under the Municipal PIG Program, as presented, subject to any conditions of said resolution.

1. Estate of Robert & Gloria Thompson, SADC ID #21-0616-PG, Resolution FY2020R9(8), Block 59, Lot 1, White Township, Warren County, 43.7 acres.
2. St Clare of Assisi Parish, SADC ID #08-0204-PG, Resolution FY2020R9(9), Block 13, Lot 5.01, Woolwich Township, Gloucester County, 25.492 acres.

The motion was unanimously approved. A copy of Resolutions FY2020R9(8) and FY2020R9(9) is attached to an is a part of these minutes.

#### **E. Resolution: Final Approval – Non-Profit Program**

Ms. Mandelbaum referred the Committee to one request for final approval under the Non-Profit Program. She reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2020R9(10), granting approval to the following application under the Non-Profit Program, as presented, subject to any conditions of said resolution.

1. D & R Greenway Land Trust, Inc. (D & R), SADC ID #11-0017-NP, Resolution FY2020R9(10), Block 14, Lot 17, Hopewell Township, Mercer County, 51 acres

The motion was unanimously approved. A copy of Resolution FY2020R9(10) is attached to an is a part of these minutes.

#### **F. Resolutions: Final Approval – Direct Easement Purchase Program**

Ms. Roberts and Ms. Miller referred the Committee to four requests for final approval under the Direct Easement Purchase Program. They reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolutions FY2020R9(11), through FY2020R9(14), granting approval to the following application under the Direct Easement Purchase Program, as presented, subject to any conditions of said resolution.



1. The Frank Rizzi Income Only Trust, SADC ID #08-0043-DE, Resolution FY2020R9(11), Block 5, Lot 11, South Harrison Township, Gloucester County, 128.36 Net Easement Acres.
2. Salvatore & Annette Manno, SADC ID #17-0340-DE, Resolution FY2020R9(12), Block 13, Lot 3, Quinton Township, Salem County, 103.5 net easement acres.
3. (AMENDED) John Walter, SADC ID #17-0329-DE, Resolution FY2020R9(13), Block 15, Lot 4 & 23- Mannington Township, Salem County, and Block 10, Lot 10, Alloway Township, Salem County, 88.5 Net Easement Acres.
4. Alexandria Airpark, LLC., SADC ID #10-0267-DE, Resolution FY2020R9(14), Block 10, Lot 63, Alexandria Township, Hunterdon County, 65.9 net easement acres.

The motion was unanimously approved. A copy of Resolution FY2020R9(11) through FY2020R9(14) is attached to and is a part of these minutes.

#### **G. FY2020 Appropriation Recommendation**

Mr. Distaulo stated that the Corporate Business Tax (CBT) revenues this year resulted in a projected \$58.5M available in CBT funds to support the SADC's FY20 appropriations request. In addition, staff has identified \$500,000 in previously appropriated funds that can be reprogrammed; and \$150,000 in available interest earnings. An additional \$350,000 in the form of a reimbursement from the NJ Office of Information Technology (OIT) in connection with "eFARMS", SADC's database and web-application project, is available since OIT has indicated it cannot complete the project. Staff recommends \$500,000 be appropriated to implement the eFARMS project and \$59M be utilized to support Farmland Preservation Program (FPP) grants, stewardship activities, planning grants and normal administrative costs, for a total appropriation request of \$59.5M.

Mr. Distaulo indicated amendments to the Preserve New Jersey Act (PNJA) in June 2019 increased the percentage of CBT funds that can be used for "stewardship" activities from 3% to 4% of SADC funds; therefore, staff projects approximately \$2.15M being available for stewardship activities.

The 2019 PNJA amended the definition of "Stewardship Activity" to include projects that improve the resiliency of farmland soils. Previous stewardship allocations have been dedicated to funding the Soil and Water Cost Share Program (S&W) and the Deer Fencing Program (DF). Staff recommends the full stewardship allocation be included in the FY20



appropriations request to continue funding S&W and DF, which have been very popular with farmers and an important component of overall farm viability, and to provide for enough funding to jump start a resilient farmland soils initiative.

At its July 2019 meeting the SADC approved making grants available to assist all county and municipal Planning Incentive Grant (PIG) applicants to develop or update their respective comprehensive FPP plans to conform with the SADC's newly proposed PIG rules and guidelines. The new rules require review and re-adoption of these plans every 10 years, so staff recommends appropriating \$500,000 to make planning grants available to counties and municipalities to update their plans.

Since the initiation of the CBT fund, SADC's appropriations have been adapting to fluctuations in CBT fund revenue levels. Thus far, funds have been distributed in a manner that focuses on specific acquisition programs (County vs. Municipal vs. State Direct Easement Purchase) each year, recognizing there have been insufficient resources to fund all programs fully each year. FY19 funds were directed to the Nonprofit (\$1.5M), Municipal Planning Incentive Grant (\$15M) and Direct Easement (\$3.34M) programs.

Mr. Distaulo noted that the FY20 recommendation is focused on Nonprofit, County PIG and Direct Easement (DE) programs and additionally allocates \$5M to the Municipal PIG competitive fund in anticipation of the pending rule amendment adoption. The net total amount of FY20 funds available for acquisition programs is projected at just over \$53M. In developing a recommendation for FY20 program funding, all acquisition programs have been reviewed and analyzed.

It is recommended that the SADC allocate \$5M to the Municipal PIG Competitive Grant Fund in anticipation of the rule adoption. The FY19 allocation of \$15M to the Municipal PIG program, in addition to previously allocated MPIG funds, will constitute each municipality's 'Base Grant'. It is anticipated that the FY19 appropriation as well as Competitive Grant Fund eligibility of up to \$500,000 per municipality will be enough to fund active applications until the next funding cycle.

In June 2019, the SADC reviewed and approved applications for the FY20 Nonprofit Program. It is recommended the FY20 Nonprofit Program be fully funded, resulting in a funding allocation of \$1.35M.

SADC staff has done extensive outreach over the past year to municipalities and other partners to identify high-quality farms that have yet to be preserved. It is recommended that funds not otherwise recommended for appropriation to specific programs as set forth above be allocated to the State DE Program, resulting in an estimated \$25.76M allocation.



As per selection procedures approved by the SADC on September 20, 2017, \$3M was allocated to a FY18 Tier 3 “Partnership Pool” fund that may be utilized for Direct Easement Purchase program applications that leverage SADC funds by utilizing non-SADC funding, including those that do not meet SADC’s “Priority” criteria. Of this allocation, to date 4 farms have been processed through the Partnership Pool fund totaling an estimated \$1.3M in acquisition cost that leveraged \$408,000 in County/Federal funds , resulting in approximately \$900,000 in SADC cost.

It is recommended that an additional \$3M be set aside to the “Partnership Pool” fund for Tier 3 applications that leverage state funding and that these applications may be selected as opportunity allows.

For the Stewardship component of dedicated corporation business tax revenues and unexpended balances in the Diesel Risk Mitigation (DRM) Fund, staff recommends \$616,870 be cancelled from Stewardship CBT revenues and re-appropriated to State Farmland Acquisition. In addition, \$616,870 will be cancelled from State Farmland Acquisition DRM Funds and be re-appropriated to Stewardship.

Finally, staff recommends that any increase or decrease in CBT fund availability that may occur prior to GSPT funding and/or appropriation by the legislature be reflected in a corresponding adjustment to the Stewardship funds so that the Stewardship appropriation is the maximum allotted percentage of the final CBT figure, and that any other resulting adjustments be made to the Direct EP program, so that the appropriations to the Nonprofit program, Municipal PIG program, and administrative allocations are not affected.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to approve the Appropriation Request for FY2020. The motion was unanimously approved.

### **1. Rural Microenterprise Permit (Resolution)**

Ms. Armstrong referred the Committee to a its first request for approval in the Stewardship Program for a Rural Microenterprise Permit. She reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant approval.

It was moved by Mr. Danser and seconded by Mr. Ellis to approve Resolution FY2020R9(15), granting approval to the following application under the Stewardship Program, as presented, subject to any conditions of said resolution.

- a. Birch Creek Farm, Block 28, Lot 9, and Block 39, Lots 1 & 13, Upper Freehold Township, Monmouth County, 208.7 Acres.



The motion was approved. A copy of Resolution FY2020R9(15) is attached to and is a part of these minutes.

**NOTE: Jane Brodhecker left at the conclusion of this discussion.**

#### **H. Special Occasion Events on Preserved Farms- Preliminary Recommendations of the SADC's Working Group (Discussion)**

Ms. Payne stated that staff is working on a final report to the legislature and Governor containing recommendations regarding the Winery Special Occasion Event Pilot Law. In furtherance of that effort, the SADC convened an SOE working group comprised of Committee members, CADB administrators, CADB members, and members from the League of Municipalities and Farm Bureau.

Ms. Payne reviewed with the Committee the report's preliminary recommendations. She noted that SOEs include private party events such as weddings, receptions and repasts; corporate gatherings; festivals; outdoor concerts; and holiday dinners. Part of the discussion of the working group is that SOEs are perceived as an opportunity for farms to generate additional income. One of the recommendations is that all preserved farms, not just wineries, be given some level of opportunity to have SOEs. The working group is trying to protect farms from becoming a backdrop for parties, so it's important to support ag production as the priority use of the land, while making sure that SOEs are secondary to production. Trying to grow the NJ wine industry is also an important consideration. The SOE working group recognized that there is a difference between marketing wine and alcohol and marketing other traditional ag commodities and that there is a need to attract people to wineries.

Ms. Payne emphasized that SOEs under discussion are those that may occur on the preserved portions of a farm, not those that may be held in exception areas and/or events that may be entitled to RTF protection.

The consensus of the working group was that there be a maximum number of events based on the annual value of the farm's ag production. A farm with at least \$10,000 in annual ag production could host up to 8 SOEs per year, and farms with \$50,000 or more in annual ag production could host up to 15 SOEs per year. The same criteria would apply to wineries but, in addition, if a winery had grape production at an annual value of \$50,000 or more, it could hold up to 26 SOEs per year provided certain conditions are met. If a winery had annual ag production of \$100,000 or more, it could have 52 SOEs per year with the conditions that no more than 25% of gross income of the winery come from SOE activities and at least 50% of grapes processed by the winery are generated by its commercial farm.



Mr. Danser asked how grape and fruit production would be determined for the wineries. Ms. Payne emphasized that these numbers reflect all preserved farms, not just the wineries, so it's not feasible to investigate all the financial books of these farms. Therefore, staff proposes to rely on FA-1 forms; the number of acres of production that farmers report; GIS maps to confirm that production; and reports from the Farmland Evaluation Advisory Committee (FEAC) .

Mr. Schilling asked Ms. Payne to explain the impact of the Uniform Construction Code (UCC). Ms. Payne stated that under the current UCC, for agricultural structures can be used up to 15 times a year for assemblies of 50 or more people without triggering a change in use of the building .

The Committee discussed at length the complexities of SOEs and agreed that the problem is with defining what an SOE is; and that the desire of the Committee is not to impede a farm owner's success, but rather to maintain the integrity of the Farmland Preservation Program. Farm owners should not be limited based on the success of SOEs, but rather how often they do it and the impact it has on the land.

Mr. Brian Wilson asked if the counties will be the primary enforcers of any new SOE rules. Ms. Payne stated that the counties would need to review and approve a blanket permit at the beginning of the year because the counties typically hold the easements on preserved farmland . Mr. Wilson stated that the easiest way to enforce the rules and the more practical way to go about this is to monitor the production of the farms, the footprint for where it occurs, and the number of events that occur.

Ms. Payne stated that in terms of protecting the farms resources, the proposal is that the Committee allows a 2.5-acre envelope, or alternatively up to 5% of the farm, but with an absolute cap of 5 acres and that each event is one day or less in duration. The CADB would be the first stop that landowners must take in order to get approval for SOEs so that there is an understanding of which events are getting RTF protection and which are not. Those events that are not given RTF protection are considered SOEs.

Lastly, enforcement procedures must be more meaningful, and the recommendation is that if someone is found to be in violation, the county or the SADC hold a hearing . The first violation gets a warning and the second violation allows the state to suspend permits.. Ms. Payne stated that staff will commence drafting the report to the legislature and will plan to review the draft report with the SADC at its October meeting and schedule adoption of the final report in December.

## **I. Stewardship**

### **1. Monitoring Update Discussion**



Mr. Everett stated that Gary Pohorely was the primary staff member responsible for monitoring ~500 SADC held easements until his retirement in February 2018. At that time, it was becoming clear that the increasing number of easements was too great for one individual to handle and staff needed to dedicate more Stewardship staff resources to help oversee the entire monitoring program, prepare items for SADC agenda, work with landowners to resolve easement violations and supporting litigation and enforcement actions. Beginning in August 2018, staff contracted with the Warren Soil Conservation District to handle monitoring SADC held easements in Warren, Sussex, Morris, and northern Hunterdon counties as part of a pilot project. After a year to assess that relationship, staff determined that it was cost-effective, efficient, and lessened the burden on Stewardship staff to cover the entire state from Trenton. Staff has now contracted with the Freehold and Cape Atlantic Soil Conservation Districts for additional monitoring. There are now 224 out of 513 SADC held easements monitored by the districts this fiscal year with the remainder to be divided between two part-time SADC staff.

## **2. Agricultural Labor Housing**

Mr. Roohr referred the Committee to one request for approval of Agricultural Labor Housing. He reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant approval.

It was moved by Mr. Schilling and seconded by Mr. Danser to approve Resolution FY2020R9(16), granting approval to the following application under the Stewardship Program, as presented, subject to any conditions of said resolution.

- a. Leone Farm, Block 801, Lot 36, Logan Township, Gloucester County, 47.43 Acres.

The motion was approved. A copy of Resolution FY2020R9(16) is attached to and is a part of these minutes.

## **J. Resolutions of Approval: Soil and Water Conservation Project Cost- Sharing**

Mr. Clapp referred the Committee to nine Soil and Water Cost Share Projects. Mr. Danser asked if there were any unusual Soil and Water Cost Share Projects this month and if the Committee could move the resolutions without a presentation from the staff to save time. Ms. Payne stated there were no unusual Soil and Water Cost Share Projects on the agenda.

It was moved by Mr. Danser and seconded by Mr. Ellis to approve Resolutions FY2020R9(17) through FY2020R9(25), granting approval to the following applications



under the Soil and Water Conservation Project Cost-Sharing Program, as presented, subject to any conditions of said resolution.

1. Fulper Farms, LLC., SADC ID #10-0242-PG, Resolution FY2020R9(17), Block 20, Lot 2, West Amwell Township, Hunterdon County, 44.293 acres.
2. Cassaday farms, LLC., SADC ID #08-0100-EP, Resolution FY2020R9(18), Block 33, Lots 1.01, Elk Township, Gloucester County, 91.117 acres.
3. Dusty Lane Farms, LLC., SADC ID #17-0010-EP, Resolution FY2020R9(19), Block 54, Lot 6, Upper Pittsgrove Township, Salem County, 156.38 acres.
4. Lima Family Farms, SADC ID #18-0094-EP, Resolution FY2020R9(20), Block 164, Lot 9, Hillsborough Township, Somerset County (1), 146.6099 acres.
5. Lima Family Farms, SADC ID #18-0093-EP, Resolution FY2020R9(21), Block 164, Lot 7, Hillsborough Township, Somerset County (2), 204.505 acres.
6. Tri County Turf, SADC ID #13-0050-EP, Resolution FY2020R9(22), Blocks 42 and 43, Lots 2 and 7, Upper Freehold Township, Monmouth County, 270.2264 acres.
7. Jon Vaughan, SADC ID #19-0030-EP, Resolution FY2020R9(23), Block 14, Lots 16, 19, 20.01, 21, 22, 25, 26, 30, 31, 32, 38.02, 39 and Block 22, Lot 19, Lafayette Township, Sussex County, 636.1203 acres.
8. Smithville Farms Inc., SADC ID #03-0134-EP, Resolution FY2020R9(24), Block 1200, Lots 7 and 30, Eastampton Township, Burlington County, 203.24 acres.
9. Jean A. Robson, SADC ID #03-0087-EP, Resolution FY2020R9(25), Block 700.01, Lot 1, North Hanover Township, Burlington County, 43.791 acres.

The motion was unanimously approved. A copy of Resolutions FY2020R(17) through FY2020R(25) is attached to and is a part of these minutes.

**K. Policy P- 48- Soil and Water Conservation Project Cost- Sharing Program- Amendment**



Mr. Kimmel presented updates to Policy P-48 Policy enabling farms in the Pinelands and Highlands whose development credits have been severed to be eligible for stewardship funding for soil and water grants, provided that the deed restrictions that have been recorded against the property are consistent with SADC deed restrictions and are approved by the SADC .

It was moved by Mr. Germano and seconded by Mr. Siegel to approve the Policy P-48 Amendment for the Soil and Water Conservation Project Cost-Sharing Program. The motion was unanimously approved.

### **Public Comment**

### **TIME AND PLACE OF NEXT MEETING**

**SADC Regular Meeting:** 9 A.M., Thursday October 24, 2019

Auditorium of the Health/Agriculture Building

### **CLOSED SESSION**

At 3:18 pm Ms. Payne read the following resolution to go into Closed Session:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into executive session to discuss certain matters including the certification of values for property acquisitions under the farmland preservation program, personnel matters, any pending or anticipated litigation, including the status of the PennEast litigation and the settlement discussions in the Quaker Valley Farms litigation, and/or any matters falling within the attorney-client privilege. The certifications of value for each property acquisition shall remain confidential until a closing on that acquisition occurs or until the application for that particular acquisition is withdrawn. Otherwise the minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists.

It was moved by Mr. Danser and seconded by Mr. Schilling to approve the resolution to go into closed session. The motion was unanimously approved on a roll call vote

### **ACTION AS A RESULT OF CLOSED SESSION**

NOTE: Brian Schilling and Gina Fischetti left the meeting during closed session.



**A. Real Estate Matters – Certification of Values**

It was moved by Mr. Danser and seconded by Mr. Siegel to approve the Certification of Values for the following applications as discussed in closed session. Ms. Jones abstained from the vote.

1. County Planning Incentive Grant Program

- a. D.E.N.J, Inc., SADC ID #13-0475-PG, Block 57.01, Lots 1.01, 1.02, 1.03 & 1.04, Millstone Township, Monmouth County, 38 net acres.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve the Certification of Values for the following applications as discussed in closed session.

1. County Planning Incentive Grant Program

- b. DLB Holdings, LLC, SADC ID #05-0025-PG, Block 53, Lots 4 through 9, 48, 51.01, 52.01, & 58, Dennis Township, Cape May County, 337.93 acres.

2. Municipal Planning Incentive Grant Program

- a. Andrew and Judith Tucker, SADC ID #18-0224--PG, Block 8, Lot 2.06 and 2.11, Peapack Gladstone Borough, Somerset County, 32.99 Acres.
- b. Franklin Atkinson, (Lot 1.01), SADC ID #06-0169-PG, Block 76, Lot 11.04, and block 77, Lot 1.01, Hopewell Township, Cumberland County, 48 net acres.
- c. Eric & Shelly Mihalecz, SADC ID #17-0213-PG, Block 701, Lots 50 & 50.02, Pittsgrove Township, Salem County, 22.5 net acres.
- d. Anna Bauman, SADC ID #17-0215-PG, Block 2202, Lot 17 and Block 2203, Lots 32, 33, 42, 42.01, 42.02, and 43, Pittsgrove Township, Salem County, 54.20 net acres.
- e. Anthony and Kathleen Rizzo, SADC ID #17-0208-PG, Block 2001, Lot 14, Pittsgrove Township, Salem County, 28.17 Acres.
- f. Gorrell Brothers Realty, LLC, SADC ID #08-0215-PG, Block 7101, Lot 35, Franklin Township, Gloucester County, 50.5 net acres.



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

**L. Right to Farm- Final Decision- Eriksson v. Hunterdon CADB**

Mr. Smith stated that the Eriksson v. Hunterdon CADB involved the location of a manure pile and a horse barn.

The proposed Final Decision adopts the conclusion in the Initial Decision that the manure pile location did not comply with the equine on-farm direct marketing Agricultural Management Practice (AMP), and therefore was not entitled to RTFA protection, because the pile was 25 feet from a property line contrary to the equine AMP, which requires 50 foot setback requirement.

Regarding the barn setbacks, the Final Decision adopts the determination in the Initial Decision that the barns were constructed in 2004 and 2010 in compliance with then-applicable municipal setback requirements. The Final Decision does not adopt the judge's conclusions regarding violation of a municipal ordinance limiting the number of livestock boarded within a property setback line because that issue was not part of the case remanded to the OAL.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve the Right to Farm Final Decision for Eriksson v Hunterdon CADB as presented. The motion was unanimously approved.

**B. Attorney/Client Matters**

None.

**ADJOURNMENT**

The meeting was adjourned at 4:21 p.m.

Respectfully Submitted,



Susan E. Payne, Executive Director

State Agriculture Development Committee



**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(1)**

**Review of Activities Occurring on Preserved Farm**

**Princeton Show Jumping, LLC/Hunter Farms North  
Equine Activities**

**September 26, 2019**

**Subject Property:**

**Block 26001, Lot 1.02  
Montgomery Township, Somerset County  
101.46 Acres**

WHEREAS, Princeton Show Jumping LLC, hereinafter (“Owner”) is the current record owner of Block 26001, Lot 1.02, as identified in the Township of Montgomery, County of Somerset, as recorded in the Somerset County Clerk’s Office in Deed Book 6519, Page 3387 by deed dated May 7, 2012, totaling 101.46 acres, hereinafter referred to as the “Premises”, as shown in Schedule “A”; and

WHEREAS, the development easement on the Premises was conveyed from the State of New Jersey to the State Agriculture Development Committee on December 2, 2003, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded in Deed Book 5599, Page 859; and

WHEREAS, the overall Property includes the Premises acreage plus 3.55 acres of unpreserved land within the right-of-way lines of Skillman and Burnt Hill Roads and 1.99 acres of unpreserved land around the perimeter of the Premises subject to a 15-foot wide recreation easement in favor of Montgomery Township together totaling 5.54 acres; and

**WHEREAS, the Deed of Easement limits the impervious coverage for existing and new construction on the Premises to 5% of the total acreage of the Premises; and**

WHEREAS, the Deed of Easement for the Premises does not encumber, and more specifically, the impervious cover limitations do not apply to, the 5.54 acres of unpreserved right-of-way and perimeter lands that are part of the overall Property; and

WHEREAS, Andrew Philbrick is the sole owner of Princeton Show Jumping, LLC, hereinafter referred to as the “Owner;” and

WHEREAS, the Owner is a former U.S. Equestrian Team rider, coach and long-time equine breeder and trainer; and



WHEREAS, the Owner currently operates a hunter/jumper equine breeding, raising, and training operation known as Hunter Farms on a non-preserved farm approximately two miles from the Premises; and

WHEREAS, the Owner refers to his home farm as “Hunter Farms” and to the Premises as “Hunter Farms North”, which make up his farm management unit; and

WHEREAS, upon purchasing the Premises, the Owner began to develop the site with state-of-the-art sand rings and other infrastructure designed to create a premier hunter/jumper show training and competition facility; and

WHEREAS, in May of 2013, the Owner made a request to the Committee to utilize the Premises to host nine, 3 to 5-day, hunter/jumper shows (42 total show days), which are sanctioned and licensed by the U.S. Equine Federation (USEF); and

WHEREAS, the Owner testified that the value of hunter/jumper horses increases based on their performance in these types of competitions; and

WHEREAS, during these competitions, the Owner enters his own horses and horses he trains in competition with horses owned by other individuals in the region in competitive show jumping events; and

WHEREAS, in 2013, the Owner testified that competitions on the Premises are only viable if there is a substantial mix of horses from operations other than his own and that he anticipated up to 300 horses may participate in these shows; and

WHEREAS, in 2013, the Owner stated that he may have 25 to 40 of his own horses participate in any given show; and

WHEREAS, the Committee approved Resolution #FY2013R5(5) (see attached Schedule “B”), finding that the shows, as described, were a legitimate marketing tool for the farm’s output and that there was a clear distinction between events and activities that are held on a farm to attract the public to the farm in an effort to increase the direct marketing and sales of the agricultural output of the farm versus those activities whose primary purpose is to market the use of the farm’s land and/or facilities to support a nonagricultural use; and

WHEREAS, the 2013 SADC resolution contained the following key requirements as conditions of approval:

- 1) Development and use of the site for production activities, including but not limited to breeding, raising and training of the Owner’s horses as shown in engineering plans provided at that time; and

- 2) Number of shows were limited to nine, totaling 42 show days; and



- 3) Shows are permitted as a venue for marketing the output of the Premises and farm management unit of the Owner; and
- 4) Use of existing infrastructure as shown on Schedule B of the 2013 resolution (the Owner's site plan) consisting of four sand rings and three tents, is consistent with the Deed of Easement; and
- 5) Tents used as temporary stables and for attendees shall be removed at the conclusion of each show unless shows are held on consecutive weeks, in which case they must be removed at the conclusion of the second show; and
- 6) A minimum of 10 horses or 10% of the horses participating in the shows, whichever is greater, shall be owned by the Owner, and bred, raised and/or trained on the Premises; and
- 7) The Owner shall annually provide to the SADC evidence of sales of horses bred, raised and/or trained on the Premises; and
- 8) Development and implementation of an NRCS conservation plan for the Premises within two years of the SADC's approval.

WHEREAS, the 2013 approval specified the Owner has the ability to request additional show days provided he can demonstrate the need for additional shows to market the output of his farm management unit; and

WHEREAS, the 2013 approval specified that failure to provide the SADC with evidence of substantial equine production or sales resulting from holding shows on the Premises could result in the SADC rescinding its approval of the ability to hold equine shows on the Premises; and

WHEREAS, at that time of the 2013, approval the Owner had constructed four sand show rings on the Premises and proposed a grass Grand Prix ring; and

**WHEREAS, the Committee finds the following related to use of the Premises since the SADC's May 2013 resolution of approval:**

- 1) The Owner has continued to develop the site for show purposes including three additional sand rings, new and expanded temporary horse stable areas, new gravel parking for attendees with equine trucks and trailers, a warm-up area for horses and grass parking for spectators (see Schedule "A"); and
- 2) The Owner has stated that all topsoil that was stockpiled as a result of developing the existing infrastructure has been retained and redistributed on-site; and
- 3) The Owner has testified that the facility has been very successful in terms of attracting elite horses and riders from the region as well as the development of a



young horse/beginning level program designed to increase participation in the sport; and

- 4) The Owner has testified that due to the success of programs offered at Hunter Farms North, the USEF has offered additional show licenses and more desirable show dates; and
- 5) According to show records, participation has increased from the anticipated 300 horses in 2013 to as many as 600 horses during the busiest shows in recent years; and
- 6) Temporary tent stables to accommodate the higher number of animals has increased from three in 2013 to eight tents during the busiest recent shows; and
- 7) The Owner has advertised, and in some years held, more than the nine annually approved shows, in violation of the 2013 approval; and
- 8) The Owner has, during certain periods from 2013 through 2018, used temporary tents as equine stables for longer than one week after the conclusion of a show, in violation of the 2013 approval; and
- 9) In 2013, the Owner stated that he was in the process of seeking stormwater approval for certain parking areas created at that time, however, since that time the Owner has not received approvals for, or constructed, any stormwater retention facilities which, if required, would be a violation of state stormwater regulations; and
- 10) The adjacent neighbors have stated that their properties are being negatively impacted by runoff from the Premises, including irrigation of the sand rings, which is piped to the township storm drains and immediately outlets into a stream which runs through their properties.
- 11) A conservation plan for the Premises was not developed for the property within two years of the SADC's 2013 approval, and to date, is still not fully implemented, in violation of the 2013 approval; and
- 12) Impervious infrastructure improvements are near, or possibly exceed, 5% of the total acreage of the Premises which, if exceeded, would be in violation of paragraph 13 of the Deed of Easement; and
- 13) The SADC and the Owner have agreed on a methodology to test the pervious nature of the soils on the farm and awaiting the results of those tests; and
- 14) The area originally designated for temporary horse stables has been excavated and then regraded resulting in a mixing of topsoil and subsoil horizons; and



**WHEREAS, the Committee finds the following related to agricultural production on the Premises:**

- 1) The 2013 approval was conditioned on the Owner's development of the site for equine production activities including breeding and raising his horses for sale, as had been represented to the SADC at that time, but to date no horses have been bred or raised on the Premises; and
- 2) Onsite production to this point has consisted of hay production on approximately 40-acres of the Premises; and
- 3) The Owner has stated that while equine production has continued to occur at Hunter Farms, several factors have contributed to the lack of production infrastructure on the Premises including the expansion of a natural gas pipeline through the Premises and his divorce; and
- 4) At a June 18, 2019, site visit the Owner represented to SADC staff that he was under contract to have equine fencing and run-in sheds installed on the Premises which would allow for a mixture of his broodmares and youngstock to be raised onsite; and
- 5) SADC staff advised the Owner that no additional infrastructure should be constructed onsite until it is determined that existing impervious cover accounts for less than 5% of the Premises as set forth in the Deed of Easement and that any further development results in compliance with the 5% impervious cover limit; and

**WHEREAS, the Committee finds the following related to the equine shows that are proposed for the Premises:**

- 1) The 2013 approval allowed for nine shows totaling 42 show days as licensed and sanctioned by the USEF at that time; and
- 2) According to the Owner, as a result of successful operations on the Premises and availability of more show licenses the Owner is requesting an increase in total shows to 20 shows and total show days to 88; and
- 3) These shows are weather, and participation-dependent; and
- 4) The Owner has indicated that currently up to 600 horses may participate in the largest shows; and
- 5) In 2019 up to 8 tents have been needed to accommodate the larger number of horses participating in shows;



- 6) Approximately 13-acres are currently being utilized as outdoor sand training rings which the Owner has represented are used to train Hunter Farm's horses and which are also being used as show rings during show days; and
- 7) Approximately 5-acres are used for temporary tent stables during show days; and
- 8) The Owner has represented that the approximately 3.5-acres of the existing grass field is proposed to be used, in its existing condition, for daily training as well as Grand Prix competitions; and
- 9) The neighbor has testified that they only see horses on the site during show days; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs and subparagraphs above are incorporated herein by reference.
2. The SADC finds that development and use of the Premises for breeding, raising, and training of the Owner's horses for sale and those horses which he is training for others and for which he has a commission agreement in place when sold, is consistent with the terms of the Deed of Easement for the Premises.
3. The SADC finds that the use of the Premises to host nine (9) equine shows sanctioned by the USEF, for which the Owner has licenses, utilizing the existing infrastructure as shown in the site plan attached to the 2013 approval, as a primary method of marketing the output of the Owner's farm management unit, is consistent with the terms of the Deed of Easement for the Premises.
4. That a minimum of 10 horses, or 10% of the horses participating in shows held on the Premises, whichever is greater, shall be owned by, or being trained by the Owner with a commission agreement in place should the horse be sold.
5. That horse shows, as described herein, are permitted when used as a venue for marketing the agricultural production output of the Premises and farm management unit of the Owner.
6. The SADC finds that the Owner has not fulfilled many of the conditions of his 2013 approval.
7. The SADC finds that infrastructure improvements inconsistent with Schedule "B" of the 2013 approval are inconsistent with the approval and will be reviewed once the property is otherwise brought back into compliance.
8. The Owner shall provide testing results and documentation showing the amount of impervious cover onsite and any amount over 5% of the Premises shall be



remediated to a previous condition similar to that of the undisturbed portions of the farm in accordance with a plan approved by the Committee.

9. The SADC finds that in order to continue to host the previously approved nine shows in 2020 and beyond, the Owner will need to satisfy the outstanding conditions of the 2013 approval, including, but not limited to, development and implementation of a conservation plan and impervious cover requirements.
10. The SADC finds that the Owner will need to address certain deficiencies and newly identified issues, including, but not limited to, stormwater compliance, restoration of the soils area along Burnt Hill Road formerly used for equine tents, which has been mounded and then regraded and infrastructure improvements that are inconsistent with the 2013 approval.
11. The SADC acknowledges the Owner's request for additional horse shows but declines to approve any shows in 2020 until the property is brought into compliance with the 2013 approval, including satisfaction of paragraphs 9 and 10 above.
12. The Owner shall be required annually to provide to the SADC, by December 31st of each year, evidence of the sale of horses he owned or trained with a commission agreement that were bred, raised and/or trained on the Premises and his farm management unit, and that the Owner will continue to conduct equine breeding, raising and training of horses he owns on-site or on his farm management unit in all subsequent years in which shows are held at the Premises; and
13. Documentation provided showing evidence of sales of horses shall be in a format that is approved by the SADC.
14. No new site disturbances or site work shall be conducted on the Premises without approval of the SADC.
15. The SADC and Owner acknowledge that as of 9/26/2019 the Owner had exhausted the nine permitted shows and 42 show days set forth in the 2013 approval, but the SADC agrees to allow the Owner to complete the 2019 show season scheduled for September and October consisting of three days for the show currently underway and two, four-day shows in October.
16. The SADC hereby rescinds its approval to host shows on the Premises, as set forth in the 2013 resolution #FY2013R5(5), for the 2020 season until:
  - (1) the Owner complies with the conditions set forth in this resolution.
  - (2) the SADC passes a resolution reinstating approval.
17. All conditions set forth in the 2013 approval not otherwise addressed in this resolution remain in affect.

