

STATE AGRICULTURE DEVELOPMENT COMMITTEE

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

REGULAR MEETING

December 1, 2016

Vice Chairman Danser called the meeting to order at 9:08 a.m. Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

The flag salute was conducted at the start of the meeting.

Roll call indicated the following:

Members Present

Chairperson Douglas H. Fisher (arrived at 9:09 a.m.)
Thomas Stanuikynas (rep. DCA Commissioner Richman)
Cecile Murphy (rep. NJDEP Commissioner Martin)
Ralph Siegel (rep. State Treasurer Scudder)
Brian Schilling (rep. Executive Dean Goodman)
Denis C. Germano, Esq. (Arrived at 9:14 a.m.)
Alan Danser, Vice Chairman
James Waltman
Jane Brodhecker
Peter Johnson
Scott Ellis

Susan Payne
Jason Stypinski, Esq., Deputy Attorney General

Others present as recorded on the attendance sheet: Stefanie Miller, Richard Martin, Dan Knox, Heidi Winzinger, Jeffrey Everett, David Kimmel, Charles Roohr, David

Clapp, Pat O'Connell, Steven Bruder, Hope Gruzlovic, Brian D. Smith, Esq., Alison Reynolds, Esq., Cindy Roberts, Paul Burns and Sandy Giambrone, SADC staff; Labinot Beriajolti, Esq., Governor's Authorities Unit; Daniel Pace, Mercer County Agriculture Development Board; Eric Pierson, Monmouth County Agriculture Development Board; Brad Lanute, New Jersey Pinelands Commission; Brian Wilson, Burlington County Agriculture Development Board; Donna Rue, landowner, Monmouth County; Jenny Mance and Tom Thorsen, Ocean County Agriculture Development Board; Adam Bradford and Melanie Mason, Hunterdon County Agriculture Development Board; Ashley Kerr, New Jersey Farm Bureau; and Kevin Celli, Willow Creek Farm and Winery, Cape May.

Minutes

A. SADC Regular Meeting of November 3, 2016 (Open and Closed Sessions)

It was moved by Mr. Schilling and seconded by Ms. Murphy to approve the Open Session and Closed Session minutes of the SADC regular meeting of November 3, 2016. The motion was approved. (Mr. Waltman and Mr. Ellis abstained from the vote. Mr. Germano was not present for the vote.)

REPORT OF THE CHAIRPERSON

Chairman Fisher stated that he thinks the action the Committee took last month concerning the den Hollander case is the most pressing issue to the agricultural interests of this state. Depending on how it plays out, it will have enormous impacts for landowners and farmers who want to preserve their properties in the future, as well as for those who have already preserved their land.

REPORT OF THE EXECUTIVE DIRECTOR

- Staffing

Ms. Payne stated that Patty Riccitello's position has been successfully backfilled so her replacement will be at the next SADC meeting.

- Agricultural Land Easement (ALE) Program Deed of Easement

Ms. Payne stated that staff has spent considerable time trying to develop a workable deed of easement for farms preserved with federal funding through the

ALE program. The SADC sent its comments back to the Natural Resources Conservation Service (NRCS) three months ago. She stated that a conference call has been scheduled with NRCS and she is hopeful it will yield deed terms that staff can agree on. Staff will provide an update to the Committee at the next meeting.

COMMUNICATIONS

Ms. Payne directed Committee members to a resolution by the Warren County Agriculture Development Board (CADB) regarding the Pohatcong Valley contamination issue that the SADC had to deal with as it related to certifications of value. The CADB has sent a resolution asking the State agencies involved in this issue – the Department of Environmental Protection (DEP), SADC and Highlands Council – to provide assistance in trying to solve this problem, which is basically a valuation problem due to the contamination plume. She reached out and spoke to one of the freeholders and DEP about this, so staff is trying to get the right people in a room to talk about this issue.

She also pointed out in the Communications packet a Fairleigh Dickinson Public Mind poll by New Jersey Farm Bureau. It asked the public questions about the importance of farmland, agriculture and Jersey Fresh, agtourism activities and the minimum wage. She stated it's worth reviewing to see how the public views those issues.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

- A. Agriculture Development
 - 1. Farmland Stewardship Deer Fencing Policy

Mr. Everett stated that the Committee reviewed a draft deer fencing policy at last month's meeting for the purpose of providing 50 percent cost-sharing grants to eligible owners of preserved farms under a new deer fencing program the SADC is establishing pursuant to stewardship rules adopted in 2003. He noted that the Committee had seemed comfortable with the concept but had concerns there may be many tie scores because of a simplified ranking system. He wanted to review with the Committee the addition of a few more categories to try to avoid tie scores. He stated that under the revised policy, staff has added additional ranges for the awarding of points under the deer density criterion;

established a tiered system for crop type to be fenced; added a criterion on whether the premises is located adjacent to open space with no hunting, and added points for military veteran farmers. The Farm Service Agency has tried to incorporate veterans into farming since 9/11 so staff thought it would be prudent to have that category – again, creating an increased ranking system by which tie scores can be avoided. He stated that New Jersey Farm Bureau seemed to be appreciative that this program would have dedicated funding potentially and serve the farming community through the years rather than being a grant dependent program like the original farmland stewardship grant funds that were more of a one-time opportunity.

Ms. Payne stated that if the Committee thinks the policy makes sense and likes the ranking system, staff will prepare application forms. She stated that she was hoping to have a Garden State Preservation Trust meeting date for approval of the funding before the program is formally announced. Staff doesn't want to raise the expectations of the agricultural community and then not have the money. She thinks it would be best to get the policy finalized and once funding is available then actually put the word out. The Committee discussed the merits of the various criteria. Mr. Siegel questioned the subcategories for awarding points based on type of crop to be fenced because a grain farmer, for example, may be thinking about putting in vegetables but doesn't to avoid deer damage. Ms. Murphy stated that maybe applicants could be asked if they have some kind of documentation that they're going to switch their crop if the area's fenced and maybe that will take them up to the higher point level.

Mr. Schilling asked if there is any ability to evaluate actual damage that's being suffered – even though the applicant may be in a lower deer density area – because ideally that is one of the better metrics that would show the need for fencing. Mr. Everett stated that staff talked to some people about crop insurance and he spoke with Paul Hlubik, and it's difficult to get insurance for deer damage. Even if you can it's difficult to document that the damage is above and beyond normal damage. Although that's a criterion the Department originally had in its deer fencing program, he doesn't want to create a paperwork burden where people couldn't prove it definitively. Mr. Waltman noted that there has been a concerted effort in some municipalities, like Hopewell Township, to control deer herd numbers and questioned whether the deer density criterion would make farmers in those towns less likely to receive funding. Mr. Siegel stated that if some areas of the state don't have this problem then they won't get a grant. Mr. Ellis questioned why the SADC would want to put a fence around woodland. Ms. Payne stated that the thinking was that some farm operations are predominantly woodland management operations. They qualify for farmland assessment, they're part of the agricultural industry, so staff was trying to include that sector. Ms. Payne noted that woodland is the

third category after fruits/vegetables/nursery and grain in terms of the point structure. Mr. Danser stated that he thinks the cost share will help shape the hierarchy of applications – the people with the high-value crop are more likely to contribute the 50 percent cost-share than someone who just has a woodland management plan. Mr. Fisher said this is the first year – if changes need to be made the Committee can adjust it in the future.

Mr. Everett stated that the Burlington County Agriculture Development Board (CADB) was appreciative of the deer fencing effort but raised concern of whether this is enough and whether there's anything else the SADC can do beyond deer fencing. He reached out to DEP and they have a community-based deer management program with alternate methods – e.g., shooting, euthanization, fertility control. He's not sure whether people don't know about this program but he wanted to mention it in response to the CADB's concern. Mr. Ellis stated that it's extremely expensive. Mr. Stanuikynas stated that maybe if there are a lot of tie scores there could be an open-ended question at the end allowing the applicant to state his or her case, describe their hardship, and if there are a lot of scoring ties see if they have a plan in place or experienced more damage. Mr. Schilling stated that if there's an ability to consider a hardship case he thinks county agents could play a role in validating intense damage. If there could be some consideration when there's a special circumstance he would favor that. Otherwise, he wouldn't hold this up.

NEW BUSINESS

A. Readoption of SADC Rules

Ms. Payne stated that as part of normal administrative procedures related to State agencies, the SADC's rules at N.J.A.C. 2:76 expire seven years from the last date of adoption unless they are readopted by the agency. All of the SADC's rules are scheduled to expire on January 15, 2017. The SADC is proposing re-adoption of the rules without change and publishing a notice of re-adoption in the *New Jersey Register* in order for the rules to maintain their force and effect. The readoption does not impede the agency's ability to adopt any new or amended rules as it sees fit at any time in the future.

It was moved by Mr. Ellis and seconded by Ms. Brodhecker to approve the Notice of Readoption for State Agriculture Development Committee Rules (N.J.A.C. 2:76) as presented and discussed. The motion was unanimously approved.

B. Eight-Year Farmland Preservation Program – Renewals, Terminations, Withdrawals

1. Renewal

Ms. Payne referred the Committee to the Farmland Preservation Eight-Year Program Summary showing one renewal of an eight-year program as follows:

- a. Theodore H. Budd and Sons Inc., SADC #03-0035-8F, Southampton Township, Burlington County, 1,205 acres

2. Termination

Ms. Payne referred the Committee to the Eight-Year Program Summary showing one termination of an eight-year program as follows:

- a. Vettese, Dorothy and Diane, SADC #0111-09F-01; 01-0045-8F, Galloway Township, Atlantic County, 242.7 acres
Soil and Water Conservation Cost-Share Grant Eligibility: \$54,270 – \$0.00 Paid

Ms. Payne stated that this is for the Committee's information and no action is required.

C. Resolutions of Final Approval: County PIG

SADC staff referred the Committee to four requests for final approval under the County Planning Incentive Grant program. Staff reviewed the specifics with the Committee and stated that the recommendation is to grant final approval as outlined in said Resolutions.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve Resolution FY2017R12(1) through Resolution FY2017R12(4) granting final approval to the following applications under the County Planning Incentive Grant program, as presented and discussed, subject to any conditions of said Resolutions:

COUNTY PLANNING INCENTIVE GRANT PROGRAM

- 1. Dana Burke and Barbara Dinsmore – Burke Dinsmore Farm #2, SADC #21-0561 PG (Resolution FY2017R12(1))
AMENDED FINAL APPROVAL

Block 9, Lot 51.02, Harmony Township, Warren County, approximately 18.7 Net Easement Acres

2. Michael N. Brooks (Brooks farm), SADC #17-0166-PG (Resolution FY2017R12(2))
Block 81, Lot 7, Upper Pittsgrove Township; Block 1301, Lot 5, Pittsgrove Township, Salem County, 65.441 Acres
3. Joseph C. and Betty P. Shoemaker (Shoemaker #1), SADC #06-0172-PG (Resolution FY2017R12(3))
Block 17, Lot 5, Hopewell Township, Cumberland County, 27.998 Acres
4. Velan M. Russell, SADC #06-0174-PG (Resolution FY2017R12(4))
Block 402, Lot 21.01, Upper Deerfield Township, Cumberland County, 10 Gross Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (Copies of Resolution FY2017R12(1) through Resolution FY2017R12(4) are attached to and are a part of these minutes.

D. Nonprofit Grant Program FY2018 Round Approval

Mr. Knox stated that staff is requesting Committee approval to publish in the *New Jersey Register* a Notice of Availability of Grant Funds and Application Deadline for the FY2018 round of the Nonprofit Program. The notice would be published in January and nonprofits would have 90 days to submit applications.

Mr. Waltman asked if there had been discussion of a planning incentive grant approach to the Nonprofit program and where that stood. Ms. Winzinger stated that some years ago New Jersey Conservation Foundation (NJCF) suggested that the Nonprofit program rules be changed and that the nonprofit community draft the rules. NJCF obtained a grant from the William Penn Foundation to rewrite the rules and recently submitted some ideas for staff review. Ms. Winzinger stated that staff is commenting on their initial ideas and hopes within a few months to see some draft concepts. Staff would be very supportive of the PIG concept.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve publishing a Notice

of Availability of Grant Funds and Application Deadline for the FY2018 round of the Nonprofit program as presented and discussed. The motion was unanimously approved.

E. Stewardship

1. Annual Report

Mr. Roohr referred the Committee to the annual monitoring report. He stated that FY2016 was the best year on record for monitoring and completion rates for counties and nonprofits. Approximately 2,200 preserved farms, or 90 percent, were monitored in FY2016. Mr. Roohr stated that SADC staff has tried to make the process more standardized and that has seemed to help. He believes that the agencies and organizations that hold easements recognize the value of monitoring and that has helped as well. The SADC has offered a web-based E-form for a couple of years and that has helped create efficiencies for the counties that use it. The vast majority of easements (78 percent) are held by the counties. Eleven high-performing counties had completion rates of 90 percent or better.

Mr. Roohr noted that at the nonprofit level, a number of nonprofits are assigning their easements to other groups, primarily the counties. A lot of the smaller nonprofits particularly are not equipped to do monitoring and enforcement so they're finding it easier to assign those easements to the county. The SADC holds the second highest total of easements (20 percent) and achieved a 99 percent compliance rate in FY2016. Of the four SADC-held easements not monitored in FY2016, one was an oversight, two were out of synch with the fiscal year schedule and the fourth was Bayside Prison, a State-owned prison where the SADC was unable to obtain an appointment by the end of the fiscal year. Mr. Roohr stated that conservation issues, such as overgrown fields that need to be mowed and erosion, were the most common type of violation reported.

