

## January 25, 2007 SADC Meeting Highlights

### **Executive Director's Report**

Karen Anderson has resigned from the SADC after accepting the position of Director of Programs for the Duke Farms Foundation.

The SADC closed out calendar year 2006 with the preservation of 152 farms covering 10,048 acres.

Executive Director Craft has visited nine counties to explain proposed rules to streamline the farmland preservation process and make it more effective and efficient. The public comment period on the proposed rules closes February 2<sup>nd</sup>.

Executive Director Craft testified Monday before the Assembly Agriculture and Natural Resources Committee to help the Committee understand farmland preservation's funding needs once existing funding runs out under the Garden State Preservation Trust. The presentation is posted on the SADC's website at [www.state.nj.us/agriculture/sadc/gspneedsassessment.pdf](http://www.state.nj.us/agriculture/sadc/gspneedsassessment.pdf).

### **Code of Ethics**

The SADC approved proposed changes to its Supplemental Code of Ethics as part of a review required of all State agencies by the State Ethics Commission. The Supplemental Code of Ethics must be adopted by the State Ethics Committee before it becomes effective.

### **Transition from Existing Farmland Preservation Rules to New and Amended Rules**

The SADC approved distribution of a draft policy outlining how Farmland Preservation Program operations will be transitioned from existing rules to new and amended regulations. The policy addresses how provisions of the new rules will become effective programmatically and what impact the new rules will have on existing versus future PIG appropriations. The SADC will circulate the draft policy for comment and anticipates adoption of a policy at its February 22<sup>nd</sup> meeting.

### **Right to Farm: Final Decision In the Matter of Barbara Hertz**

The SADC voted to adopt an administrative law judge's initial decision that a Morris County landowner does not qualify for right-to-farm protection because she failed to establish she operates a commercial farm by providing clear evidence of agricultural production. Lincoln Park Borough had filed a complaint against the landowner with the Morris County Agriculture Development Board, alleging placement of litter, refuse and rubbish in violation of the borough's zoning ordinance. After the Morris CADB found the operation did not meet the definition of a commercial farm in the Right to Farm Act, the landowner appealed the decision to the SADC, which forwarded the matter to the Office of Administrative Law for the hearing by the administrative law judge.

### **Fee Simple Auctions**

The SADC authorized staff to proceed with public auctions to resell the following five farms purchased or pending purchase through the fee simple program: the Russell farm in North Hanover Township, Burlington County, with a minimum bid of \$1,585,000; the Erb farm in North Hanover, Chesterfield and Springfield townships, with a minimum bid of \$1,140,000; the Romano farm in Clinton Township and Lebanon Borough, Hunterdon County, with a minimum bid of \$840,000; the Riback farm in Lebanon Township, Hunterdon County, with a minimum bid

of \$890,000; and the Limm farm in North Hanover Township, Burlington County, with a minimum bid of \$905,000. The auctions will be scheduled this spring.

### **Grants to Nonprofits**

The Attorney General's office has advised the SADC that it may authorize grants to nonprofits for 50 percent of the certified fair-market value of a development easement or fee simple title in cases where a nonprofit's actual purchase price is less than the certified fair market value. This was in response to a question arising from nonprofit acquisitions in which landowners make donations, thereby reducing nonprofit acquisition costs.

### **Cumberland County**

The SADC approved a request for a division of the premises for the Mixner farm in Hopewell Township.

The SADC authorized staff to proceed with appraisals and negotiations on the O'Donnell farm in Vineland City, which qualified as an "alternate" farm under the direct easement purchase program.

### **Gloucester County**

The SADC approved a request by Carmen and Nora Visalli in Elk Township for a year's extension on their soil and water conservation grant.

### **Hunterdon County**

The SADC granted final approval to the Diana Estates farm in Lebanon Township and Califon Borough under the direct easement purchase program.

The SADC granted final approval to the Case farm in West Amwell Township under the fee simple program.

### **Middlesex County**

The SADC denied a request from Gorden Dey for extensions on two soil and water conservation grants, given there were no seasonal constraints or other conditions provided for by regulation to warrant an extension and that Mr. Dey no longer lives on the farm.

### **Monmouth County**

The SADC granted final approval to the Monmouth Conservation Foundation/Annarella farm in Middletown Township.

### **Morris County**

The SADC granted final approval to the Morris Land Conservancy/Lillis farm in Washington Township.

### **Salem County**

The SADC approved a request for division of the premises for the Cooper farm in Upper Pittsgrove Township.

### **Somerset County**

The SADC approved a request for a division of the premises for the Gallup farm in Montgomery Township.

**Sussex County**

The SADC approved designations of agricultural development areas for the Sargent and Kelly farms in Wantage Township.

**Warren County**

The SADC approved a request by Maura Mowbray in Blirstown Township for a year's extension on her soil and water conservation grant.