18. This action is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

19. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19 \_\_\_\_\_  
DATE

  
\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

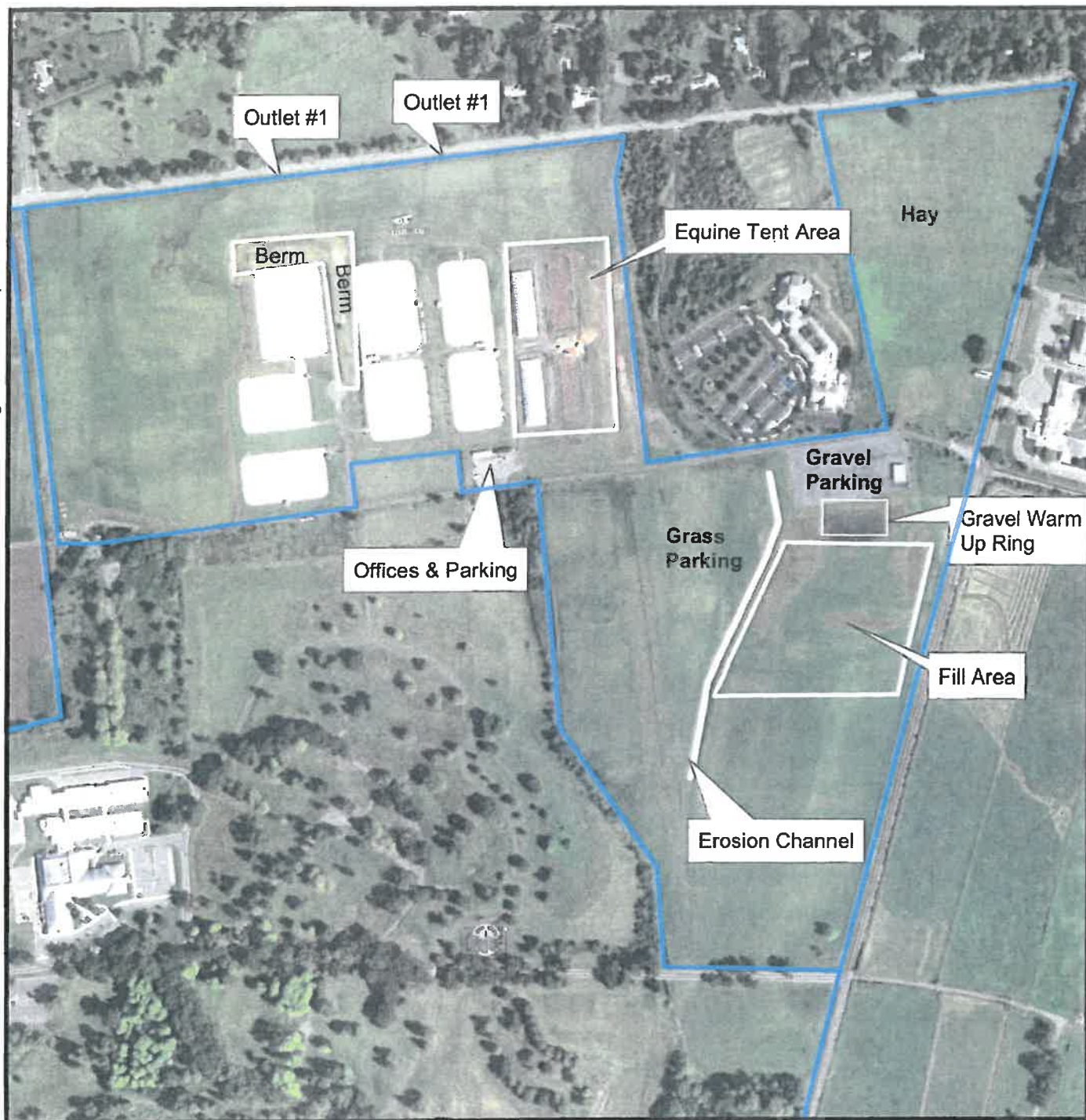
Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	RECUSED
James Waltman	ABSENT

*S:\StateOwnedLand\NPDC\Treasury-NPDC\Selody-Hunter Farms\Review of Activities Resolution 9-2019 (final).doc*



# Schedule "A"

S:\StateOwnedLand\NPDC\Treasury-NPDC\Selody-Hunter Farms\Post Closing-Stewardship-Hunter Farms\Farmview 7-2019.mxd



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Princeton Show Jumping  
Block 26001, Lot 1.02  
Montgomery Township, Somerset County  
101.46 - Acres



0 265 530 1,060 1,590 Feet

9/9/2019

### Farmland Preservation Program

	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	8 YEAR PRESERVED
	TARGETED FARM
	EXCEPTION AREA TARGETED
	INACTIVE APPLICATION
	INACTIVE/FEDERALLY FUNDED
	NO CORRESPONDING DATA
	PRESERVED/FEDERALLY FUNDED

### State Planning Areas

	(PA1) METRO
	(PA2) SUBURBAN
	(PA3) FRINGE
	(PA4) RURAL
	(PA4b) RURAL ENV SENS
	(PA5) ENV SENS
	(PA6b) ENV. SENSITIVE BARRIER IS
	(P10) PINELANDS
	PARK
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER

### Base Map

	County Boundaries
	Municipal Boundaries
	Highlands Planning Area
	Highlands Preservation Area
	Pinelands Area
	Green Acres Preserved Easements

# Schedule "B"

## STATE AGRICULTURE DEVELOPMENT COMMITTEE

### RESOLUTION #FY2013R5(5)

#### Review of Activities Occurring on Preserved Farm

#### Princeton Show Jumping, LLC/Hunter Farms North Equine Activities

**May 23, 2013**

**WHEREAS**, Princeton Show Jumping LLC, hereinafter ("Owner") is the current record owner of Block 26001, Lot 1.02, as identified in the Township of Montgomery, County of Somerset, as recorded in the Somerset County Clerk's Office in Deed Book 6519, Page 3387 by deed dated May 7, 2012, totaling 101.46 acres, hereinafter referred to as the "Premises," (Exhibit "A"); and

**WHEREAS**, the development easement on the Premises was conveyed from the State of New Jersey to the State Agriculture Development Committee on December 2, 2003, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded in Deed Book 5599, Page 859; and

**WHEREAS**, the overall Property includes the Premises acreage plus 3.55 acres of unpreserved land within the right-of-way lines of Skillman and Burnt Mill Roads and 1.99 acres of unpreserved land around the perimeter of the Premises subject to a 15-foot wide recreation easement in favor of Montgomery Township; and

**WHEREAS**, the Deed of Easement for the Premises limits the impervious coverage for existing and new construction on the Premises to 5% of the total acreage of the Premises; and

**WHEREAS**, the Deed of Easement for the Premises does not encumber, and more specifically, the impervious cover limitations do not apply to, the 5.54 acres of unpreserved perimeter lands that are part of the overall property; and

**WHEREAS**, Andrew Philbrick is the sole owner of Princeton Show Jumping, LLC, hereinafter referred to as the "Owner;" and

**WHEREAS**, the Owner is a former U.S. Equestrian Team rider, coach and long-time equine breeder and trainer; and

**WHEREAS**, the Owner currently operates a hunter/jumper equine breeding, raising, and training operation known as Hunter Farms on a non-preserved farm approximately two miles from the Premises; and

**WHEREAS**, the Owner refers to his original farm as Hunter Farms and the Premises as Hunter Farms North; and



**WHEREAS, the Owner hosts several 3-5 day hunter/jumper equine shows annually at Hunter Farms South; and**

**WHEREAS, during these shows the Owner showcases his own horses in competition with horses owned by other individuals in the region in competitive show jumping events; and**

**WHEREAS, the Owner proposes to utilize the Premises to expand his current equine operation and to host hunter/jumper shows; and**

**WHEREAS, the Committee finds the following related to the equine operation proposal for the Premises, see attached Exhibit "B";**

- 1) Paragraph 13iv of the Deed of Easement limits the impervious coverage for existing and new construction on the Premises to 5% of the total acreage of the Premises (101.46 acres), defined as, "a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water" and "shall not include permeable woven and non-woven geotextile fabrics that allow for water infiltration or impermeable materials that are in contact with the soil for no more than one year;" and
- 2) The Owner has created four outdoor sand rings used for training and showing horses as well as two gravel parking areas and a gravel lane and has demonstrated through his engineer that the sand rings are pervious areas and do not count towards the impervious cover limit; and
- 3) Based on the installation method and high traffic use, the gravel lane and parking areas are considered impervious surfaces as defined in this Deed of Easement; and
- 4) The Owner has provided detailed plans for his proposed development and use of the Premises for equine related activities, which includes breeding, raising and training horses on-site for sale; and
- 5) The Owner has stated he intends to bring 20 of his current horses, a mixture of broodmares and young stock, to the Premises upon completion of the stable; and
- 6) The Owner has explained that he plans to increase the number of horses on-site once the facility is fully operational and upon his assessment of the capability of the land to support additional animals; and
- 7) The Owner proposes an equine stable, indoor riding ring, horse pastures, hay fields, an additional outdoor sand ring, as well as an outdoor, grass Grand Prix ring with judge's booth and seating; and
- 8) Grand Prix is considered the highest level of competition by the U.S. Equestrian Federation for hunter/jumper type horses; and

- 9) As calculated from the Owner's engineering drawings, the existing and proposed improvements would create 4.81% impervious cover on the Premises, a majority of which is related to the gravel farm lanes and gravel parking areas; and
- 10) All existing and proposed infrastructure, with the exception of the judge's booth, seating, and gravel parking areas, serve a daily production use on the Premises related to on-site breeding, raising, and training horses for sale owned by Hunter Farms; and
- 11) According to the Owner, all topsoil that was stockpiled as a result of developing the current infrastructure has been retained on-site; and
- 12) The Owner has indicated that the possibility exists that the quality of this facility could possibly afford him the opportunity to host an Olympic level equine trial onsite; and
- 13) Olympic trials occur once every four years for a period of three days and involve fewer horses and riders than a typical show; and

**WHEREAS, the Committee finds the following related to the equine shows that are proposed for the Premises;**

- 1) The Owner currently has licenses for nine U.S. Equestrian Federation sanctioned shows totaling 42 days per year; and
- 2) These shows are weather and participation-dependent; and
- 3) The Owner has indicated that up to 300 horses may participate in a show; and
- 4) The Owner has stated that up to three temporary tents may be needed on show days to provide shelter for horses participating in the shows; and
- 5) The Owner has stated that two temporary tents will be needed on show days to provide shelter and accommodations for attendees; and
- 6) At any given show, the Owner has stated he may showcase as many as 25-40 of his own horses, with the remainder coming from other farms in the region; and
- 7) The U.S. Equine Federation has indicated that these types of shows are a common method of competing, showcasing and marketing high-end hunter/jumper horses; and
- 8) According to the Owner, there are only two other locations in New Jersey which host equine competitions at this level; and



- 9) The Owner believes his site will be superior to the other sites due in large part to the quality of the footing in the rings, therefore attracting the highest level horses and riders; and
- 10) The Owner believes that showcasing his horses in competition with the best competitors will serve to increase their ranking and in turn their value; and
- 11) Based on the engineering drawing provided by the Owner (see attached Schedule "B"), the proposed infrastructure which would primarily service the equine shows (gravel parking - 2.8 acres; judges' booths - 0.12 acres; and seating - 0.08 acres) totals approximately 3 acres; and
- 12) Approximately 7.5-acres are currently being utilized as outdoor sand training rings used to train Hunter Farm's horses and which are also being used as show rings during show days; and
- 13) An approximately 3.5-acre area of the existing grass field is proposed to be used, in its existing condition, for daily training as well as Grand Prix competitions; and
- 14) The remainder of the Premises would be used on a daily basis for equine related breeding, raising, training, pasture and hay production; and
- 15) The Owner has proposed additional entertainment-related activities during show days, which could include, but are not limited to, a farmers market, pony rides, wine tastings, musical entertainment and equine related vendors; and
- 16) Paragraph one of the Deed of Easement states that any development of the Premises for nonagricultural purposes is expressly prohibited; and
- 17) Paragraph two of the Deed of Easement defines "agricultural use" as use of the Premises for common farmsite activities including, but not limited to: production, harvesting, storage, grading, packaging, processing and the wholesale and retail marketing of crops, plants, animals and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease and pest control, disposal of farm waste, irrigation, draining and water management and grazing; and
- 18) The Committee finds a clear distinction between events and activities that are held on a farm to attract the public to the farm in an effort to increase the direct marketing and sales of the agricultural output of the farm versus those activities whose primary purpose is to market the use of the farm's land and/or facilities to support a nonagricultural use; and

NOW THEREFORE BE IT RESOLVED, that the SADC finds that development and use of the Premises for breeding, raising, and training of the Owner's horses for sale as described by the Owner and as shown in the attached engineering drawing, Schedule "B," is consistent with the terms of the Deed of Easement for the Premises; and

BE IT FURTHER RESOLVED, that the SADC finds that the use of the Premises to host the nine equine shows sanctioned by the U.S. Equine Federation, for which the Owner currently has licenses, utilizing the infrastructure as shown on Schedule "B," as a primary method of marketing the output of the Owner's farm management unit, is consistent with the terms of the Deed of Easement for the Premises; and

BE IT FURTHER RESOLVED, that the SADC approves of the use of the Premises for the nine sanctioned shows, totaling 42 show days annually; and

BE IT FURTHER RESOLVED, that the SADC approves the use of the Premises to host Olympic equine trials, as described above, utilizing only the existing structure; and

BE IT FURTHER RESOLVED, that this approval is conditioned on the Owner's development and use of the Premises for equine production activities, including breeding and raising his horses for sale, as has been represented to the SADC and as described herein; and

BE IT FURTHER RESOLVED, that horse shows, as described herein, are permitted when used as a venue for marketing the agricultural production output of the Premises and farm management unit of the Owner; and

BE IT FURTHER RESOLVED, that the Owner has the right to request additional show days provided the need for additional shows to market the output of his farm management units can be demonstrated; and

BE IT FURTHER RESOLVED, that accommodations for show attendees, including restrooms, food, beverage, necessary supplies and services and temporary shelter tents as well as temporary shelter tents for show horses are permitted provided they are portable in nature and removed at the conclusion of each show; and

BE IT FURTHER RESOLVED, that in instances where two shows are held on consecutive weeks the tents may remain until the conclusion of the second show; and

BE IT FURTHER RESOLVED, that a minimum of 10 horses or 10% of the horses, participating in shows held on the Premises, whichever is greater, shall be owned by the Owner, and bred, raised and/or trained on the Premises; and

BE IT FURTHER RESOLVED, the Owner shall be required annually to provide evidence of the sale of horses he owned that were bred, raised and/or trained on the Premises, commencing two (2) years from the date of this resolution and that the Owner will continue to conduct equine breeding, raising and training of horses he owns on-site in all subsequent years in which shows are held at the Premises; and

BE IT FURTHER RESOLVED, that failure to provide evidence of substantial equine production or failure to demonstrate continued sales of the output of the Premises as



the result of holding shows on the Premises may result in the SADC rescinding its approval of the ability to hold equine shows on the Premises; and

BE IT FURTHER RESOLVED, that the Committee acknowledges the potential for fluctuations in livestock production and sales from one year to the next due to a variety of factors including but not limited to, the degree of success in breeding, overall equine health and the equine-related economy, and reserves the ability to revisit production requirements in the event of extraordinary circumstances; and

BE IT FURTHER RESOLVED, that use of the Premises to host equine shows or other activities for which the primary purpose of the functions is other than the sale of the farm's agricultural product/output, constitutes a nonagricultural use of the premises which was not in existence at the time of conveyance and is therefore prohibited by Paragraph 3 of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the SADC finds that certain activities, such as, but not limited to, farmers markets, wine tastings and certain vendor sales areas, are not directly related to the sale of the farm's agricultural output and may be considered a non-agricultural use of the Premises; and


BE IT FURTHER RESOLVED, that only suppliers of goods and services which are directly related to the hunter-jumper equine industry, or are necessary to operate the show itself, may be permitted to advertise and offer their product or service during the show; and

BE IT FURTHER RESOLVED, that the area utilized to provide temporary, tented, shelter areas for attendees and suppliers shall not exceed ¼ acre in area; and

BE IT FURTHER RESOLVED, that any existing and proposed activities and uses of the Premises, including animal waste management and the storage of topsoil, must be in accordance with an approved Natural Resources Conservation Service farm conservation plan, said plan needing approval by the Somerset-Union Soil Conservation District no later than ninety (90) days of the date of this resolution and fully implemented within two (2) years of the date of this resolution, to insure that such activities are properly managed so as to not have a detrimental effect on the continued agricultural use of the Premises; 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.

5/23/13  
DATE

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

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

*Seth A. Gump, Chairperson, Torrey A. Reade, Esq., Member, Board of Directors, President, NYS, 2007*  
*Final.doc*





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**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(2)**

Memorializing Standards for determining Eligible Farms Pursuant  
to the County Planning Incentive Grant (PIG) Program

SEPTEMBER 26, 2019

WHEREAS, pursuant to N.J.A.C. 2:76-1 et seq. (County Planning Incentive Grant Program) the SADC is responsible for establishing the standards for what constitutes an “eligible farm” by annually determining minimum score requirements, of the County Planning Incentive Grant program; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.2 an “eligible farm” means a targeted farm that qualifies for grant funding by achieving an individual rank score that is equal to or greater than 70 percent of the county’s average quality score of all farms granted preliminary approval by the SADC through the county easement purchase program and/or the county planning incentive grant program within the previous three fiscal years, as determined by the SADC ; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7, the SADC has implemented waivers in counties that lack a sufficient number of applications during the three prior fiscal years upon which to calculate eligible farm criteria; and

WHEREAS, six counties (Atlantic, Bergen, Camden, Mercer, Middlesex, and Passaic Counties) have submitted one or fewer applications each receiving preliminary approval (Green Light Approval) during the past three fiscal years, therefore it is not possible to establish an FY19 average quality score for these six counties pursuant to N.J.A.C. 2:76-17.2; and

WHEREAS, because of the increased processing time and administrative burden associated with processing waivers it is recommended that the SADC utilize the average quality scores adopted at its July 26, 2018 meeting for Mercer and Middlesex Counties (Schedule A); and

WHEREAS, for applications submitted by Atlantic, Bergen, Camden and Passaic Counties, where no average quality score was available both in July 2018 or July 2019, the SADC will continue to consider these applications under the waiver provision as per N.J.A.C. 2:76-17.9(a)7; and

WHEREAS, all other Counties have had sufficient activity to calculate an average quality score and minimum eligibility criteria (Schedule A)

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7, applications from all other Counties for farms that fail to meet the minimum score requirements, the County may request a waiver of the minimum score criterion;

NOW THEREFORE BE IT RESOLVED, the SADC adopts 70 percent average quality score values for determining an “eligible farm” pursuant to N.J.A.C. 2:76-17.2 for the County Planning Incentive Grant Program; and

BE IT FURTHER RESOLVED, there is no minimum criteria for applications submitted by Atlantic, Bergen, Camden and Passaic Counties, where no average quality score was available; and

BE IT FURTHER RESOLVED, the minimum score for farms in Mercer and Middlesex Counties is based on the average quality scores adopted last year, based on preliminary approval or Green Light quality scores for County PIG applications in FY '15,'16 and '17; and


BE IT FURTHER RESOLVED, the minimum score for farms in all other participating Counties is based on the average quality scores adopted this year, based on preliminary approval or Green Light quality scores for County PIG applications in FY '17,'18 and '19 (Schedule A); and

BE IT FURTHER RESOLVED, that the 70 percent of average quality scores for determining an "eligible farm" pursuant to N.J.A.C. 2:76-17.2 shall be effective as of January 1, 2020, and shall apply to an application for the sale of a development easement that is received by the SADC pursuant to N.J.A.C. 2:76-17.9 prior to December 31, 2020; 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, this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT



**SADC County PIG "Eligible" Farm Standard  
Effective 1.01.20 - 12.31.20**

Schedule A  
Eligible Farm Standards  
PIG  
September 26, 2019

SADC Minimum Standards for "Eligible" Farm 26-Sep-19													
	<u>2009</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY 2010</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY2011</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY2012</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY2013</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY2014</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY2015</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY2016</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY2017</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY2018</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>*FY2019</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>FY2020</u> <u>Average</u> <u>Quality</u> <u>Score</u>	<u>70% of</u> <u>Average</u> <u>Quality</u> <u>Score</u>
Atlantic	47.61	47.94	52.61	****	64.91	59.9	59.9	52.08	****	****	****	****	****
Bergen	35.91	20.57	****	****	*****	43.4	43.4	43.40	****	****	****	****	****
Burlington	64.12	63.49	65.06	64.91	64.54	68.2	68.94	69.37	69.74	68.99	69.41	68.5	47
Camden			****	****	****	*****	58.64	58.64	58.64	****	****	****	****
Cape May	51.6	51.32	54.69	45.77	49.35	49.89	56.36	56.59	57.98	59.19	55.91	59.89	41
Cumberland	60.56	60.83	61.55	59.53	58.97	61.98	64.69	64.20	63.81	63.23	64.08	60.93	42
Gloucester	53.22	58.11	59.69	62.14	62.65	67.38	67.6	66.48	61.33	60.88	61.25	65.29	45
Hunterdon	57.6	61.26	62.64	65.52	64.97	64.25	63.36	61.70	68.55	67.35	64.87	64.85	45
Mercer	70.66	72.05	77.19	72.42	68.52	70.69	71.52	72.64	68.69	71.58	70.48	70.48	49
Middlesex	53.25	58.02	59.49	63.03	57.98	62.06	56.81	60.17	60.17	64.29	****	64.29	45
Monmouth	69.01	69.56	71.75	68.95	70	73.47	76.65	****	78.46	77.72	74.81	70.83	49
Morris	63.55	61.45	60.01	60.42	60.65	60.5	62	68.40	66.72	66.04	62.48	63.24	44
Ocean	46.85	48.58	56.69	61.39	71.17	71.17	****	67.20	59.06	61.65	62.14	65.89	46
Passaic		****	****	****	34.11	34.11	34.11	54.37	54.37	54.37	****	****	****
Salem	68.61	71.13	69.77	69.77	65.86	66.26	67.65	69.93	68.54	68.64	69.33	70.19	49
Somerset	67.31	66.98	66.93	67.09	67	60.58	56.43	58.61	65.01	68.12	****	73.7	51
Sussex	50.39	48.2	51.24	57.02	54.9	53.66	54.6	54.74	56.30	58.37	57.77	46.91	32
Warren	55.52	56.66	57.51	61.57	60.99	59.89	63.17	62.70	63.40	62.94	66.19	64.15	44
Based on preliminary approval or Green Light quality scores for County Planning Incentive Grant Fiscal Years '17,'18 and '19													
Based on preliminary approval or Green Light quality scores for County Planning Incentive Grant Fiscal Years '15,'16 and '17													
N.J.A.C. 2:76-17.9 (a) and 17.2 (County Planning Incentive Grant Program)													
These standards are effective January 1, 2020 through December 31, 2020													
** all numbers are rounded down to the nearest whole number													
N.J.A.C. 2:76-17.9 -7: any farm not meeting this standard may seek a waiver													
**** Independent review and approval by SADC required to receive Green Light Approval													

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(3)**

**Memorializing Standards for determining Priority and Alternate Farms  
Pursuant to the State Acquisition Programs**

**September 26, 2019**

WHEREAS, pursuant to N.J.A.C. 2:76-8.5(c) and N.J.A.C. 2:76-11.5 (c) the SADC is responsible for prioritizing farms for purposes of acquiring lands in fee simple title or acquiring development easements on eligible farms as a "Priority farm", "Alternate farm" and "Other farm"; and

WHEREAS, a "priority farm" means a farm that meets or exceeds both 75 percent of the average farm size in the county in which it is located and its quality score is at least 90 percent of the average quality score in the county in which it is located; and

WHEREAS, an "alternate farm" means a farm that does not meet the criteria for "priority farm", but meets or exceeds both 55 percent of the average farm size in the county in which it is located and its quality score is at least 70 percent of the average quality score in the county in which it is located; and

WHEREAS an "other farm" means a farm that does not meet the criteria for "priority" or "alternate" farms; and

WHEREAS, the average quality score in a county shall be based on the average quality score determined pursuant to N.J.A.C. 2:76-6.16 for all farms granted preliminary approval by the SADC through the county easement purchase program and/or county planning incentive grant program within the previous three fiscal years, as determined by the SADC; and

WHEREAS, six counties (Atlantic, Bergen, Camden, Mercer, Middlesex, and Passaic Counties) have submitted one or fewer applications each receiving preliminary approval (Green Light Approval) during the past three fiscal years, therefore it is not possible to establish an FY19 average quality score for these nine counties pursuant to N.J.A.C. 2:76-17.2; and

WHEREAS, because of the increased processing time and administrative burden associated with processing waivers it is recommended that the SADC utilize the average quality scores adopted at its July 26, 2018 meeting for Mercer and Middlesex Counties (Schedule A); and

WHEREAS, for applications submitted by Atlantic, Bergen, Camden and Passaic Counties, where no average quality score was available both in July 2018 or July 2019, the SADC will continue to consider these applications under the waiver provision as per N.J.A.C. 2:76-17.9(a)7; and



WHEREAS, all other Counties have had sufficient activity to calculate an average quality score and minimum eligibility criteria (Schedule A)

WHEREAS, the average farm size in a county shall be based on the average farm size of farms using the 2017 US Census data;

NOW THEREFORE BE IT RESOLVED, that the SADC adopts the Average Quality Scores for each county as identified on the attached (Schedule A) for State acquisitions; and

BE IT FURTHER RESOLVED, that the SADC adopts the Average Acres for each county as identified on the attached (Schedule A); and

BE IT FURTHER RESOLVED, that the SADC adopts the individual scores for determining a "priority farm" and an "alternate farm" as identified on the attached (Schedule A) for State acquisition programs pursuant to N.J.A.C. 2:76-8 and 11; and

BE IT FURTHER RESOLVED, the individual scores pursuant to N.J.A.C. 2:76-8 and 11 shall be effective as of October 1, 2019, for all applications which have not had option agreements authorized by that date; and

BE IT FURTHER RESOLVED, the standards established in this resolution and (Schedule A) shall remain in effect through September 30, 2020; 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, this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19

Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

SADC Minimum Standards - State Acquisition Program														
"Priority" "Alternate" "Other" Prioritization System														
26-Sep-19														
	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	*FY2019	FY2020	Average	Average	Priority		Alternate	
	Average	Average	Average	Average	Average	Average	Average	Average	Average	Average	***75% of	***90% of	**55% of	**70% of
	Quality	Quality	Quality	Quality	Quality	Quality	Quality	Quality	Acres	Acres	Average	Average	Average	Average
	Score	Score	Score	Score	Score	Score	Score	Score	2012	2017	Census	Quality	Census	Quality
	Score	Score	Score	Score	Score	Score	Score	Score	Census	Census	Acres	Score	Acres	Score
Atlantic	64.91	59.9	59.90	52.08	****	****	****	****	73	64	48	****	35	****
Bergen	****	43.4	43.40	43.40	****	****	****	****	24	14	10	****	7	****
Burlington	64.54	68.2	68.94	69.37	69.74	68.99	69.41	68.5	114	105	78	61	57	47
Camden	****	58.64	58.64	58.64	****	****	****	****	41	47	35	****	25	****
Cape May	49.35	49.89	56.36	56.59	57.98	59.19	55.91	59.89	48	50	37	53	27	41
Cumberland	59.87	61.98	64.69	64.20	63.81	63.23	64.08	60.93	111	118	88	54	64	42
Gloucester	62.65	67.38	67.60	66.48	61.33	60.88	61.25	65.29	74	85	63	58	46	45
Hunterdon	64.97	64.25	63.36	61.70	68.55	67.35	64.87	64.85	66	63	47	58	34	45
Mercer	68.52	70.69	71.52	72.64	68.69	71.58	70.48	70.48	73	78	58	63	42	49
Middlesex	57.98	62.06	56.81	60.17	60.17	64.29	****	64.29	87	74	55	57	40	45
Monmouth	70	73.47	76.65	****	78.46	77.72	74.81	70.83	47	47	35	63	25	49
Morris	60.65	60.5	62.00	68.40	66.72	66.04	62.48	63.24	40	35	26	56	19	44
Ocean	71.17	71.17	****	67.20	59.06	61.65	62.14	65.89	45	33	24	59	18	46
Passaic	34.11	34.11	34.11	54.37	54.37	54.37	****	****	19	21	15	****	11	****
Salem	65.86	66.26	67.65	69.93	68.54	68.65	69.33	70.19	123	126	94	63	69	49
Somerset	67	60.58	56.43	58.61	65.01	68.12	****	73.7	87	79	59	66	43	51
Sussex	54.9	53.66	54.60	54.74	56.30	58.37	57.77	46.91	69	59	44	42	32	32
Warren	60.99	59.89	63.17	62.70	63.40	62.94	66.19	64.15	92	80	60	57	44	44
Based on preliminary approval or Green Light quality scores for County Planning Incentive Grant Fiscal Years '17,'18 and '19														
Based on preliminary approval or Green Light quality scores for County Planning Incentive Grant Fiscal Years '15,'16 and '17														
N.J.A.C. 2:76-17.9 (a) and 17.2 (County Planning Incentive Grant Program)														
These standards are effective October 1, 2019 through September 30, 2020														
** all numbers are rounded down to the nearest whole number														
**** Independent review and approval by SADC to secure preliminary approval.														



**STATE AGRICULTURE DEVELOPMENT COMMITTEE**  
**RESOLUTION FY2020R9(4)**  
**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**  
**GLOUCESTER COUNTY**  
**for the**  
**PURCHASE OF A DEVELOPMENT EASEMENT**  
**On the Property of Dolinski, Elizabeth A. ("Owner")**  
**SADC ID# 08-0200-PG**  
**Franklin Township, Gloucester County**  
**N.J.A.C. 2:76-17 et seq.**

**SEPTEMBER 26, 2019**

WHEREAS, on December 19, 2017 it was determined that the application for the sale of a development easement for the subject farm identified as Block 1901, Lots 11 & 12, Franklin Township, Gloucester County, totaling 69.837 surveyed acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

WHEREAS, the targeted Property is located in the County's Still Run Project Area; and

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

WHEREAS, the original application included one (1), 7.5 acre severable exception area which was subsequently reduced by 1.75 acres to a 5.75 acre severable exception area for and limited to one future single family residential unit and to afford future flexibility of uses resulting in approximately 62.337 net acres to be preserved (Schedule A); and

WHEREAS, it is the opinion of the SADC staff Review Appraiser that this change does not impact the SADC certified value; and

WHEREAS, the portion of the Property outside the exception area includes

- 1) One (1) single family residential unit
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

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

WHEREAS, the Property has a quality score of 55.80 which exceeds 42, which is 70% of the County's average quality score as determined by the SADC at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 27, 2018 the SADC certified a development easement value of \$10,100 per acre based on zoning and environmental regulations in place as of the current valuation date January 15, 2018; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$10,100 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on May 8, 2018, the Franklin Township Committee approved the application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on December 20, 2018, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on April 17, 2019, the County Board of Chosen Freeholders passed a resolution granting final approval for the pre-acquisition of the development easement and a commitment of funding for \$10,100 per acre to cover the local cost share; and

WHEREAS, the Gloucester County Board of Chosen Freeholders closed on the development easement on September 6, 2019 for \$647,278.70 (\$10,100 per acre) which was recorded on September 10, 2019 in the Gloucester County Clerk's Office in Deed Book 6157, Page 114; and

WHEREAS, the subdivision of the severable exception was perfected on the same day as closing on the easement, with the deed being recorded subsequent to the Deed of Easement in the Gloucester County Clerk's Office in Deed Book 6157, Page 128; and

WHEREAS, during legal review it was determined the SADC would not provide a cost share on a 6.778 acre drainage easement, however the County compensated the landowner for the full certified value on this area; and

WHEREAS, the estimated cost share breakdown is as follows (based on 64.087 surveyed acres):

	Total	Per/acre
SADC	\$347,292.54	(\$ 6,060/acre) (paid on 57.309 acres)
Gloucester County	\$299,986.16	(\$ 4,040/acre) (paid on 57.309 acres plus full CMV on 6.778)
Total Easement Purchase	\$647,278.70	(\$10,100/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 (d) (f), if there are insufficient funds available in a county's base grant, the county may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$347,292.54 in competitive grant funding which is available at this time (Schedule B); and



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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Property, comprising 64.087 surveyed easement acres, at a State cost share of \$6,060 per acre, (60% of certified easement value and 53.65% purchase price), for a total grant of approximately \$347,292.54 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. The original application, Green Light Approval Letter and Certification of Market Value are hereby amended to reflect the aforesaid change to the severable exception size from 7.5 to 5.75 acres.
4. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
5. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
6. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
7. 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 area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
8. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
11. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT



# Wetlands



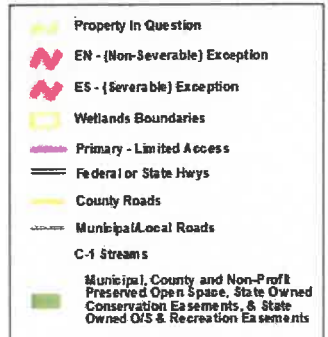
## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Dolinski, Alfred R. Jr. and Elizabeth A.  
Block 1901 Lots P/O 11 (65.8 ac); & P/O 11-ES (severable exception - 5.75 ac);  
and 12 (0.6 ac)  
Gross Total = 72.15 ac  
Franklin Twp., Gloucester County



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJDCP Wetlands Data  
NJOTD GIS 2015 Digital Aerial Image

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geographic location of parcels, polygons, and data layers are approximate and were developed for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be relied upon in matters requiring delineation and location of true ground boundaries and/or vertical control. Data would be obtained from an actual ground survey conducted by a Licensed Professional Land Surveyor.