It was moved by Mr. Siegel and seconded by Mr. Danser to accept the report. The motion was unanimously approved.

F. Agriculture Development

1. Rural Microenterprises Rules (Discussion Only)

Chairman Fisher provided background on the Rural Microenterprise Act (RME) bill, which was signed into law a year ago and intended to expand economic opportunity for certain landowners who may have been unaware of, or unable, to take an exception area at the time of preservation. The law also has the benefit of encouraging restoration and reuse of old dairy barns and other historic structures that are symbolic of New Jersey's

agrarian heritage.

Mr. Reynolds stated that the Rural Microenterprise Act (P.L. 2015, c. 275) amended the previous Nonagricultural Use Permit Law to make it more workable, and reviewed with the Committee a chart showing the differences between the two laws, including a provision in the RME Act that allows greater than 2,500 square feet of a “heritage farm building” to be finished (new walls, insulation, flooring, lighting, HVAC, plumbing, associated wiring) in exchange for the landowner agreeing to a heritage preservation easement protecting the exterior of the building. She stated that Mr. Everett is drafting the heritage structure portion of the regulations and she is working on regulations to reflect the remainder of the amendments to the old law. Her piece is relatively straightforward but there were a couple of issues she wanted to bring to the Committee’s attention.

Under the law, the maximum permit duration term is 20 years, however under the SADC’s rules as currently written the standard permit duration period is 5 years. She stated that what’s odd about that is one of the amendments to the law states that the permit holder can apply to renew the permit within 10 years of the scheduled permit expiration date. If they have a 5-year permit, which is the SADC’s current standard permit duration, they could apply to renew the permit right after a permit’s issued to them, which does not make sense. To address that situation as well as to comply with the spirit of the statutory amendments – which is to make the permitting process less stringent on the landowner – staff suggests changing the standard permit duration to 20 years under the SADC’s regulations if the Committee agrees. Ms. Payne stated that the Committee still has the right to revoke a permit if the permit holder isn’t complying. Staff’s thought is that 20 years is a reasonable investment horizon if someone has to make decisions to put money into the barn and do improvements. They need a long enough period of time to ensure that’s a good investment. The consensus of the Committee was that it was comfortable with a 20-year standard duration for permits.

Mr. Germano asked how this would fit in with local zoning. Ms. Payne stated that any RME permit that’s issued is still subject to local zoning. The law states that if the activity is not otherwise eligible for Right to Farm, the issuance of a permit does not make it eligible for Right to Farm protection. If someone wants to open a bakery, machine shop or vet clinic, they still need to obtain their municipal approvals.

Ms. Reynolds stated that under the old law, the SADC had joint approval authority with the easement holder. Under the new law, the SADC has sole discretion for issuing a permit when it or a county holds the easement. If the easement is held by a nonprofit, the law states that the SADC may issue the permit in consultation with the nonprofit. Under

the new amendments to the law, after the SADC receives a permit application it has to submit that application to the easement holder. The easement holder has 30 days to provide comments to the SADC. Staff suggests that how it interprets the "in consultation" provision with regard to nonprofit easement holders is a more intensified process during this 30-day period where staff has more of an interaction with the nonprofit, hears any concerns they have regarding the permit and works with them to try to resolve the issue if possible. Mr. Waltman stated that if an easement holder submits concerns or thoughts in writing, he thinks a response in writing should be provided. Ms. Payne stated that staff would share correspondence and comments with the Committee so members are fully aware of concerns that have been raised.

Mr. Everett stated that the language in the RME Act regarding the heritage preservation components is much less specified than other provisions and requires greater development by the SADC. The Act specifies that repairs and improvements to the exterior and interior of a structure used in conjunction with an RME "shall be compatible with the agricultural character of the premises, and shall not diminish the historic or cultural character of the structure." It sets up a design review process for both ordinary agricultural structures and those structures that the SADC designates as "heritage farm buildings" because they are significantly representative of New Jersey's agrarian history or culture. Staff recommends designating heritage farm structures according to a simplified process adapted from Delaware's farmland preservation program that looks at whether the building was constructed prior to 1960; represents a rare or unusual type or possesses a distinctive method of construction, or is associated with important persons or trends in New Jersey agriculture; and is substantially in its original form with its character-defining features largely intact and has not been subject to modern additions or alterations that obscure its original form or character-defining features.

Ms. Payne clarified for the Committee that a landowner doesn't have to locate an RME in a heritage farm building. The discussion of what constitutes a heritage farm building is only for the purpose of identifying those buildings where landowners could finish the entirety of the interior of the building to support an RME in exchange for a deed restriction on that building, as opposed to the 2,500 square foot limit on finishing the interior of an ordinary farm building with no deed restriction placed on the building.

Mr. Everett reviewed for the Committee examples of farm structures that he believes would or would not qualify as a heritage farm building based on the criteria staff is proposing. In terms of a review process, he envisions a tiered approach that would result in more limited reviews for non-heritage structures, a higher level for review for improvements of less than 2,500 square feet to heritage farm structures, and the highest

level of review for heritage farm structures where more than 2,500 square feet will be improved and an easement will be placed on the building's exterior.

Mr. Siegel noted that Mr. Everett is familiar with the National Register of Historic Places and questioned why he is not just relying on those criteria. Mr. Everett stated that you can put a farm complex on the National Register but not commonly individual buildings as is the goal here. There also could be problems related to demolition of a building on the National Register. He stated that a landowner could voluntarily agree to a higher design review standard in exchange for federal income tax credits for qualified expenses associated with rehabilitating an historic building or structure but staff is not proposing that landowners be required to meet that design standard. Staff could produce a guidance document on this and related programs to help the farm community take advantage of potential financial benefits associated with pursuing a listing on the National Register.

This agenda item was for discussion only. Ms. Payne stated that staff wanted to give the Committee an idea of what is being looked at and will come back to the Committee multiple times as these rules are being developed. She stated that Mr. Danser had asked how long the heritage farm easement will run. For example, if someone obtains a 20-year permit, does the easement run for 20 years? Staff will come back to the Committee on that question. Staff also will reach out to counties and the agricultural community to see if they have any input they would like to provide now as we work on these regulations.

PUBLIC COMMENT

Donna Rue of Upper Freehold Township stated that she was confused about eligibility for an RME. If someone had a century farm, would they automatically fall into this category? Does someone have to go to the historical society to be recognized? She asked whether RMEs would apply only to pre-1960 buildings on the farm and whether it would make a difference if the farm doesn't have an exception. Her family has an old stone/concrete potato barn on their farm that's definitely in need of repair and they're looking at possibly using it for agritourism. How does this fit into the heritage definition? Mr. Everett stated that a potato barn in his mind is exactly the type of building that the SADC would want to preserve. Potatoes put Monmouth County on the map as one of the top 50 most agriculturally productive counties in the 1950s so that's the type of building that staff would be aspiring to protect. As far as century farms, that's a separate process where they're more concerned about continuous ownership in one family for 100 years. They're not really looking at buildings. Regarding the historical society, it's a source of information but they wouldn't have any bearing on

whether a structure is certified as a heritage farm building. That would be under the Committee's purview.

Kevin Celli of Cape May County questioned the reasoning behind a four-employee maximum for an RME. Ms. Payne stated that the original statute had language that stated an RME cannot be a high-volume business and no one knew what that meant. The Legislature decided to be more specific, talking about number of employees, number of parking spaces, the size of the area for septic and well improvements. The whole concept of a Rural Microenterprise is that it's a small-scale business that's compatible with the farm. The idea was to be concrete so everyone understands what is and is not permitted.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, January 26, 2017, beginning at 9 a.m. Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 11:13 a.m., Mr. Siegel moved the following resolution to go into Closed Session. The motion was seconded by Ms. Murphy and unanimously approved.

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

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certification of Values

It was moved by Mr. Siegel and seconded by Mr. Danser to approve the following Certification of Value for the following applicant as discussed in Closed Session:

1. County Planning Incentive Grant Program

- a. Michael Fenimore, SADC #03-0421-PG

Block 812, Lot 8.01, Pemberton Township, Burlington County, 74 Acres

The motion was approved. Mr. Johnson recused from the vote. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (A copy of the Certification of Value Report is attached to and is a part of the Closed Session minutes.)

It was moved by Mr. Germano and seconded by Ms. Murphy to approve the Certifications of Value for the Brown Farm and Tranquility Farms LP/Mase LP below as discussed in Closed Session.

- b. Steven and Timothy Brown, SADC #17-0160-PG
Block 61, Lot 34.02, Upper Pittsgrove Twp., Salem County,
47.84 Net Acres (Appraisal Order Checklist (AOC)); 51.05 Gross Acres
(AOC)

2. Direct Easement Purchase

Tranquility Farms LP/Mase LP, SADC #10-0233-DE
Block 22, Lot 21, Alexandria Twp., and Block 5, Lot 1.01, Kingwood Twp.,
Hunterdon County, 139.10 Net Acres (AOC), 153.10 Gross Acres (AOC)

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (Copies of the Certification of Value Reports are attached to and are a part of the Closed Session minutes.)

B. Resolutions of Final Approval: State Acquisition Program

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2017R12(5) granting final approval to the following application under the State Acquisition Program, subject to any conditions of said Resolution:

1. Tranquility/MASE LP, SADC #10-0233-DE
Block 22, Lot 21, Alexandria Twp., and Block 5, Lot 1.01, Kingwood Township,
Hunterdon County; Approximately 153 Gross Acres

The motion was unanimously approved. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. (A copy of Resolution FY2017R12(5) is attached to and is a part of these minutes.)

C. Attorney/Client Matters

1. Litigation

a. Right to Farm – Proposed OAL Final Decision – LaRue v. Monmouth CADB

Ms. Payne stated that in the matter of LaRue v. Monmouth CADB, staff has prepared a draft final decision that adopts, rejects and modifies the decisions of the CADB and Administrative Law Judge (ALJ) in part. On the matter of the equipment movement and storage area, the SADC finds that the Site-Specific Agricultural Management Practice (SSAMP) was worthy of Right to Farm protection, that it did meet the test so the SADC's decision departs from the decisions of the ALJ and CADB in that it grants the SSAMP for that particular matter. With respect to the other two matters – terrain management and processing of off-site wood – the SADC upholds the decisions of those prior bodies.

It was moved by Mr. Germano and seconded by Mr. Danser to approve and adopt the final decision in the matter of LaRue v. the Monmouth CADB. The motion was unanimously approved. (This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f. A copy of the final decision is attached to and is a part of these minutes.)

b. Northfield Bank v. Stony Brook Farms, LLC – foreclosure of a preserved farm – Hopewell Township, Mercer County

Ms. Payne stated that staff would like SADC authorization to request to intervene in the Northfield Bank matter in order to stay connected to activity in the case, as discussed in Closed Session.

It was moved by Mr. Germano and seconded by Mr. Schilling to authorize the SADC to intervene in the Northfield Bank matter as discussed in Closed Session. The motion was unanimously approved.

c. Rescind 10/13/2016 motion granting Executive Director authority to review OAL applications for interlocutory review

Ms. Payne stated that staff is requesting a motion to rescind the Committee's October 13, 2016 action delegating to the Executive Director the authority for interlocutory reviews until such time as there can be further legal analysis of the issue.

It was moved by Mr. Waltman and seconded by Mr. Germano to rescind the Committee's prior delegation to the Executive Director regarding the authority for interlocutory reviews until such time as there can be further legal analysis of the issue. The motion was approved. Mr. Siegel voted no.

