

March 27, 2008 SADC Meeting Highlights

Secretary's Report

Secretary Kuperus noted a recent article in the Wall Street Journal regarding the efforts of communities across the country to fight urban sprawl and global warming by building new communities designed along green principles. The techniques mirror principles advocated in the Department of Agriculture's Agricultural Smart Growth Plan.

Executive Director's Report

The SADC filed an amicus brief in the Raub right-to-farm case in Warren County to seek transfer of the case to the county agriculture development board.

Woolwich Township, Gloucester County, is soon expected to obtain State Plan endorsement, the final requirement before the municipality can adopt its Transfer of Development Rights (TDR) ordinance. The Township, which is seeking to use TDR to help protect more than 4,000 acres of farmland-assessed land and create a stronger commercial ratable base, would be the first municipality in the state to adopt a TDR ordinance under the new State TDR Act.

Staff expects to bring the proposed commercial nonagricultural rules to the Committee for consideration for adoption at its April meeting. Both those rules and the proposed equine rules must be adopted and published in the New Jersey Register by July 16th or they will have to be repropoed.

The annual appraisers conference will be held June 11th at Mercer County Community College in West Windsor. Appraisers must attend at least every two years to remain on the SADC's approved appraisers list.

Soil and Water Conservation Grants

The SADC approved 16 soil and water conservation grants for the following farms: Thomas E. and Christine Gerber of Medford; Marion Kanter of Medford; Herman Wagner of Elk; Marino Brothers of South Harrison; Gerald and Nancy Lyness of Alexandria; Silver Decoy Land, LLC, of East Windsor; Mario and Irene Sessa of Colts Neck; Bernice A. Lemack of Upper Freehold; Myers Farms of Upper Pittsgrove; George Sr. and Betty Cassaday and George Jr. and Christy Cassaday of Upper Pittsgrove; D&C Land Company of Buena Vista; Paul, Mike and Nick Macrie of Hammonton and Hamilton; Anthony Valenzano of Shamong; Charles Tomasello Sr., Tomasello Winery Inc. of Winslow; Benjamin Jr. and Elaine Dubois of Clayton/Franklin; and George Cassaday Jr. of Upper Pittsgrove. Also approved were extensions for Joseph A. Dibella of Woolwich; Johnson's Family Farm of Medford and Roger Kumple of Southampton.

The approvals leave a balance of \$543,736 in soil and water conservation grant funds for FY2008.

Fee Simple 2008 Leases

The SADC authorized staff to execute lease agreements for five farms acquired through fee-simple purchase and awaiting resale at auction – the former Jayne farm in Pohatcong Township; the former Case farm and the former Holcombe farm in West Amwell Township; the former Heil farm in Alloway Township, and the former Schroeder farm in Pittsgrove Township.

Grants to Nonprofits

The State Agriculture Development Committee (SADC) has approved \$6.45 million in grants to assist nine nonprofits seeking to preserve farms in Sussex, Warren, Hunterdon, Somerset, Monmouth and Salem counties. The nine nonprofits initially submitted 45 eligible applications representing a total funding request of more than \$40 million. Because of the high demand, the SADC requested that each nonprofit resubmit no more than their three highest ranked applications, which resulted in 19 applications. The SADC approved \$825,000 for each of the following: the New Jersey Agriculture Land Trust, New Jersey Conservation Foundation, Hunterdon Land Trust Alliance, Upper Raritan Watershed Association, and Ridge and Valley Conservancy. Grants of \$500,000 each were approved for the Lamington Conservancy, Morris Land Conservancy, and South Jersey Land and Water Trust. Nonprofit organizations approved for the higher funding submitted at least one higher-ranking application.

County PIG Program Comprehensive Plan Reviews

The SADC reviewed comprehensive plans submitted by Cape May, Ocean, Middlesex, Hunterdon and Morris counties under the new county planning incentive grant (PIG) program. A total of 15 counties have applied to the new program to preserve up 2,588 farms covering nearly 159,000 acres in 88 project areas at an estimated total easement cost of \$2.2 billion. The SADC has already reviewed plans submitted by five other counties and will review plans for the remainder at its April 25th meeting, as well as the 37 municipal PIG plans and applications at its May 22nd meeting. The SADC is expected to consider approval of all 52 county and municipal plans and applications at the May meeting.

Review of Activities Occurring on Preserved Farms

Staff reviewed activities on two preserved farms brought to the SADC's attention as potential deed of easement violations. The areas of concern on Harmony Greenhouses LLC in Harmony Township, Warren County, center on the extent of soil disturbance to construct a greenhouse and related infrastructure, and removal of soil from the farm in conjunction with the greenhouse project. On Seven Springs Farm LLC in Union Township, Hunterdon County, the area of question is the extent of soil disturbance to construct an equine stable, riding arena and related infrastructure. The SADC expects the Warren County and Hunterdon County Agriculture Development Boards to issue recommendations regarding these farms in early April. Following staff review of these recommendations, the Committee expects to take action at its April 25th meeting.

Cumberland County

The SADC issued final approval for the Bonham farm in Hopewell Township under the planning incentive grant program.

Gloucester County

The SADC issued final approval for the Estate of Samuel Catalano farm in Woolwich Township under the direct easement purchase program.

Hunterdon County

The SADC reviewed items for sale at Palumbo's Nursery, which is leasing a portion of Glenn Summit Nursery in Alexandria Township, and determined that more than 51 percent of the sales from its farm market are from items grown on the farm. The SADC conducted the review of the operation at the request of the Alexandria Township tax assessor and a local garden center who had concerns about the lease. The SADC determined in May 2007 that the use of the farm for sale of agricultural or horticultural products is consistent with the terms of the deed of easement and that the farm operator can sell products not grown on the premises, as long as a minimum of 51

percent of the annual gross sales of the retail farm market is generated from sales of the agricultural output of the farm.

Ocean County

The SADC issued final approval for the Huie 1 farm in Plumsted Township under the direct easement purchase program.

Warren County

The SADC issued final approval for the Sakele farm in Harmony Township under the planning incentive grant program.