**Wetlands Legend:**  
F Freshwater Wetlands  
S Saline Wetlands  
M Wetlands Modified for Agriculture  
T Tidal Wetlands  
N Non Wetlands  
B 300 Buffer  
W Water

August 2, 2019

**SADC County Pig Financial Status  
Schedule B**

Gloucester County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Base Grant				Competitive Funds																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Balance	Maximum Grant			Fund Balance																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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SCHEDULE C

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Dolinski, Elizabeth A.  
08- 0200-PG  
County PIG Program  
66 Acres

Block 1901	Lot 11	Franklin Twp.	Gloucester County
Block 1901	Lot 12	Franklin Twp.	Gloucester County

<b>SOILS:</b>	Prime	7% *	.15	=	1.05
	Statewide	55% *	.1	=	5.50
	Unique .125	38% *	.125	=	4.75

**SOIL SCORE: 11.30**

<b>TILLABLE SOILS:</b>	Cropland Harvested	51% *	.15	=	7.65
	Wetlands	37% *	0	=	.00
	Woodlands	12% *	0	=	.00

**TILLABLE SOILS SCORE: 7.65**

<b>FARM USE:</b>	Corn-Cash Grain	37 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:
  - b. Exceptions:
    - 1st (5.75) acres for future dwelling/subdivision  
Exception is severable  
Right to Farm language is to be included in Deed of Future Lot  
Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: 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. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.



**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION FY2020R9(5)  
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO  
SALEM COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT  
On the Property of Duffy, Diane Carol & Paul Charles (Lot 16.04) ("Owners")  
SADC ID#17-0204-PG  
Mannington Township, Salem County  
N.J.A.C. 2:76-17 et seq.**

**SEPTEMBER 26, 2019**

WHEREAS, on March 28, 2019 it was determined that the application for the sale of a development easement for the subject farm identified as Block 40, Lot 16.04 & 15 and Block 42, Lot 2.02, Mannington Township, Salem County, totaling approximately 61.1 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

WHEREAS, the Owners read and signed SADC Guidance Documents regarding ALE Grants, Exceptions, Division of the Premises, Division of the Premises for Non-Contiguous Parcels, and Non-Agricultural Uses; and

WHEREAS, the targeted Property is located in the County's #2 Project Area; and

WHEREAS, the Property includes one (1) approximately 2 acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 59.1 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes

- 1) Zero (0) existing residential units
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

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

WHEREAS, the Property has a quality score of 64.45 which exceeds 48, which is 70% of the County's average quality score as determined by the SADC at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on March 28, 2019, the SADC certified a development easement value of \$5,100 per acre based on zoning and environmental regulations in place as of the current valuation date January 8, 2019; 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, a parcel application was submitted by the New Jersey Conservation Foundation (NJCF) to the FY2018 States Department of Agriculture, Natural Resources Conservation Service (NRCS), Agriculture Conservation Easement Program (ACEP) for an Agricultural Land Easement (ALE) grant; and

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

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including no future division of the premises and a 6% maximum impervious coverage restriction (approximately 3.5 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the estimated ALE grant of \$2,750 per acre (50% of \$5,500) or approximately \$167,400.50 in total ALE funds will be utilized; and

WHEREAS, should alternate ALE funding or other federal funding become available from other funding years or through other qualified entities such as the SADC, a Non-Profit organization, or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of ALE funding; and

WHEREAS, due to a shortage of available funds this final approval is conditioned upon ALE funding in an amount sufficient enough to cover the County and Township's cost share and any remaining funds will be used to offset the SADC grant needs; and

WHEREAS, on June 27, 2019 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on May 20, 2019, the Mannington Township Committee approved the application for the sale of development easement, but is not participating financially in the easement purchase due to the anticipated receipt of the ALE funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 22, 2019, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 12, 2019, the County Board of Chosen Freeholders passed a resolution granting final approval, but is not participating financially in the easement purchase due to the anticipated receipt of ALE funds; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 60.873 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 60.873 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$210,011.85	(\$3,450/acre)
Salem County	\$50,220.23	(\$825/acre)
<u>Mannington Township</u>	<u>\$50,220.22</u>	<u>(\$825/acre)</u>
Total Easement Purchase	\$310,452.30	(\$5,100/acre)

Estimated Cost share breakdown if the \$167,400.50 ALE Grant is finalized and applied:

	<u>Total</u>	<u>ALE \$</u>	<u>New Cost Share</u>	<u>Per/acre</u>
SADC	\$210,011.85	\$66,960.05	\$143,051.80	(\$2,350/acre)
Salem County	\$50,220.23	\$50,220.23	\$0	
Mannington Township	\$50,220.22	\$50,220.22	\$0	
<u>ALE Grant</u>			<u>\$167,400.50</u>	<u>(\$2,750/acre)</u>
TOTAL			\$310,452.30	(\$5,100/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 (d) (f), if there are insufficient funds available in a county's base grant, the county may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$143,051.80 in competitive grant funding which is available at this time and/or base grant funding that becomes available (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Property, comprising approximately 60.873 net easement acres, at a State cost share of \$2,350 per acre, (46.08% of certified easement value and purchase price), for a total grant of approximately \$143,051.80 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. This approval is conditioned upon receipt of ALE funds sufficient enough to cover the Township and County's cost share or in absence of ALE funding, a resolution by the



Township and the County Board of Chosen Freeholder's to commit the funds needed to cover the Township's and County's cost share.

4. If ALE funding is secured and approved for use by the SADC, said funding will first be used to reduce the county and municipal cost share and then, with the remaining funds (estimated \$66,960.05), reduce the SADC's cost share.
5. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
6. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
7. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
8. 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 area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
9. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
10. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
11. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
12. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19

Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Wetlands

Schedule A

Application within the (PA 4) Rural Area

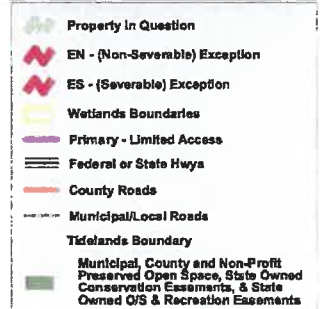
Delaware North  
Tidelands Region



X:\counties\salco\projects\Duffy, Diane Carol & Paul Charles (Lot 16.04) fww.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Duffy, Diane Carol & Paul Charles (Lot 16.04)  
Block 40 Lots 15 (7.6 ac) & 16.04 (27.7 ac) and Block 42 Lots P/O 2.02 (23.8 ac)  
& P/O 2.02-EN (non-severable exception - 2.0 ac)  
Gross Total = 61.1 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 delineation of Tidelands/Recreational 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:**  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJDEP Wetlands Data  
NJOT/OGIS 2015 Digital Aerial Image  
June 22, 2018



# Preserved Farms and Active Applications Within Two Miles

X:\counties\salco\projects\Duffy, Diane Carol & Paul Charles (Lot 16.04) 2mile.mxd



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Duffy, Diane Carol & Paul Charles (Lot 16.04)  
Block 40 Lots 15 (7.6 ac) & 16.04 (27.7 ac) and Block 42 Lots P/O 2.02 (23.8 ac)  
& P/O 2.02-EN (non-severable exception - 2.0 ac)  
Gross Total = 61.1 ac  
Mannington Twp., Salem County

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



- Property in Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

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

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJOT/OGIS 2015 Digital Aerial Image

June 22, 2018

**SADC County Pig Financial Status  
Schedule B**

**Salem County**

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Base Grant				Competitive Funds							
						Cost Base	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Maximum Grant			Fund Balance				
														Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Fiscal Year 18	
										Encumbered	PV	Expended	Balance	Encumbered	PV	Expended	FY11 Balance	FY13 Balance	FY17 Balance	FY18 Balance	
17-0123-PG	Greco	313.4310	313.3210	5,100.00	3,450.00	1,597,937.10	1,080,957.45			1,122,906.00	1,080,957.45	1,080,957.45	3,617,339.97								
17-0121-PG	Prestige World Wide	51.3530	51.3172	7,100.00	4,450.00	364,352.12	228,361.54			242,925.50	228,361.54	228,361.54	2,536,382.52								
17-0122-PG	Dunham	38.4830	38.1450	5,700.00	3,750.00	217,426.50	143,043.75			146,775.00	143,043.75	143,043.75	2,164,977.23								
17-0125-PG	Mahoney	28.8220	28.8910	5,300.00	3,550.00	152,062.30	101,853.05			106,038.50	101,853.05	101,853.05	2,063,124.18								
17-0110-PG	Moore	149.7460	149.7460	5,050.00	3,425.00	756,217.30	512,880.05	498,292.54	254,956.29	511,523.75	257,924.76	257,924.76	1,805,199.42								
17-0134-PG	Dubois Props., LLC	31.2230	31.2230	7,900.00	4,850.00	246,661.70	151,431.55			149,865.00	151,431.55	151,431.55	1,653,767.87								
17-0127-PG	Brown	58.2580	58.2580	6,350.00	3,575.00	311,680.30	208,272.35			213,570.50	208,272.35	208,272.35	1,445,495.52								
17-0135-PG	Fogg, Harris, Allen	33.5790	33.5790	3,500.00	2,500.00	117,526.50	83,947.50			87,550.00	83,947.50	83,947.50	1,381,548.02								
17-0124-PG	Eckert, Hebert & Rowena	46.8520	46.8520	2,100.00	1,570.00	97,969.20	73,243.64			71,843.20	73,253.06	73,253.06	1,288,294.96								
17-0133-PG	Harris	49.3170	49.3170	3,500.00	2,500.00	172,609.50	123,292.50			123,292.50	123,292.50	123,292.50	1,165,002.46								
17-0146-PG	Basile	25.4830	25.4830	6,500.00	4,150.00	166,639.50	105,754.45			106,862.50	105,754.45	105,754.45	1,059,248.01								
17-0151-PG	Davis, Betty	42.0030	42.0030	5,100.00	3,450.00	214,215.30	144,910.35			59,248.01	59,248.01	59,248.01	1,000,000.00	89,988.99	89,988.99	85,662.34		4,914,337.66			
17-0157-PG	Bishop, Kevin & Jessica	30.5970	30.5970	4,500.00	3,100.00	137,686.50	94,850.70							98,983.00	94,850.70	94,850.70	2,930,984.77	4,888,502.19			
17-0163-PG	DuBois, Christian	29.7820	29.7820	7,900.00	4,850.00	235,277.80	144,442.70							151,077.50	144,442.70	144,442.70		4,744,059.49			
17-0161-PG	Harrell, Robert T. & George K.	89.2900	89.2900	5,600.00	2,555.61	500,024.00	228,189.98	271,834.02	102,183.02					360,528.00	228,189.98	228,189.98		4,515,869.51			
17-0164-PG	Sloat, Edward W. & Robert K.	49.8900	49.8900	5,100.00	3,450.00	254,439.00	172,120.50							179,814.00	172,120.50	172,120.50		4,343,748.01			
17-0166-PG	Brooks, Michael N.	65.4410	65.4410	3,400.00	1,150.95	222,499.40	75,319.00	147,180.40	84,357.02					111,249.70	75,319.00	75,319.00		4,268,430.01			
17-0165-PG	Moffett, James E. & Patricia M.	46.0300	46.0300	5,400.00	3,600.00	248,562.00	165,708.00							167,976.00	165,708.00	165,708.00		4,102,722.01			
17-0180-PG	Brown, Steven R. & Timothy G.	48.2390	48.2390	3,300.00	2,380.00	159,186.70	114,808.82							117,274.50	114,808.82		2,909,331.85	4,009,566.11			
17-0168-PG	Catalano, Joanne J.	198.0900	196.6110	4,350.00	3,010.00	858,771.77	388,134.69	470,637.08	203,664.42	400,707.75	388,134.69	388,134.69	611,865.31								
17-0169-PG	E&A Farms (Williams)	92.9240	81.9300	3,950.00	1,948.99	323,623.50	159,681.16	163,942.34	67,264.94	169,588.00	159,681.16	159,681.16	452,184.15						5,000,000.00		
17-0182-PG	Tice, Barry and Joanne	40.7350	40.7350	5,500.00	3,650.00	224,042.50	148,682.75			153,373.00	148,682.75	148,682.75	303,501.40								
17-0179-PG	Sorbello, Frank & Thomas	94.3980	94.3980	6,000.00	2,091.69	566,388.00	197,451.07	368,936.93	170,701.13	204,771.00	197,451.07	197,451.07	106,050.33								
17-0190-PG	Dare, Carolyn B.	20.9460	20.9460	7,200.00	4,500.00	160,811.20	94,257.00			94,257.00	94,257.00	94,257.00	11,793.33								
17-0206-PG	Kelly, Dennis J. Sr. (E&D Farm)	83.9230	83.9230	7,260.00	3,510.00	609,280.98	294,569.48	314,711.50	57,907.12	4,473.40	4,473.40	4,473.40	7,319.93	290,096.08	290,096.08	290,096.08		4,709,903.82			
17-0188-PG	Harris, Howard Grant & Elizabeth	79.2980	79.2980	6,250.00	3,125.77	495,612.50	247,867.50	247,745.00	71,306.95					259,125.00	247,867.50	247,867.50		4,462,036.42			
17-0194-PG	Moore, John J. & Lori A.	66.9280	66.9280	5,200.00	3,500.00	348,025.60	234,248.00			7,319.93	7,319.93	7,319.93	-	226,928.07	226,928.07	226,928.07		4,235,108.35			
17-0195-PG	Melchert, Richard H. (Lot 4)	77.1590	77.0630	7,600.00	4,700.00	585,678.80	362,196.10							374,214.00	362,196.10	362,196.10		3,872,912.25			
17-0199-PG	Ayars, Joseph P. (Lot 1)	50.8000	52.3200	3,500.00	1,750.00	183,120.00	91,560.00	183,120.00	39,240.00					91,560.00				3,781,352.25			
17-0205-PG	Schaeffer, David L.	84.3000	86.8300	7,950.00	3,697.33	690,298.50	321,039.17	369,259.33	102,257.00					321,039.17				3,460,313.08			
17-0207-PG	Morda, Mary Louise	84.2270	84.2270	8,350.00	4,175.00	703,295.45	351,847.73	351,647.72	75,804.30					351,847.73				3,108,665.35			
17-0209-PG	Vittori, Joel L. & Faith C.	81.0800	83.5120	5,100.00	3,450.00	425,911.20	288,116.40							288,116.40				2,820,548.95			
17-0210-PG	Johnson, Ralph E. & Jill Marie	45.9000	47.2770	5,800.00	3,700.00	264,751.20	174,924.90							174,924.90				2,645,624.05			
17-0204-PG	Duffy, Diane Carol & Paul Charles	60.1000	60.8730	5,100.00	2,350.00	310,452.30	143,051.80	167,400.50	66,990.05					143,051.80				2,502,572.25			
Closed	27	1,933.7810	1,920.5972			10,175,020.87	5,965,666.81	2,483,278.81	1,012,338.89												
Encumbered	7	453.8480	463.2780			2,737,017.35	1,485,148.82	1,071,427.55	284,281.35												
										Encumber/Expended FY09	-	617,339.97	-								
										Encumber/Expended FY11	-	1,500,000.00	-			21,852.92	69,015.23	2,909,331.85	4,009,566.11		
										Encumber/Expended FY13	-	500,000.00	-			93,155.90	897,277.99				
										Encumber/Expended FY17	-	1,000,000.00	-				1,127,087.75				
										Encumber/Expended FY18	-		-								
										Total		0.00						2,909,331.85	4,009,566.11	2,502,572.25	2,000,000.00

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Duffy, Diane Carol & Paul Charles (Lot 16.04)  
17- 0204-PG  
County PIG Program  
59 Acres

Block 40	Lot 16.04	Mannington Twp.	Salem County
Block 40	Lot 15	Mannington Twp.	Salem County
Block 42	Lot 2.02	Mannington Twp.	Salem County

<b>SOILS:</b>	Other	26% *	0	=	.00
	Prime	74% *	.15	=	11.10

**SOIL SCORE: 11.10**

<b>TILLABLE SOILS:</b>	Cropland Harvested	71% *	.15	=	10.65
	Wetlands	28% *	0	=	.00
	Woodlands	1% *	0	=	.00

**TILLABLE SOILS SCORE: 10.65**

<b>FARM USE:</b>	Soybeans-Cash Grain	44 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:
  - b. Exceptions:
    - 1st two (2) acres for Future dwelling
    - Exception is not to be severed from Premises
    - Exception is to be limited to one future single family residential unit(s)
  - c. Additional Restrictions:
    1. FY18 ALE via NJCF subject to 6% maximum impervious cover restriction on the Premises.
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.



**STATE AGRICULTURE DEVELOPMENT COMMITTEE**  
**RESOLUTION FY2020R9(6)**  
**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**  
**SALEM COUNTY**  
**for the**  
**PURCHASE OF A DEVELOPMENT EASEMENT**  
**On the Property of Johnson, Ralph E. & Jill Marie ("Owners")**  
**SADC ID# 17-0210-PG**  
**Mannington Township, Salem County**  
**N.J.A.C. 2:76-17 et seq.**

**SEPTEMBER 26, 2019**

WHEREAS, on February 14, 2019 it was determined that the application for the sale of a development easement for the subject farm identified as Block 59, Lot 12, Mannington Township, Salem County and Block 6, Lot 1, Quinton Township, Salem County, totaling approximately 45.9 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

WHEREAS, the Owners read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the targeted Property is located in the County's #3 Project Area; and

WHEREAS, the Property includes:

- 1) Zero (0) exceptions,
- 2) One (1) single family residential unit (currently being rebuilt)
- 3) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 4) Zero (0) agricultural labor units
- 5) No pre-existing non-agricultural uses; and

WHEREAS, the Green Light Approval, certification of easement value and this Final Approval are conditioned upon the discontinued use of the temporary, mobile residence located on the farm once a certificate of occupancy is obtained for the single family residence that is being rebuilt after a fire; and

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

WHEREAS, the Property has a quality score of 71.74 which exceeds 48, which is 70% of the County's average quality score as determined by the SADC at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 23, 2019 the SADC certified a development easement value of \$5,600 per acre based on zoning and environmental regulations in place as of the current valuation date March 14, 2019; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,600 per acre for the development easement for the Property; and

WHEREAS, on July 23, 2019, the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on July 1, 2019, the Mannington Township Committee approved the application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on June 26, 2019, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on July 17, 2019, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$1,900 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 47.277 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 47.277 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$174,924.90	(\$3,700/acre)
<u>Salem County</u>	<u>\$ 89,826.30</u>	<u>(\$1,900/acre)</u>
Total Easement Purchase	\$264,751.20	(\$5,600/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 (d) (f), if there are insufficient funds available in a county's base grant, the county may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$174,924.90 in competitive grant funding which is available at this time and/or base grant funding that becomes available (Schedule B); and

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

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Property, comprising approximately 45.9 net easement acres, at a State cost share of \$3,700 per acre, (66.07% of certified easement value and purchase price), for a total grant of approximately \$174,924.90 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).

3. The Green Light Approval, certification of easement value and this Final Approval are conditioned upon the discontinued use of the temporary, mobile residence once a certificate of occupancy is obtained for the single family residence that is being rebuilt after a fire.
4. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
5. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
6. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
7. 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 area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
8. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
11. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19

Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT



# Wetlands

Schedule A

Application within the (PA 4) Rural Area

Mannington Twp

Delaware North  
Tidelands Region

N  
59/12

M

F

N

6/1

Quinton Twp

Delaware Central  
Tidelands Region

Sandy Ridge Rd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Johnson, Ralph E. & Jill Marie  
Quinton Twp. - Block 6 Lot 1 (3.5 ac);  
Mannington Twp. - Block 59 Lot 12 (42.4 ac)  
Gross Total = 45.9 ac  
Salem County

250 125 0 250 500 Feet

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJDEP Wetlands Data  
NJOT/OGIS 2015 Digital Aerial Image

**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.

-  Property In Question
-  EN - (Non-Severable) Exception
-  ES - (Severable) Exception
-  Wetlands Boundaries
-  Primary - Limited Access
-  Federal or State Hwys
-  County Roads
-  Municipal/Local Roads
-  Tidelands Boundary



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

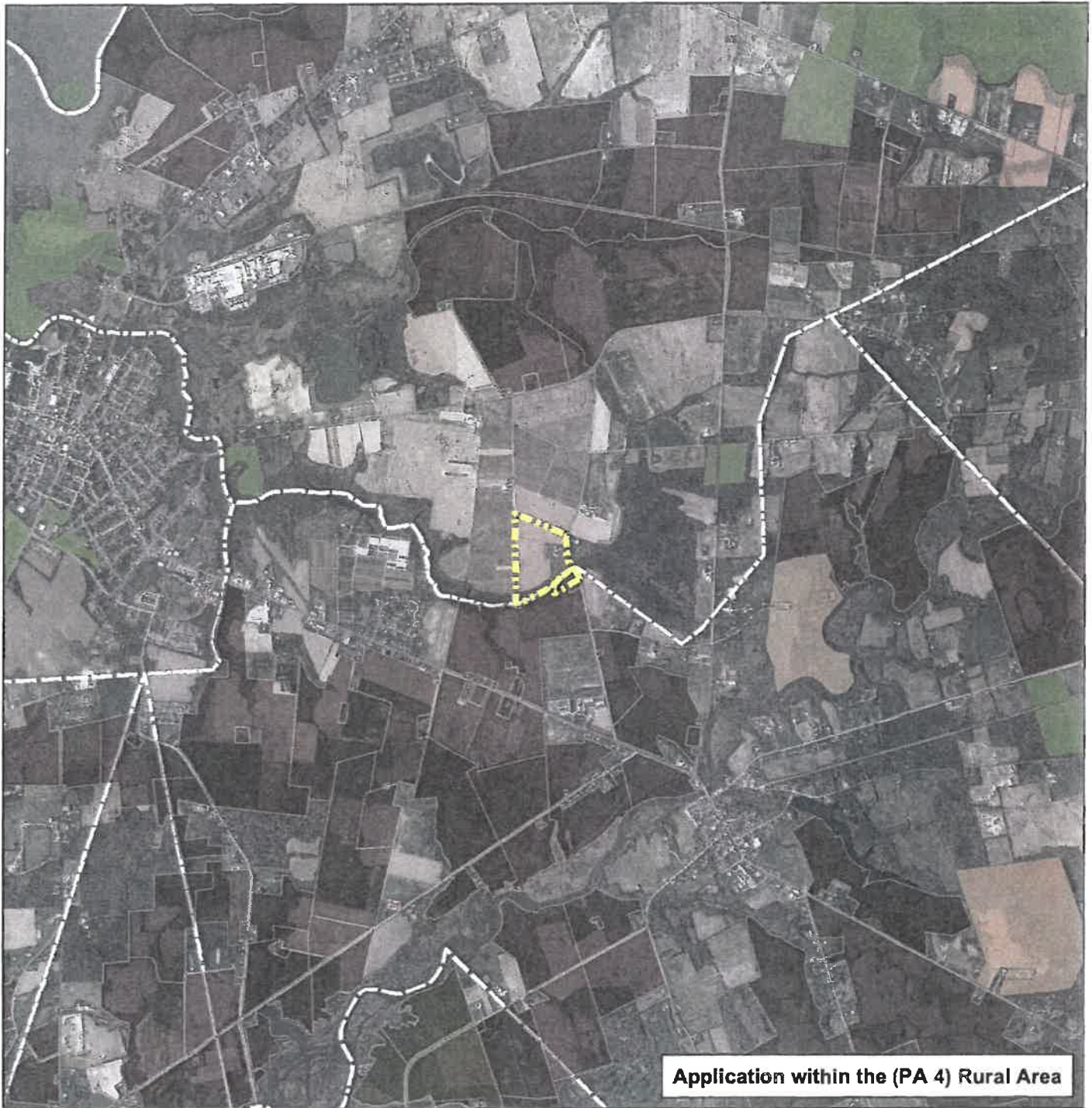
December 7, 2018

X:\counties\salem\projects\Johnson, Ralph E. & Jill Marie fww.mxd



# Preserved Farms and Active Applications Within Two Miles

X:\counties\sarco\projects\Johnson, Ralph E. & Jill Marie 2mile.mxd



Application within the (PA 4) Rural Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Johnson, Ralph E. & Jill Marie  
Quinton Twp. - Block 6 Lot 1 (3.5 ac);  
Mannington Twp. - Block 59 Lot 12 (42.4 ac)  
Gross Total = 45.9 ac  
Salem County

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

- Property in Question
- Exceptions
- Preserved Easements
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



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

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJOT/OGIS 2015 Digital Aerial Image

December 7, 2018

**SADC County Pig Financial Status  
Schedule B**

**Salem County**

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Base Grant				Competitive Funds							
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year 09	Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Maximum Grant			Fund Balance				
														Fiscal Year 11	Fiscal Year 13	Fiscal Year 17	Fiscal Year 18	FY11 Balance	FY13 Balance	FY17 Balance	FY18 Balance
										617,339.97	1,500,000.00	500,000.00	3,000,000.00	5,000,000.00	5,000,000.00	2,000,000.00	0.00	0.00	4,993,880.59	7,054,514.89	
										Encumbered	PV	Expended	Balance	Encumbered	PV	Expended	FY11 Balance	FY13 Balance	FY17 Balance	FY18 Balance	
17-0123-PG	Greco	313.4310	313.3210	5,100.00	3,450.00	1,597,937.10	1,080,957.45			1,122,906.00	1,080,957.45	1,080,957.45	3,617,339.97								
17-0121-PG	Prestige World Wide	51.3530	51.3172	7,100.00	4,450.00	364,362.12	228,361.54			242,925.50	228,361.54	228,361.54	2,536,382.52								
17-0122-PG	Dunham	38.4830	38.1450	5,700.00	3,750.00	217,428.50	143,043.75			146,775.00	143,043.75	143,043.75	2,164,977.23								
17-0125-PG	Mahoney	28.8220	28.6910	5,300.00	3,550.00	152,062.30	101,853.05			106,038.50	101,853.05	101,853.05	2,063,124.18								
17-0110-PG	Moore	149.7460	149.7460	5,050.00	3,425.00	756,217.30	512,880.05	498,292.54	254,955.29	511,523.75	257,924.76	257,924.76	1,805,198.42								
17-0134-PG	Dubois Props., LLC	31.2230	31.2230	7,900.00	4,850.00	246,661.70	151,431.55			149,865.00	151,431.55	151,431.55	1,653,767.87								
17-0127-PG	Brown	58.2580	58.2580	5,350.00	3,575.00	311,680.30	208,272.35			213,570.50	208,272.35	208,272.35	1,445,495.52								
17-0135-PG	Fogg, Harris, Allen	33.5790	33.5790	3,500.00	2,500.00	117,526.50	83,947.50			87,550.00	83,947.50	83,947.50	1,381,548.02								
17-0124-PG	Eckert, Hebert & Rowena	46.6520	46.6520	2,100.00	1,570.00	97,969.20	73,243.64			71,843.20	73,253.06	73,253.06	1,288,294.96								
17-0133-PG	Harris	49.3170	49.3170	3,500.00	2,500.00	172,809.50	123,292.50			123,292.50	123,292.50	123,292.50	1,165,002.46								
17-0146-PG	Basile	25.4830	25.4830	6,500.00	4,150.00	165,639.50	105,754.45			106,882.50	105,754.45	105,754.45	1,059,248.01								
17-0151-PG	Davis, Betty	42.0030	42.0030	5,100.00	3,450.00	214,215.30	144,910.35			59,248.01	59,248.01	59,248.01	1,000,000.00	89,998.99	89,998.99	85,662.34			4,914,337.66		
17-0157-PG	Bishop, Kevin & Jessica	30.5970	30.5970	4,500.00	3,100.00	137,686.50	94,850.70							98,983.00	94,850.70	94,850.70	2,930,984.77		4,888,502.19		
17-0163-PG	DuBois, Christian	29.7820	29.7820	7,900.00	4,850.00	235,277.80	144,442.70							151,077.50	144,442.70	144,442.70			4,744,059.49		
17-0161-PG	Harrell, Robert T. & George K.	89.2900	89.2900	5,600.00	2,555.61	500,024.00	228,189.98	271,834.02	102,183.02					360,528.00	228,189.98	228,189.98			4,515,869.51		
17-0164-PG	Sloat, Edward W. & Robert K.	49.8900	49.8900	5,100.00	3,450.00	254,439.00	172,120.50							179,814.00	172,120.50	172,120.50			4,343,749.01		
17-0166-PG	Brooks, Michael N.	65.4410	65.4410	3,400.00	1,150.95	222,499.40	75,319.00	147,180.40	84,357.02					111,249.70	75,319.00	75,319.00			4,268,430.01		
17-0165-PG	Moffett, James E. & Patricia M.	46.0300	46.0300	5,400.00	3,600.00	248,582.00	165,708.00							167,976.00	165,708.00	165,708.00			4,102,722.01		
17-0160-PG	Brown, Steven R. & Timothy G.	48.2390	48.2390	3,300.00	2,380.00	159,188.70	114,808.82							117,274.50	114,808.82		2,909,331.85		4,009,566.11		
17-0168-PG	Catalano, Joanne J.	198.0900	198.6110	4,350.00	3,010.00	858,771.77	386,134.69	470,637.08	203,864.42	400,707.75	388,134.69	388,134.69	611,885.31								
17-0169-PG	E&A Farms (Williams)	92.9240	81.9300	3,950.00	1,948.99	323,823.50	159,681.16	163,942.34	67,264.94	159,588.00	159,681.16	159,681.16	452,184.15						5,000,000.00		
17-0182-PG	Tice, Barry and Joanne	40.7350	40.7350	5,500.00	3,650.00	224,042.50	148,682.75			153,373.00	148,682.75	148,682.75	303,501.40								
17-0179-PG	Sorbello, Frank & Thomas	94.3880	94.3880	6,000.00	2,081.69	566,388.00	197,451.07	368,936.93	170,701.13	204,771.00	197,451.07	197,451.07	106,050.33								
17-0190-PG	Dare, Carolyn B.	20.9480	20.9480	7,200.00	4,500.00	150,811.20	94,257.00			94,257.00	94,257.00	94,257.00	11,793.33								
17-0206-PG	Kelly, Dennis J. Sr. (E&D Farm)	83.9230	83.9230	7,260.00	3,510.00	609,280.98	294,569.48	314,711.50	57,907.12	4,473.40	4,473.40	4,473.40	7,319.93	290,096.08	290,096.08	290,096.08			4,709,903.92		
17-0166-PG	Harris, Howard Grant & Elizabeth	79.2980	79.2980	8,250.00	3,125.77	495,812.50	247,867.50	247,745.00	71,306.95					259,125.00	247,867.50	247,867.50					
17-0194-PG	Moore, John J. & Lori A.	66.9280	66.9280	5,200.00	3,500.00	348,025.60	234,248.00			7,319.93	7,319.93	7,319.93		226,928.07	226,928.07	226,928.07			4,235,108.35		
17-0195-PG	Melchert, Richard H. (Lot 4)	77.1590	77.0630	7,600.00	4,700.00	585,878.80	362,196.10							374,214.00	362,196.10	362,196.10			3,872,912.25		
17-0199-PG	Ayars, Joseph P. (Lot 1)	50.8000	52.3200	3,500.00	1,750.00	163,120.00	91,560.00	183,120.00	39,240.00					91,560.00					3,781,352.25		
17-0205-PG	Schaeffer, David L.	84.3000	86.8300	7,950.00	3,697.33	690,298.50	321,039.17	369,259.33	102,257.00					321,039.17					3,460,313.08		
17-0207-PG	Morda, Mary Louise	84.2270	84.2270	8,350.00	4,175.00	703,295.45	351,647.73	351,647.72	75,804.30					351,647.73					3,108,665.35		
17-0209-PG	Vittori, Joel L. & Faith C.	81.0800	83.5120	5,100.00	3,450.00	425,911.20	288,116.40							288,116.40					2,820,548.95		
17-0210-PG	Johnson, Ralph E. & Jill Marie	45.8000	47.2770	5,600.00	3,700.00	294,751.20	174,824.90							174,824.90					2,645,624.05		
17-0204-PG	Duffy, Diane Carol & Paul Charles	59.1000	60.8730	5,100.00	2,350.00	310,452.30	143,051.80	167,400.50	66,960.05					143,051.80					2,502,572.25		
Closed	27	1,833.7810	1,920.5972			10,175,020.87	5,965,666.81	2,483,279.81	1,012,339.89												
Encumbered	7	453.6480	463.2780			2,737,017.35	1,485,148.82	1,071,427.55	284,261.35												
								Encumber/Expended FY09		-	-	617,339.97	-								
								Encumber/Expended FY11		-	-	1,500,000.00	-		21,552.92	69,015.23	2,909,331.85				
								Encumber/Expended FY13		-	-	500,000.00	-		93,155.90	897,277.99		4,009,566.11			
								Encumber/Expended FY17		-	-	1,000,000.00	-	1,370,340.00	-	1,127,087.75			2,502,572.25		
								Encumber/Expended FY18		-	-	-	-		-	-				2,000,000.00	
								Total				0.00					2,909,331.85	4,009,566.11	2,502,572.25	2,000,000.00	