ADJOURNMENT

There being no further business, it was moved by Mr. Siegel and seconded by Mr. Danser and unanimously approved to adjourn the meeting at 12:34 p.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R12(1)

AMENDED FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE
GRANT TO

WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Dana Burke & Barbara Dinsmore - Burke Dinsmore Farm #2("Owners")
Harmony Township, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0561-PG

December 1, 2016

Amendment Synopsis:

- Remove the exception area & Residential opportunity
- Approve a new cost share based on the revised Certified Market Value and increased acreage

WHEREAS, on February 27, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as Block 9, Lot 51.02 ("Property"), Harmony Township, Warren County (Schedule A); and

WHEREAS, the SADC granted Final Approval for the Property on November 12, 2015, which included a one (1) approximately 1-acre nonseverable exception for and limited to one, future single family residential unit resulting in approximately 17.7 net acres to be preserved, with no residential units or nonagricultural uses on the Property outside the exception area and an easement value of \$6,100/acre (Schedule B); and

WHEREAS, subsequently the Owners and County requested to eliminate the exception area and on September 22, 2016 the SADC certified an updated easement value for the development of \$7,800 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$3,500 per acre based on zoning and environmental regulations in place as of the current valuation date June 28, 2014; and

WHEREAS, the Owner has accepted the new easement value of \$7,800 per acre and the County requested an updated SADC Final Approval; and

WHEREAS, the quality score of the Property changed slightly from 71.32 to 71.24, which exceeds 41, which is 70% of the County's average quality score as determined by the SADC on July 25, 2013; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 19.26 acres will be utilized to calculate the SADC grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, by resolution on August 17, 2015 the Harmony Township Committee approved the application but is not participating financially on the easement; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on October 20, 2016 the Warren CADB passed an amended resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on October 26, 2016, the Board of Chosen Freeholders of the County of Warren passed a resolution granting amended final approval and a commitment of funding for \$3,000 per acre to cover the local cost share; and

WHEREAS, the new estimated cost share breakdown is as follows (based on 19.26 acres):

SADC	\$92,448	(\$4,800/acre)
County	\$57,780	(\$3,000/acre)
Total Easement Purchase	\$150,228	(\$7,800/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$92,448 in competitive grant funding (increased from \$69,164.50 originally encumbered on November 12, 2015) and sufficient funds are available (Schedule C); and

NOW THEREFORE BE IT RESOLVED, that the SADC amends the exception areas and the cost share of the November 12, 2015 final approval Resolution **FY2016R11(4)**; and

BE IT FURTHER RESOLVED, the SADC approves a revised cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 18.7 net easement acres at a State cost share of \$4,800 per acre for a total grant need of \$92,448 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule D); and

BE IT FURTHER RESOLVED, the Property has no exception areas or residential opportunities; and

BE IT FURTHER RESOLVED the Property has zero (0) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and

BE IT FURTHER RESOLVED, all other provisions of the November 12, 2015 final approval shall remain in effect; and

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

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

December 1, 2014

Date

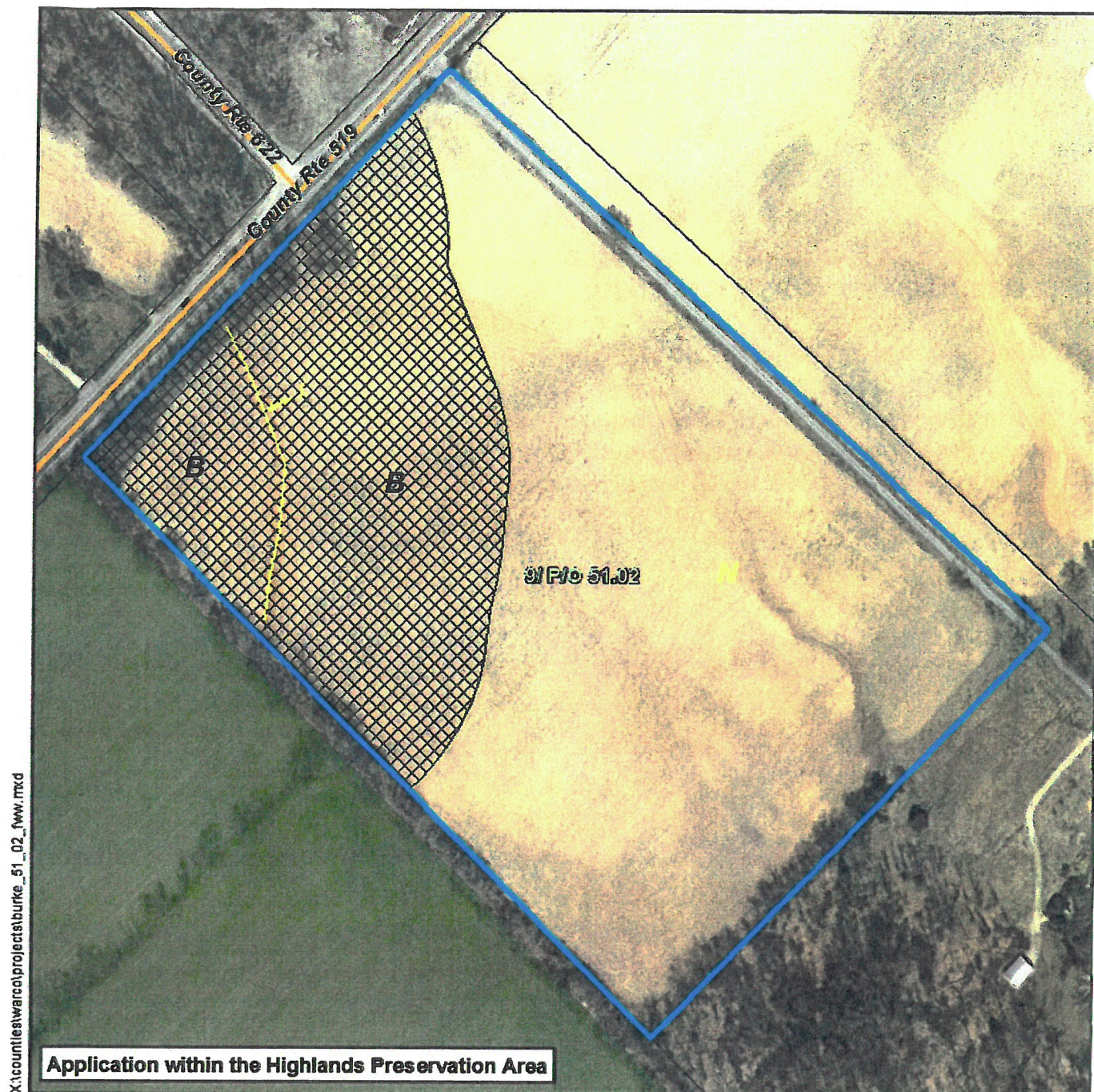


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

Schedule A



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Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Burke, Dana and Dinsmore, Barbara (#2)
Block 9 Lot 51.02
Gross Total = 18.7 ac
Harmony Twp., Warren County



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



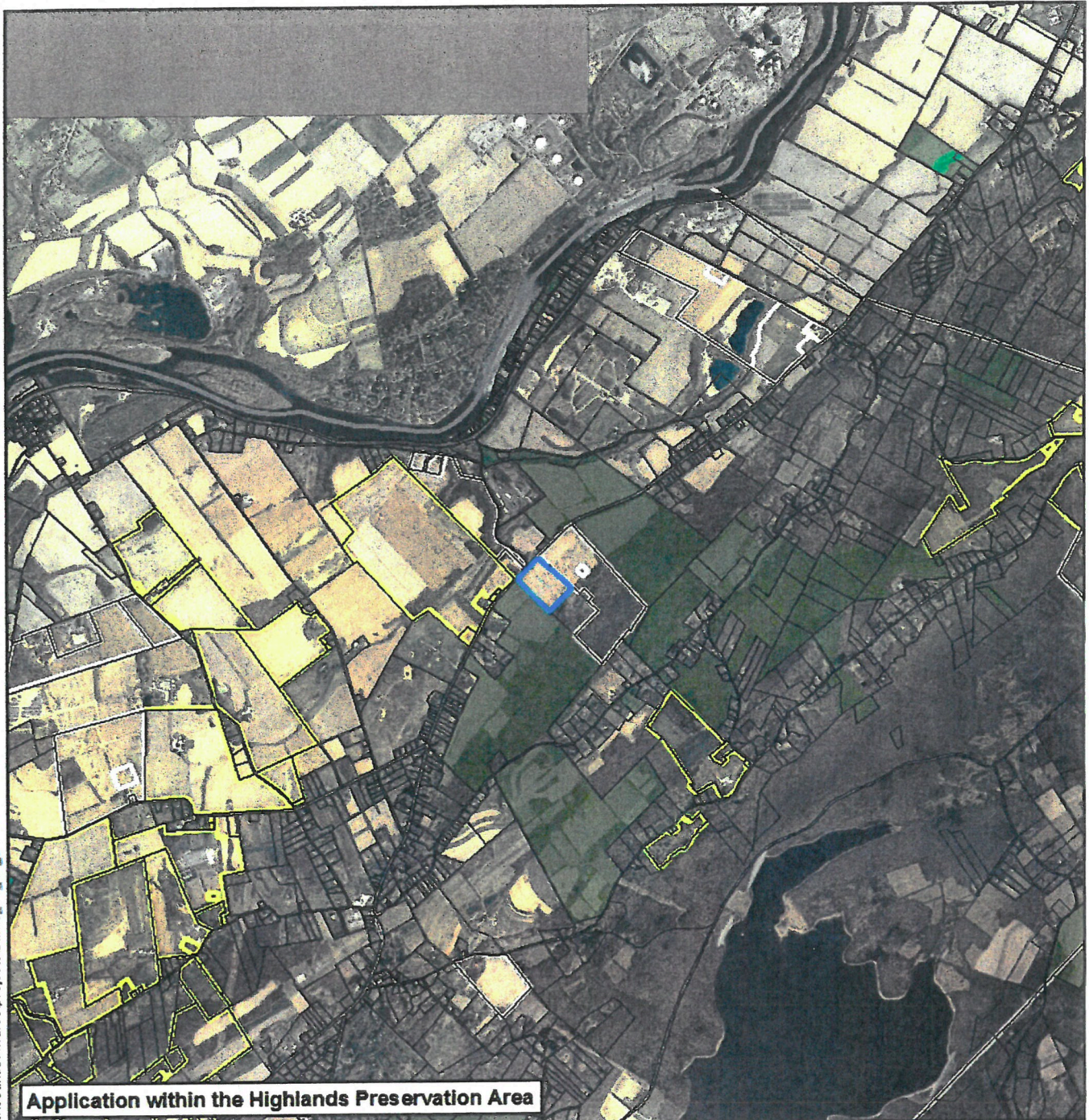
Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NIDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT, GIS 2012 Digital Aerial Image

March 10, 2014

Preserved Farms and Active Applications Within Two Miles

X:\counties\active\projects\burke_51_02_2mile.mxd



Application within the Highlands Preservation Area

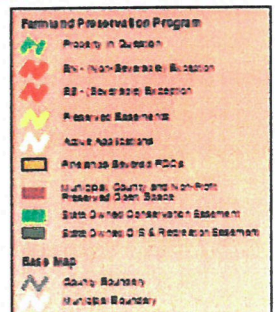
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Dana Burke and Barbara Dinsmore (#2)
Block 9 Lot
Gross Total = 18.7 ac
Harmony Twp., Warren 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 GIS 2012 Digital Aerial Image

March 10, 2014

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2016R11(4)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Dana Burke & Barbara Dinsmore - Burke Dinsmore Farm #2("Owners")
Harmony Township, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0561-PG

NOVEMBER 12, 2015

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Warren County received SADC approval of its FY2016 PIG Plan application annual update on May 28, 2015; and

WHEREAS, on February 27, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as Block 9, Lot 51.02, Harmony Township, Warren County, totaling approximately 18 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the Property is located in Warren County's West Project Area and in the Highlands Preservation Area; and

WHEREAS, the Property includes one (1), approximately 1- acre non-severable exception area for and limited to one (1) future single family residential unit and for future flexibility of use resulting in approximately 17 net acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

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

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

WHEREAS, the Property has a quality score of 71.32 which exceeds 41 , which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 29, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 22, 2015 the SADC certified a development easement value of \$6,100 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,800 per acre based on zoning and environmental regulations in place as of the current valuation date June 28, 2014; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$6,100 per acre for the development easement for the Property; and

WHEREAS, on September 28, 2015 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 August 17, 2015 the Harmony Township Committee approved the Owner's 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 July 16, 2015 the Warren CADB passed a resolution granting final approval for funding the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on July 22, 2015, the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and a commitment of funding for \$2,150 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, 17.51 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 17.51 acres); and

SADC	\$69,164.50	(\$3,950/acre)
County	\$ 37,646.50	(\$2,150/acre)
Total Easement Purchase	\$106,811	(\$6,100/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 Warren County Agriculture Development Board is requesting \$69,164.50 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 consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 17.51 net easement acres, at a State cost share of \$3,950 per acre, (64.75% of certified easement value and purchase price), for a total grant need of \$69,164.50 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1), approximately 1- acre non-severable exception area for and limited to one (1) future single family residential unit and for future flexibility of use; and

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

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

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

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the 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-B Supplement; and