Schedule C

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Johnson, Ralph E. & Jill Marie  
17- 0210-PG  
County PIG Program  
46 Acres

Block 6	Lot 1	Quinton Twp.	Salem County
Block 59	Lot 12	Mannington Twp.	Salem County

<b>SOILS:</b>	Prime	97% *	.15	=	14.55
	Statewide	3% *	.1	=	.30
				<b>SOIL SCORE:</b>	<b>14.85</b>
<b>TILLABLE SOILS:</b>	Cropland Harvested	80% *	.15	=	12.00
	Other	5% *	0	=	.00
	Wetlands	15% *	0	=	.00
				<b>TILLABLE SOILS SCORE:</b>	<b>12.00</b>

<b>FARM USE:</b>	Soybeans-Cash Grain	23 acres	
	Other	4 acres	Permanent Pasture

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:
  - b. Exceptions: No Exceptions Requested
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions:
    1. There will only be one (1) single family residence on the Premises. Green Light Approval and further SADC actions will be conditioned upon the discontinued use of the temporary residence once a Certificate of Occupancy is obtained for the single family residence.
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION FY2020R9(7)  
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO  
WARREN COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT  
On the Property of CDEK, LLC and Stampone, Edward ("Owners")  
SADC ID# 21-0370-PG  
Knowlton Township, Warren County  
N.J.A.C. 2:76-17 et seq.**

**SEPTEMBER 26, 2019**

WHEREAS, on November 20, 2018 it was determined that the application for the sale of a development easement for the subject farm identified as Block 41, Lot 10, Knowlton Township, Warren County, totaling approximately 35.2 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the County has met the County Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17.6 - 7; and

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

WHEREAS, the targeted Property is located in the County's Knowlton Township II Project Area; and

WHEREAS, the Property includes one (1), approximately 3.5-acre non-severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 31.7 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes

- 1) Zero (0) existing residential units
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

WHEREAS, a shallow shale pit is located on the property and the landowner has indicated it is not used often and when utilized the materials are solely for use on the premises for the agricultural operation; and

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

WHEREAS, the Property has a quality score of 54.67 which exceeds 44, which is 70% of the County's average quality score, as determined by the SADC, at the time the application was submitted by the County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 26, 2019 the SADC certified a development easement value of \$4,650 per acre based on zoning and environmental regulations in place as of the current valuation date of February 21, 2019; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,650 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on July 25, 2019, the Knowlton Township Committee approved the application for the sale of development but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on July 25, 2019, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on August 28, 2019, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$1,460 per acre to cover the local cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 32.651 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 32.651 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$104,156.69	(\$3,190/acre)
Warren County	\$ 47,670.46	(\$1,460/acre)
Total Easement Purchase	\$151,827.15	(\$4,650/acre)

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 (d) (f), if there are insufficient funds available in a county's base grant, the county may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the County is requesting \$104,156.69 in competitive grant funding which is available at this time (Schedule B); and

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



NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Property, comprising approximately 31.7 net easement acres, at a State cost share of \$3,190 per acre, (68.6% of certified easement value and purchase price), for a total grant of approximately \$104,156.69 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant fund).
4. If unencumbered base grant funds become available subsequent to this final approval and prior to the County's execution of a Grant Agreement, the SADC shall utilize those funds before utilizing competitive funding.
5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. 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 area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
7. The SADC shall enter into a Grant Agreement with the County in accordance with N.J.A.C. 2:76-6.18; and
8. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
9. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19

Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Preserved Farms and Active Applications Within Two Miles

X:\counties\warco\projects\CDEK LLC & Stampone, Edward 2mile.mxd

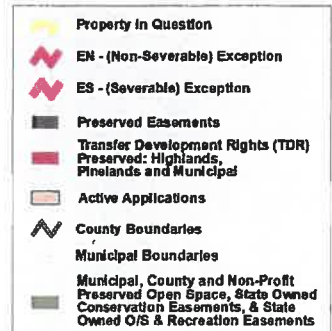


Application within the (PA4b) Rural Env Sens Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

CDEK LLC & Stampone, Edward  
Block 41 Lots P/O 10 (31.7 ac)  
& P/O 10-EN (non-severable exception - 3.5 ac)  
Gross Total = 35.2 ac  
Knowlton Twp., Warren County

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



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJOTIS 2015 Digital Aerial Image

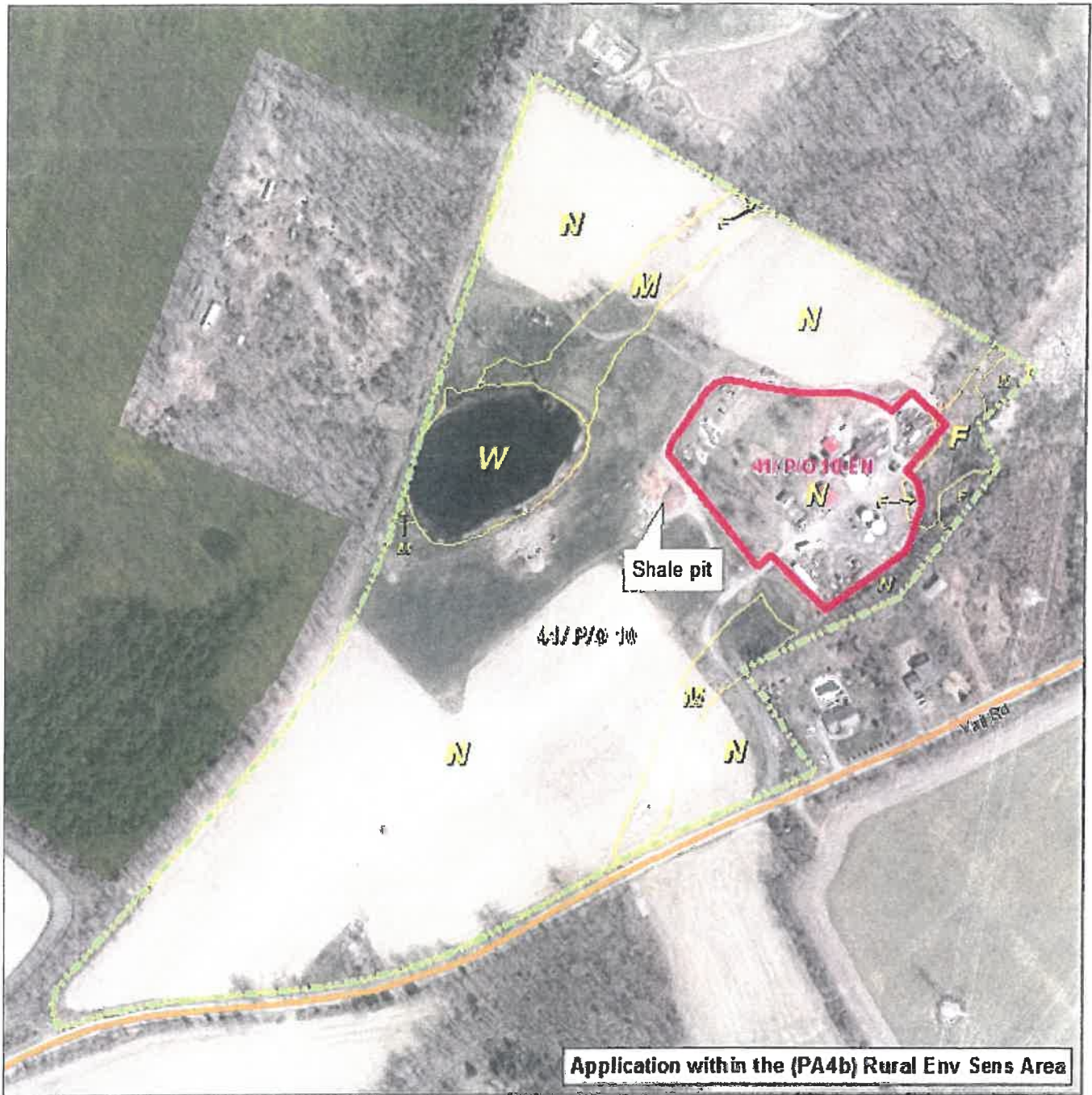
NOTE:  
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

October 26, 2018



## Wetlands

X:\counties\warren\projects\CDEK LLC &amp; Stampone, Edward\fw.mxd



### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

CDEK LLC & Stampone, Edward  
Block 41 Lots P/O 10 (31.7 ac)  
& P/O 10-EN (non-severable exception - 3.5 ac)  
Gross Total = 35.2 ac  
Knowlton Twp., Warren County

250 125 0 250 500 Feet

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJDEP Wetlands Data  
NJ Aerial Photography  
USGS 1:250,000 Scale Aerial Image

Wetlands Legend:  
N - Non-Severable Wetlands  
M - Minor Wetlands  
W - Wetlands (Wetlands for Agriculture)  
F - Farmland  
S - Non-Wetlands  
B - 250' Buffer  
W - Water



- Property in Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Highways
- County Roads
- Municipal/Local Roads
- Municipal, County and Non-Profits Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

# SADC County PIIG Financial Status Schedule B

## Warren County

SADC ID#	Farm	Acres	Pay	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	Base Grant				Competitive Funds																																																																															
						SADC		Federal Grant		Maximum Grant				Fund Balance																																																																											
						Cost Basis	Cost Share	Total	SADC Federal Grant	Encumbered	PV	Expended	Balance	Encumbered	PV	Expended	FY11 Balance	FY13 Balance	FY17 Balance	FY18 Balance																																																																					
21-0530-PG	JJ Smith North	80.0000	82,400.00	4,800.00	3,160.00	379,040.00	280,384.00							280,384.00							3,437,581.30																																																																				
21-0538-PG	JJ Smith South	42.3800	43,550.00	8,000.00	3,900.00	261,900.00	170,235.00							170,235.00								3,267,346.30																																																																			
21-0543-PG	Klimas	197.4750	197,119.00	3,700.00	2,820.00	729,340.30	516,451.78							516,451.78								2,760,884.52																																																																			
21-0554-PG	Thompson	34.8210	34,821.00	3,800.00	2,580.00	124,635.80	88,628.76							88,628.76								2,682,284.76																																																																			
21-0572-PG	RL Enterprises	47.7350	47,735.00	7,600.00	4,700.00	382,785.00	224,354.50							224,354.50								2,716,111.98																																																																			
21-0580-PG	Burke & Dinsmore (S101)	78.7350	78,735.00	7,600.00	2,600.00	276,665.50	186,532.50							186,532.50								2,646,291.51																																																																			
21-0591-PG	Burke & Dinsmore (S102)	18.1090	18,109.00	7,800.00	4,800.00	141,228.80	86,508.80							86,508.80								2,448,409.11																																																																			
21-0570-PG	Race	85.5880	85,588.00	5,700.00	3,750.00	487,728.20	320,872.50							320,872.50								2,385,409.31																																																																			
21-0574-PG	Unmgt	84.0410	84,041.00	4,800.00	2,875.00	304,648.83	216,405.58							216,405.58								2,709,245.58																																																																			
21-0584-PG	Barton #1	34.5188	34,518.80	4,800.00	2,952.27	162,821.80	109,280.20							109,280.20								1,932,803.45																																																																			
21-0585-PG	Barton #2	69.8328	69,832.80	4,800.00	3,288.02	335,198.48	223,074.80							223,074.80								1,802,649.49																																																																			
21-0587-PG	Barton #3	26.5195	26,519.50	5,200.00	3,800.00	164,383.10	101,154.10							101,154.10								1,402,649.16																																																																			
21-0589-PG	O'Dowd East	91.7830	91,783.00	6,300.00	4,050.00	578,232.80	371,721.15							371,721.15								1,020,928.34																																																																			
21-0594-PG	O'Dowd West	104.7370	104,737.00	5,600.00	3,700.00	586,527.20	367,528.80							367,528.80								402,244.42																																																																			
21-0594-PG	Bartha	40.5190	40,519.00	4,500.00	2,680.00	162,317.50	125,585.50							125,585.50								130,913.00																																																																			
21-0602-PG	Shando, Riddle, West, Spade	104.7000	107,800.00	3,100.00	2,340.00	334,190.00	243,628.00							243,628.00																																																																											
21-0609-PG	Hayes, S & J, and Pater, D	42.9500	43,775.00	4,900.00	3,340.00	214,497.50	146,208.50							146,208.50																																																																											
21-0609-PG	Libaire Family LMTD Partnership	97.5300	100,950.00	3,200.00	2,320.00	321,192.00	233,259.20							233,259.20																																																																											
21-0609-PG	Holman-Litocher Inc	95.7300	98,540.00	5,100.00	3,650.00	482,354.00	333,063.00							333,063.00																																																																											
21-0612-PG	Arena, Knaproper	19.6580	18,670.00	4,000.00	2,600.00	79,480.00	52,635.00							52,635.00																																																																											
21-0613-PG	Route 97 Partnership	69.0000	71,173.00	3,200.00	2,320.00	227,753.80	165,121.38							165,121.38																																																																											
21-0570-PG	CDEK LLC & Shampson, Edward	51.7000	52,851.00	4,650.00	3,190.00	151,827.15	104,136.69							104,136.69																																																																											
Closed	27	2,088,8669	2,083,0855			10,276,897.73	6,888,147.89	89,586.77	38,717.25																																																																																
Encumbered	9	581,2980	597,4190			2,458,824.25	1,709,531.75																																																																																		
										Encumber/Expended FY09										Encumber/Expended FY11										Encumber/Expended FY13										Encumber/Expended FY17										Encumber/Expended FY18										Total																													
										-										-										-										-										-										-										-										-									
										430,618.00										289,730.05										9,034.70										4,051,576.08										2,709,245.58										517,804.84										4,721,887.25										2,000,000.00									
										856,186.70										43,801.30										1,000,000.00										-										-										-										0.00																			

Schedule C

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

CDEK LLC & Stampone, Edward  
21- 0370-PG  
County PIG Program  
32 Acres

Block 41	Lot 10	Knowlton Twp.	Warren County
<b>SOILS:</b>		Other	97% * 0 = .00
		Unique zero	3% * 0 = .00
			<b>SOIL SCORE: .00</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	86% * .15 = 12.90
		Wetlands	2% * 0 = .00
		Woodlands	12% * 0 = .00
			<b>TILLABLE SOILS SCORE: 12.90</b>
<b>FARM USE:</b>	Corn-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:
  - b. Exceptions:
    - 1st (3.5) acres for For existing residential use  
Exception is not to be severed from Premises  
Right to Farm language is to be included in Deed of Easement  
Exception is to be limited to one existing single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.



**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION FY2020R9(8)  
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO  
WHITE TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT  
On the Property of Thompson, Robert P. & Gloria B. - Estate of ("Owner")  
SADC ID# 21-0616-PG  
White Township, Warren County  
N.J.A.C. 2:76-17A. et seq.**

**SEPTEMBER 26, 2019**

WHEREAS, on December 14, 2018 it was determined that the application for the sale of a development easement for the subject farm identified as Block 59, Lot 1, White Township, Warren County, totaling approximately 43.7 gross acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the Township has met the Township Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

WHEREAS, the targeted Property is located in the Township's North Project Area and in the Highlands Planning Area; and

WHEREAS, the Property includes one (1), approximately 3-acre severable exception area for a future single family residential unit and one (1), approximately 1-acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 39.7 net acres to be preserved; and

WHEREAS, the Exception Areas:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) The 3-acre exception area may be severed or subdivided from the Premises
- 3) The 1-acre exception area shall not be severed or subdivided from the Premises
- 4) Each exception area shall be restricted to one (1) single family residential unit
- 5) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes

- 1) Zero (0) existing residential units
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 26, 2019 the SADC certified a development easement value of \$6,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$5,500 per acre based on zoning and environmental regulations in place as of the current valuation date of March 2, 2019; and

WHEREAS, the Green Light Approval, certification of easement value and this Final Approval are conditioned on the Estate resolving all potential liability for State Inheritance Taxes to the SADC's satisfaction prior to closing; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on June 13, 2019, the White Township Committee approved the application for the sale of development easement and a funding commitment of \$1,050 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on July 25, 2019, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on August 28, 2019, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$1,050 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 39.7 acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$154,830	(\$3,900/acre)
Warren County	\$ 41,685	(\$1,050/acre)
<u>White Township</u>	<u>\$ 41,685</u>	<u>(\$1,050/acre)</u>
Total Easement Purchase	\$238,200	(\$6,000/acre)

WHEREAS, the Township is requesting \$3,900 per acre or approximately \$154,830 and sufficient funds are available (Schedule B); 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 subject to available funds and 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:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Property, comprising approximately 39.7 net easement acres, at a State cost share of \$3,900 per acre, (65% of certified easement value and purchase price), for a total grant of approximately \$154,830 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
3. Should additional funds be needed and grant funding be available, the grant may be adjusted to utilize unencumbered grant funds.
4. The Green Light Approval, certification of easement value and this Final Approval are conditioned on the Estate resolving all potential liability for State Inheritance Taxes to the SADC's satisfaction prior to closing.
5. The SADC will be providing its grant directly to Warren 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).
6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.



9/26/19

Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Preserved Farms and Active Applications Within Two Miles



X:\counties\warco\projects\Thompson, Robert P. & Gloria, B. - Estate of 2miles.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Thompson, Robert P. & Gloria, B. - Estate of  
Block 59 Lots P/O 1 (39.7 ac); P/O 1-ES (severable exception - 3.0 ac)  
& P/O 1-EN (non-severable exception - 1.0 ac)  
Gross Total = 43.7 ac  
White Twp., Warren County

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



- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

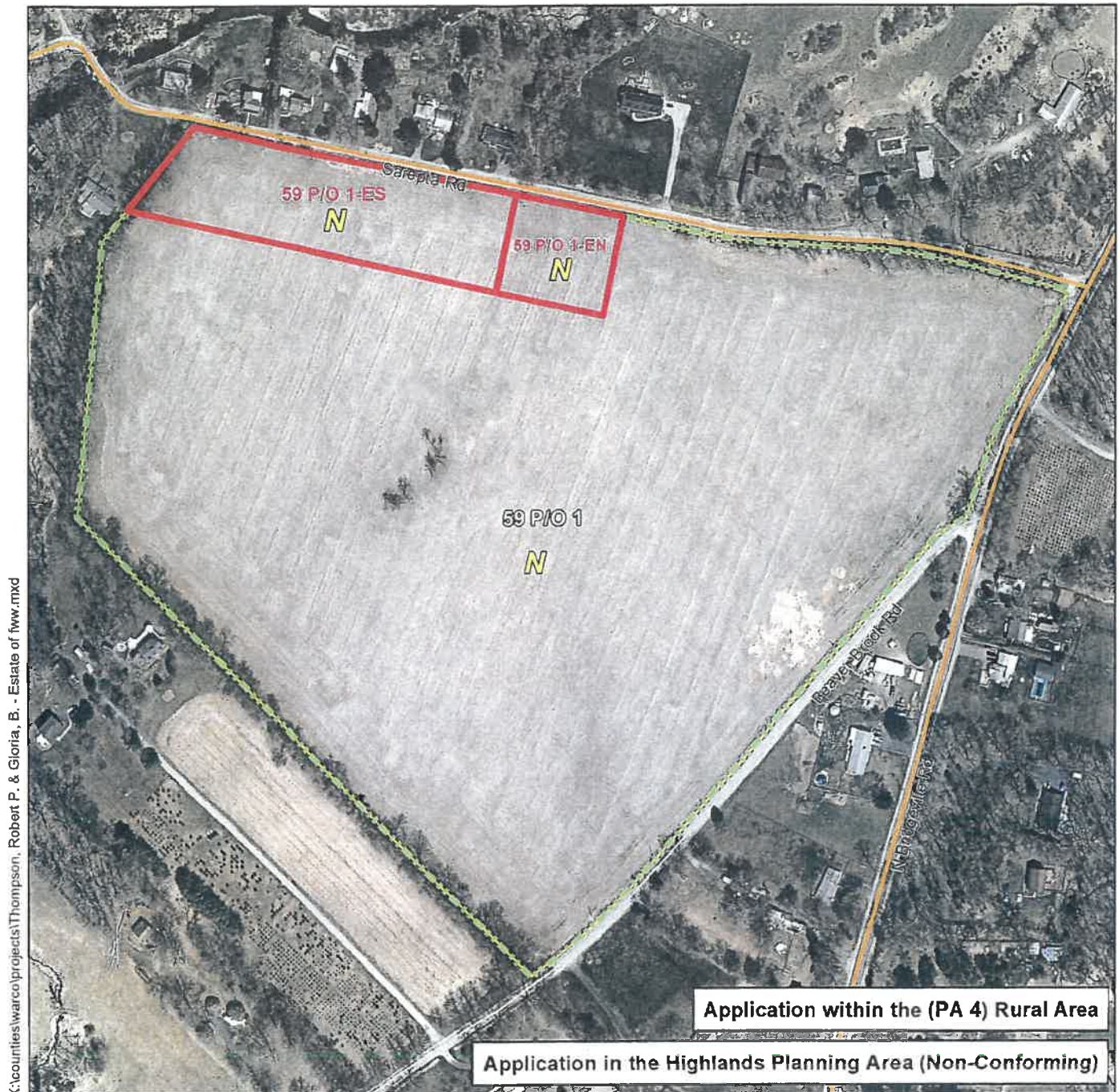
**NOTE:**  
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJOT/OGIS 2015 Digital Aerial Image

November 28, 2018



## Wetlands



X:\counties\warco\projects\Thompson, Robert P. &amp; Gloria, B. - Estate of fww.mxd

### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Thompson, Robert P. & Gloria, B. - Estate of  
Block 59 Lots P/O 1 (39.7 ac); P/O 1-ES (severable exception - 3.0 ac)  
& P/O 1-EN (non-severable exception - 1.0 ac)  
Gross Total = 43.7 ac  
White Twp., Warren County

250 125 0 250 500 Feet

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJDEP Wetlands Data  
NJ Highlands Council Data  
NJOT/OGIS 2015 Digital Aerial Image

**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.

- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads

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

November 28, 2018



# SADC Municipal Financial Status Schedule B

## White Township, Warren County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Grant			
										Fiscal Year			
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
21-0522-PG	Erhardt	26.3840	26.3840	7,200.00	4,500.00	189,964.80	118,728.00	7,915.20		118,728.00	118,728.00	118,728.00	1,500,000.00
	Erhardt ancillary												1,381,272.00
21-0525-PG	Walburn	23.4490	23.4490	5,900.00	3,850.00	138,349.10	90,278.65			90,278.65	90,278.65	90,278.65	1,375,040.00
	Walburn ancillary											5,952.25	1,278,809.10
21-0552-PG	Shoemaker	21.5560	21.5560	6,600.00	4,200.00	142,269.60	90,535.20			90,535.20	90,535.20	90,535.20	1,188,273.90
21-0576-PG	Rothman	48.2870	48.2870	4,000.00	2,800.00	193,148.00	135,203.60			135,296.00	135,203.60	135,203.60	1,053,070.30
	Shoemaker ancillary											6,557.00	1,046,513.30
	Rothman ancillary											5,617.75	1,040,895.55
21-0598-PG	DeBoer, Robert A.	53.0510	53.0510	5,100.00	3,450.00	270,560.10	183,025.95			183,091.50	183,025.95	183,025.95	857,869.60
	DeBoer ancillary											6,940.00	850,929.60
21-0616-PG	Thompson, Robert P. & Gloria B. - Estate of	39.7000	39.7000	6,000.00	3,900.00	238,200.00	154,830.00			154,830.00			696,099.60
Closed	5	172.7270	172.7270			934,291.60	617,771.40	7,915.20	-				
Encumbered	1	39.7000	39.7000			238,200.00	154,830.00	-					
										Encumber/Expended FY09	-	-	-
										Encumber/Expended FY11	100,929.60	-	-
										Encumber/Expended FY13	53,900.40	-	446,099.60
										Encumber/Expended FY17	-	-	250,000.00
										Encumber/Expended FY19	-	-	-
										Total			696,099.60

Schedule C

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Thompson, Robert P. & Gloria B. - Estate of  
21- 0616-PG  
PIG EP - Municipal 2007 Rule  
40 Acres

Block 59	Lot 1	White Twp.	Warren County
SOILS:		Other	3% * 0 = .00
		Prime	70% * .15 = 10.50
		Statewide	27% * .1 = 2.70
			SOIL SCORE: 13.20
TILLABLE SOILS:		Cropland Harvested	100% * .15 = 15.00
			TILLABLE SOILS SCORE: 15.00
FARM USE:		Soybeans-Cash Grain	43 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:
  - b. Exceptions:
    - 1st three (3) acres for Future dwelling  
Exception is severable  
Exception is to be limited to one future single family residential unit(s)
    - 2nd one (1) acres for Future dwelling  
Exception is not to be severed from Premises  
Exception is to be limited to one future single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as amended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION FY2020R9(9)  
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO  
WOOLWICH TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT  
On the Property of St. Clare of Assisi Parish ("Owner")  
SADC ID# 08-0204-PG  
Woolwich Township, Gloucester County  
N.J.A.C. 2:76-17A. et seq.**

**September 26, 2019**

WHEREAS, on July 3, 2018 it was determined that the application for the sale of a development easement for the subject farm identified as Block 13, Lot 5.01, Woolwich Township, Gloucester County, totaling 25.492 gross surveyed acres hereinafter referred to as "the Property" (Schedule A) was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a) and the Township has met the Township Planning Incentive Grant ("PIG") criteria pursuant to N.J.A.C. 2:76-17A.6 - 7; and

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

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

WHEREAS, the Property includes one (1), one acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in 24.492 surveyed acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Property
- 3) Shall be restricted to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes

- 1) Zero (0) single family residential units
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 6, 2018 the SADC certified a development easement value \$12,150 per acre based on zoning and environmental regulations in place as of the current valuation date August 14, 2018; and



WHEREAS, the Owner accepted the Township's offer of \$12,150 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on July 15, 2019, the Woolwich Township Committee approved the application for the sale of development easement and a funding commitment of \$2,430 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on December 20, 2018, the County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on July 24, 2019, the County Board of Chosen Freeholders passed a resolution granting final approval and a commitment of funding for \$2,430 per acre to cover the local cost share; and

WHEREAS, the estimated cost share breakdown is as follows (based on 24.492 surveyed easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$178,546.68	(\$7,290/acre)
Gloucester County	\$ 59,515.56	(\$2,430/acre)
Woolwich Township	\$ 59,515.56	(\$2,430/acre)
Total Easement Purchase	\$297,577.80	(\$12,150/acre)

WHEREAS, the Township is requesting \$7,290 per acre or \$178,546.68 and sufficient funds are available (Schedule B); 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 subject to available funds and 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:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to provide a cost share grant to the Township for the purchase of a development easement on the Property, comprising 24.492 surveyed easement acres, at a State cost share of \$7,290 per acre, (60% of certified easement value and purchase price), for a total grant of \$178,546.68 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).

3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
4. The SADC will be providing its grant directly to Gloucester 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).
5. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19

Date



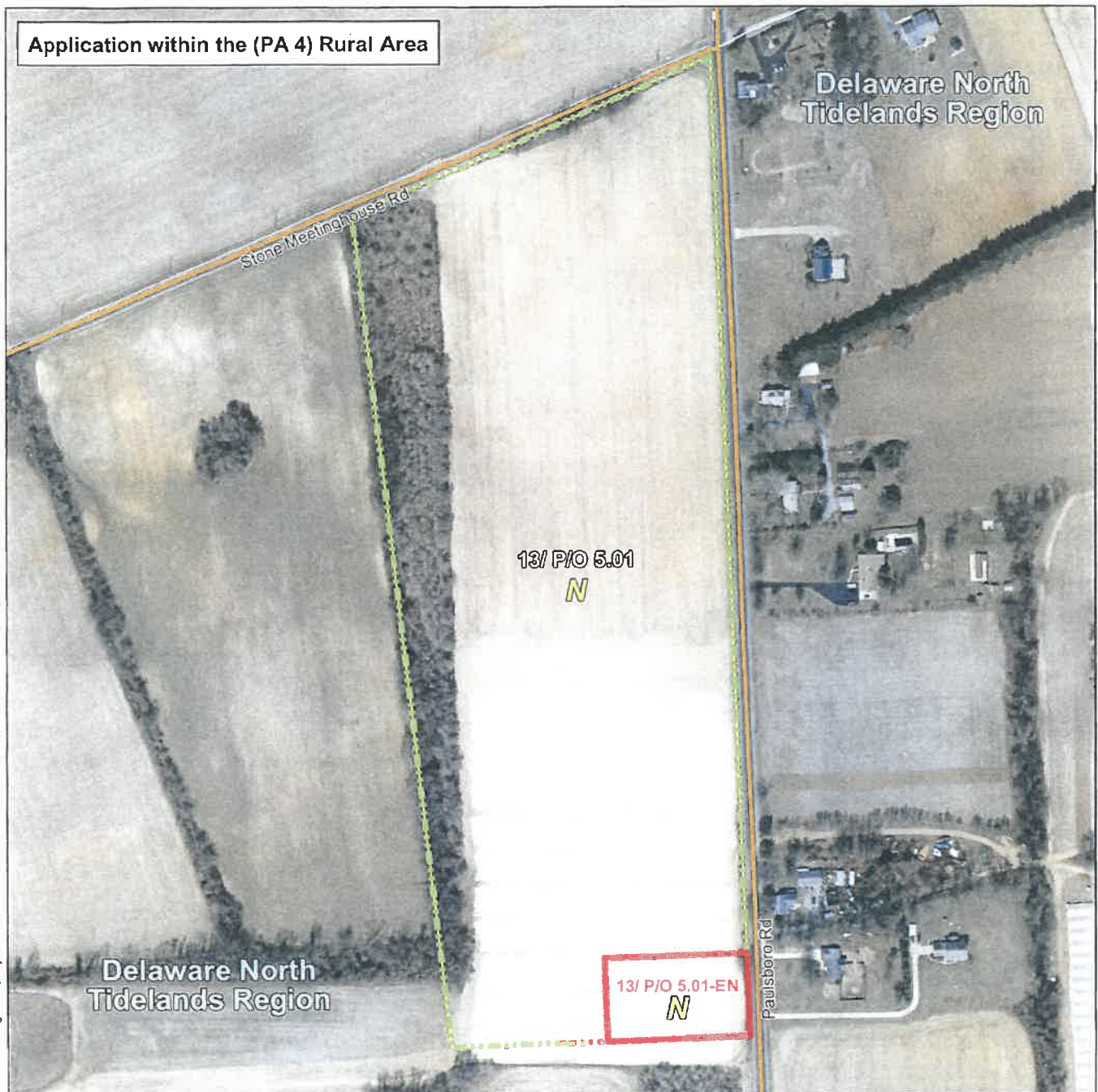
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Wetlands

SCHEDULE A



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

St. Clare of Assisi Parish  
Block 13 Lots P/O 5.01 (25.4 ac);  
P/O 5.01-EN (non-severable exception - 1.0 ac)  
Gross Total = 26.4 ac  
Woolwich Twp., Gloucester County



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJDEP Wetlands Data  
NJOT/OGIS 2015 Digital Aerial Image

**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 a proximate 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.



- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Tidelands Boundary

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



# SADC Municipal Pig Financial Status

## Schedule B

### Woolwich Township, Gloucester County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or Negotiated Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Grant			
										Fiscal Year 09	750,000.00		
										Fiscal Year 11	500,000.00		
										Fiscal Year 13	500,000.00		
										Fiscal Year 17	500,000.00		
										Fiscal Year 19	1,000,000.00		
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
08-0096-PG	Eastlack	47.5400	46.7100	15,500.00	9,300.00	724,005.00	434,403.00			434,403.00	434,403.00	434,403.00	3,250,000.00
08-0149-PG	VanderGracht	16.5370	16.5370	15,400.00	9,240.00	254,669.80	152,801.88			173,712.00	152,801.88	152,801.88	2,815,597.00
08-0178-PG	DeLuca Lot Investors	81.3690	81.3480	18,000.00	10,800.00	1,464,264.00	878,558.40			878,785.20	878,558.40	878,558.40	1,784,236.72
08-0179-PG	Russo Homes, LLC	58.6680	58.6679	23,000.00	4,844.84	1,349,362.39	284,236.72			284,236.72	284,236.72	284,236.72	1,500,000.00
08-0191-PG	Woolwich Investors, LLC	36.4670	36.4670	19,900.00	11,940.00	725,693.30	435,415.98			435,415.98	435,415.98	435,415.98	1,064,584.02
	Woolwich Investors ancillary											7,470.00	1,057,114.02
	Vandergracht ancillary											6,317.00	1,050,797.02
	DeLuca ancillary											8,300.00	1,042,497.02
08-0204-PG	St. Clare of Assisi Parish	24.4920	24.4920	12,150.00	7,290.00	297,577.80	178,546.68			178,546.68			863,950.34
Closed	5	240.5810	239.7299			4,517,994.49	2,185,415.98	-	-				
Encumbered	1	24.4920	24.4920			297,577.80	178,546.68	-	-				
										Encumber/Expended FY09	-	-	750,000.00
										Encumber/Expended FY11	-	-	500,000.00
										Encumber/Expended FY13	-	-	500,000.00
										Encumber/Expended FY17	-	-	457,502.98
										Encumber/Expended FY19	178,564.68	-	821,435.32
										Total			863,932.34

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

St. Clare of Assisi Parish  
08- 0204-PG  
PIG EP - Municipal 2007 Rule  
25 Acres

Block 13	Lot 5.01	Woolwich Twp.	Gloucester County
<b>SOILS:</b>		Prime	85% * .15 = 12.75
		Statewide	15% * .1 = 1.50
			<b>SOIL SCORE: 14.25</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	87% * .15 = 13.05
		Woodlands	13% * 0 = .00
			<b>TILLABLE SOILS SCORE: 13.05</b>
<b>FARM USE:</b>	Vegetable & Melons		23 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:
  - b. Exceptions:
    - 1st one (1) acres for future dwelling
    - Exception is not to be severed from Premises
    - Exception is to be limited to one future single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION FY2020R9(10)  
FINAL REVIEW AND APPROVAL OF A NONPROFIT GRANT TO  
D&R Greenway Land Trust, Inc.  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT  
On the Property of D&R Greenway Land Trust, Inc. (Muscente) ("Owner")**

**FY2019 Non-Profit Round – SADC #11-0017-NP**

**September 26, 2019**

WHEREAS, on January 6, 2016 D&R Greenway Land Trust, Inc. (D&R) purchased fee simple title to property identified as Block 14, Lot 17 in Hopewell Township, Mercer County (Muscente Farm), hereinafter referred to as "Property", totaling approximately 51 gross acres; and

WHEREAS, on March 29, 2018 the State Agriculture Development Committee ("SADC") received a non-profit cost share grant application from D&R for a development easement, as a partial interest of its fee simple title, on the Property, which included a 2-acre severable exception restricted to one future single family residential unit and a 4-acre non-severable exception restricted to one existing single family residential unit totaling approximately 45 net acres (Schedule A); and

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

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

WHEREAS, on May 24, 2018 the SADC granted preliminary approval by Resolution #FY2018R5(9) to the Nonprofit application and appropriated \$403,000 for the acquisition of development easement on the Property; and

WHEREAS, the D&R (Muscente) farm was the only application from D&R in the FY19 Nonprofit round, and all of the appropriated funding granted to D&R in FY19 is dedicated to the Muscente Farm project and is available; 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, the Property has a quality score of 63.93 which is greater than 70% of the County average quality score of 50 as determined by the SADC, at the time the application was submitted; and

WHEREAS, pursuant to N.J.A.C. 2:76-15.1, on February 28, 2019 the SADC certified a development easement value of \$13,000 per acre based on zoning and environmental regulations in place as of the current valuation date October 4, 2018; and



WHEREAS, the SADC advised D&R 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 D&R's eligible costs and subject to available funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-15.2, on April 16, 2019, D&R informed the SADC that it will accept the SADC cost share of \$13,000 per acre, but requested to abandon the 2-acre severable exception and increase the nonseverable exception surrounding the existing single-family residential unit from 4 to 6 acres (Schedules A and B); and

WHEREAS, D&R did not request an update to the appraisals and certification of easement value; and

WHEREAS, the SADC Appraisal Manager reviewed the change in application and determined that if updated appraisals were completed, the removal of the severable exception area would likely decrease the "after" value and increase the easement value; therefore, SADC staff concurs that the SADC's original certification of \$13,000 per acre (\$24,500 "before" - \$11,500 "after") may continue to be used as the basis for the SADC cost share in the transaction; and

WHEREAS, the Property includes one (1), approximately 6-acre non-severable exception area for and limited to one existing single-family residential unit resulting in approximately 45 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement

WHEREAS, the portion of the Property outside the exception area includes

- 1) zero (0) residential units
- 2) zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) zero (0) agricultural labor units
- 4) no pre-existing non-agricultural uses

WHEREAS, the cost share breakdown based on 45 acres is as follows:

	<u>Total</u>	<u>Per/acre</u>
SADC	\$292,500	(\$6,500/acre or 50% total cost)
D&R	\$292,500	(\$6,500/acre or 50% total cost)
Total Easement Purchase	\$585,000	(\$13,000/acre)

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 D&R for up to 50% of the eligible ancillary costs which will be deducted from its FY2019 appropriation and subject to the availability of funds; and

WHEREAS, D&R will reserve, by a document complying with the provisions of N.J.A.C. 2:76-6.15, the development easement portion of its fee simple title prior to selling the restricted fee to a third party, such reservation having been authorized in amended bylaws adopted by D&R on September 18, 2019; and

WHEREAS, pursuant to N.J.A.C. 2:76-16.1(a), a nonprofit shall execute a project agreement with the SADC which must contain a provision stating that if "the nonprofit . . . sells or donates any interest in any lands acquired with a grant by the [SADC], [then] the nonprofit shall pay to the [SADC] 50 percent of the net proceeds;" and

WHEREAS, pursuant to N.J.A.C. 2:76-16.1(a)3ii.(3), a nonprofit must obtain the approval of the SADC prior to conveying any interest in the Property; and

WHEREAS, if the proposed sales price of the restricted fee results in an amount more than the certified "after" value of \$11,500 per acre, then the nonprofit shall, pursuant to N.J.A.C. 2:76-16.1(a)3iv.(4), reimburse the SADC 50% of the net proceeds from the sale; and

WHEREAS, during the appraisal process the value of the improvements was determined to be \$762,000, which will be subtracted from the price for the entire property (improvements, exception, preserved acreage) when the restricted fee is sold in order to calculate the actual land value of the preserved farm, as the SADC cost share is based on the easement interest in the Property, which does not include improvement values.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC grants final approval to D&R for the acquisition of a development easement, as a portion of its fee simple title to the Property, subject to compliance with N.J.A.C. 2:76-16.
3. The SADC approves D&R's reservation of a development easement as a portion of its fee simple title, provided the SADC reviews and approves in advance all documentation to accomplish the reservation including, but not limited to, review of survey, title, and development easement reservation.
4. The SADC shall provide a cost share grant not to exceed \$6,500 per acre (total of approximately \$292,500 based on 45 acres) to D&R for the development easement portion of its fee simple title to the Property, subject to the availability of funds.
5. The application is subject to the conditions contained in (Schedule C).

6. The SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents in accordance with N.J.A.C. 2:76-16.1, et seq. and this resolution.
7. The SADC's cost share grant to D&R for the development easement portion of its fee simple title to the Property 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.
8. The SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute all documents necessary to provide a grant to D&R for the acquisition of a development easement as a portion of its fee simple title to the Property.
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
11. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

\_\_\_\_9/26/19\_\_\_\_  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT



# Wetlands

Schedule A

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

D & R Greenway Land Trust, Inc. (Muscente)  
Block 14 Lots P/O 17 (45.0 ac); P/O 17-ES (severable exception - 2.0 ac)  
& P/O 17-EN (non-severable exception - 4.0 ac)  
Gross Total = 51.0 ac  
Hopewell Twp., Mercer County

250 125 0 250 500 Feet

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJDEP Wetlands Data  
NJOT/OGIS 2015 Digital Aerial Image

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



- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

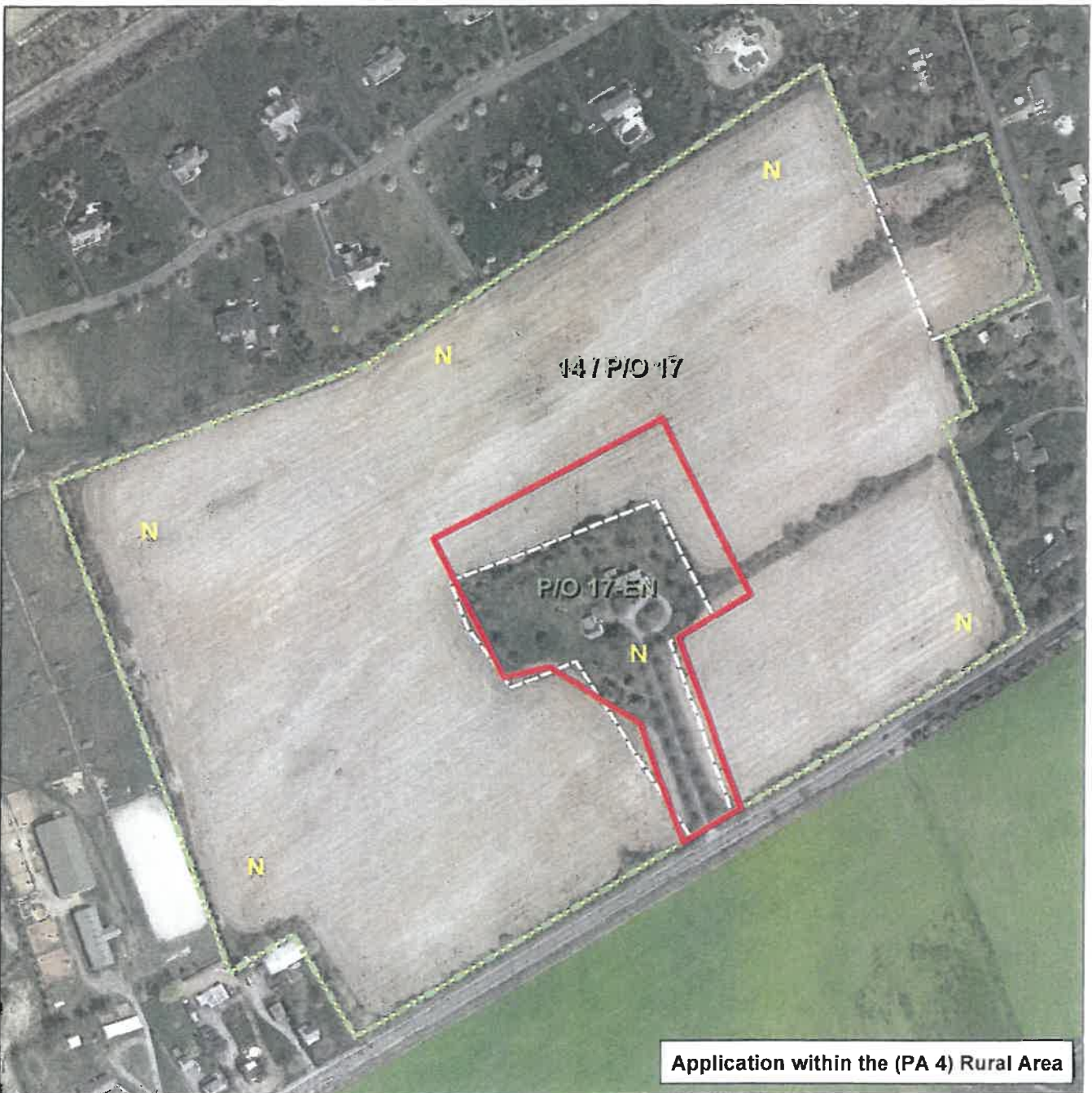
Wetlands Legend:  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
B - 300' Buffer  
W - Water



# Wetlands

Schedule B

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

D & R Greenway Land Trust, Inc. (Muscente)  
Block 14 Lots P/O 17 (44.97 ac);  
& P/O 17-EN (non-severable exception - 6.0 ac)  
Gross Total = 50.98 ac  
Hopewell Twp., Mercer County



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJDEP Wetlands Data  
NJGIT/OGIS 2015 Digital Aerial Image

**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.



- Property In Question
- EN - (Non-Severable) Exception
- Original Configuration
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

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

September 12, 2019



# Preserved Farms and Active Applications Within Two Miles

Schedule E

X:\counties\atlco\projects\ID & R Greenway Land Trust, Inc. (Muscente) 2mile 3.mxd



Application within the (PA4) Rural Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

D & R Greenway Land Trust, Inc. (Muscente)  
Block 14 Lots P/O 17 (45.0 ac);  
& P/O 17-EN (non-severable exception - 6.0 ac)  
Gross Total = 51.0 ac  
Hopewell Twp., Mercer County

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

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

- Property In Question
- EN - (Non-Severable) Exception
- ES - (Severable) Exception
- Preserved Easements
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJOT/OGIS 2015 Digital Aerial Image

September 12, 2019



Schedule C

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

D & R Greenway Land Trust, Inc. (Muscente)  
11- 0017-NP  
No Value Selected Easement Purchase - Nonprofit  
45 Acres

Block 14	Lot 17	Hopewell Twp.	Mercer County
SOILS:		Local	6% * .05 = .30
		Prime	89% * .15 = 13.35
		Statewide	5% * .1 = .50
			SOIL SCORE: 14.15
TILLABLE SOILS:		Cropland Harvested	96% * .15 = 14.40
		Other	4% * 0 = .00
			TILLABLE SOILS SCORE: 14.40

**FARM USE:**

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 six (6) acres for Existing single family residence
    - Exception is not to be severable from Premises
    - Exception is to be limited to one existing single family residential unit(s)
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for 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 #FY2020R9(11)**  
**Final Review and Approval of a SADC Easement Purchase**  
**On the Property of The Frank Rizzi Income Only Trust ("Owner")**

**SEPTEMBER 26, 2019**

Subject Property:   **The Frank Rizzi Income Only Trust ("Owner")**  
                            Block 5, Lot 11  
                            South Harrison Township, Gloucester County  
                            SADC ID#:08-0043-DE  
                            Approximately 128.36 Net Easement Acres

WHEREAS, on November 21, 2018, the State Agriculture Development Committee ("SADC") received a development easement sale application from the Co-Trustees of **The Frank Rizzi Income Only Trust**, hereinafter "Owner," identified as Block 5, Lot 11, South Harrison Township, Gloucester County, hereinafter "the Property," totaling approximately 129.37 gross 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, the Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the Property includes one (1), approximately 1.01 acre non-severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 128.36 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes

- 1) Zero (0) existing residential units
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in corn and hay production; 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 26, 2018, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Gloucester County (minimum acreage of 55 and minimum quality score of 55) because it is approximately 128.36 acres and has a quality score of 73.36; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 23, 2019 the SADC certified a development easement value of \$7,250 based on zoning and environmental regulations in place as of the current valuation date March 29, 2019; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement for \$7,250 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:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$7,250 per acre for a total of approximately \$931,610 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.



5. 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.
6. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
7. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

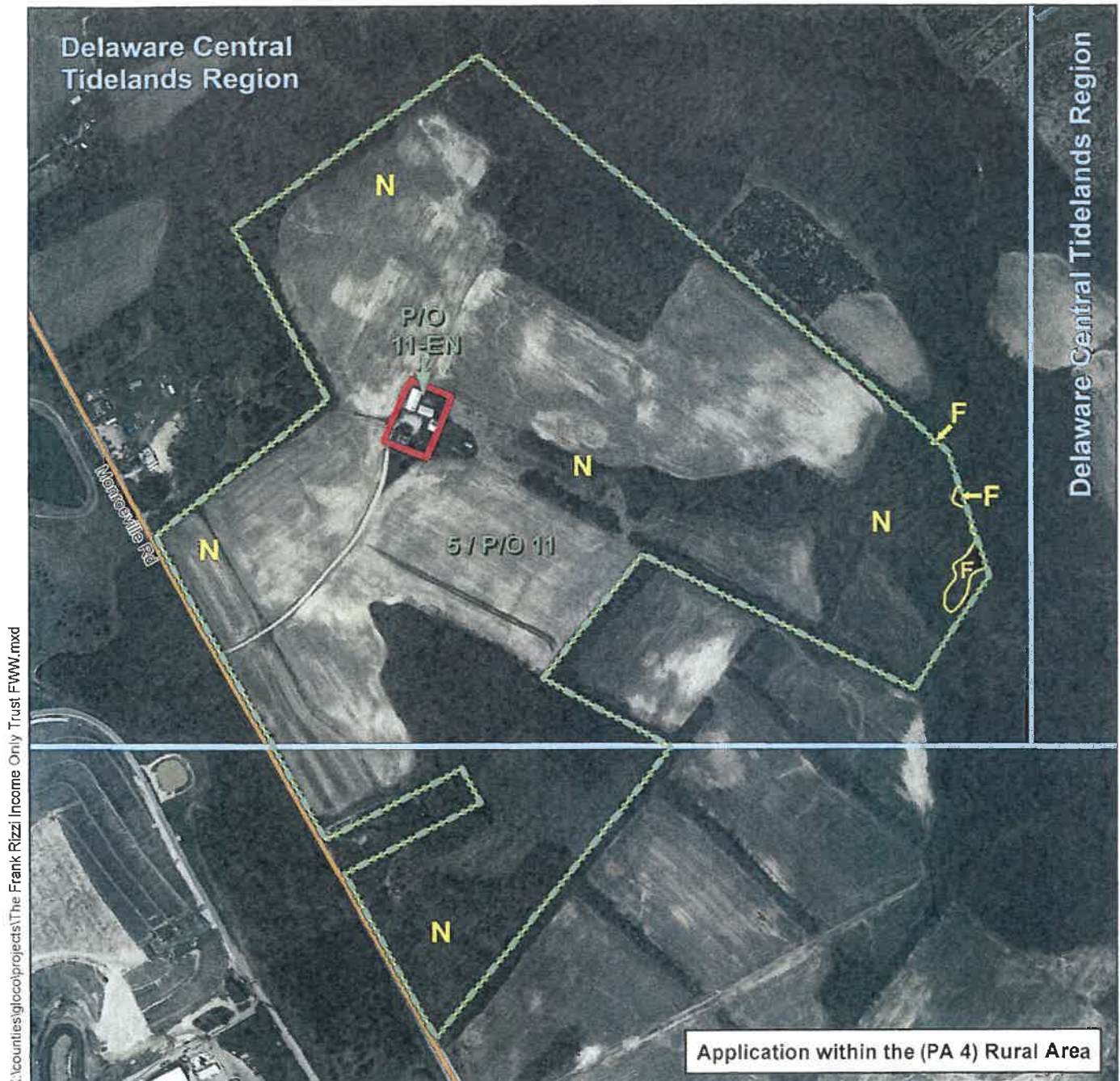
\_\_\_\_9/26/19\_\_\_\_  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Wetlands



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

The Frank Rizzi Income Only Trust  
Block 5 Lots P/O 11 (128.37 ac) & P/O 11-EN (non-severable exception – 1.01 ac.)  
Gross Total 129.37 ac.  
South Harrison Twp. Gloucester 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  
W - Water

**Sources:**  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJDEP Wetlands Data  
NJ Highlands Council Data  
NJ Pinelands Commission PDC Data  
NJOT/OGIS 2015 Digital Aerial Image

November 26, 2018

JUNE 2011

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

The Frank Rizzi Income Only Trust  
Easement Purchase - SADC  
128 Acres

Block 5	Lot 11	South Harrison Twp.	Gloucester County
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SOILS:	Other	16% * 0	=	.00
	Prime	55% * .15	=	8.25
	Statewide	29% * .1	=	2.90
			SOIL SCORE:	11.15

TILLABLE SOILS:	Cropland Harvested	70% * .15	=	10.50
	Woodlands	30% * 0	=	.00
			TILLABLE SOILS SCORE:	10.50

FARM USE:

**This final approval is subject to the following:**

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st one (1) acres for Existing family residences and farm buildings
    - Exception is not to be severable from Premises
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.



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

GENERAL INFORMATION

COUNTY OF Gloucester South Harrison Twp. 0816

APPLICANT The Frank Rizzi Income Only Trust

PRIORITIZATION SCORE

SOILS:	Other	16% *	0	=	.00
	Prime	55% *	.15	=	8.25
	Statewide	29% *	.1	=	2.90

SOIL SCORE: 11.15

TILLABLE SOILS:	Cropland Harvested	70% *	.15	=	10.50
	Woodlands	30% *	0	=	.00

TILLABLE SOILS SCORE: 10.50

BOUNDARIES AND BUFFERS:	Commercial	8% *	0	=	.00
	Deed Restricted Farmland (Permanent)	50% *	.2	=	10.00
	Residential Development	10% *	0	=	.00
	Woodlands	32% *	.06	=	1.92

BOUNDARIES AND BUFFERS SCORE: 11.92

CONTIGUOUS PROPERTIES / DENSITY:	Frank Rizzi Trust	Restricted Farm or Current Application	2
	Marino, Rita	Restricted Farm or Current Application	2
	Cain, Ann	Restricted Farm or Current Application	2
	Maccherone, Santo	Restricted Farm or Current Application	2
	Constantino, T.	Restricted Farm or Current Application	2
	Leone, Alfred	Restricted Farm or Current Application	2
	Piersol, Susan	Restricted Farm or Current Application	2
	Sorbello, F & C	Restricted Farm or Current Application	2
	Gerlack, M	Restricted Farm or Current Application	2
	Chiuccarello, M	Restricted Farm or Current Application	2
	DiBella C & J	Restricted Farm or Current Application	2
	No Points	0	

DENSITY SCORE: 10.00

LOCAL COMMITMENT:	100% *	19	=	19.00
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LOCAL COMMITMENT SCORE: 19.00

SIZE:	SIZE SCORE:	8.65
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IMMINENCE OF CHANGE: SADC Impact factor = 2.14

IMMINENCE OF CHANGE SCORE: 2.14

COUNTY RANKING:

EXCEPTIONS:	EXCEPTION SCORE:	.00
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**TOTAL SCORE: 73.36**

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION #FY2020R9(12)**

**Final Review and Approval of a SADC Easement Purchase  
On the Property of Manno, Salvatore and Anette ("Owners")**

**September 26, 2019**

Subject Property:   Manno, Salvatore and Anette ("Owners")  
                          Block 13, Lot 3  
                          Quinton Township, Salem County  
                          SADC ID#: 17-0340-DE  
                          Approximately 103.5 Net Easement Acres  
                          Approximately 72.85 Non Tidelands Acres

WHEREAS, on November 2, 2018, the State Agriculture Development Committee ("SADC") received a development easement sale application from Salvatore and Anette Manno, hereinafter "Owners," identified as Block 13, Lot 3, Quinton Township, Salem County, hereinafter "the Property," totaling approximately 105.5 gross 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, the Owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the Property includes one (1), approximately 13.2+/- acre non-severable conservation exception area (CEA) for and limited to conservation purposes; and

WHEREAS, the 13.2-acre Conservation Easement Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to zero (0) residential opportunities; and

WHEREAS, the CEA on the Property has been approved for preservation through the Natural Resource Conservation Service (NRCS) Wetland Reserve Easement (WRE) program; and

WHEREAS, the majority of the CEA was identified as modified agricultural wetlands and forested wetlands where the hydrology has been degraded and could be restored; and

WHEREAS, the CEA will be permanently preserved and restored through a WRE, to be fully funded and the easement will be held by NRCS (Schedule A); and

WHEREAS, the Property includes one (1), approximately 1-acre non-severable exception area for an existing single family residential unit and one (1), approximately 1-acre non-severable exception area for a future single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 103.5 net acres to be preserved between the farmland and WRE easements; and

WHEREAS, the 1-acre Exception Areas:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall each be restricted to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception areas includes:

- 1) Zero (0) existing residential units
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in hay and corn production; 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 26, 2018, 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 92 and minimum quality score of 62) because it is approximately 103.5 acres and has a quality score of 62.25; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on July 25, 2019 the SADC certified a development easement value of \$3,800 per acre based on zoning and environmental regulations in place as of the current valuation date May 15, 2019; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$3,800 per acre; and

WHEREAS, on August 13, 2019 the NRCS made an offer to purchase an easement on the 13.2 +/- CEA for \$3,536.36 per acre and restore the area at no cost to the landowners; and

WHEREAS, the Owners accepted the NRCS offer to purchase the easement for \$3,536.36 per acre; and



WHEREAS, the estimated cost share breakdown is as follows (based on 103.5 acres with approximately 17.45 tidelands acres which are not payable acres under the easement):

SADC	\$276,830	(based on 72.85 non tidelands acres)
NRCS	\$ 46,680	(based on 13.20 acres)
Total	\$323,510	(\$3,759.56/acre (blended) on 86.05 payable acres)

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:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$3,800 per acre for a total of approximately \$276,830 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of the exception areas and the CEA, 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 as identified in Policy P-3-C.
4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
5. 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.
6. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
7. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.



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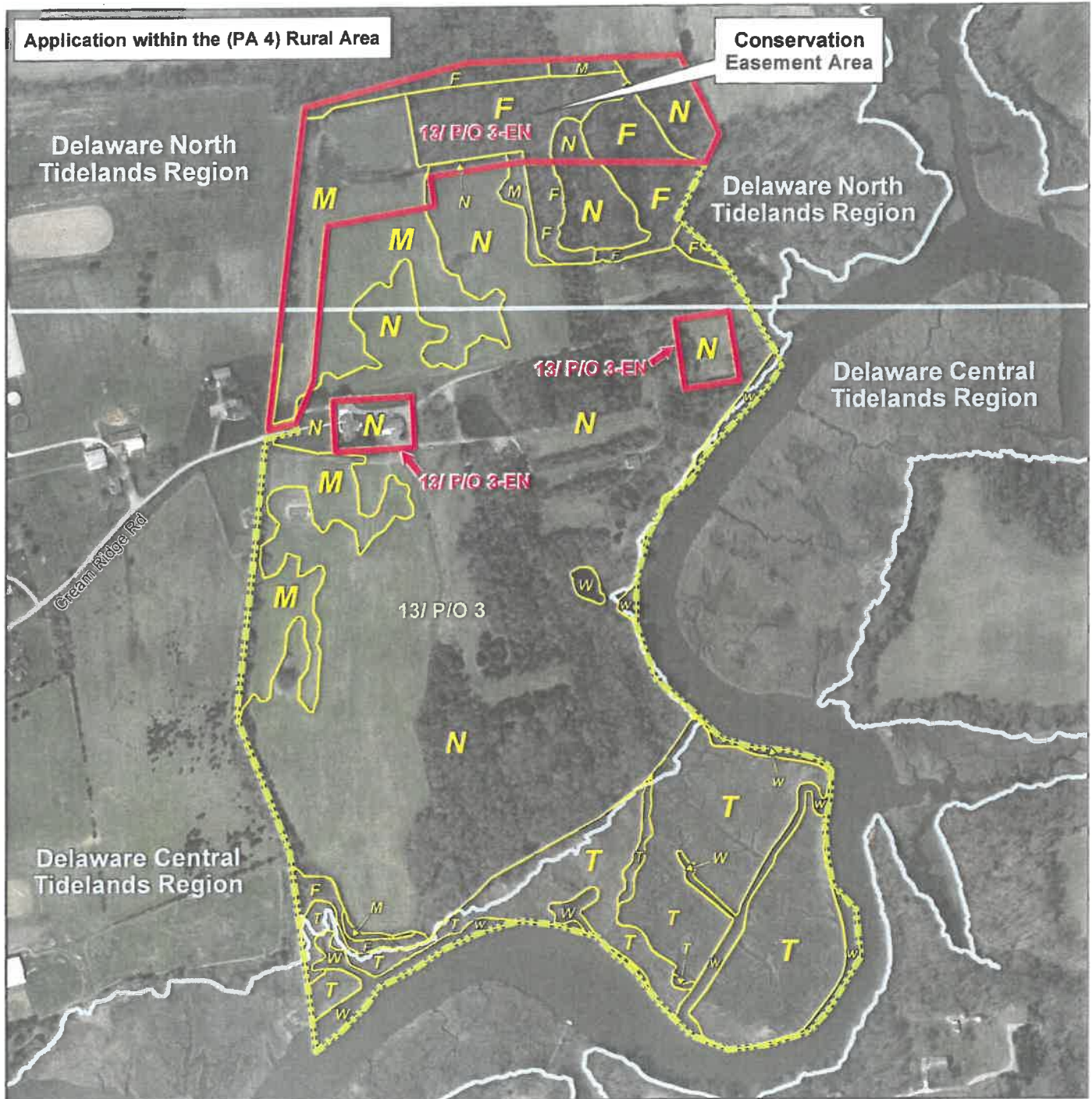
Date

Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Wetlands



X:\counties\sarco\projects\Manno, Salvatore & Annette (D & R Greenway Land Trust) fww2.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Manno, Salvatore and Anette  
Block 13 Lots P/O 3 (90.3 ac) &  
P/O 3-EN (non-severable exceptions - 1.0 ac, 1.0 ac & 13.2 ac)  
Gross Total = 105.5 ac  
Quinton Twp., Salem County

500 250 0 500 1,000 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.

**Sources:**  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJDEP Wetlands Data  
NJOT/OGIS 2015 Digital Aerial Image

**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

- Property In Question
- EN - (Non-Severable) Exception
- Wetlands Boundaries
- Primary - Limited Access
- Federal or State Hwys
- County Roads
- Municipal/Local Roads
- Tideland Boundary

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



Schedule B

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Manno, Salvatore & Annette  
Easement Purchase - SADC  
90 Acres

Block 13	Lot 3	Quinton Twp.	Salem County	
SOILS:		Other	11% * 0	= .00
		Prime	70% * .15	= 10.50
		Statewide	8% * .1	= .80
		Unique zero	11% * 0	= .00
				SOIL SCORE: 11.30
TILLABLE SOILS:		Cropland Harvested	42% * .15	= 6.30
		Other	24% * 0	= .00
		Wetlands	3% * 0	= .00
		Woodlands	31% * 0	= .00
				TILLABLE SOILS SCORE: 6.30
FARM USE:	Soybeans-Cash Grain	50 acres		
	Hay	8 acres		

**This final approval is subject to the following:**

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
  - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
  - b. Exceptions:
    - 1st one (1) acres for Future flexibility  
Exception is not to be severable from Premises  
Exception is to be limited to one existing single family residential unit(s)
    - 2nd one (1) acres for Future flexibility - cottage  
Exception is not to be severable from Premises  
Exception is to be limited to one existing single family residential unit(s)
    - 3rd (13.2) acres for Conservation Easement Area (CEA)  
Exception is not to be severable from Premises  
Exception is to be limited to zero future single family residential unit(s)  
The CEA has been approved for preservation through the NRCS, Wetland Reserve Easement (WRE) program.
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

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

GENERAL INFORMATION

COUNTY OF Salem Quinton Twp. 1711

APPLICANT Manno, Salvatore & Annette

PRIORITIZATION SCORE

SOILS:	Other	11%	*	0	=	.00
	Prime	70%	*	.15	=	10.50
	Statewide	8%	*	.1	=	.80
	Unique zero	11%	*	0	=	.00

SOIL SCORE: 11.30

TILLABLE SOILS:	Cropland Harvested	42%	*	.15	=	6.30
	Other	24%	*	0	=	.00
	Wetlands	3%	*	0	=	.00
	Woodlands	31%	*	0	=	.00

TILLABLE SOILS SCORE: 6.30

BOUNDARIES	Deed Restricted Farmland (Permanent)	24%	*	.2	=	4.80
AND BUFFERS:	Residential Development	4%	*	0	=	.00
	Streams and Wetlands	69%	*	.18	=	12.42
	Woodlands	3%	*	.06	=	.18

BOUNDARIES AND BUFFERS SCORE: 17.40

CONTIGUOUS	Manno	Restricted Farm or Current Application	2
PROPERTIES	Schultz	Restricted Farm or Current Application	2
/ DENSITY:	Major	Restricted Farm or Current Application	2
	Tark (#2)	Restricted Farm or Current Application	2
	Harris	Restricted Farm or Current Application	2

DENSITY SCORE: 10.00

LOCAL COMMITMENT: 100% \* 16 = 16.00

LOCAL COMMITMENT SCORE: 16.00

SIZE: SIZE SCORE: 3.66

IMMIMENCE OF CHANGE: SADC Impact factor = 1.25

IMMINENCE OF CHANGE SCORE: 1.25

COUNTY RANKING:

EXCEPTIONS: EXCEPTION SCORE: .00

TOTAL SCORE: 65.91

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2020R9(13)**

**AMENDED FINAL REVIEW AND APPROVAL OF A SADC EASEMENT PURCHASE  
RESOLUTION #FY2019R1(10)**

**On the Property of Walter, John H. ("Owner")**

**September 26, 2019**

Subject Property: Walter, John H.  
Block 15, Lot 4 & 23 - Mannington Township, Salem County  
Block 10, Lot 10 - Alloway Township, Salem County  
SADC ID#:17-0329-DE  
Approximately 88.5 Net Easement Acres

**Amendment Synopsis:**

- Shift the non-severable exception 135 feet north east along Oeschle Road.
- Recognize the Agricultural Land Easement (ALE) grant funding will amount to less than 50% of the total grant amount.
- Approve a new cost share based on the amount of ALE funding that has been approved by Natural Resources Conservation Service (NRCS).
- Approve a payout of the easement purchase price in payments over a 3 year period.