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

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

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

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

11-12-15

Date



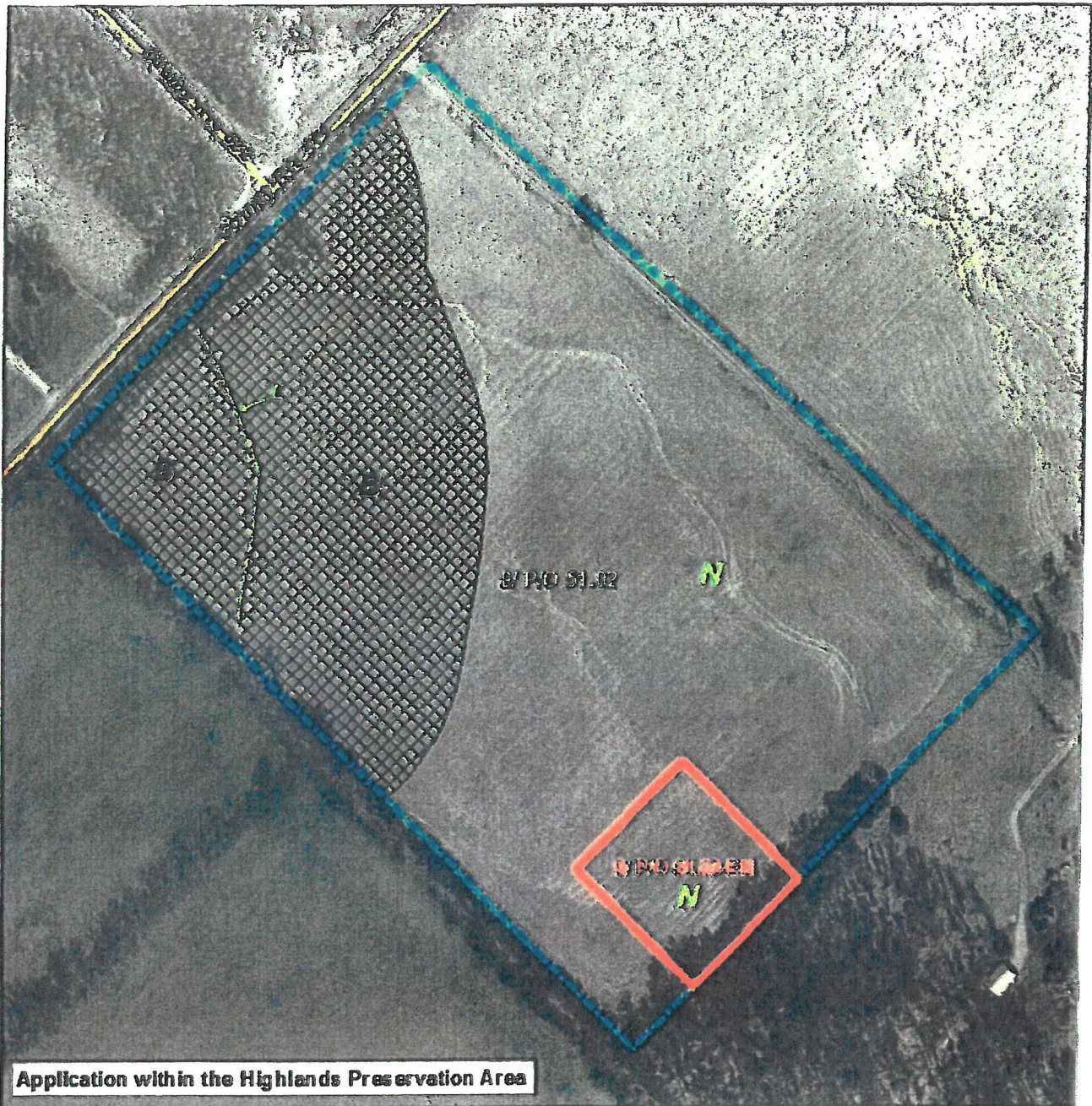
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
Pamela Weintraub (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. Acting State Treasurer Scudder)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano, Esq.	YES

Schedule A

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Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Dana Burke and Barbara Dinsmore (#2)
Block 9 Lots P/O 51.02 (17.7 ac)
& P/O 51.02-EN (non-severable exception - 1.0 ac)
Gross Total = 18.7 ac
Harmony Twp., Warren County



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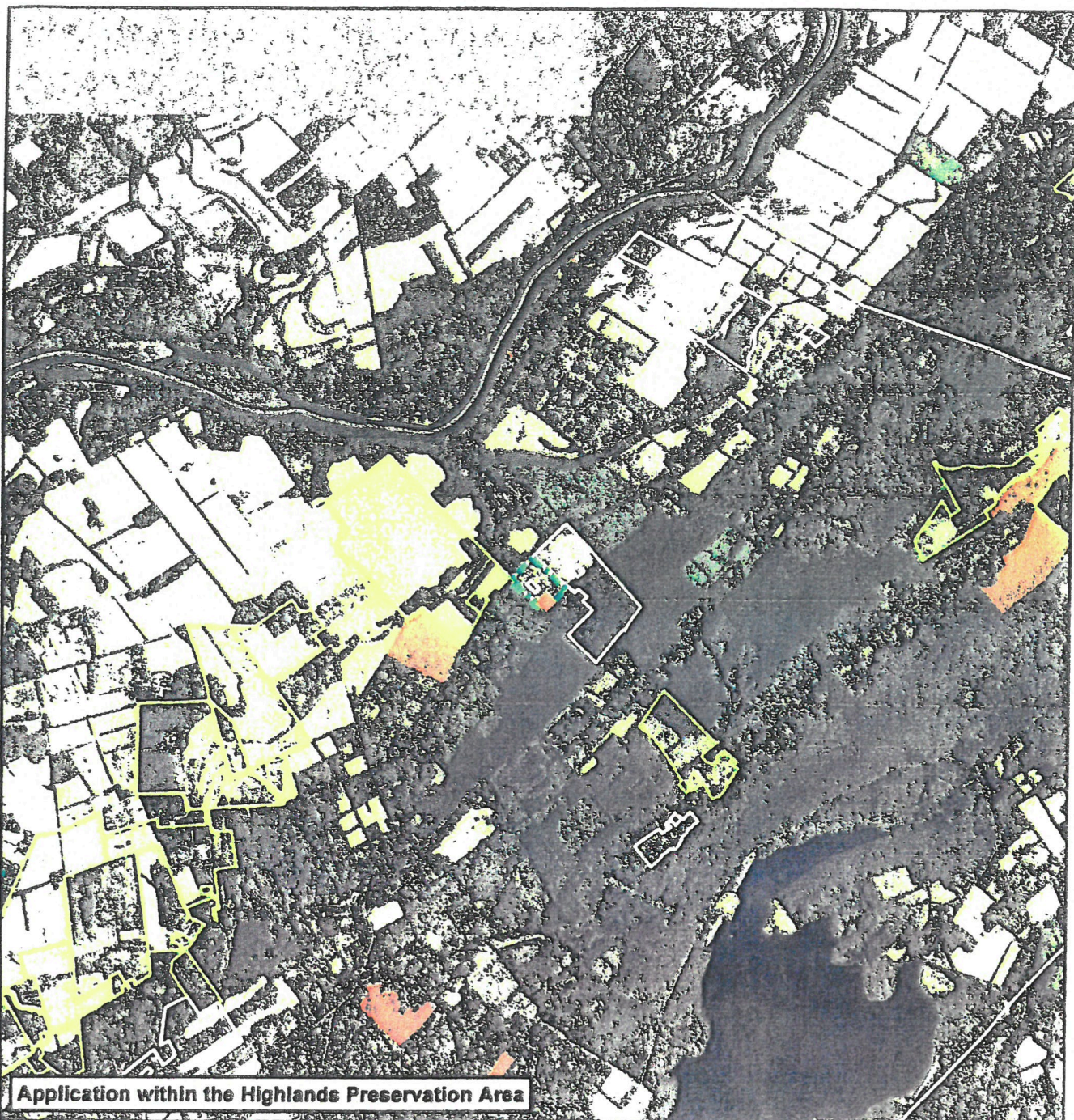


Source:
NJ DEP Freshwater Wetlands Data
NJ State Agriculture Development Committee
USGS 2012 Digital Aerial Image

Version 2.0

Preserved Farms and Active Applications Within Two Miles

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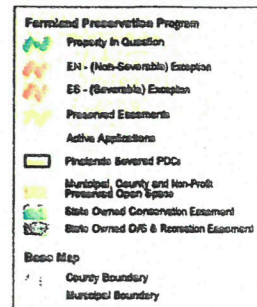


Application within the Highlands Preservation Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Dana Burke and Barbara Dinsmore (#2)
Block 9 Lots P/O 51.02 (17.7 ac)
& P/O 51.02-EN (non-severable exception - 1.0 ac)
Gross Total = 18.7 ac
Harmony Twp., Warren 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
NJOTIS 2012 Digital Aerial Image

March 10, 2014

Warren County

S:\Planning Incentive Grant -2007 rules County\Fund tracking\2013ctypigfinancialstatus.xls

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Burke & Dinsmore (51.02)
21- 0561-PG
County PIG Program
17 Acres

Block 9	Lot 51.02	Harmony Twp.	Warren County
SOILS:		Prime	46% * .15 = 6.90
		Statewide	54% * .1 = 5.40
			SOIL SCORE: 12.30
TILLABLE SOILS:		Cropland Harvested	93% * .15 = 13.95
		Other	4% * 0 = .00
		Woodlands	3% * 0 = .00
			TILLABLE SOILS SCORE: 13.95
FARM USE:	Soybeans-Cash Grain		acres

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

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

Schedule C

SADC County PIG Financial Status
Schedule B

Warren County

SADC ID#	Farm	Municipality	Acres	Pay Acres	SADC or Neapolitan Per Acre	SADC			Federal Grant	Base Grant				Competitive Funds		
						Per Acre	Cost Basis	Cost Share		Total	Encumbered	PV	Expended	Fiscal Year 11	Maximum Grant	Fund Balance
21-0509-PG	Drake et al	Alamuchy	198.0870	198.0870	4,000.00	2,800.00	792,348.00	554,843.60			554,843.60					
21-0508-PG	Bowers, Russell	Pohatcong	47.9100	47.9100	6,500.00	4,150.00	311,411.00	188,325.50			188,325.50					
21-0513-PG	Dirisio, Irma	Mansfield	71.0000	71.0000	6,500.00	4,150.00	461,800.00	294,850.00			294,850.00					
21-0512-PG	Pruden, Timothy	Horse	128.4910	128.4910	4,000.00	2,800.00	513,532.00	359,472.40			359,472.40					
21-0523-PG	Coccone, J	Oxford	42.8530	42.8530	6,200.00	4,000.00	325,016.40	209,688.00			209,688.00					
21-0527-PG	Czar	Pohatcong	95.2220	94.6705	5,400.00	3,800.00	510,738.00	323,457.55			323,457.55					
21-0524-PG	Beaver Brook/TLCHJ	Horse	138.2260	134.0990	3,975.00	2,740.00	533,719.82	373,787.55			373,787.55					
21-0548-PG	Bullock	White	60.4410	60.4410	3,900.00	2,740.00	234,549.90	164,786.34			164,786.34					
21-0541-PG	J&K Smith #1 (Lot 17.02)	Harmony	49.4570	49.4570	6,000.00	3,900.00	286,742.00	192,882.30			192,882.30					
21-0546-PG	Chapman	Harmony	93.4440	93.4440	5,500.00	3,850.00	277,112.00	183,901.80			183,901.80					
21-0547-PG	Cercola #2	Franklin	17.3540	17.3540	5,700.00	3,750.00	107,815.50	71,843.35			71,843.35					
21-0568-PG	Kinney Estate	Blair/Knowl	32.4650	32.4650	5,600.00	3,700.00	181,720.00	120,665.00			120,665.00					
21-0530-PG	JJ Smith North	Harmony	80.0000	82.4000	4,600.00	3,160.00	379,040.00	260,384.00			260,384.00					
21-0538-PG	JJ Smith South	Harmony	42.9000	43.6500	6,000.00	3,900.00	281,900.00	170,235.00			170,235.00					
21-0544-PG	Thomas	Mansfield/Indep	197.7750	197.7750	3,700.00	2,500.00	729,340.30	516,451.78			516,451.78					
21-0572-PG	Thompson	Franklin	47.7350	47.7350	7,800.00	5,200.00	354,838.60	224,838.76			224,838.76					
21-0550-PG	Burke & Dismore (S1.01) #1	Harmony	90.0000	92.4000	3,500.00	2,500.00	288,400.00	206,000.00			206,000.00					
21-0551-PG	Burke & Dismore (S1.02) #2	Harmony	18.7000	19.2600	7,800.00	4,800.00	507,288.60	333,742.50			333,742.50					
21-0554-PG	Race	White	86.4060	89.9890	5,700.00	3,750.00	507,288.60	333,742.50			333,742.50					
21-0558-PG	Barton #1	Mansfield/Indep	34.0410	34.0410	3,825.00	2,575.00	304,648.63	216,405.98			216,405.98					
21-0564-PG	Barton #2	Mansfield/Indep	39.1520	39.1520	4,400.00	2,900.00	335,195.48	238,074.80			238,074.80					
21-0565-PG	Barton #3	Mansfield/Indep	26.9195	26.9195	4,800.00	3,265.00	335,195.48	238,074.80			238,074.80					
21-0567-PG	O'Dowd East	Greenwich	95.8000	99.0650	6,300.00	4,050.00	624,109.50	401,213.25			401,213.25					
21-0564-PG	O'Dowd West	Greenwich	105.5460	108.7120	5,800.00	3,700.00	608,787.20	402,234.40			402,234.40					
21-0553-PG	Batina	White/Oxford	40.5150	40.5150	4,800.00	3,100.00	182,317.50	125,996.50			125,996.50					
Totals Encumbered			1,257,038.00	1,251,893.00			6,348,971.32	4,337,343.18			86,850.00					
Totals Encumbered			962,213.9	976,572.5			4,678,471.11	3,154,200.11			6,000.00					
Totals Encumbered											Encumbered/Expended Fy09					
Totals Encumbered											Encumbered/Expended Fy11					
Totals Encumbered											Encumbered/Expended Fy13					
Totals Encumbered											Total					
Totals Encumbered											1,886,237.15	6,866.42	253,888.02	3,000,000.00	3,000,000.00	0.00
Totals Encumbered											1,886,237.15	1,281,076.60	1,406,537.81	3,000,000.00	3,000,000.00	1,190,237.79
Totals Encumbered											2,709,245.96		446,228.64			

Schedule D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase
November 12, 2015

Burke & Dinsmore (51.02)
21- 0561-PG
County PIG Program
18 Acres

Block 9	Lot 51.02	Harmony Twp.	Warren County
SOILS:		Prime	43% * .15 = 6.45
		Statewide	57% * .1 = 5.70
			SOIL SCORE: 12.15
TILLABLE SOILS:		Cropland Harvested	93% * .15 = 13.95
		Other	4% * 0 = .00
		Woodlands	3% * 0 = .00
			TILLABLE SOILS SCORE: 13.95
FARM USE:	Soybeans-Cash Grain		acres

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

1. Available funding.
2. The allocation, not to exceed 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. The landowner has received the guidance document on exception areas and understands there will be no residential opportunity associated with the farm once it is preserved.
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R12(2)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

SALEM COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Michael N. Brooks ("Owner")

(Brooks farm)

Upper Pittsgrove and Pittsgrove Townships, Salem County

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

SADC ID# 17-0166-PG

December 1, 2016

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Salem County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Salem County received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on March 11, 2016 the SADC received an application for the sale of a development easement from Salem County for the subject farm identified as Block 81, Lot 7, Upper Pittsgrove Township and Block 1301, Lot 5, Pittsgrove Township, Salem County, totaling 65.441 surveyed acres hereinafter referred to as "the Property" (Schedule A); and

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

WHEREAS, the Property includes one (1), 5 acre non-severable exception area for one (1) existing and limited to one (1) single family residential unit and to afford future flexibility of uses; and

WHEREAS, the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

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

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

WHEREAS, the Property has a quality score of 81.75 which exceeds 48 , which is 70% of the County's average quality score as determined by the SADC July 23, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on May 2, 2016 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 22, 2016 the SADC certified a development easement value of \$3,400 per acre based on zoning and environmental regulations in place as of the current valuation date April 12, 2016; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$3,400 per acre for the development easement for the Property; and

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

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

WHEREAS, at this time the FRPP approved current easement value has not been finalized, however, the FRPP grant will be calculated based on the estimated FRPP current easement value of \$3,400 per acre equating to an FRPP per acre (50% of \$3,400) or approximately \$111,249.70 in total FRPP funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP Grant, including a 7% maximum impervious coverage restriction (approximately 4.58 acres) for the construction of agricultural infrastructure on the Property outside of exception area, which is the maximum allowable for this property through the FRPP program at this time; and

WHEREAS, the SADC has determined that the encumbrance of competitive grant funds associated with the acquisition of development easements that ultimately may be purchased, in part, with FRPP funds does not have an immediate adverse impact on another county's access to competitive funds, but if a closing is unreasonably delayed for any reason, including securing the use of FRPP funds, the SADC retains the right to rescind its Final Approval of encumbered competitive grant funds equal to the amount of the anticipated FRPP grant for the acquisition of a development easement on an affected Property; and

WHEREAS, due to a shortage of available funds the Township and Salem County have requested that the FRPP grant funds be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant needs; and

WHEREAS, should alternate FRPP funding or other federal funding, such as ALE, 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 FRPP funding; and

WHEREAS, on October 21, 2016 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 October 11, 2016 the Upper Pittsgrove Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase due to the anticipated receipt of FRPP funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on October 12, 2016 the Pittsgrove Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase due to the anticipated receipt of FRPP funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on September 28, 2016 the Salem CADB 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 October 5, 2016, the Board of Chosen Freeholders of the County of Salem passed a resolution granting final approval but is not participating financially in the easement purchase due to the anticipated receipt of FRPP funds; and

WHEREAS, this final approval is conditioned upon FRPP funding in an amount sufficient enough to cover the full County and both Township's cost share and offset the SADC cost share by approximately \$48,426.34; and

WHEREAS, the estimated cost share breakdown is as follows (based on 65.441 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$159,676.04	(\$2,440/acre)
County	\$ 31,411.68	(\$ 480/acre)
Upper Pittsgrove Twp.	\$ 28,051.68	(\$ 480/acre) (on 58.441 acres)
Pittsgrove Twp.	\$ 3,360.00	(\$ 480/acre) (on 7 acres)
Total Easement Purchase	\$222,499.40	(\$3,400/acre)

Estimated Cost share breakdown if the \$111,249.70 FRPP Grant is finalized and applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$159,676.04	\$48,426.34	\$111,249.70 (\$1,700/acre)
Salem County	\$ 31,411.68	\$31,411.68	\$0
Upper Pittsgrove Twp.	\$ 28,051.68	\$28,051.68	\$0
Pittsgrove Twp.	\$ 3,360.00	\$ 3,360.00	\$0
<u>FRPP Grant</u>			\$111,249.70 (\$1,700/acre)
TOTAL	\$ 222,499.40	\$111,249.70	\$ 222.499.40 (\$3,400/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 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;

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Salem County Agriculture Development Board is requesting \$111,249.70 FY13 competitive grant funding which is the estimated amount needed based on the estimated FRPP grant (Schedule B);

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Property, comprising 65.441 surveyed easement acres, at a State cost share of \$1,700 per acre, (50% of certified easement value and purchase price), for a total grant not to exceed of \$111,249.70 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1), 5 acre non-severable exception area for and limited to one (1) existing single family residential unit and for future flexibility of uses; and

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$48,426.34) to offset SADC grant needs on the Property; and

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

BE IT FURTHER RESOLVED, that if FRPP funding is secured and approved for use by the SADC, said funding will first be used to reduce the County and Townships cost share and then, with the remaining funds, reduce the SADC's cost share; and

BE IT FURTHER RESOLVED, if a closing is unreasonably delayed for any reason, including securing the use of FRPP funds, the SADC retains the right to rescind its Final Approval of encumbered competitive grant funds equal to the amount of the anticipated FRPP grant for the acquisition of a development easement on the Property; and

BE IT FURTHER RESOLVED, 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); and

BE IT FURTHER RESOLVED, that if unencumbered base grant funds become available subsequent to this final approval and prior to executing the grant agreement, the SADC shall utilize those funds before utilizing competitive funding; and

BE IT FURTHER RESOLVED, 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; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the 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-B Supplement; and

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

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

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

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

December 1, 2016

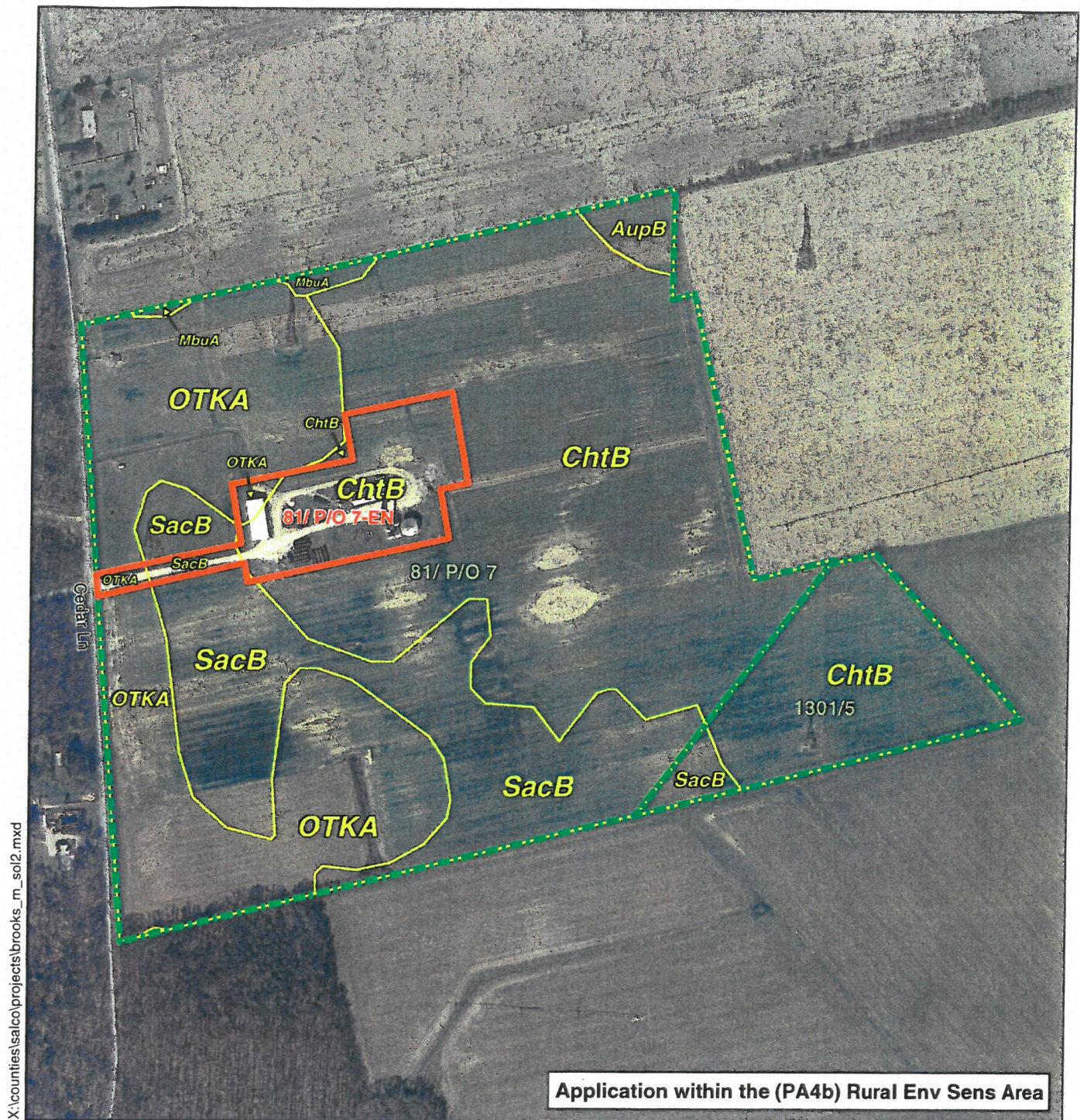
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

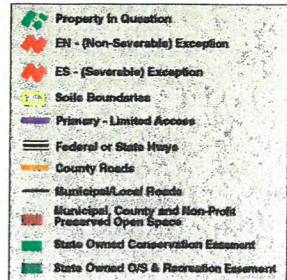
Douglas H. Fisher, Chairperson	YES
Thomas Stanuikynas (rep. DCA Commissioner Richman)	YES
Cecile Murphy (rep. NJDEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Scudder)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Scott Ellis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



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Michael Brooks
Upper Pittsgrove Twp. - Block 81 Lots P/O 7 (58.85 ac);
P/O 7-EN (non-severable exception - 4.9 ac)
Pittsgrove Twp. - Block 1301 Lot 5 (7.39 ac)
Gross Total = 71.14 ac
Salem County

500 250 0 500 1,000 Feet

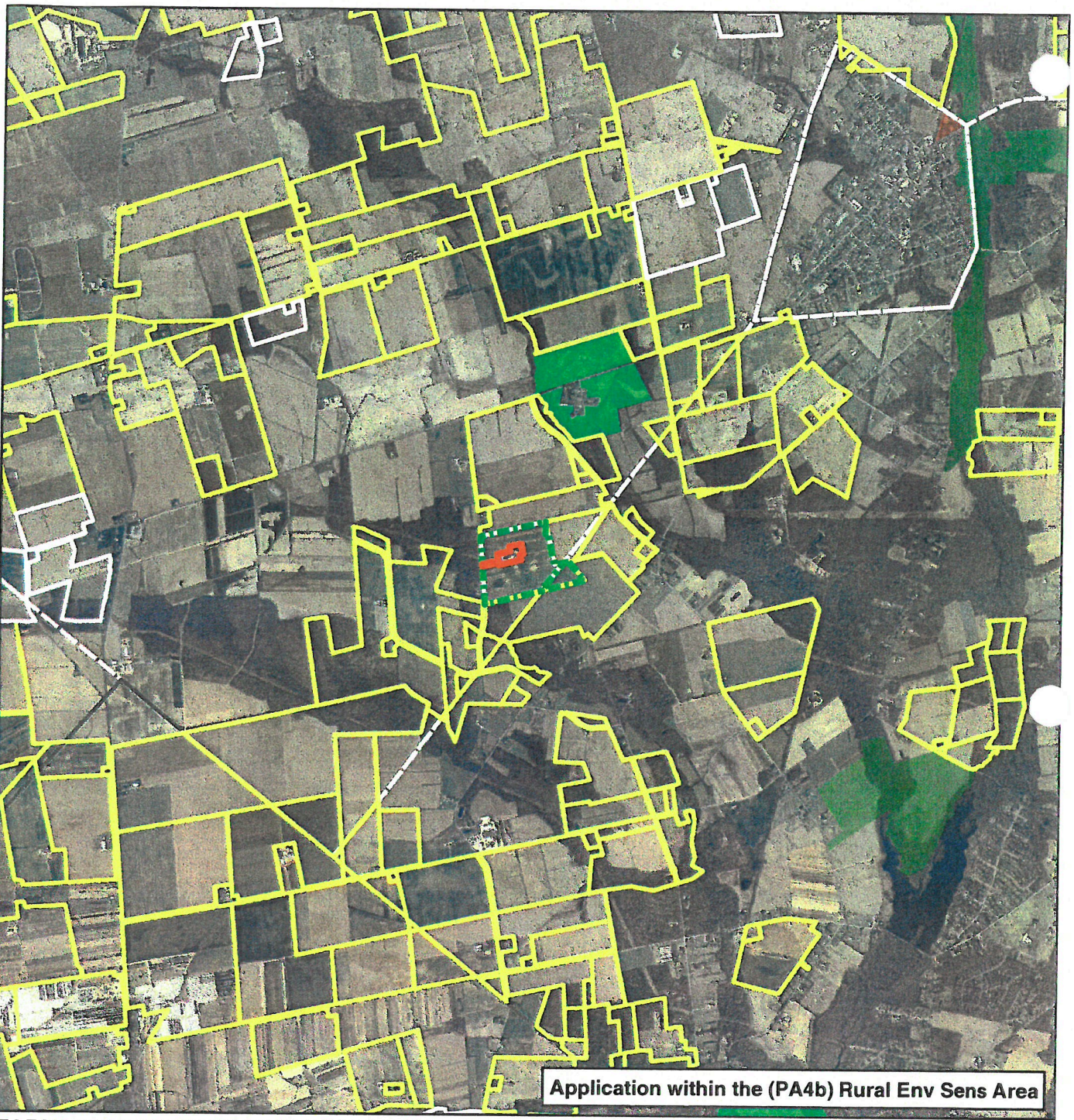


Sources:
NRCS - SSURGO 2013 Soil Data
Green Acres Conservation Easement Data
NJDOT Road Data
NJOT/OGIS 2012 Digital Aerial Image