WHEREAS, on September 26, 2017, the State Agriculture Development Committee ("SADC") received a development easement sale application from John H. Walter, hereinafter "Owner," identified as Block 15, Lots 4 & 23, Mannington Township, Salem County and Block 10, Lot 10, Alloway Township, Salem County, hereinafter "the Property," totaling approximately 93.330 gross survey acres, identified in (Schedule A); and

WHEREAS, the June 28, 2018 SADC Preliminary Approval for the Property as an "Alternate" farm included use of SADC's "Partnership Pool" funding and was conditioned upon receipt of an ALE grant in an amount equal or greater than 50% of the SADC's certified fair market value of the easement; and

WHEREAS, the January 24, 2019 SADC Final Approval for the Property included one (1), 3-acre nonseverable exception area for a future single family residential unit, with zero (0) residential units on the Property outside the exception area, and an easement value of \$5,700/acre on approximately 90.330 net survey easement acres (Schedule B); and

**WHEREAS, the Exception Area:**

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be restricted to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the Landowner has since requested that the exception area be shifted 135 feet from the previously requested location to accommodate getting around a conservation drainage ditch to access the southwestern field; and



WHEREAS, the SADC review appraiser agreed that moving the exception area would not impact the certified market values and, therefore, the easement value of \$5,700 per acre remains unchanged; and

WHEREAS, subsequent to SADC Final Approval, the ALE easement value was approved by the NRCS at \$4,400 per acre, resulting in a 50% ALE grant of \$2,200 per acre or approximately \$198,726 and 38.6% of the SADC certified easement value; and

WHEREAS, the SADC's "Partnership Pool" funding, as approved by the SADC on September 20, 2017, does not specify a required minimum partner cost share percentage, therefore the reduction in the available ALE grant from an anticipated 50% level to 39.6% still meets the leverage requirement associated with use of SADC "Partnership Pool" funds; and

WHEREAS, the new estimated cost share breakdown is as follows (based on 88.5 acres):

	<u>Total</u>	<u>Per Acre</u>
SADC	\$316,155	(\$3,500/acre)
ALE	\$198,726	(\$2,200/acre)
Total	\$514,881	(\$5,700/acre)

WHEREAS, the Owner requested that payment of the purchase price for the development easement be made in phases over a 3 year period; and

WHEREAS, the NRCS requires its grant to be paid at the closing on the Deed of Easement, therefore the anticipated payout to the landowner will be as follows, subject to final survey acreage:

- 1) 2019 Closing date: \$198,726 federal grant
- 2) January 31, 2020: 50% of SADC cost (est. \$158,077.50)
- 3) January 29, 2021: 50% of SADC cost (est. \$158,077.50)

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. This amended final approval is conditioned upon receipt of an ALE grant of \$2,200 per acre for an estimated \$198,726.
3. The payments in 2019, 2020 and 2021 as set forth above will be memorialized in the recorded Deed of Easement.
  - a. The deed of easement shall include a paragraph 26 pursuant to N.J.A.C. 2:76-6.15(b), which will state, *"Grantor has requested and agrees to receive the consideration for this Deed of Easement in phased payments from the Grantee. Grantor agrees that its conveyance of the Deed of Easement shall be irrevocable and that Grantor's only remedy in the event of a default in payment by Grantee shall be a money judgment against the Grantee and not against any successor in title to the Deed of Easement. Notwithstanding the foregoing, Grantee reserves any defenses available to it under applicable law, including but not limited to those defenses available under the New Jersey Tort Claim Act, N.J.S.A. 59:1-1, et seq. and New Jersey Contractual Liability Act, N.J.S.A. 59:13-1, et seq. Grantor further agrees that it shall make no attempt to rescind or otherwise terminate this Deed of Easement for any reason whatsoever."*

- b. Owner shall, as a condition of closing on the sale of the development easement, execute an agreement under which he shall hold the SADC harmless for, from and against any losses of any kind Grantor incurs should the consequences of proceeding with the phased payment schedule do not result as Owner intended or anticipated.
4. All other provisions of the final approval RESOLUTION #FY2019R1(10) shall remain in effect; and
5. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
6. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
7. 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.
8. his approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date



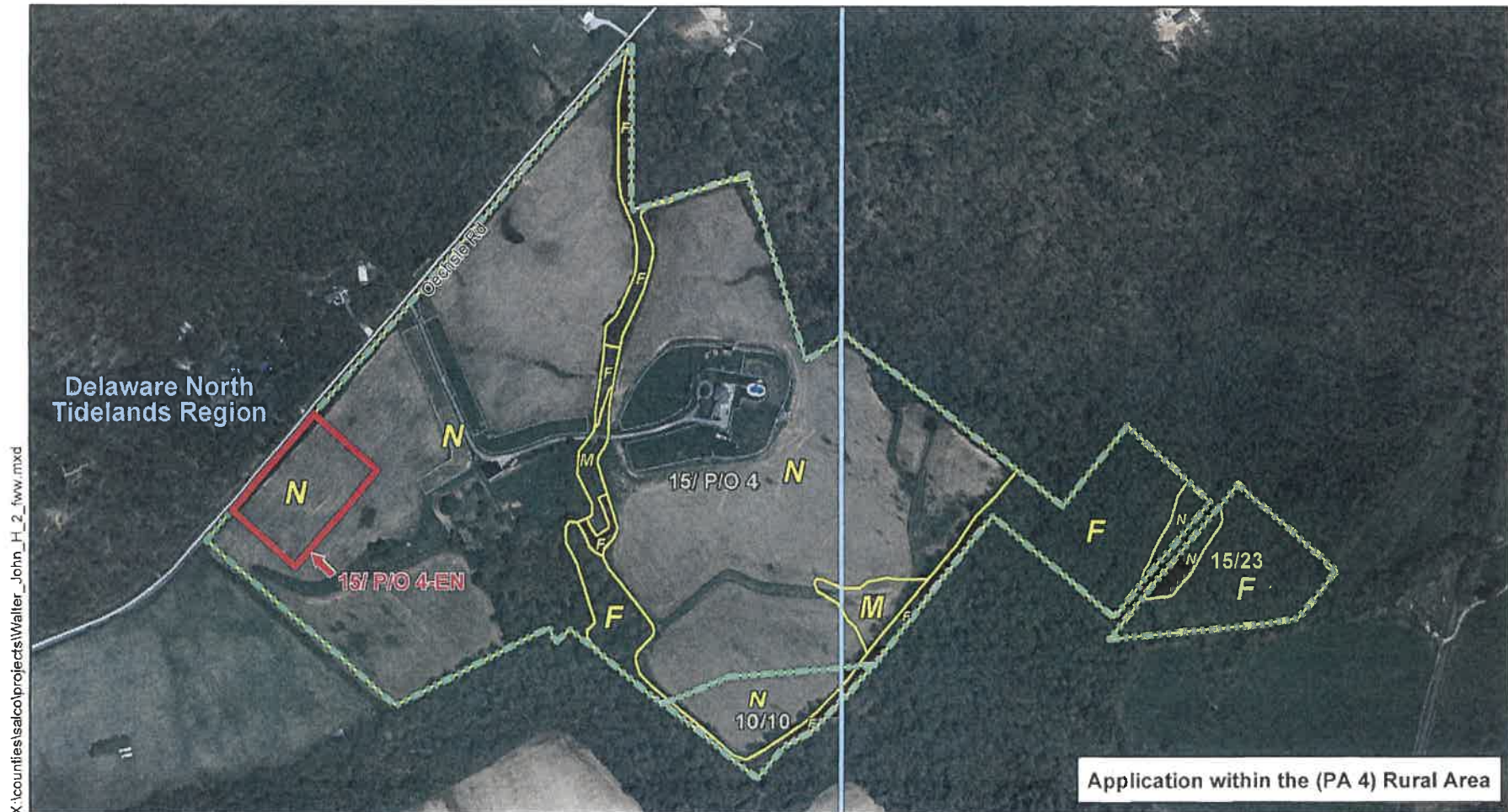
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Wetlands

Schedule A

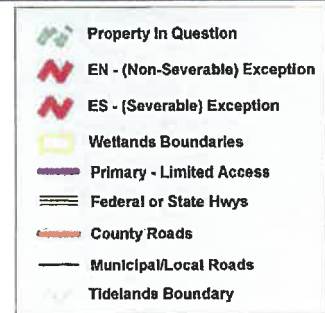


## FARMLAND PRESERVATION PROGRAM. NJ State Agriculture Development Committee

Walter, John H.  
Mannington Twp. - Block 15 Lots P/O 4 (80.4 ac);  
P/O 4-EN (non-severable exception - 3.0 ac); & 23 (4.9 ac)  
Alloway Twp. - Block 10 Lot 10 (3.2 ac)  
Gross Total - 96.2 ac  
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.

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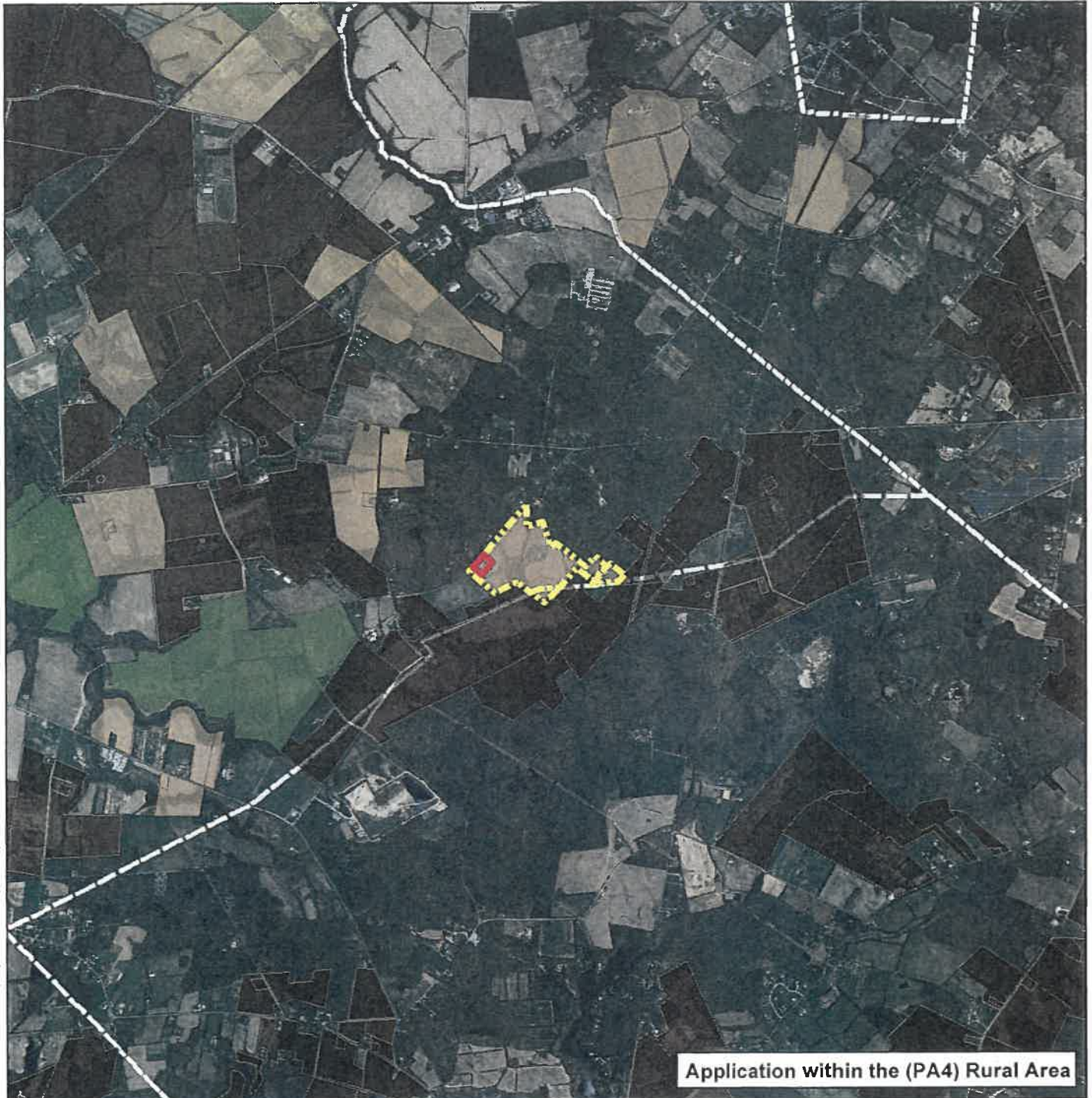
**Wetlands Legend:**  
F - Freshwater Wetlands  
L - Linear Wetlands  
M - Wetlands Modified for Agriculture  
T - Tidal Wetlands  
N - Non-Wetlands  
R - 300' Buffer  
W - Water

**Sources:**  
NJ Farmland Preservation Program  
Green Acres Conservation Assessment Data  
NJDEP Wetlands Data  
NJDOT Road Data  
NJOTIS 2015 Digital Data  
2019



# Preserved Farms and Active Applications Within Two Miles

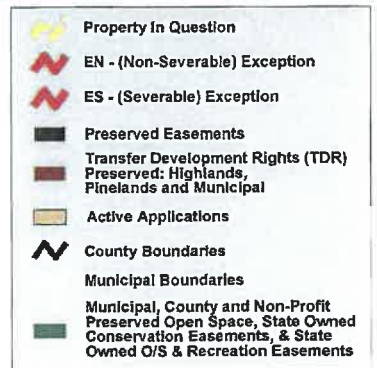
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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Walter, John H.  
Mannington Twp. - Block 15 Lots P/O 4 (80.4 ac);  
P/O 4-EN (non-severable exception - 3.0 ac); & 23 (4.9 ac)  
Alloway Twp. - Block 10 Lot 10 (3.2 ac)  
Gross Total - 96.2 ac  
Salem County

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



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

Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJGIT/OGIS 2015 Digital Aerial Image

June 11, 2019

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R1(10)

Final Review and Approval  
SADC Easement Purchase

On the Property of  
Walter, John H. ("Owner")

January 24, 2019

Subject Property: Walter, John H.  
Block 15, Lot 4 & 23  
Mannington Township, Salem County  
Block 10, Lot 10  
Alloway Township, Salem County  
SADC ID#:17-0329-DE  
Approximately 88.5 Net Easement Acres

WHEREAS, on September 26, 2017, the State Agriculture Development Committee ("SADC") received a development easement sale application from John H. Walter, hereinafter "Owner," identified as Block 15, Lots 4 & 23, Mannington Township, Salem County and Block 10, Lot 10, Alloway Township, Salem County, hereinafter "the Property," totaling approximately 91.5 gross 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, the Property includes one (1), approximately 3 acre non-severable exception area for and limited to one (1) future single family residential unit and to afford future flexibility of uses resulting in approximately 88.5 net acres to be preserved; and

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

WHEREAS, at the time of application, the Property was devoted to corn, pig, beef, sheep, chicken, and goat production; and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.I.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 27, 2017, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff found that the Property, has a quality score of 70.50 and contains approximately 88.5 net acres; and

WHEREAS, the Property does not meet the SADC's minimum ranking criteria for the "Priority" category in Salem County which requires a quality score of at least 61 combined with at least 92 acres, however it is higher than the minimum quality score of 48 and 67 acres needed for an "Alternate" farm designation, therefore, this farm is categorized as an "Alternate" farm, requiring SADC preliminary approval; and

WHEREAS, on June 28, 2018, the SADC granted Preliminary Approval to this Application (Schedule C)

WHEREAS, pursuant to the Tier 3 category Direct Easement application selection procedure approved by the SADC on September 28, 2017, the SADC may utilize the "Partnership Pool" funding for farms that leverage SADC funds by utilizing non-SADC funding, including those that do not meet SADC's "Priority" criteria; and

WHEREAS, a parcel application was submitted by the SADC to the United States Department of Agriculture, Natural Resources Conservation Service (NRCS), Agriculture Conservation Easement Program (ACEP) for an Agricultural Land Easement (ALE) grant; and

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

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including no future division of the premises and a 5.33% maximum impervious coverage restriction (approximately 4.7 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, this final approval is conditioned upon receipt of an ALE grant in an amount equal or greater than 50% of the SADC's certified fair market value of the easement; and; and

WHEREAS, pursuant to N.I.A.C. 2:76-17.11, on December 6, 2018, the SADC certified a development easement value of \$5,700 per acre based on zoning and environmental regulations in place as of the current valuation date August 22, 2018; and



WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$5,700 per acre; and

WHEREAS, at this time the ALE approved current easement value has not been finalized, therefore, the estimated ALE grant of \$2,850 per acre (50% of \$5,700) or approximately \$252,225 in total ALE funds will be utilized; and

WHEREAS, the Owner has read and signed SADC Guidance Documents regarding ALE Grants, Exceptions, Division of the Premises, and Non-Agricultural Uses; 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:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$5,700 per acre for a total of approximately \$252,225 subject to the conditions contained in (Schedule B).
3. This final approval is conditioned upon receipt of an ALE grant in an amount equal or greater than 50% of the SADC's certified fair market value of the easement.
4. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
5. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. 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.

7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1/24/2019



Date

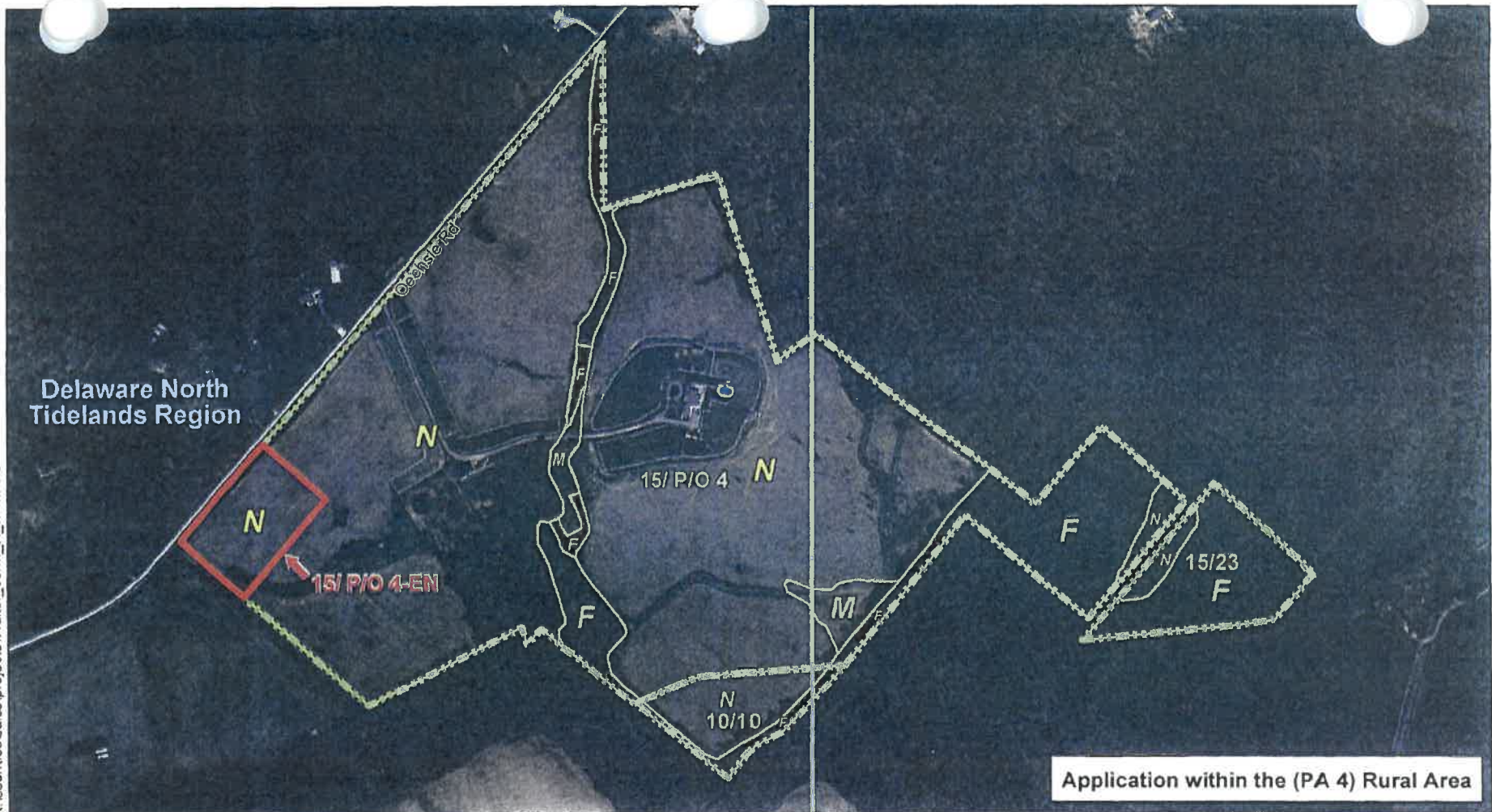
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	ABSENT
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	ABSENT
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

# Wetlands

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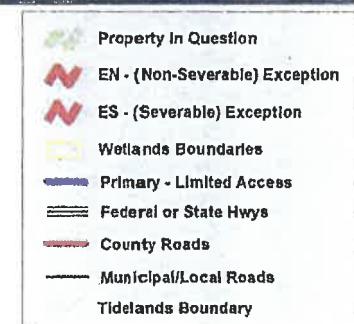
## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Walter, John H.  
Mannington Twp. - Block 15 Lots P/O 4 (80.4 ac);  
P/O 4-EN (non-severable exception - 3.0 ac); & 23 (4.9 ac)  
Alloway Twp. - Block 10 Lot 10 (3.2 ac)  
Gross Total - 91.5 ac  
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:**  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJDEP Wetlands Data  
NJDOT Road Data  
NJOTGIS 2015 Digital Aerial Image

October 20, 2017

Schedule A



schedule in

# Preserved Farms and Active Applications Within Two Miles

X:\counties\sa\projects\Walter\_John\_H\_2mile.mxd

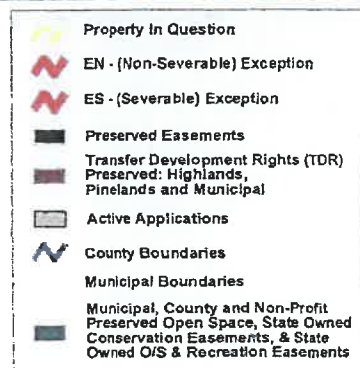


## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Walter, John H.  
Mannington Twp. - Block 15 Lots P/O 4 (80.4 ac);  
P/O 4-EN (non-severable exception - 3.0 ac); & 23 (4.9 ac)  
Alloway Twp. - Block 10 Lot 10 (3.2 ac)  
Gross Total - 91.5 ac  
Salem County

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

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



Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
NJOT/OGIS 2015 Digital Aerial Image

October 20, 2017

Schedule B

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Walter, John H.  
Easement Purchase - SADC  
89 Acres

Block 15	Lot 4	Mannington Twp.	Salem County
Block 15	Lot 23	Mannington Twp.	Salem County
Block 10	Lot 10	Alloway Twp.	Salem County

SOILS:	Other	11% *	0	=	.00
	Prime	89% *	.15	=	13.35

SOIL SCORE: 13.35

TILLABLE SOILS:	Cropland Harvested	69% *	.15	=	10.35
	Other	5% *	0	=	.00
	Wetlands	16% *	0	=	.00
	Woodlands	10% *	0	=	.00

TILLABLE SOILS SCORE: 10.35

FARM USE:	Corn-Cash Grain	55 acres	
	Beef Cattle Feedlots	2 acres	
	Horse & Other Equine	3 acres	
	Sheep & Goats	32 acres	Goats
	Fowls, Broilers & Fryers	10 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 three (3) acres for Future dwelling
    - Exception is not to be severable from Premises
    - Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
  - c. Additional Restrictions:

FY18 ALE via SADC subject to 5.33% maximum impervious cover restriction on the Premises and no future subdivisions.
  - 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
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

## STATE AGRICULTURE DEVELOPMENT COMMITTEE

## RESOLUTION #FY2018R6(6)

Preliminary Approval  
SADC Easement Purchase  
of an  
"ALTERNATE" FARM

On the Property of  
Walter, John H.

June 28, 2018

Subject Property: Walter, John H.  
Block 15, Lot 4 & 23  
Mannington Township, Salem County  
Block 10, Lot 10  
Alloway Township, Salem County  
SADC ID#:17-0329-DE  
Approximately 88.5 Net Easement Acres

WHEREAS, pursuant to N.J.A.C. 2:76-11.3, an owner of farmland may offer to sell to the State Agriculture Development Committee ("SADC") a development easement on the farmland; and

WHEREAS, on September 25, 2017, the SADC received a development easement sale application from John H. Walter, hereinafter "Owner," identified as Block 15, Lot 4 & 23, Mannington Township, Salem County, & Block 10, Lot 10, Alloway Township, Salem County, hereinafter "the Property," totaling approximately 91.5 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes one (1), approximate 3-acre non-severable exception area for and limited to one (1) future single family residential unit, resulting in approximately 88.5 net acres to be preserved; and

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

WHEREAS, at the time of application, the Property was devoted to corn, pig, beef, sheep, chicken, and goat production; 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 27, 2017 which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff finds that the Property, has a quality score of 70.50 and contains approximately 88.5 net acres (Schedule B); and



WHEREAS, the Property does not meet the SADC's Salem County minimum ranking criteria for the "Priority" category which requires a quality score of at least 61 combined with at least 92 acres, however it is higher than the minimum quality score of 48 and 67 acres needed for an "Alternate" farm designation, therefore, this farm is categorized as an "Alternate" farm, requiring SADC preliminary approval; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, as per selection procedures approved by the SADC on September 20, 2017, SADC's "Partnership Pool" funding may be utilized for farms that leverage SADC funds by utilizing non-SADC funding, including those that do not meet SADC's "Priority" criteria; and

WHEREAS, a parcel application was submitted by SADC staff to the FY2018 United States Department of Agriculture, Natural Resources Conservation Service (NRCS), Agriculture Conservation Easement Program (ACEP) for an Agricultural Land Easement (ALE) grant; and

WHEREAS, the NRCS has determined that the Property and Landowner qualified for ALE grant funds which is estimated to provide a grant equal to 50% of the easement value; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including a 5.33% maximum impervious coverage restriction (approximately 4.7 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, because this Property is an "Alternate Farm" and because ALE funding has been preliminarily secured to leverage SADC funding, this farm will utilize SADC's "Partnership Pool" as per the Direct Easement selection procedures approved by the SADC on September 20, 2017; and

WHEREAS, this preliminary approval is conditioned upon receipt of an ALE grant in an amount equal or greater than 50% of the SADC's certified fair market value of the easement; and


NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:

1. Utilize SADC's "Partnership Pool" funding used only for transactions that leverage SADC funds through the use of non-SADC funding
2. Enter into a 120 day option agreement with the Landowner
3. Secure two independent appraisals to estimate the fair market value of the Property
4. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC
5. Continue processing the ALE application to secure a grant equal to approximately 50% of the easement purchase price; and

BE IT FURTHER RESOLVED, this preliminary approval is conditioned upon receipt of an ALE grant in an amount equal or greater than 50% of the SADC's certified fair market value of the easement; 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.