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

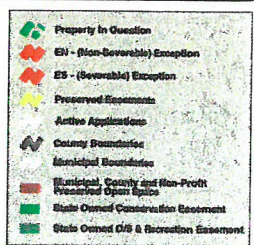
Preserved Farms and Active Applications Within Two Miles

X:\counties\saleco\projects\brooks_m_2mile2.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Michael Brooks
Upper Pittsgrove Twp. - Block 81 Lots P/O 7 (58.85 ac);
P/O 7-EN (non-severable exception - 4.9 ac)
Pittsgrove Twp. - Block 1301 Lot 5 (7.39 ac)
Gross Total = 71.14 ac
Salem County



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2012 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

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Brooks, Michael N. (Brooks Farm)
17- 0166-PG
County PIG Program
66 Acres

Block 81	Lot 7	Upper Pittsgrove Twp. Salem County
Block 1301	Lot 5	Pittsgrove Twp. Salem County

SOILS:	Prime	72% *	.15	=	10.80
	Statewide	28% *	.1	=	2.80

SOIL SCORE: 13.60

TILLABLE SOILS:	Cropland Harvested	99% *	.15	=	14.85
	Other	1% *	0	=	.00

TILLABLE SOILS SCORE: 14.85

FARM USE:	Wheat-Cash Grain	66 acres
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In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 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 (4.9) acres for around existing single family residential unit and other ag structures
 - Exception is not to be severed 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 Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

SADC County Pig Financial Status
Schedule B
Salem County

SADC ID#	Farm	Municipality	Acres	Pay Acres	SADC Certified or Notified Per Acre	SADC Grant Per Acre	SADC			Federal Grant			Base Grant			Competitive Funds							
							Cost Basis	Cost Share	Cost	Total Federal Grant	SADC Federal Grant	Encumbered	Fiscal Year 09 Fiscal Year 11 Fiscal Year 13	PV	Expended	Balance	Fiscal Year 11 Fiscal Year 13	Maximum Grant Fiscal Year 13	Extended	FY11 Balance	FY13 Balance	Fund Balance	
17-0123-PG	Greco	Pittsboro	313,431.0	313,321.0	5,100.00	3,450.00	1,897,837.10	1,890,887.45					1,021,948.50	1,000,387.45			1,836,382.52						
17-0121-PG	Prestige World Wide	Alloway	61,363.0	61,317.0	7,100.00	4,400.00	384,352.12	228,381.14					145,925.50	230,381.14			1,535,382.52						
17-0122-PG	Dunham	Mannington	38,483.0	38,145.0	5,700.00	3,760.00	217,425.50	143,043.75					146,775.00	143,043.75			1,156,977.23						
17-0123-PG	Mahoney	Mannington	28,822.0	28,891.0	5,300.00	3,850.00	192,052.30	107,853.05					106,035.50	107,853.05			1,063,134.18						
17-0124-PG	Dubois Props, LLC	Pittsboro	31,723.0	31,723.0	5,000.00	3,425.00	765,217.30	512,880.05					511,822.75	257,924.76			805,189.42						
17-0125-PG	Brown	Pittsboro	61,280.0	61,280.0	5,300.00	3,875.00	311,880.30	205,272.35					205,272.35	205,272.35			653,787.87						
17-0126-PG	Fogg, Harris, Allen	Quinton	33,579.0	33,579.0	3,500.00	2,500.00	117,525.60	83,947.60					83,947.60	83,947.60			151,431.55						
17-0127-PG	Eckert, Hebert & Rowena	Quinton	46,652.0	46,652.0	2,100.00	1,575.00	97,860.20	73,242.64					73,242.64	73,242.64			146,885.00						
17-0128-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0129-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0130-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0131-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0132-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0133-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0134-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0135-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0136-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0137-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0138-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0139-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0140-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0141-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0142-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0143-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0144-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0145-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0146-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0147-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0148-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0149-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0150-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0151-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0152-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0153-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0154-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0155-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0156-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0157-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0158-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0159-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0160-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0161-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0162-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0163-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0164-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0165-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0166-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0167-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0168-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0169-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0170-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0171-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0172-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0173-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0174-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0175-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00	172,609.50	105,784.45					105,784.45	105,784.45			282,272.35						
17-0176-PG	Blanton	Quinton	49,317.0	49,317.0	3,500.00	2,500.00																	

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R12 (3)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
CUMBERLAND COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Shoemaker, Joseph C and Betty P. ("Owners")
(Shoemaker #1)
Hopewell Township, Cumberland County

N.J.A.C. 2:76-17 et seq.
SADC ID#06-0172-PG

December 1, 2016

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Cumberland County received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on January 29, 2015 the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 17, Lot 5, Hopewell Township, Cumberland County hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Cumberland County's Shiloh-Hopewell North Project Area; and

WHEREAS, the Property includes one (1), 1.5 acre severable exception area for and limited to one (1) single family residential unit and to afford future flexibility of uses resulting in 27.998 surveyed acres to be preserved; and

WHEREAS, the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses; and

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

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

WHEREAS, the Property has a quality score of 71 which exceeds 45, which is 70% of the County's average quality score as determined by the SADC; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on April 6, 2015 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 28, 2015 the SADC certified a development easement value of \$ 6,300 per acre, based on zoning and environmental regulations in place as of the current valuation date November 1, 2014; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$6,300 per acre for the development easement for the Property; and

WHEREAS, on October 27, 2016, 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. 2:76-17.14 (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, to date Cumberland County has encumbered all of its base grant funds and has a remaining eligibility of \$112,482.86 in SADC competitive grant funds which is available at this time (Schedule B); and

WHEREAS, based on the agreed per acre price of \$6,300 the SADC's cost share would have been \$4,050 per acre for a total of \$113,391.90; and

WHEREAS, because the County is only eligible for their remaining \$112,482.86 there is a shortfall of \$909.04; and

WHEREAS, the County has requested the remaining \$112,482.86 of competitive funds and will use County funding to cover the remaining easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on October 8, 2015 the Hopewell Township Committee approved the Owner's application for the sale of development easement and a commitment of funding for \$315 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on September 9, 2015 the Cumberland CADB 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 March 22, 2016, the Board of Chosen Freeholders of the County of Cumberland passed a resolution granting final approval and a commitment of funding for up to \$2,250 per acre; and

WHEREAS, the estimated cost share breakdown is as follows (based on 27.998 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$112,482.86	(\$ 4,017.53/acre)
Cumberland County	\$ 55,085.17	(\$ 1,967.47/acre)
Hopewell Township	\$ 8,819.37	(\$ 315.00/acre)
Total Easement Purchase	\$176,387.40	(\$ 6,300.00/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Cumberland County Agriculture Development Board is requesting \$112,482.86 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, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Property, comprising approximately 27.998 net surveyed easement acres, at a State cost share of \$4,017.53 per acre, (63.77% of certified easement value and purchase price), for a total grant not to exceed the remaining eligibility of \$112,482.86 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the County has been informed that there is no opportunity for future reimbursement of the shortfall of funds for this application; and

BE IT FURTHER RESOLVED, the Property includes one (1), 1.5 acre severable exception area for one (1) future and limited to one (1) single family residential unit(s) and to afford future flexibility of use; and

BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved outside of the exception area; and

BE IT FURTHER RESOLVED, 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); and

BE IT FURTHER RESOLVED, that if unencumbered base grant funds become available subsequent to this final approval and prior to executing the grant agreement, the SADC shall utilize those funds before utilizing competitive funding; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the 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 The most recent SADC Scope of Surveying Services and Standard Detail Requirements and Policy P-3-C; and

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

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

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

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

December 1, 2016

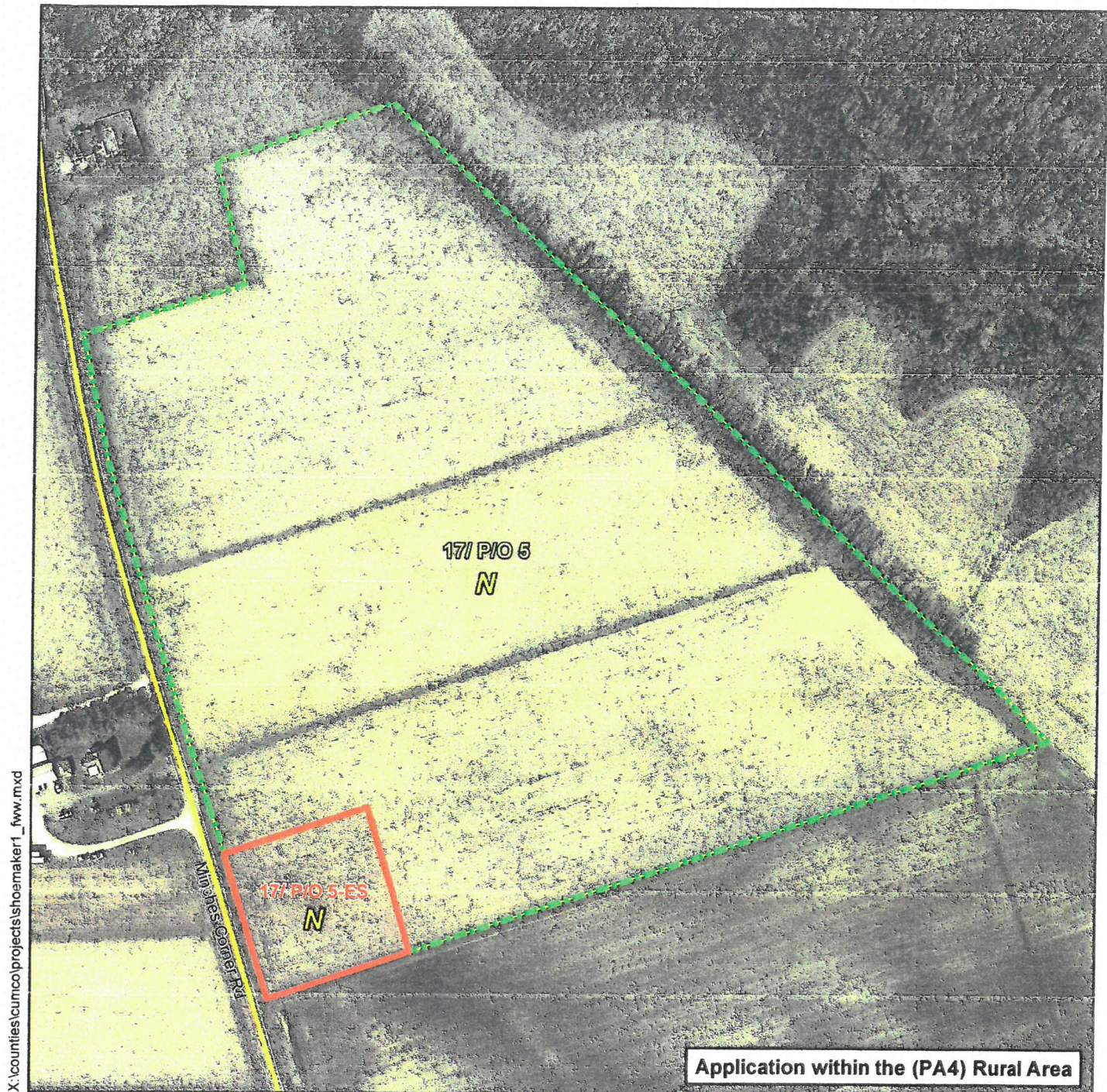
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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



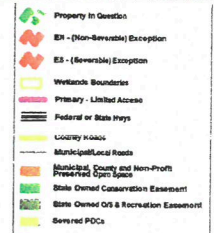
FARMLAND PRESERVATION PROGRAM

NJ State Agriculture Development Committee

Joseph and Betty Shoemaker, Jr (#1)
 Block 17 Lots P/O 5 (29.1 ac)
 & P/O 5-ES (severable exception - 1.5 ac)
 Gross Total = 30.6 ac
 Hopewell Twp., Cumberland County

250 125 0 250 500 Feet

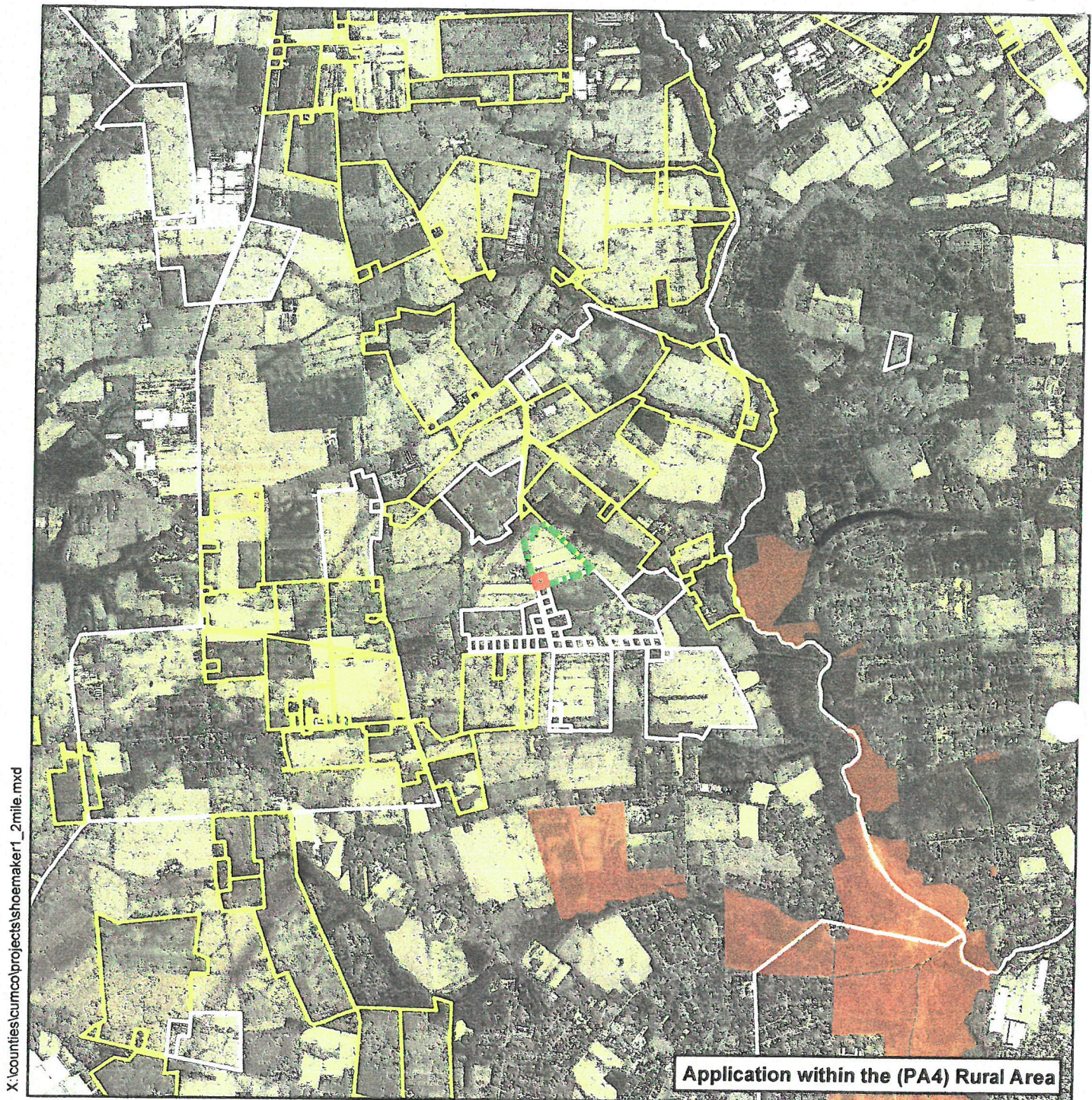
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision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



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

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

Preserved Farms and Active Applications Within Two Miles



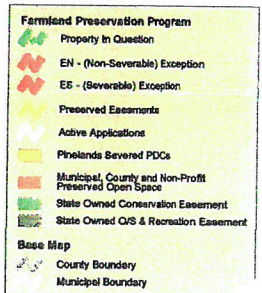
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Block 17 Lots P/O 5 (29.1 ac)
& P/O 5-ES (severable exception - 1.5 ac)
Gross Total = 30.6 ac
Hopewell Twp., Cumberland County

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
NJ Pinelands Commission PDC Data
NJOT/OGIS 2012 Digital Aerial Image

February 18, 2015

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Shoemaker Farm #1
06- 0172-PG
County PIG Program
29 Acres

Block 17	Lot 5	Hopewell Twp.	Cumberland County
SOILS:		Prime	100% * .15 = 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:		Cropland Harvested	100% * .15 = 15.00
			TILLABLE SOILS SCORE: 15.00
FARM USE:		Corn-Cash Grain	11 acres
		Soybeans-Cash Grain	18 acres
		Wheat-Cash Grain	10 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 (1.5) acres for Future Residence
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
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 Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

Cumberland County

SADC ID#	Farm	Municipality	Acres	Pay Acres	SADC Certified or Notated Per Acre	SADC		Federal Grant		Base Grant			Competitive Funds			Fund Balance FY13 Balance			
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance	Fiscal Year 10	Fiscal Year 11		Maximum Grant Fiscal Year 13	Expended	Fiscal Year 13
06-0089-PG	Shim, Newton B. II	Slow Creek	101.915	101.915	4,500.00	3,100.00	486,617.50	315,936.50	214,021.50	315,936.50	315,936.50	315,936.50	2,184,053.50	1,500,000.00	3,000,000.00	0.00			
06-0091-PG	Shim, Newton B. II	Slow Creek	85.900	85.900	4,500.00	3,100.00	375,704.00	315,936.50	83,000.00	315,936.50	315,936.50	76,704.00	2,184,053.50	1,500,000.00	3,000,000.00	0.00			
06-0093-PG	Jones, Clifton & Dorothy	Greenwich	70.700	70.700	4,500.00	3,100.00	275,704.00	315,936.50	83,000.00	315,936.50	315,936.50	76,704.00	2,184,053.50	1,500,000.00	3,000,000.00	0.00			
06-0097-PG	Dickinson, Thomas	Greenwich	46.091	46.091	4,500.00	3,100.00	199,853.30	164,325.30	35,788.00	164,325.30	164,325.30	34,855.80	1,939,355.50	1,500,000.00	3,000,000.00	0.00			
06-0098-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	257,178.60	164,325.30	93,225.30	164,325.30	164,325.30	34,855.80	1,939,355.50	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
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06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00	3,100.00	135,116.40	89,924.50	45,191.90	89,924.50	89,924.50	16,850.00	1,869,040.40	1,500,000.00	3,000,000.00	0.00			
06-0099-PG	Shilton, Boro	Shilton Boro	40.842	40.842	4,500.00														

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2017R12(4)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
CUMBERLAND COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Russell, Velan M. ("Owner")
Upper Deerfield Township, Cumberland County

N.J.A.C. 2:76-17 et seq.
SADC ID#06-0174-PG

December 1, 2016

WHEREAS, on December 15, 2008 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Cumberland County received SADC approval of its FY2017 PIG Plan application annual update on May 26, 2016; and

WHEREAS, on June 16, 2015 the SADC received an application for the sale of a development easement from Cumberland County for the subject farm identified as Block 402, Lot 21.01, Upper Deerfield Township, Cumberland County, totaling approximately 10 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Cumberland County's Deerfield-Upper Deerfield South Project Area; and

WHEREAS, the Property includes one (1) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses; and

WHEREAS, at the time of application the Property was in field crop production and ornamental nursery products; and

WHEREAS, the application meets the minimum eligibility criteria in N.J.A.C. 2:76-6.20 including the \$2,500 income threshold for farms equal to or less than ten acres; and

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

WHEREAS, the Property has a quality score of 59.45 which exceeds 45, which is 70% of the County's average quality score as determined by the SADC July 24, 2014; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 28, 2016 the SADC certified a development easement value of \$4,500 per acre based on zoning and environmental regulations in place as of the current valuation date February 1, 2015; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$4,500 per acre for the development easement for the Property; and

WHEREAS, on October 28, 2016 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 March 17, 2016 the Upper Deerfield Township Committee approved the Owner's 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 March 9, 2016 the Cumberland CADB 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 26, 2016, the Board of Chosen Freeholders of the County of Cumberland passed a resolution granting final approval and a commitment of funding for \$1,400 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, 10.3 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 10.3 acres); and

	<u>Total</u>	<u>Per/acre</u>
SADC	\$31,930	(\$3,100/acre)
<u>County</u>	<u>\$14,420</u>	<u>(\$1,400/acre)</u>
Total Easement Purchase	\$46,350	(\$ 4,500/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 Cumberland County Agriculture Development Board is requesting \$31,930 of 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, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Property, comprising approximately 10.3 gross easement acres, at a State cost share of \$3,100 per acre, (68.89% of certified easement value and purchase price), for a total grant not to exceed of \$31,930 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, the Property includes one (1) single family residences, zero (0) agricultural labor units, no pre-existing non-agricultural uses; and

BE IT FURTHER RESOLVED, 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); and

BE IT FURTHER RESOLVED, that if unencumbered base grant funds become available subsequent to this final approval and prior to executing the grant agreement, the SADC shall utilize those funds before utilizing competitive funding; and

BE IT FURTHER RESOLVED, 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; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the 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-B Supplement; and

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

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

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

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

December 1, 2016

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

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

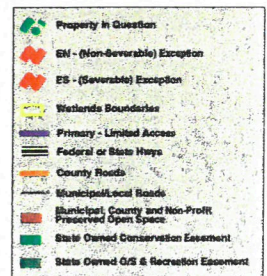


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FARMLAND PRESERVATION PROGRAM **NJ State Agriculture Development Committee**

Velan M. Russell
Block 402 Lot 21.01 (9.2 ac)
Gross Total = 9.2 ac
Upper Deerfield Twp., Cumberland County

100 50 0 100 200 Feet



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

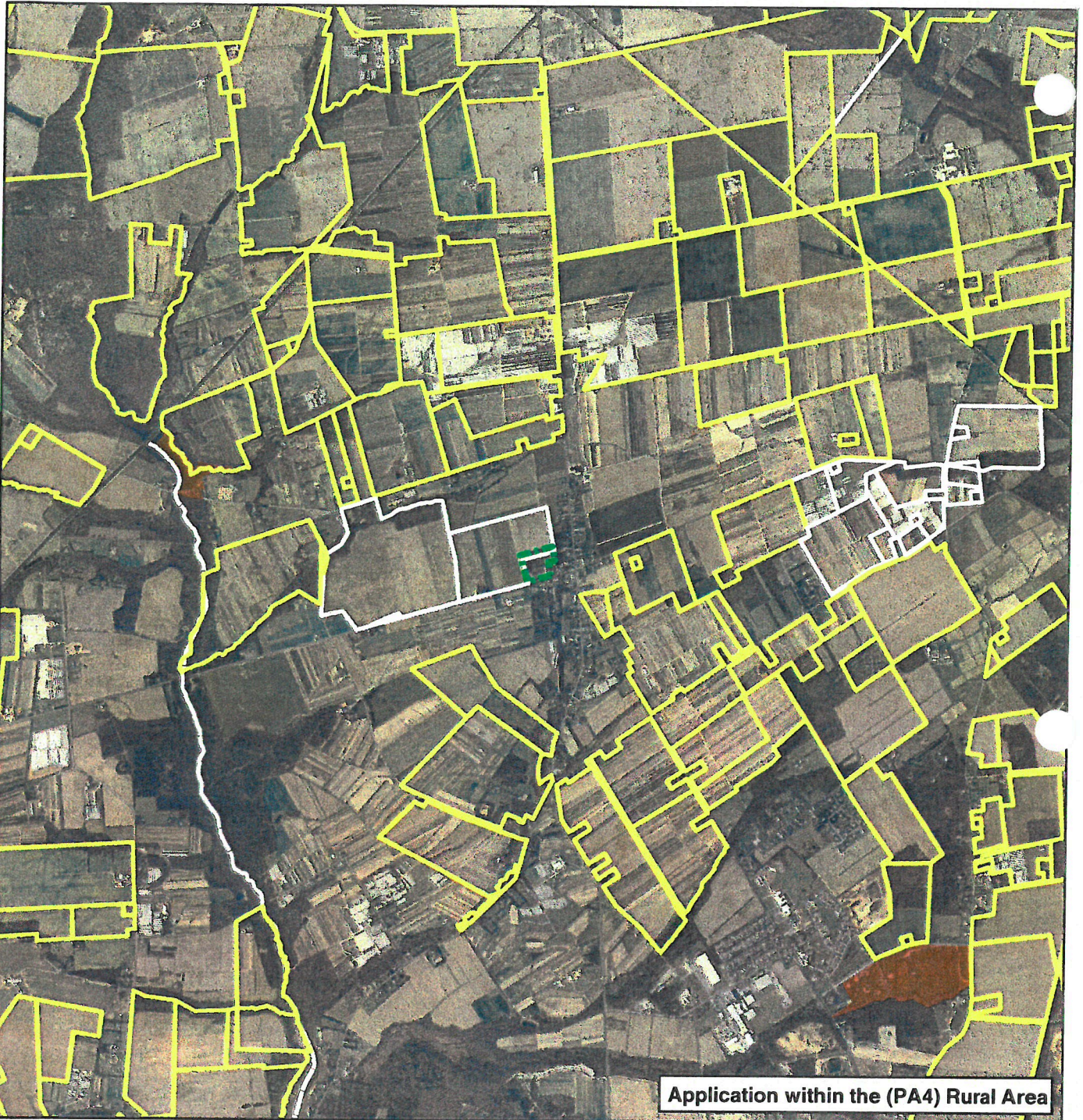
Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJDEP Wetlands Data
OGIS 2012 Digital Aerial Image

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.