6/28/2018  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

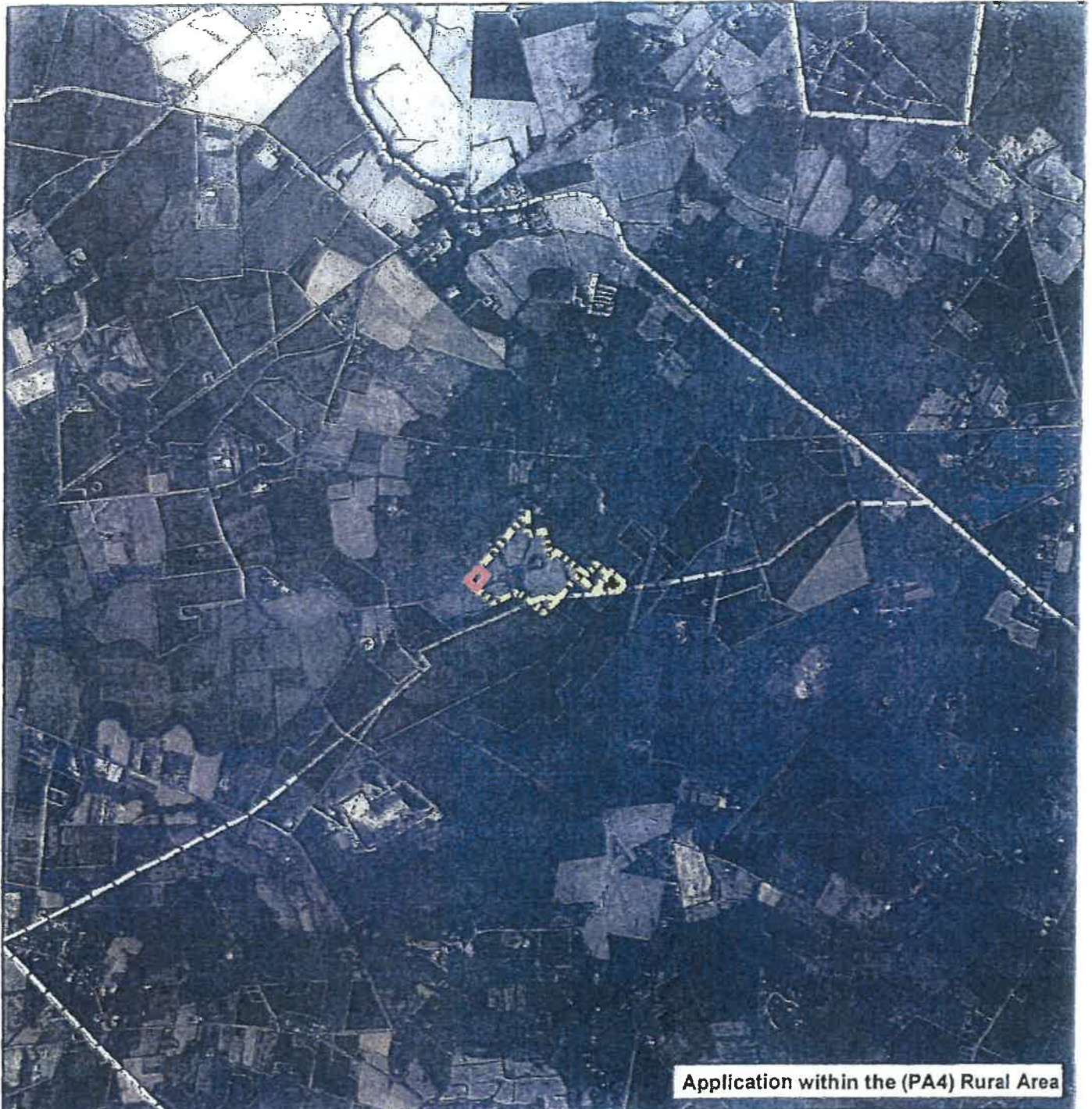
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	ABSENT
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	ABSENT
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

S:\DIRECT EASEMENT PURCHASE\All Counties\SALEM\Walter, John H\Walter, John H. Preliminary Approval.doc

# Preserved Farms and Active Applications Within Two Miles

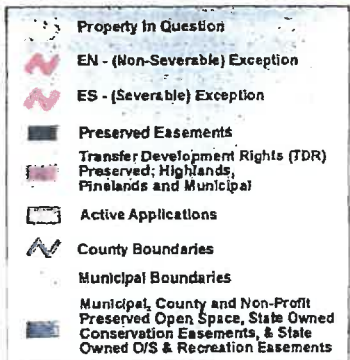
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Application within the (PA4) Rural Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Walter, John H.  
Mannington Twp. - Block 15 Lots P/O 4 (80.4 ac);  
P/O 4-EN (non-severable exception - 3.0 ac); & 23 (4.9 ac)  
Alloway Twp. - Block 10 Lot 10 (3.2 ac)  
Gross Total - 91.5 ac  
Salem County



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



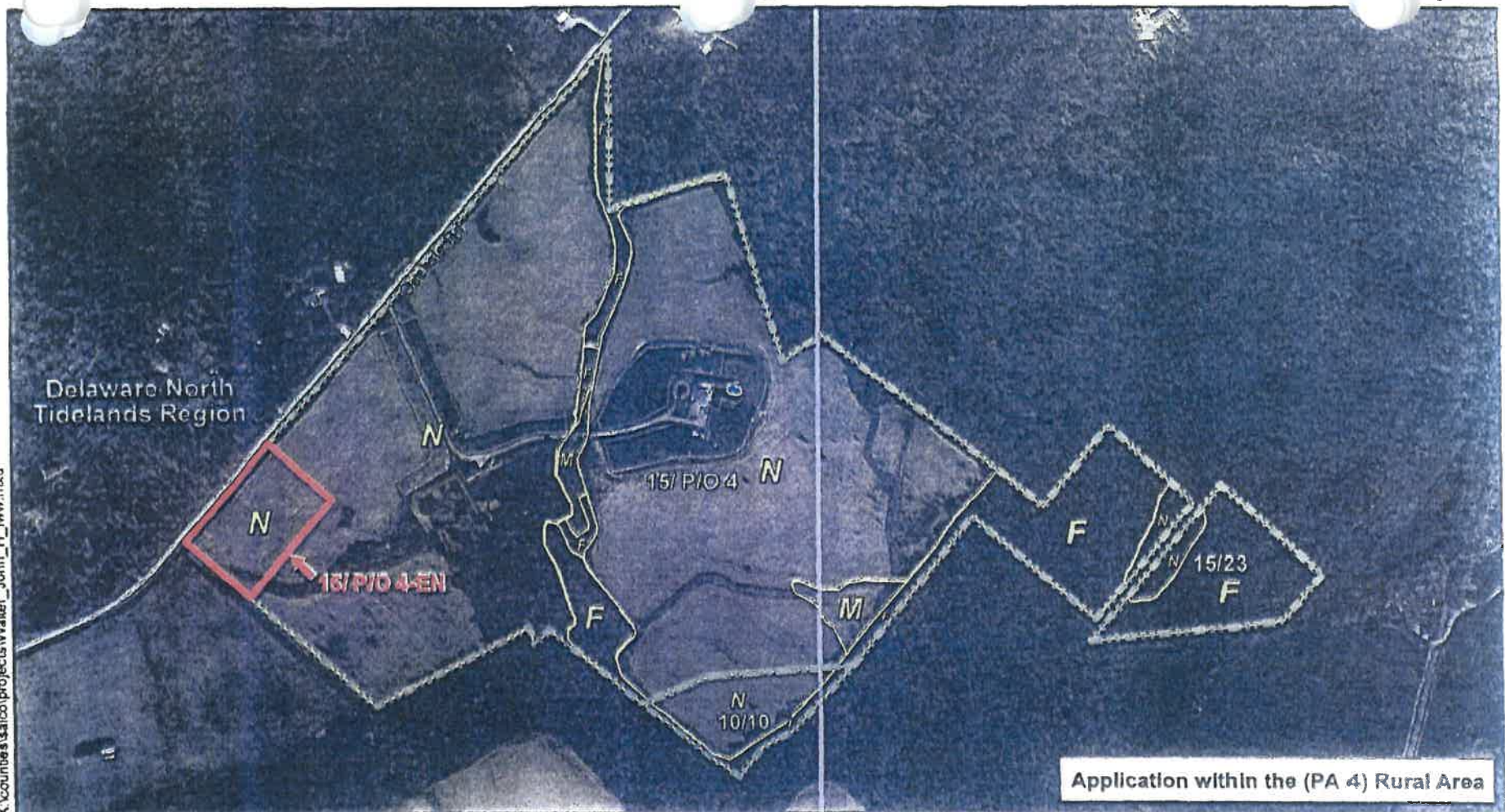
NOTE:  
The parcel location and boundaries shown on this map are approximations and should not be construed  
to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

Sources:  
NJ Farmland Preservation Program  
Open Acres Conservation Easement Data  
NORTH/DBIS 2015 Digital Aerial Image

October 20, 2017



X:\counties\salco\projects\Walter\_John\_H\_fww.mxd



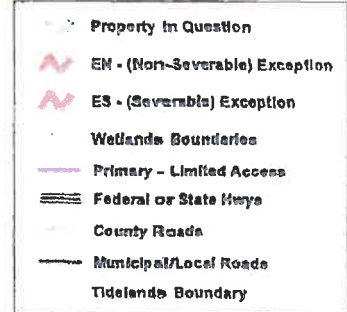
### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Walter, John H.  
Mannington Twp. - Block 15 Lots P/O 4 (80.4 ac);  
P/O 4-EN (non-severable exception - 3.0 ac); & 23 (4.9 ac)  
Alloway Twp. - Block 10 Lot 10 (3.2 ac)  
Gross Total - 91.5 ac  
Salem County

500 250 0 500 1,000 Feet

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

**Sources:**  
NJ Farmland Preservation Program  
Onion Acres Conservation Easement Data  
NJDEP Wetlands Data  
NIDIST Road Data  
NOAA/IGIS 2013 Digital Aerial Image

October 20, 2017

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

GENERAL INFORMATION

COUNTY OF Salem    Mannington Twp.    1705  
APPLICANT Walter, John H.

PRIORITIZATION SCORE

SOILS:	Other	11%	*	0	=	.00
	Prime	89%	*	.15	=	13.35
						SOIL SCORE: 13.35
TILLABLE SOILS:	Cropland Harvested	69%	*	.15	=	10.35
	Other	5%	*	0	=	.00
	Wetlands	16%	*	0	=	.00
	Woodlands	10%	*	0	=	.00
						TILLABLE SOILS SCORE: 10.35
BOUNDARIES	Deed Restricted Farmland (Permanent)	21%	*	.2	=	4.20
AND BUFFERS:	Farmland (Unrestricted)	11%	*	.06	=	.66
	Residential Development	3%	*	0	=	.00
	Streams and Wetlands	37%	*	.18	=	6.66
	Woodlands	28%	*	.06	=	1.68
						BOUNDARIES AND BUFFERS SCORE: 13.20
CONTIGUOUS	Walter	Restricted Farm or Current Application				2
PROPERTIES	Strang	Restricted Farm or Current Application				2
/ DENSITY:	Peruszewski	Restricted Farm or Current Application				2
	Barbara	Restricted Farm or Current Application				2
	Chard	Restricted Farm or Current Application				2
						DENSITY SCORE: 10.00
LOCAL COMMITMENT:		96.5%	*	19	=	18.34
						LOCAL COMMITMENT SCORE: 18.34
SIZE:						SIZE SCORE: 3.62
IMMIMENCE OF CHANGE:	SADC Impact factor =	1.64				
						IMMINENCE OF CHANGE SCORE: 1.64
COUNTY RANKING:						
EXCEPTIONS:						EXCEPTION SCORE: .00
						TOTAL SCORE: 70.50

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION #FY2020R9(14)  
FINAL REVIEW AND APPROVAL OF A SADC EASEMENT PURCHASE**

**On the Property of  
Alexandria Airpark, LLC ("Owner")**

**SEPTEMBER 26, 2019**

Subject Property:   **Alexandria Airpark, LLC ("Owner")**  
                            Block 10, Lot 63  
                            Alexandria Township, Hunterdon County  
                            SADC ID#: 10-0267-DE  
                            Approximately 65.9 Net Easement Acres

WHEREAS, on August 14, 2018, the State Agriculture Development Committee ("SADC") received a development easement sale application from Alexandria Airpark, LLC, hereinafter "Owner," identified as Block 10, Lot 63, Alexandria Township, Hunterdon County, hereinafter "the Property," totaling approximately 70.9 gross 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, the Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the Property includes one (1), approximately 5 acre non-severable exception area for the existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 65.9 net acres to be preserved; and

WHEREAS, the Exception Area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be limited to one (1) single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the portion of the Property outside the exception area includes

- 1) Zero (0) existing residential units
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in hay production; 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 26, 2018, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Hunterdon County (minimum acreage of 49 and minimum quality score of 58) because it is approximately 70.9 acres and has a quality score of 65.42; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 27, 2019 the SADC certified a development easement value of \$6,600 per acre based on zoning and environmental regulations in place as of January 1, 2004 and \$5,700 per acre based on zoning and environmental regulations in place as of the current valuation date May 2019; and

WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$6,600 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:

1. The WHEREAS paragraphs are incorporated herein by reference.
2. The SADC grants final approval for its acquisition of the development easement at a value of \$6,600 per acre for a total of approximately \$434,940 subject to the conditions contained in (Schedule B).
3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, 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 as identified in Policy P-3-C.
4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.

5. 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.
6. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
7. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19

Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Preserved Farms and Active Applications Within Two Miles



X:\counties\huncot\projects\Alexandria Airpark LLC 2mile.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Alexandria Airpark LLC  
Block 10 Lots P/O 63 (65.9 ac)  
& P/O 63-EN (non-severable exception - 5.0 ac)  
Gross Total = 70.9 ac  
Alexandria Twp. Hunterdon County

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

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

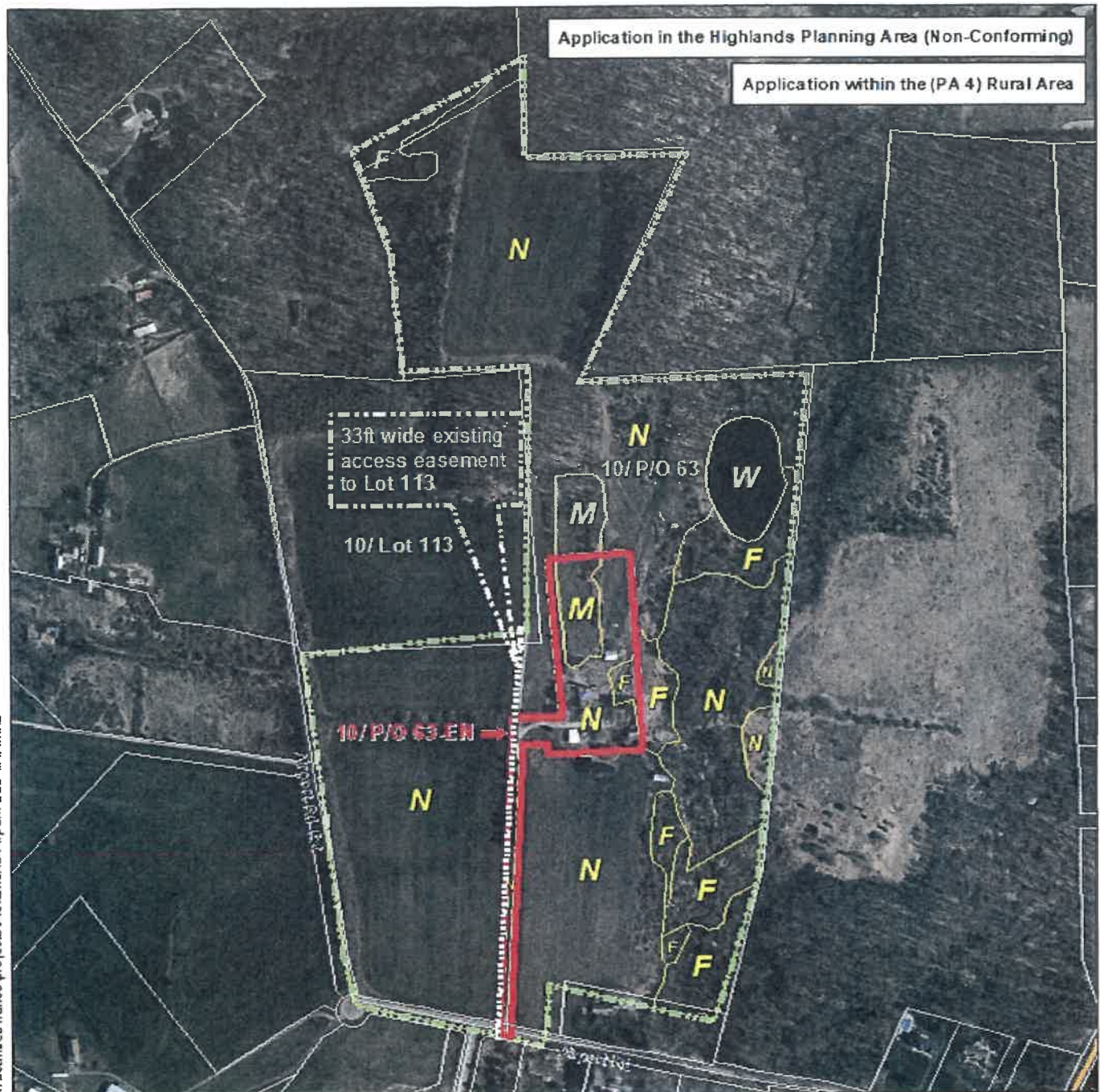


Sources:  
NJ Farmland Preservation Program  
Green Acres Conservation Easement Data  
Protected Areas Database of the United States (PAD-US)  
NJOT/OGIS 2015 Digital Aerial Image

August 29, 2018



## Wetlands



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

Alexandria Airpark LLC  
Block 10 Lots P/O 63 (65.9 ac)  
& P/O 63-EN (non-severable exception - 5.0 ac)  
Gross Total = 70.9 ac  
Alexandria Twp. Hunterdon County



**SOURCE:**  
All information herein is from a "fragment"  
Given Across Canada from Government Unit  
Interacted Area of the United States "All of  
which" the United States  
"All of which" the United States

[illegible]

- Property In Question**
- EN - (Non-Severable) Exception**
- ES - (Severable) Exception**
- Wetlands Boundaries**
- Primary - Limited Access**
- Federal or State Hwy's**
- County Roads**
- Municipal/Local Roads**

**Wetlands Legend:**  
 L = Freshwater Wetlands  
 L = Linear Wetlands  
 M = Wetlands Modified or Drained  
 I = Inter-Wetlands  
 C = Non-Wetlands  
 S = Soil Survey  
 W = Water

Schedule B

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Alexandria Airpark LLC  
Easement Purchase - SADC  
66 Acres

Block 10	Lot 63	Alexandria Twp.	Hunterdon County
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SOILS:	Other	20% * 0	= .00
	Prime	50% * .15	= 7.50
	Statewide	30% * .1	= 3.00
			SOIL SCORE: 10.50

TILLABLE SOILS:	Cropland Harvested	54% * .15	= 8.10
	Other	3% * 0	= .00
	Wetlands	20% * 0	= .00
	Woodlands	23% * 0	= .00
			TILLABLE SOILS SCORE: 8.10

FARM USE:	Hay	49 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 five (5) acres for single family residence and improvements
    - Exception is not to be severable from Premises
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions:
    1. The Exception Area shall not be subject to the development easement, and the Grantor shall retain all residential and nonagricultural development rights and credits on the Exception Area, except as follows: residential use or development of the Exception Area shall be limited to one (1) single family residential unit and/or any one or more other residential or non-residential purposes as may be permitted pursuant to applicable municipal, county, state, and federal laws and regulations, and subject to the conditions of Section 13(b) of the Deed of Easement.
  - e. Dwelling Units on Premises: No Dwelling Units
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

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

GENERAL INFORMATION

COUNTY OF Hunterdon Alexandria Twp. 1001  
APPLICANT Alexandria Airpark LLC

PRIORITIZATION SCORE

SOILS:	Other	20% *	0	=	.00
	Prime	50% *	.15	=	7.50
	Statewide	30% *	.1	=	3.00

SOIL SCORE: 10.50

TILLABLE SOILS:	Cropland Harvested	54% *	.15	=	8.10
	Other	3% *	0	=	.00
	Wetlands	20% *	0	=	.00
	Woodlands	23% *	0	=	.00

TILLABLE SOILS SCORE: 8.10

BOUNDARIES AND BUFFERS:	Deed Restricted Farmland (Permanent)	13% *	.2	=	2.60
	EP Applications	4% *	.13	=	.52
	Farmland (Unrestricted)	22% *	.06	=	1.32
	Residential Development	7% *	0	=	.00
	Streams and Wetlands	19% *	.18	=	3.42
	Woodlands	35% *	.06	=	2.10

BOUNDARIES AND BUFFERS SCORE: 9.96

CONTIGUOUS PROPERTIES / DENSITY:	Alexandria Airpark	Restricted Farm or Current Application	2
	Kelly	Restricted Farm or Current Application	2
	Tucker	Restricted Farm or Current Application	2
	Disabationo	Restricted Farm or Current Application	2
	Jacobson	Restricted Farm or Current Application	2

DENSITY SCORE: 10.00

LOCAL COMMITMENT:	100% *	20	=	20.00
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LOCAL COMMITMENT SCORE: 20.00

SIZE:	SIZE SCORE:	5.00
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IMMIMENCE OF CHANGE: SADC Impact factor = 1.86

IMMINENCE OF CHANGE SCORE: 1.86

COUNTY RANKING:

EXCEPTIONS:	EXCEPTION SCORE:	.00
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TOTAL SCORE: 65.42



**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
RESOLUTION FY2020R9(15)**

**Birch Creek Farm and K. Brown Service and Repair  
September 26, 2019**

**Approval of Special Permit for Rural Microenterprise Activity on a Preserved Farm**

Subject Property:   Block 39, Lots 1 & 13  
                          Block 28, Lot 9  
                          Upper Freehold, Monmouth County  
                          208.7 Acres

WHEREAS, Judith Jannuzzelli, hereinafter "Owner," is the current record owner of Block 28, Lot 9, and Block 39, Lots 1 and 13, as identified in the Township of Upper Freehold, County of Monmouth, by deed dated April 16, 2004, and recorded in the Monmouth County Clerk's office, in Deed Book 83610, Page 85800, totaling 208.76 acres, hereinafter referred to as "Premises", see attached Schedule "A"; and

WHEREAS, the development easement on the Premises was conveyed to the State Agriculture Development Committee on June 18, 2003, by the former owner, the Estate of Richard Satterthwait, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, as a Deed of Easement recorded in the Monmouth County Clerk's office in Deed Book 8257, Page 1530; and

WHEREAS, the development easement was acquired without the participation of Federal Farm and Ranch Lands Protection Program funds; and

WHEREAS, the development easement was acquired without an exception area or other area excluded from the deed of easement; and

WHEREAS, the SADC adopted regulations at N.J.A.C. 2:76-22.1 et seq. and N.J.A.C. 2:76-22A.1 et seq., to implement legislation (P.L. 2015, c. 275) that allows a farmer who owns a qualifying preserved farm to apply for a special permit to conduct a Rural Microenterprise on the Premises, and to establish standards governing SADC review of such applications ("RME Regulations"); and

WHEREAS, the regulations state that the owner of a preserved farm may conduct a Rural Microenterprise activity thereon provided that the SADC determines that the application meets the criteria found at N.J.A.C. 2:76-22.1, et seq.; and

WHEREAS, on August 9, 2019, the SADC received an "Application for a Special Permit for a Rural Microenterprise Activity on Preserved Farmland" from the Owner, pursuant to N.J.S.A. 4:1C-32.1; N.J.S.A. 4:1C-32.3; N.J.A.C. 2:76-22.1, et seq., and N.J.A.C. 2:76-22A.1 et seq., for a "Class Two" activity (Agricultural Support Service); and

WHEREAS, the Premises is currently in equine production and is farmed by the Owner;  
and

WHEREAS, the RME regulations define "farmer" as a person who owns and operates the premises subject to the following:

- I. Exclusive of any income received from the rental of lands, realized gross sales of at least \$2,500 for agricultural or horticultural products produced on the premises during the calendar year immediately preceding submission of an application for a special permit;
- II. Continues to own and operate the premises and meet the income threshold every year during the term of the special permit; and
- III. The definition of "farmer" is satisfied when the owner and operator of the premises are comprised of one or more of the same individuals, whether singly or as managers(s)/owner(s) of a business entity.

WHEREAS, the 202.38 acres of tillable ground on the Premises is utilized as permanent pasture to support the Owners equine production, verified through the submission of the Owner's Form FA-1, producing agricultural and horticultural products worth at least \$2,500.00 or more annually, and satisfying the eligibility criteria for differential property taxation under the Farmland Assessment Act, N.J.S.A. 54:4-23.1, et seq.; and

WHEREAS, the Owner proposes to lease an existing 4,000 sq./ft barn and 5,000 sq./ft. of its surrounding curtilage on the Premises to K. Brown Service and Repair, LLC, hereinafter "Rural Microenterprise Lessee", to operate a farm equipment repair shop, hereinafter "Rural Microenterprise"; and

WHEREAS, the application indicates that the barn and approximately 5,000 sq. ft. of its surrounding curtilage is currently used to store equipment used on the Premises;  
and

WHEREAS, the application indicates that the Rural Microenterprise activity will utilize the structure and qualifying land in their existing condition respectively; and

WHEREAS, one (1) 18" x 24" directional sign indicating where persons visiting the Rural Microenterprise activity should drive and/or park is proposed at the end of the farm driveway, as well as one (1), 20 sq./ ft., flush-mounted sign placed on the south side of the barn, and that sign will not be illuminated internally.

WHEREAS, the maximum number of employees needed on a daily, weekly, and annual basis for anticipated peak operational periods is two (2) employees.

WHEREAS, no other special permit for a Rural Microenterprise activity exists on the Premises; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC makes the following findings of fact with regard to the application by Owner for the issuance of a special permit to conduct a Rural Microenterprise activity on the Premises:
  - a. The Premises meets the definition of a "commercial farm" in accordance with N.J.S.A. 2:76-22.6(a)1, produces agricultural and horticultural products worth at least \$2,500.00 or more annually, and satisfies the eligibility criteria for differential property taxation under the Farmland Assessment Act, N.J.S.A. 54:4-23.1, et seq.;
  - b. The Owner of the Premises is a farmer, in accordance with N.J.A.C. 2:76-22.6(a)2;
  - c. The Premises was preserved by Deed of Easement dated June 8, 2003, and recorded July 17, 2003, in the Monmouth County Clerk's Office in Deed Book 8257, Page 1530, in accordance with N.J.A.C. 2:76-22.6(a)3 and 4, respectively;
  - d. No other current special permit for a rural microenterprise activity has been issued by the Committee; in accordance with 2:76-22.6(a)5;
  - e. The proposed Rural Microenterprise activity will be located within an existing barn in accordance with N.J.A.C. 2:76-22.6(a)6, and utilized as an equipment repair shop as a Class Two activity;
  - f. In accordance with N.J.A.C. 2:76-22.5(a)11 and 12, respectively, the Owner will lease the barn to K. Brown Service and Repair, LLC, for a duration of 20 years to operate the Rural Microenterprise;
  - g. The barn being dedicated for the Rural Microenterprise on the Premises, constructed circa 2007, is approximately 4,000 sq. ft. in size in accordance with N.J.A.C. 2:76-22.6(a)6ii, and currently contains a shop and office area to store the Owner's farm equipment used on the Premises, as shown in Schedule "B";
  - h. The Rural Microenterprise activity utilizes the barn in its existing condition, without any improvements, and will not be substantially altered or finished to support the rural microenterprise activity, in accordance with N.J.A.C. 2:76-22.6(a)7i(1);
  - i. No on-site septic or well facilities currently exist, nor will any be created or expanded in accordance with N.J.A.C. 2:76-22.6(a)7iii;




- j. No public utilities or wastewater facilities are being created or expanded in accordance with N.J.A.C. 2:76-22.6(a)7iv;
- k. No new structures will be constructed on the premises to support the rural microenterprise, in accordance with N.J.A.C. 2:76-22.6(a)8;
- l. The application does not propose to use agricultural labor housing for the rural microenterprise activity, pursuant to N.J.A.C. 2:76-22.6(a)9;
- m. The proposed rural microenterprise activity does not interfere with the use of the qualifying land for agricultural or horticultural production purposes, in accordance with N.J.A.C. 2:76-22.6(a)10;
- n. The Rural Microenterprise activity is incidental to and compatible with the use of the Premises as a farm or subordinate to the agricultural use of the Premises in accordance with N.J.A.C. 2:76-22.6(a)11;
- o. The rural microenterprise activity is compatible with the agricultural use of the premises and surrounding land use of adjacent properties in accordance with N.J.A.C. 2:76-22.6(a)12;
- p. The rural microenterprise activity uses the qualifying land in its existing condition, in accordance with N.J.A.C. 2:76-22.6(a)13i, ii., iii., and iv., respectively:
  - i. No new improvements to farm lanes will be created to support the rural microenterprise activity;
  - ii. No parking facilities are being created or expanded, as the Rural Microenterprise activity is primarily mobile and customer parking is not anticipated;
  - iii. The rural microenterprise activity proposes to utilize 5,000 sq. ft. outside of the barn for storage for equipment awaiting repair.
- q. The total area of land and structures devoted to supporting the rural microenterprise does not exceed a one-acre envelope on the qualifying land, in accordance with N.J.A.C. 2:76-22.6(a)14;
- r. The rural microenterprise activity does not have an adverse impact upon the soils, water resources, air quality, or other natural resources of the qualifying land or the surrounding area, as the rural microenterprise activity utilizes the qualifying land and structures in their existing condition, in accordance with N.J.A.C. 2:76-22.6(a)15;

- s. The proposed rural microenterprise activity only consists of, and accommodates, K. Brown Service and Repair, LLC, accordance with N.J.A.C. 2:76-22.6(a)17;
  - t. One small, flush-mounted, exterior light above the doors to the barn will be utilized to ensure safe movement of pedestrians and vehicles during working hours, in accordance with N.J.A.C. 2:76-22.6(a)18;
  - u. The proposed rural microenterprise will employ two (2) employees at peak operational periods, in accordance with N.J.A.C. 2:76-22.6(a)19(i);
  - v. One (1) 18" x 24" directional sign indicating where persons visiting the Rural Microenterprise activity should drive and/or park will be placed at the end of the farm driveway, as well as one (1), 20 sq./ft., flush-mounted sign will be placed on the south side of the barn and will not be illuminated internally, in accordance with N.J.A.C. 2:76-22.10(a);
  - w. The location, design, height, and aesthetic attributes of the rural microenterprise activity will reflect the public interest of preserving the natural and unadulterated appearance of the landscape and structures, in accordance with N.J.A.C. 2:76-22.6(a)20 because the qualifying land and structure is being utilized in its existing condition;
  - x. There are no existing violations of the Deed of Easement, in accordance with N.J.A.C. 2:76-22.6(a)21;
3. Based on the above findings of fact, the SADC determines that the Owner is eligible to receive a special permit for, and is hereby granted, a Rural Microenterprise activity on the Premises pursuant to applicable provisions in N.J.S.A. 4:1C-32.1; N.J.S.A. 4:1C-32.3; and N.J.A.C. 2:76-22.1, et seq., which grant of approval will become effective only upon the following conditions:
- a. No special permit shall be issued until the Owner receives all necessary Federal, State and local approvals, provided that if such approvals contain any requirements for implementation of the Rural Microenterprise activity that the SADC determines are inconsistent with N.J.S.A. 4:1C-32.1, et seq., N.J.A.C. 2:76-22.1 et seq., and N.J.A.C. 2:76-22A.1, the special permit itself, the deed of easement, applicable SADC regulations, or this resolution, the permit may be denied;
  - b. All pending Federal, State and local approvals related to implementation of the Rural Microenterprise activity shall be forwarded to the SADC for review upon receipt by the Owner;

- c. The special permit:
  - i. Shall be valid for a period of 20 years from the date this resolution becomes effective;
  - ii. Applies to the current record owner and Rural Microenterprise lessee, and is not transferrable;
  - iii. Shall automatically terminate upon a change in record ownership of the property.
- d. In accordance with N.J.A.C 2:76-22.8(g)2, The SADC has determined that the Owner shall initiate the Rural Microenterprise activity within twelve (12) months of the effective date of this approval;
4. This approval shall be recorded with the Monmouth County Clerk's office.
5. The SADC staff is authorized to issue an appropriate permit document to the Owner consistent with this Resolution.
6. This action is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
7. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
DATE

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT



# Schedule A

\\ag.state.nj.us\AgrData\SADC\DIRECT EASEMENT PURCHASE\Former Rounds (2000-2005)\2003A\Monmouth\2003A\Upper Freehold\Jannu



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Birch Creek Farm  
201 Route 539 Upper Freehold NJ, 08514  
Block 28, Lot 9  
Block 39, Lots 1 and 13  
Upper Freehold Twp., Monmouth County  
208.7 Acres



0 425 850 1,700 2,550  
Feet

9/18/2019

### Farmland Preservation Program

- PRESERVED EASEMENT
- EXCEPTION AREA
- PRESERVED EASEMENT / NR
- EXCEPTION AREA / NR
- FINAL APPROVAL
- PRELIMINARY APPROVAL
- ACTIVE APPLICATION
- 8 YEAR PRESERVED
- TARGETED FARM
- EXCEPTION AREA TARGETED
- INACTIVE APPLICATION
- INACTIVE/FEDERALLY FUNDED
- NO CORRESPONDING DATA
- PRESERVED/FEDERALLY FUNDED

### State Planning Areas

- (PA1) METRO
- (PA2) SUBURBAN
- (PA3) FRINGE
- (PA4) RURAL
- (PA4b) RURAL ENV SENS
- (PA5) ENV SENS
- (PA5b) ENV SENSITIVE BARRIER IS
- (P10) PINELANDS
- PARK
- MILITARY
- NEW JERSEY MEADOWLANDS
- WATER

### Base Map

- County Boundaries
- Municipal Boundaries
- Highlands Planning Area
- Highlands Preservation Area
- Pinelands Area
- Green Acres Preserved Easements

**SCHEDULE "B"**





**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(16)**

**Construction of Onsite Agricultural Labor Housing**

**Leone Realty LLC**

**September 26, 2019**

Subject Property: Block 801, Lot 36  
Logan Township, Gloucester County  
47.43 Acres

WHEREAS, Leone Realty LLC, hereinafter ("Owner") is the record owner of Block 801, Lot 36, in Logan Township, Gloucester County, by deed dated April 6, 2018, and recorded in the Gloucester County Clerk's Office in Deed Book 5855, Page 85, totaling 47.43 acres, hereinafter referred to as the "Premises", see attached Schedule A; and

WHEREAS, Russell and April Leone are the principals of Leone Realty LLC; and

WHEREAS, the development easement on the Premises was conveyed to the County of Gloucester on January 16, 2014, by the previous owners, Mollie and Joseph Ragusa, pursuant to the Agriculture and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 5165, Page 86; and

WHEREAS, the farmland preservation Deed of Easement identifies no existing single-family residences, no Residual Dwelling Site Opportunities, no units used for agricultural labor purposes and one, one-acre, non-severable exception area; and

WHEREAS, on August 26, 2019, the SADC received an application from the CADB on behalf of the Owner to place an agricultural labor unit on the Premises, in the location shown on Schedule "A", to house 19 laborers currently working on the Premises and other parcels within the farm management unit of the Owner; and

WHEREAS, paragraph 14 of the Deed of Easement for the Premises states that: "*Grantor may construct any new buildings for agricultural purposes. The construction of any new buildings for residential use, regardless of its purpose, shall be prohibited except as follows:*

- i. *To provide structures for the housing of agricultural labor employed on the Premises, but only with approval of the Grantee and the Committee. If the Grantee and the Committee grant approval for the construction of the agricultural labor housing, such housing shall not be used for a residence for Grantor, Grantor's spouse, Grantor's parents, Grantor's lineal descendants, adopted or natural, Grantor's spouse's parents, Grantor's spouse's lineal descendants, adopted or natural.*"; and



WHEREAS, the agricultural labor unit the Owner proposes to place on the Premises consists of two separate mobile homes that will be joined as one unit: one trailer used for kitchen facilities at approximately 440 sq./ft. and one trailer used for bedroom and bathroom facilities at approximately 1440 sq./ft. for a combined total of 1,880 sq./ft.; and

WHEREAS, the Owner operates the Premises and other farm parcels totaling approximately 800 acres as a fresh market vegetable operation including wholesale production of peppers, eggplants, cucumbers and various squash; and

WHEREAS, the farm is in active production and the agricultural labor unit would be occupied seasonally from April through November; and

WHEREAS, the Owner has asserted that onsite labor is necessary to properly produce, harvest and market the time-sensitive fresh market specialty crops raised on the farm; and

WHEREAS, the primary duties of the employees residing in the agricultural labor unit are related to field preparation, seeding, transplanting, irrigation, fertilizing, harvesting, and packaging the output of the farm; and

WHEREAS, on September 19, 2019, the Gloucester CADB reviewed and approved the Owners' request to place the agricultural labor housing unit on the Premises.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC has reviewed the Owners' request to place two separate mobile homes that will be joined as one unit and consist of approximately 1,880 sq./ft. on the Premises for the purpose of housing seasonal agricultural laborers in the location as shown on Schedule "A", and finds that utilizing the proposed agricultural labor unit is consistent with agricultural uses on the Premises and:
  - a) That the size and location of the proposed unit minimizes any adverse impact on the agricultural operation.
  - b) The production aspects of the operation – approximately 800 acres of mixed vegetables crops – warrants the need for up to 19 skilled seasonal laborers.
  - c) Onsite labor housing is important due to the intensity of the work and the time-sensitive nature of the crops produced.
3. Only agricultural labor employed on the Premises, in production aspects of the operation, and their immediate family, may live in the agricultural labor units.