August 19, 2015

Preserved Farms and Active Applications Within Two Miles

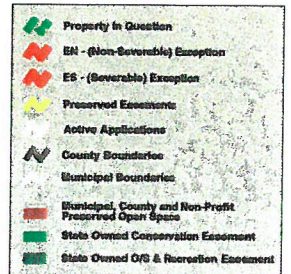
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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Velan M. Russell
Block 402 Lot 21.01 (9.2 ac)
Gross Total = 9.2 ac
Upper Deerfield Twp., Cumberland County

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



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
NJOT/OGIS 2012 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

August 19, 2015

Cumberland County

SADC ID#	Municipality	Farm	Acres	Pay Acres	SADC or Notified Per Acre	SADC		Total Federal Grant	Base Grant		Competitive Funds			Fund Balance		
						SADC Grant Per Acre	Cost Basis		Cost Share	Fiscal Year 08 Fiscal Year 13	Fiscal Year 13	Maximum Grant Fiscal Year 13	Expended		FY13 Balance	FY13 Balance
06-0088-PG	Stow Creek	Shimp, Newton B. III	10,1915	10,1915	4,600.00	488,617.60	315,938.50	214,031.50	316,938.50	218,063.50	180,616.00	210,883.30	210,883.30	2,788,116.70		
06-0091-PG	Stow Creek	Kecwch, Norman & Lynette	16,983	16,983	9,000.00	4,000.00	488,617.60	63,000.00	7,414.70	63,000.00	13,704.00	13,704.00	13,704.00	13,704.00		
06-0092-PG	Greenwich	Newton, Dorothy	20,700	20,700	4,000.00	2,000.00	19,883.50	105,000.00	22,800.00	201,800.00	169,000.00	169,000.00	169,000.00	169,000.00		
06-0097-PG	Shiloh Brook	Dickinson, Everett et al	40,842	40,842	6,000.00	19,883.50	134,271.30	95,788.00	22,800.00	100,065.50	100,065.50	100,065.50	100,065.50	100,065.50		
06-0098-PG	Lawrence	Cum ChyKates, Thomas	25,407	25,407	6,000.00	88,124.00	88,124.00			185,329.10	185,329.10	185,329.10	185,329.10	1,677,854.90		
06-0099-PG	Stow Creek	Coll, Kevin A.	47,500	47,500	4,900.00	224,510.00	153,008.00			188,751.30	188,751.30	188,751.30	188,751.30	1,677,854.90		
06-0100-PG	Stow Creek	Coll, Kevin A.	35,242	35,242	3,700.00	287,167.60	188,751.30			188,751.30	188,751.30	188,751.30	188,751.30	1,677,854.90		
06-0101-PG	Stow Creek	Coll, Kevin A.	41,200	41,200	4,000.00	188,900.00	132,450.00			188,751.30	188,751.30	188,751.30	188,751.30	1,677,854.90		
06-0102-PG	Hopewell	Admucci #2, Carmen	47,184	47,184	7,200.00	117,985.00	146,693.00	117,985.00	146,693.00	134,650.00	134,650.00	134,650.00	134,650.00	1,677,854.90		
06-0103-PG	Stow Creek	Cumbarland Collingins #2	76,154	76,005	3,500.00	266,021.00	190,115.00	149,870	149,870	1,005,930.40	1,005,930.40	1,005,930.40	1,005,930.40	1,677,854.90		
06-0104-PG	Fairfield Twp.	Waters, Roger, Margaret & Chris	206,792	206,792	6,500.00	131,866.00	751,140.80	483,611.20	102,895.00	102,895.00	102,895.00	102,895.00	102,895.00	1,677,854.90		
06-0105-PG	Hopewell	Van Meter, Alfred #2	48,259	39,174	7,000.00	252,485.80	165,893.60	137,380.00	43,159.30	43,159.30	43,159.30	43,159.30	43,159.30	1,677,854.90		
06-0106-PG	Lawrence	Keung Lam Realty	136,600	69,200	4,000.00	273,682.20	173,495.80	137,380.00	43,159.30	43,159.30	43,159.30	43,159.30	43,159.30	1,677,854.90		
06-0107-PG	Deerfield	Peladino, Vincent	26,906	26,406	6,000.00	184,425.00	115,198.40			211,798.00	211,798.00	211,798.00	211,798.00	1,677,854.90		
06-0108-PG	Hopewell	Mitch, Frank P. III	70,621	69,641	6,000.00	452,666.50	298,010.15	182,930.19	216,146	216,146	216,146	216,146	216,146	1,677,854.90		
06-0111-PG	Shiloh Brook	DeWilde, Baker Jr., Abram #1	87,124	11,124	12,100.00	7,369.00	111,428.70			7,369.00	7,369.00	7,369.00	7,369.00	1,677,854.90		
06-0112-PG	Shiloh Brook	DeWilde, Baker Jr., Abram #2	87,124	11,124	12,100.00	7,369.00	111,428.70			7,369.00	7,369.00	7,369.00	7,369.00	1,677,854.90		
06-0113-PG	Hopewell	Cum CoMooneyham	98,364	98,364	3,500.00	9,364.00	9,364.00			9,364.00	9,364.00	9,364.00	9,364.00	1,677,854.90		
06-0114-PG	Greenwich	Cross #1	23,449	23,449	6,000.00	4,225.00	61,053.20			61,053.20	61,053.20	61,053.20	61,053.20	1,677,854.90		
06-0115-PG	Hopewell	Cross #2	66,977	66,977	6,000.00	4,050.00	62,542.10			62,542.10	62,542.10	62,542.10	62,542.10	1,677,854.90		
06-0116-PG	Hopewell	Cross #3	66,977	66,977	6,000.00	4,050.00	62,542.10			62,542.10	62,542.10	62,542.10	62,542.10	1,677,854.90		
06-0117-PG	Hopewell	Cross #4	66,977	66,977	6,000.00	4,050.00	62,542.10			62,542.10	62,542.10	62,542.10	62,542.10	1,677,854.90		
06-0118-PG	Shiloh Brook	DeWilde, Baker Jr., Abram #3	87,124	11,124	12,100.00	7,369.00	111,428.70			7,369.00	7,369.00	7,369.00	7,369.00	1,677,854.90		
06-0119-PG	Shiloh Brook	DeWilde, Baker Jr., Abram #4	87,124	11,124	12,100.00	7,369.00	111,428.70			7,369.00	7,369.00	7,369.00	7,369.00	1,677,854.90		
06-0120-PG	Hopewell	Admucci #1, Carmen Sr.	37,074	37,074	3,000.00	403,917.60	280,932.00	200,000.00	46,112.00	230,118.80	230,118.80	230,118.80	230,118.80	1,677,854.90		
06-0121-PG	Hopewell	SF Systems Company(chesapeake)	108,400	107,740	5,000.00	216,644.00	156,028.00	117,821.70	34,008.30	174,796.11	174,796.11	174,796.11	174,796.11	1,677,854.90		
06-0122-PG	Lawrence	Edwards	43,937	43,937	3,000.00	625,880.00	414,789.00	177,859.02	33,211.60	120,328.00	120,328.00	120,328.00	120,328.00	1,677,854.90		
06-0123-PG	Hopewell	Trelli	46,177	46,177	5,000.00	210,798.40	156,126.30			156,126.30	156,126.30	156,126.30	156,126.30	1,677,854.90		
06-0124-PG	Hopewell	Blew	70,660	69,100	6,000.00	3,500.00	124,489.00	58,632.30	58,632.30	241,850.00	241,850.00	241,850.00	241,850.00	1,677,854.90		
06-0125-PG	Stow Creek	Cum CoSheppard Mark K, Joseph & Edith	61,972	61,972	6,700.00	3,750.00	296,132.40	194,857.60		194,857.60	194,857.60	194,857.60	194,857.60	1,677,854.90		
06-0126-PG	Hopewell	Hasler	112,422	112,422	3,400.00	279,817.40	194,536.24			194,536.24	194,536.24	194,536.24	194,536.24	1,677,854.90		
06-0127-PG	Hopewell	Van Der Veer	16,778	16,778	5,900.00	38,890.20	64,585.90			64,585.90	64,585.90	64,585.90	64,585.90	1,677,854.90		
06-0128-PG	Stow Creek	Casper, Kathleen A.	43,265	43,265	3,500.00	230,995.20	154,723.20			154,723.20	154,723.20	154,723.20	154,723.20	1,677,854.90		
06-0129-PG	Hopewell	Watson #2	32,269	32,269	3,000.00	248,764.20	176,185.18			176,185.18	176,185.18	176,185.18	176,185.18	1,677,854.90		
06-0130-PG	Stow Creek	Gilson	103,945	103,945	4,100.00	136,656.20	93,312.72			93,312.72	93,312.72	93,312.72	93,312.72	1,677,854.90		
06-0131-PG	Greenwich	McAllister	29,000	29,000	3,000.00	129,934.80	30,619.40			30,619.40	30,619.40	30,619.40	30,619.40	1,677,854.90		
06-0132-PG	Fairfield	Sorantino 1	31,679	31,679	5,000.00	17,700.00	99,908.70			99,908.70	99,908.70	99,908.70	99,908.70	1,677,854.90		
06-0133-PG	Stow Creek	Casper #2	23,394	23,394	4,600.00	107,412.40	90,274.40			90,274.40	90,274.40	90,274.40	90,274.40	1,677,854.90		
06-0134-PG	Upper Deerfield	Hubschmidt #2	64,533	64,533	4,800.00	308,961.60	203,133.76			203,133.76	203,133.76	203,133.76	203,133.76	1,677,854.90		
06-0135-PG	Upper Deerfield	McCracken	44,008	44,008	4,000.00	189,234.40	131,143.84			131,143.84	131,143.84	131,143.84	131,143.84	1,677,854.90		
06-0136-PG	Lawrence	Riley	38,293	38,293	3,600.00	124,025.50	96,732.50			96,732.50	96,732.50	96,732.50	96,732.50	1,677,854.90		
06-0137-PG	Deerfield	Deerfield	22,000	22,000	3,500.00	120,096.00	80,443.00			80,443.00	80,443.00	80,443.00	80,443.00	1,677,854.90		
06-0138-PG	Hopewell	Casper, Mary Ann	32,943	32,943	3,000.00	115,300.60	82,357.80			82,357.80	82,357.80	82,357.80	82,357.80	1,677,854.90		
06-0139-PG	Upper Deerfield	Hubschmidt #1	14,420	14,420	4,500.00	105,266.00	65,611.00			65,611.00	65,611.00	65,611.00	65,611.00	1,677,854.90		
06-0140-PG	Hopewell	Watson #1	50,834	50,834	3,700.00	290,116.40	188,669.75			188,669.75	188,669.75	188,669.75	188,669.75	1,677,854.90		
06-0141-PG	Upper Deerfield	Mason	30,822	30,822	3,600.00	64,990.00	43,569.00			43,569.00	43,569.00	43,569.00	43,569.00	1,677,854.90		
06-0142-PG	Deerfield	Cleiman #1	12,000	12,000	3,525.00	64,990.00	43,569.00			43,569.00	43,569.00	43,569.00	43,569.00	1,677,854.90		
06-0143-PG	Hopewell	Russell, Vein	75,217	74,866	3,800.00	284,480.80	200,640.86			200,640.86	200,640.86	200,640.86	200,640.86	1,677,854.90		
06-0144-PG	Upper Deerfield	Shoemaker, Joseph and Betty #1	10,300	10,300	4,000.00	31,930.00	11,402.86			11,402.86	11,402.86	11,402.86	11,402.86	1,677,854.90		
06-0145-PG	Hopewell		27,998	27,998	4,000.00	176,387.40	112,402.86			112,402.86	112,402.86	112,402.86	112,402.86	1,677,854.90		
Totals Closed														3,047,603		
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Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Russell Farm
06- 0174-PG
County PIG Program
9 Acres

Block 402 Lot 21.01 Upper Deerfield Twp. Cumberland County

SOILS:	Prime	83% *	.15	=	12.45
	Statewide	17% *	.1	=	1.70
				SOIL SCORE:	14.15
TILLABLE SOILS:	Cropland Harvested	76% *	.15	=	11.40
	Other	15% *	0	=	.00
	Woodlands	9% *	0	=	.00
				TILLABLE SOILS SCORE:	11.40
FARM USE:	Corn-Cash Grain		3 acres		
	Ornament Nursery Products		5 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: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.