Agricultural labor housing shall not be used as housing for the Owner, Owner's spouse, Owner's parents, Owner's lineal descendants, adopted or natural, Owner's spouse's parents, or the Owner's spouse's lineal descendants, adopted or natural.

4. The laborers shall be engaged in the day-to-day production activities on the Premises, which at this time include field preparation, seeding, transplanting, irrigation, fertilizing, harvest, and packaging the output of the farm.

5. As a condition of this approval, the Committee reserves its right to annually request documentation supporting the production aspects of the operation to ensure that there is sufficient production activity occurring on the farm to continue to warrant use of the agricultural labor unit.

6. The Owners' use of any structures for housing agricultural laborers shall be in compliance with all applicable Federal, State, County and local regulations.

7. This approval is non-transferable.

8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

9. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19

Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

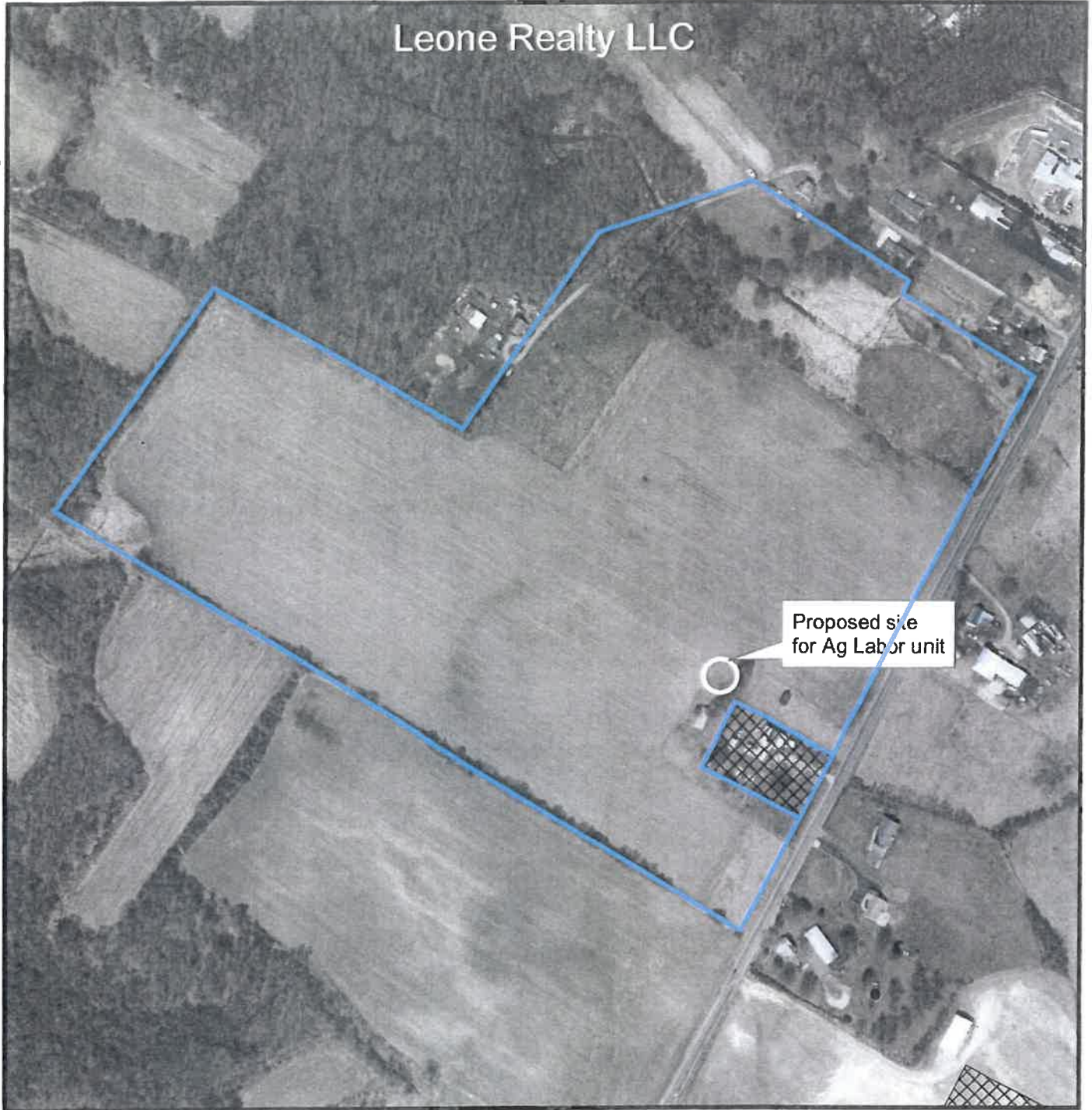
**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Schedule "A"

Leone Realty LLC

S:\Planning Incentive Grant -2007 rules County\Gloucester\Gloucester\Ragusa\Stewardship-Post Closing\Leone-1.mxd



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Leone Realty LLC  
Block 801, Lot 36  
Logan Township, Gloucester County  
47 Acres



0 190 380 760 1,140 Feet

9/3/2019

### Farmland Preservation Program

- PRESERVED EASEMENT
- EXCEPTION AREA
- PRESERVED EASEMENT / NR
- EXCEPTION AREA / NR
- FINAL APPROVAL
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- 8 YEAR PRESERVED
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### State Planning Areas

- (PA1) METRO
- (PA2) SUBURBAN
- (PA3) FRINGE
- (PA4) RURAL
- (PA4b) RURAL ENV SENS
- (PA5) ENV SENS
- (PA5b) ENV SENSITIVE BARRIER IS
- (P10) PINELANDS
- PARK
- MILITARY
- NEW JERSEY MEADOWLANDS
- WATER

### Base Map

- County Boundaries
- Municipal Boundaries
- Highlands Planning Area
- Highlands Preservation Area
- Pinelands Area
- Green Acres Preserved Easements



**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(17)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**HUNTERDON COUNTY**

**FULPER FARMS, LLC., AGENT FOR FULPER PRESERVATION, LLC.**

**SEPTEMBER 26, 2019**

WHEREAS, Fulper Farms, LLC., hereinafter “Applicant” is the Agent for Fulper Preservation, LLC. (ID# 10-0242-PG), the current record owner of Block 20, Lot 2, West Amwell Township, Hunterdon County, hereinafter referred to as the “Premises”, by deed dated November 4<sup>th</sup>, 2003, and recorded in the Hunterdon County Clerk’s Office in Deed Book 2079, Page 214; and

WHEREAS, the Premises totals approximately 44.293 acres, as shown in Schedule “A”; and

WHEREAS, the development easement on the Premises was conveyed to the Township of West Amwell on June 26, 2006 by the owner as recorded in Deed Book 2159, Page 243; and

WHEREAS, the development easement on the Premises was assigned to the County of Hunterdon on March 7<sup>th</sup>, 2007 by the Township of West Amwell as recorded in Deed Book 2178, Page 885; and

WHEREAS, Hunterdon County entered into a Cost Sharing Grant Agreement with SADC on February 23, 2007, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32, and N.J.A.C. 2:76 as recorded in Deed Book 2178, Page 874; and

WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to the Township of West Amwell, and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the Applicant is eligible for a cost share grant of up to \$26,575.80 expiring June 26, 2022; and

WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“Application”); and

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to SADC Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Fulper Farms, LLC., Agent for Fulper Preservation, LLC.	10-0242-PG-01	\$5,939.55	2:90-2.18 Underground Drainage System

**PROJECT DESCRIPTION:**

Install 1970 feet of enveloped corrugated plastic pipe, single wall, less than or equal to 6 inches.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date

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Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT



3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date

  
\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

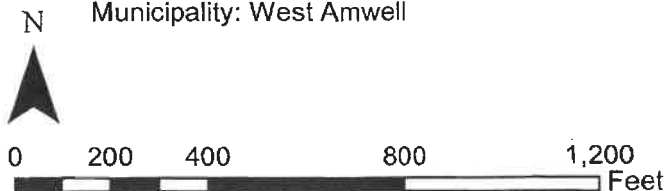
## Schedule A - Soil and Water Cost Share Grant

S:\SWGIS\Soil Water.mxd



### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Fulper Farms, LLC.  
Owner: Fulper Preservation, LLC.  
Application Number: 10-0242-PG-01  
County: Hunterdon  
Municipality: West Amwell



8/23/2019

### Legend

#### Practices



-  2:90-2.18
-  SW\_Premises

Image: NJDEP 2017 Natural Color

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(18)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**GLOUCESTER COUNTY**

**CASSADAY FARMS, LLC., AGENT FOR GEORGE W. CASSADAY, JR. AND  
CHRISTY CASSADAY**

**SEPTEMBER 26, 2019**

WHEREAS, CASSADAY FARMS, LLC., hereinafter “Applicant”, is the agent for GEORGE W. CASSADAY, JR. AND CHRISTY CASSADAY, SADC ID# 08-0100-EP, the current record owner of Block 33, Lots 1.01, in Elk Township, Gloucester County, hereinafter referred to as the “Premises”, by deed dated March 8, 2018 and recorded in the Gloucester County Clerk’s Office in Deed Book 5831, Page 215; and

WHEREAS, the Premises totals approximately 91.117 acres, as shown in Schedule “A”; and

WHEREAS, a development easement on the Premises was conveyed to Gloucester County by the prior owners, John and Margaret Wagner, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated February 11, 2003, and recorded in the Gloucester County Clerk’s Office in Deed Book 3548 Page 174; and

WHEREAS, Gloucester County entered into a Cost Sharing Grant Agreement with SADC on November 21, 2003, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32, and N.J.A.C. 2:76 as recorded in Deed Book 3690, Page 336; and

WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Gloucester County, and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the applicant is eligible for a cost share grant of up to \$38,223.40 expiring February 11, 2027; and

WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“Application”); and

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Cassaday Farms, LLC., Agent for George W. Cassaday, Jr., and Christy Cassaday	08-0100-EP-01	\$38,223.40	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Install a 55 acre drip irrigation system, with filter.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.



4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date

  
\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

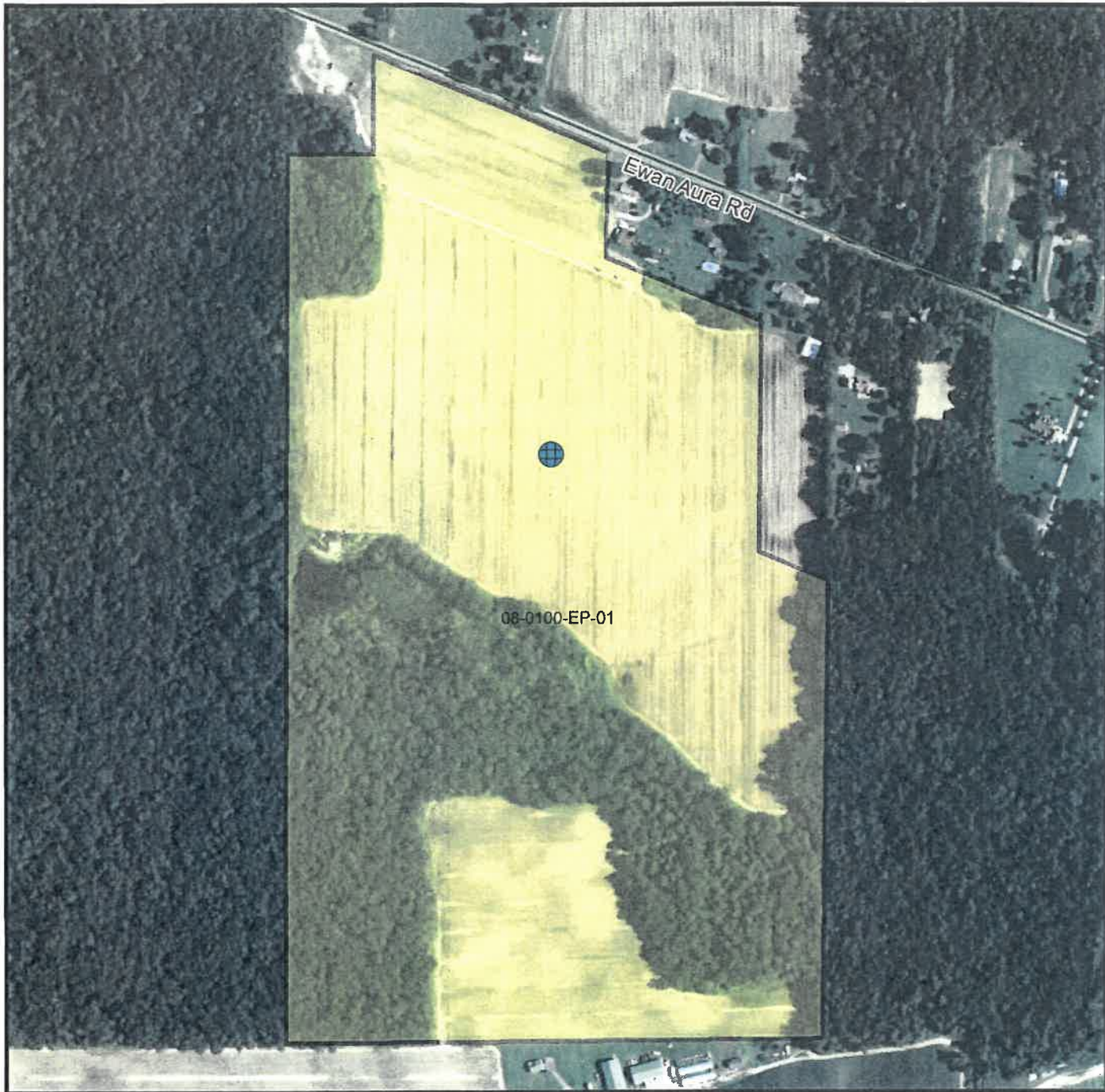
**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

S:\SW\Counties\08-Gloucester\08-0100-EP-01 Cassaday\SW\_RES\_09\_26\_19.docx

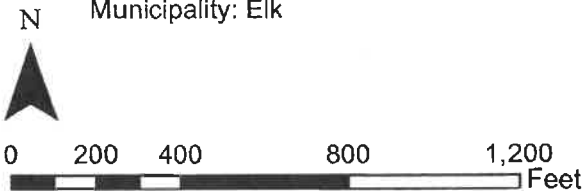
Schedule A - Soil and Water Cost Share Grant

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

Applicant: Cassaday Farms, LLC.  
Owner: George W. Cassaday, Jr. and Christy Cassaday  
Application Number: 08-0010-EP-01  
County: Gloucester  
Municipality: Elk



9/6/2019

**Legend**

**Practices**



-  2:90-2.15
-  SW\_Premises

Image: NJDEP 2017 Natural Color

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(19)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**SALEM COUNTY**

**DUSTY LANE FARMS, LLC., AGENT FOR MICHAEL BROOKS**

**SEPTEMBER 26, 2019**

WHEREAS, DUSTY LANE FARMS, LLC., hereinafter "Applicant", is the agent for MICHAEL BROOKS, SADC ID# 17-0010-EP, the current record owner of Block 54, Lot 6, in Upper Pittsgrove Township, Salem County, hereinafter referred to as the "Premises", by deed dated April 25, 2019 and recorded in the Salem County Clerk's Office in Deed Book 4522, Page 1095; and

WHEREAS, the Premises totals approximately 156.38 acres, as shown in Schedule "A"; and

WHEREAS, a development easement on the Premises was conveyed to Salem County by the prior owners, John and Ruth Gardner, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated September 21, 1995, and recorded in the Salem County Clerk's Office in Deed Book 916 Page 253; and

WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Salem County, and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the applicant is eligible for a cost share grant of up to \$45,638.00 expiring September 21, 2027; and

WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects ("Application"); and

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Dusty Lane Farms, LLC., Agent for Michael Brooks	17-0010-EP-01	\$45,638.00	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Install one 939 foot center pivot and one 941 foot center pivot irrigation system.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.



6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

## Schedule A - Soil and Water Cost Share Grant



### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Dusty Lane Farms, LLC.  
Owner: Michael Brooks  
Application Number: 17-0010-EP-01  
County: Salem  
Municipality: Upper Pittsgrove



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Feet  
9/9/2019

### Legend

#### Practices

#### Practice Code



2:90-2.15



SW\_Premises

Image: NJDEP 2017 Natural Color

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(20)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**SOMERSET COUNTY**

**LIMA FAMILY FARMS, INC., AGENT FOR JOHN AND KATHLEEN LIMA**

**SEPTEMBER 26, 2019**

WHEREAS, LIMA FAMILY FARMS, INC., hereinafter "Applicant", is the agent for JOHN AND KATHLEEN LIMA, SADC ID# 18-0094-EP, the current record owner of Block 164, Lot 9, in Hillsborough Township, Somerset County, hereinafter referred to as the "Subject Premises", by deed dated March 13, 2007 and recorded in the Somerset County Clerk's Office in Deed Book 6013, Page 1649; and

WHEREAS, the Premises totals approximately 146.6099 acres, as shown in Schedule "A"; and

WHEREAS, the Premises was subdivided from a 351.1149 acre farm property ("Original Premises") that would have been eligible for a cost share grant of up to \$65,111.49; and

WHEREAS, a development easement on the Premises was conveyed to Somerset County Agriculture Development Board by the prior owners, the County of Somerset, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated June 29, 2001, and recorded in the Somerset County Clerk's Office in Deed Book 5006 Page 3544; and

WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant on the Subject Premises for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3 (the "Application"); and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Somerset County, and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the Premises consists of 41.76% of the Original Premises; and

WHEREAS, N.J.A.C. 2:76-5.9 states that a subdivision does not alter the total eligibility for soil and water cost-share funding as determined at program enrollment and further requires funding to be reallocated pro rata on a per acre basis after subdivision; and

WHEREAS, the Premises is eligible for a cost share grant of up to \$27,190.56, expiring June 29, 2025; and

WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects ("Application"); and

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Subject Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.

2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Lima Family Farms, Inc. Agent for John and Kathleen Lima	18-0094-EP-01	\$16,098.30	2:90-2.13 Land Shaping or Grading 2:90-2.11 Stream Protection

**PROJECT DESCRIPTION:**

Install 0.5 acres of critical area planting and 6750 linear feet of use exclusion fencing.



3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date

  
\_\_\_\_\_  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

## Schedule A - Soil and Water Cost Share Grant

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### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Lima Family Farms, Inc.  
Owner: John and Kathleen Lima  
Application Number: 18-0094-EP-01  
County: Somerset  
Municipality: Hillsborough



0 250 500 1,000 1,500  
Feet  
9/9/2019

### Legend

#### Practices

#### Practice Code

⊕ 2:90-2.13

⊗ 2:90-2.11

■ SW\_Premises

Image: NJDEP 2017 Natural Color

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(21)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**SOMERSET COUNTY**

**LIMA FAMILY FARMS, INC., AGENT FOR LIMA FAMILY PARTNERSHIP, LLC.**

**SEPTEMBER 26, 2019**

WHEREAS, LIMA FAMILY FARMS, INC., hereinafter "Applicant", is the agent for LIMA FAMILY PARTNERSHIP, LLC., SADC ID# 18-0093-EP, the current record owner of Block 164, Lot 7, in Hillsborough Township, Somerset County, hereinafter referred to as the "Subject Premises", by deed dated January 10, 2018 and recorded in the Somerset County Clerk's Office in Deed Book 7024, Page 621; and

WHEREAS, the Premises totals approximately 204.505 acres, as shown in Schedule "A"; and

WHEREAS, the Premises was subdivided from a 351.1149 acre farm property ("Original Premises") that would have been eligible for a cost share grant of up to \$65,111.49; and

WHEREAS, a development easement on the Subject Premises was conveyed to Somerset County Agriculture Development Board by the prior owners, the County of Somerset, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated June 29, 2001, and recorded in the Somerset County Clerk's Office in Deed Book 5006 Page 3544; and

WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant on the Subject Premises for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3 (the "Application"); and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Somerset County, and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the Premises consists of 58.24% of the Original Premises; and

WHEREAS, N.J.A.C. 2:76-5.9 states that a subdivision does not alter the total eligibility for soil and water cost-share funding as determined at program enrollment and further requires funding to be reallocated pro rata on a per acre basis after subdivision; and

WHEREAS, the Premises is eligible for a cost share grant of up to \$37,920.93, expiring June 29, 2025; and

WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects ("Application"); and

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Subject Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Lima Family Farms, Inc. Agent Lima Family Partnership, LLC.	18-0093-EP-01	\$37,923.84	2:90-2.11 Stream Protection



**PROJECT DESCRIPTION:**

Install 10,950 linear feet of use exclusion fencing and 7.1 acres of riparian forest buffer.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

4. Construction of the project is subject to all applicable local, State, and Federal regulations.

5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

## Schedule A - Soil and Water Cost Share Grant



### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Lima Family Farms, Inc.  
Owner: Lima Family Partnership, LLC.  
Application Number: 18-0093-EP-01  
County: Somerset  
Municipality: Hillsborough

### Legend

#### Practices

#### Practice Code



2:90-2.11



SW\_Premises



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9/9/2019

Image: NJDEP 2017 Natural Color

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(22)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**MONMOUTH COUNTY**

**TRI COUNTY TURF, LLC., AGENT FOR MILLSTONE RIVER HOLDINGS, LLC.**

**SEPTEMBER 26, 2019**

WHEREAS, TRI COUNTY TURF, LLC., hereinafter “Applicant” is the Agent for MILLSTONE RIVER HOLDINGS, LLC. (ID# 13-0050-EP), the current record owner of Blocks 42 and 43, Lots 2 and 7, Upper Freehold Township, Monmouth County, hereinafter referred to as the “Premises”, by deed dated February 4<sup>th</sup>, 2009, and recorded in the Monmouth County Clerk’s Office in Deed Book 8757, Page 3211 and by deed dated November 17, 2009, and recorded in the Monmouth County Clerk’s Office in Deed Book 8806, Page 9288; and

WHEREAS, the Premises totals approximately 270.2264 acres, as shown in Schedule “A”; and

WHEREAS, a development easement on the Premises was conveyed to Monmouth County by the prior owners, Edward Collins, Jr. and Mary Collins, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated July 8, 1993, and recorded in Monmouth County Deed Book 5233, Page 373; and

WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Monmouth County, and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the Applicant is eligible for a cost share grant of up to \$57,022.64 expiring July 8, 2025; and

WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“Application”); and

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to SADC Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Tri County Turf, LLC., Agent for Millstone River Holdings, LLC.	13-0050-EP-01	\$57,022.64	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Install a 1620 foot center pivot irrigation system.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.



6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date



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Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

## Schedule A - Soil and Water Cost Share Grant

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### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Tri County Turf, LLC.  
Owner: Millstone River Holdings, LLC.  
Application Number: 13-0050-EP-01  
County: Monmouth  
Municipality: Upper Freehold



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9/9/2019

### Legend

#### Practices

#### Practice Code

2:90-2.15

SW\_Premises

Image: NJDEP 2017 Natural Color

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(23)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**SUSSEX COUNTY**

**JON VAUGHAN**

**SEPTEMBER 26, 2019**

WHEREAS, JOHN VAUGHAN, hereinafter “Applicant” AND HOLLIE VAUGHAN (ID# 19-0030-EP), are the current record owner of Block 14, Lots 16,19,20.01,21,22,25,26,30,31,32,38.02, 39, Block 15, Lots 8, 38, 42, and 43, and Block 22, Lot 19, Lafayette Township, Sussex County, hereinafter referred to as the “Premises”, by deed dated December 14, 2000, and recorded in the Sussex County Clerk’s Office in Deed Book 2514, Page 77 and by deed dated June 18, 1998, and recorded in the Sussex County Clerk’s Office in Deed Book 2297, Page 55; and

WHEREAS, the Premises totals approximately 636.1203 acres, as shown in Schedule “A”; and

WHEREAS, a development easement on the Premises was conveyed to Sussex County by the prior owner, Adele M Vaughan Farm Associates Limited Partnership, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated December 12, 2000, and recorded in Sussex County Deed Book 2512, Page 270; and

WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Sussex County, and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the Applicant is eligible for a cost share grant of up to \$75,000.00 expiring December 12, 2024; and

WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects (“Application”); and

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to SADC Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Jon Vaughan	19-0030-EP-01	\$8,081.52	2:90-2.23 Animal Waste Control Facility

**PROJECT DESCRIPTION:**

Install a 300 gallon per day milking parlor waste treatment system with dosing system and bed, a 134 cubic foot concrete basin, and 300 feet of fence.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.
4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.



6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

# Schedule A - Soil and Water Cost Share Grant

S:\SW\GIS\Soil Water.mxd



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Jon Vaughan.  
Owner: Jon and Hollie Vaughan  
Application Number: 19-0030-EP-01  
County: Sussex  
Municipality: Lafayette



0 500 1,000 2,000 3,000  
Feet  
9/9/2019

## Legend

### Practices

### Practice Code



2:90-2.23



SW\_Premises

Image: NJDEP 2017 Natural Color

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(24)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**BURLINGTON COUNTY**

**SMITHVILLE FARMS, INC.**

**SEPTEMBER 26, 2019**

WHEREAS, SMITHVILLE FARMS, INC., hereinafter "Applicant" (ID# 03-0134-EP), is the current record owner of Block 1200, Lots 7 and 30, Eastampton Township, Burlington County, hereinafter referred to as the "Premises", by deed dated April 3, 2003, and recorded in the Burlington County Clerk's Office in Deed Book 6049, Page 481; and

WHEREAS, the Premises totals approximately 203.24 acres, as shown in Schedule "A"; and

WHEREAS, a development easement on the Premises was conveyed to Burlington County by the prior owner, Margaret S. Walton, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated March 14, 2003, and recorded in Burlington County Deed Book 6043, Page 177; and

WHEREAS, Burlington County entered into a Cost Sharing Grant Agreement with SADC on December 21, 2004, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32, and N.J.A.C. 2:76 as recorded in Deed Book 6282, Page 710; and

WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Burlington County, and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the Applicant is eligible for a cost share grant of up to \$50,324.00 expiring March 14, 2027; and

WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects ("Application"); and

WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to SADC Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Smithville Farms, Inc.	03-0134-EP-02	\$17,299.85	2:90-2.16 Sediment retention, erosion, or water control structure 2:90-2.18 Underground Drainage System

**PROJECT DESCRIPTION:**

Install 5760 inch-feet CMP Culvert, <30", 2 grated drop boxes, and 495 feet of 8" corrugated plastic pipe subsurface drainage, buried 8 feet or more.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.



4. Construction of the project is subject to all applicable local, State, and Federal regulations.
5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

9/26/19  
Date



Susan E. Payne, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

## Schedule A - Soil and Water Cost Share Grant

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### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: Smithville Farms, Inc.  
Owner: Smithville Farms, Inc.  
Application Number: 03-0134-EP-02  
County: Burlington  
Municipality: Eastampton




0 250 500 1,000 1,500  
Feet


9/9/2019

### Legend

#### Practices

#### Practice Code

 2:90-2.16

 2:90-2.18

 SW\_Premises

Image: NJDEP 2017 Natural Color

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2020R9(25)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**AMENDED APPROVAL**

**BURLINGTON COUNTY**

**JEAN A. ROBSON**

**SEPTEMBER 26, 2019**

WHEREAS, the SADC awarded Jean A. Robson, hereinafter ("Applicant") a Soil and Water Conservation Cost Share Grant, hereinafter ("Grant") by Resolution #FY2019R9(17) on September 27, 2018; and

WHEREAS, the grant, as approved, is to install a 300-foot deep, 4 inch cased well, 3HP electric pump, and variable frequency drive; and

WHEREAS, the grant amount is \$5,256.25; and

WHEREAS, N.J.A.C. 2:90-2.25 (c) states, "The least cost practice or system which is determined to be effective and functional shall be the basis for cost-share rates. An applicant may install a more expensive practice or system if it is determined to be effective and conforms to the standards and specifications in N.J.A.C. 2:90-2.3, but shall be eligible for reimbursement only for up to 75 percent of the least cost option described above."

WHEREAS, the United States Department of Agriculture, Natural Resources Conservation Service, hereinafter, ("NRCS") estimated the size of the well pump based on best available data from the well driller that considered typical well depth and yield for the area and the need of the farm; and

WHEREAS, on April 9, 2019, NRCS certified well a was drilled and installed to a depth of 295 feet, with a 5 HP pump and variable frequency drive; and

WHEREAS, on May 22, 2019, the Burlington County Soil Conservation District approved a Project Revision Form, requesting an increase in project funding by \$908.77, and

WHEREAS, on July 12, 2019, NRCS verified via email that, "The... installed depth was 295 feet with a 4" casing. The pump size and increased volume from the initial estimate will allow the system to work more efficiently and reduce stress on the system by allowing needed down time for maintenance or possible repair. The system as installed is still the least cost alternative given the additional volume of water developed during drilling.", and

WHEREAS, the State Soil Conservation Committee approved the Project Revision Form on August 23, 2019, and

WHEREAS, as part of Resolution #FY2019R9(17), the SADC determined the applicant was eligible to apply for a cost share grant of up to \$10,024.10 expiring September 8, 2025; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and

WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC accepts NRCS' finding that the larger pump is the least cost alternative based on an increase in well yield determined during drilling.
3. Funds approved by Resolution # FY2019R9(17) are rescinded.
4. For calculating expiration of funds, the date of # FY2019R9(17) shall be utilized.
5. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Jean A. Robson	03-0087-EP-01-R	\$6,165.02	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Install a 300-foot deep, 4" cased well, 5 HP electric pump and variable frequency drive.



BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

BE IT FURTHER RESOLVED that the construction of the project is subject to all applicable local, State, and Federal regulations.

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.

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

9/26/19  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Gina Fischetti (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	ABSENT
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	YES
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2019R9(17)**

**SOIL AND WATER CONSERVATION COST SHARE GRANT**

**NEW REQUEST**

**BURLINGTON COUNTY**

**JEAN A. ROBSON**

**SEPTEMBER 27, 2018**

WHEREAS, JEAN A. ROBSON, hereinafter ("Applicant") SADC ID# 03-0087-EP, is the current record owner of Block 700.01, Lot 1, as identified in the Township of North Hanover, as recorded in the Burlington Clerk's Office by deed dated September 6, 2005, in Deed Book 6340, Page 536, totaling approximately 43.791 acres, hereinafter referred to as "Premises", see attached Schedule A; and

WHEREAS, the development easement on the Premises was conveyed to Burlington County on September 8, 1993, by the previous owners, Helen and Donald Rahilly, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, c. 32 as recorded in Deed Book 4617, Page 167, and;

WHEREAS, the above applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to the Burlington County Agriculture Development Board and for subsequent eight-year periods subject to the then-current cost-share formula; and

WHEREAS, the original Premises consisted of 232.63 acres and is subject to an approved subdivision; and

WHEREAS, N.J.A.C. 2:76-5.9 states that a subdivision does not alter the total eligibility for soil and water cost-share funding as determined at program enrollment and further requires funding to be reallocated pro rata on a per acre basis after subdivision; and

WHEREAS, the subdivided Premises consists of 18.82% of the original Premises and the original Premises was eligible for a cost share grant of \$53,263.00. Therefore, the applicant is eligible for a cost-share grant of up to \$10,024.10 expiring September 8, 2025, under the current cost-share formula; and

WHEREAS, the applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects ("application"); and

WHEREAS, the application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above landowner; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible landowners for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

<u>APPLICANT</u>	<u>S&amp;W ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Jean A. Robson	03-0087-EP-01	\$5,256.25	2:90-2.15 Irrigation System

**PROJECT DESCRIPTION:**

Install a 300-foot deep, 4" cased well, 3 HP electric pump and variable frequency drive.

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

BE IT FURTHER RESOLVED that the construction of the project is subject to all applicable local, State, and Federal regulations.

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.

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

9/27/18  
Date

  
Susan E. Payne, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	YES
Brian Schilling (rep. Executive Dean Goodman)	RECUSED
James Waltman	YES



## Schedule A - Soil and Water Cost Share Grant

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### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Applicant: NEIL D AND JEAN A ROBSON  
Owner: NEIL D AND JEAN A ROBSON  
Application Number: 03-0087-EP-01  
County: BURLINGTON  
Municipality: NORTH HANOVER TWP.



0 300 600 1,200 1,800 Feet

9/12/2018

### Legend

#### PracticePoints

#### Practice Code


-  2:90-2.15
- SW\_Premises\_6\_13\_18
- SW\_Premises

Image: NJDEP 2015 Natural Color