

STATE AGRICULTURE DEVELOPMENT COMMITTEE
Department of Agriculture
Market and Warren Streets
1st Floor Auditorium
Trenton, NJ 08625

REGULAR MEETING

April 26, 2013

Chairman Fisher called the meeting to order at 9:10 a.m. Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

Roll call indicated the following:

Members Present

Douglas H. Fisher, Chairperson
Renee Jones (rep. DEP Commissioner Martin)
James Requa (rep. DCA Commissioner Constable)
Ralph Siegel (rep. State Treasurer Sidamon-Eristoff)
Denis C. Germano, Esq.
Alan A. Danser, Acting Chairman
Torrey Reade (Attended via telephone conferencing)
Peter Johnson
Jane R. Brodhecker (Attended via telephone conferencing)
James Waltman

Members Absent

Brian Schilling (rep. Executive Dean Goodman)

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

Others present as recorded on the attendance sheet: Heidi Winzinger, Brian Smith, Timothy Brill, Steve Bruder, John Denlinger, Paul Burns, Ed Ireland, Bryan Lofberg, David Kimmel, Cindy Roberts, Dan Knox, Judy Andrejko, Hope

Gruzlovic, Patricia Riccitello and Sandy Giambrone, SADC staff; Kerstin Sundstrom, Governor's Authorities Unit; Dan Pace, Mercer County Agriculture Development Board; Tina Boyer, Morris County Agriculture Development Board; Tom Beaver, New Jersey Farm Bureau; and Glorianne Robbi, East Amwell Township, Hunterdon County.

Minutes

A. SADC Regular Meeting of March 28, 2013 (Open and Closed Session)

It was moved by Mr. Requa and seconded by Mr. Germano to approve the open session minutes and the closed session minutes of the SADC regular meeting of March 28, 2013. The motion was approved. (Mr. Waltman abstained from the vote.)

REPORT OF THE CHAIRPERSON

Chairman Fisher discussed the following with the Committee:

- Farmland Assessment Bill

Chairman Fisher stated that Governor Christie signed the farmland assessment bill. The Department of Agriculture and the State Board of Agriculture were glad to get that piece of legislation signed and into play because it is a conversation that has been going on for years about whether or not there should be an adjustment to the threshold, raising the threshold from \$500 to \$1,000. He stated that there is still confusion at times about the idea that landowners have this land available for farmers to be able to use; sometimes there is too much focus on the landowner, who may not be a farmer but what's lost in the discussion is that the land is being farmed. That is crucial to many farmers around the state because they need that additional land to farm and this helps the agricultural output of the state. Mr. Danser stated that if there are any improvements on any of the farms, the landowners are taxed the same as everyone else; it is only the bare farmland that gets the break. Chairman Fisher stated that we know how much the farming community relies on this available land to be able to move the agricultural output of the state. We rank in the top ten commodities in so many categories in this state and grow 100 different crops, which many times people lose sight of when they just focus on the landowner who rents the land out to a farming operation.

Chairman Fisher stated that there are some other adjustments in the bill and he encourages everyone to take a look. The threshold can be changed at the review of the State Farmland Evaluation Committee. If you have a small plot, 7.5 acres or less, you have to create a map to show the tax assessor what you'll be doing so they get a better feel for it. The tax assessors will be working with the Division of Taxation, and the Department of Agriculture is in the lead to work with the Department of Treasury to educate tax assessors so that they can make sure they understand the rules so that this training will also assist in eliminating anyone taking advantage of the system. He felt it was a good resolution to an issue that sometimes gets misreported.

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Payne discussed the following with the Committee:

- AMP and Farmland Preservation Application Outreach Meetings

Ms. Payne stated that staff has been very busy attending many meetings conducting On-Farm Direct Marketing Agricultural Management Practice (AMP) and Right to Farm Process Rules presentations to various counties and boards of agriculture. Staff divided the presentation into two pieces – the first on the basics of right to farm, walking through jurisdictional questions and the law, what the Appellate and Supreme Courts have said to the agricultural boards with respect to what their authority and obligations are, and changes to and the mechanics of the Right to Farm rules. The second piece is the AMP itself. Staff has 10 to 12 meetings scheduled, some of which have already occurred but we are getting a very good response from the counties wanting to hear from the SADC on these issues. We have also had some county board of agriculture meetings as well.

Ms. Payne stated that staff is also in the middle of its five statewide application outreach meetings. There is one meeting in the south, two in the central region and two in the northern region. The goal is to make sure, with the Governor having signed the SADC's last amount of funding in February, that those who are interested in farmland preservation understand that they need to act now and that we get the best quality farms that we can to move forward and obligate that remaining funding. These meetings are also being very well received. The meetings are also for those already in the Farmland Preservation Program to come and be able to speak to staff with any questions they may have as well.

Ms. Payne stated that staff is also spending a large amount of time preparing for the denHollander trial, which begins on Monday. The Office of the Attorney General has been spending a huge amount of time on this case for weeks and we are ready to go now.

COMMUNICATIONS

Ms. Payne stated that there are two pieces of correspondence in the Committee's books, one a letter from Montgomery Township regarding Hunter Farms, which the Committee had discussed at its last meeting. The second is the SADC's response to the Township's letter. She stated that the SADC's response letter just went out late yesterday. She stated staff is just trying to keep the record straight on what the SADC was looking at and why, and trying to help the Township understand that the right to farm discussion is a separate discussion that will occur at the CADB. The SADC's focus exclusively at this point in time is compliance with the Deed of Easement. The landowner has supplied additional information since the Committee's last meeting and staff is reviewing that information to get to the bottom of the issues that were discussed. Staff expects that this will be ready for the Committee's consideration next month.

Ms. Payne reminded the Committee to take home the various articles provided in the meeting binders.

PUBLIC COMMENT

None

NEW BUSINESS

- A. Soil and Water Conservation Cost Share Grant Extension Requests**
1. Eleanor Kirkbride, Southampton Township, Burlington County

Mr. Johnson recused himself from any discussion pertaining to this item to avoid the appearance of a conflict of interest. Mr. Johnson is a member of the Burlington County Agriculture Development Board.

Mr. Lofberg referred the Committee to the Soil and Water Conservation Project Cost Share Grants Extension of Project Approval Summary showing one request for extension

of a soil and water conservation cost share grant. He reviewed the specifics with the Committee and stated that staff recommendation is to grant approval as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Germano to approve Resolution FY2013R4(1) granting an extension of a soil and water conservation cost share grant for the following landowner as presented and discussed, subject to any conditions in said Resolution:

1. Eleanor Kirkbride, SADC # 03-0049-PN (Resolution FY2013R4(1))
Extension Request Amount: \$42,350.00 (Obligation # 1)
Extension Request Expires on: July 22, 2014

The motion was approved. (Mr. Johnson abstained from the vote.) (A copy of Resolution FY2013R4(1) is attached to and is a part of these minutes.)

B. Resolutions for Certification – Voluntary Agricultural Development Areas Amendments

1. Middlesex County
 - a. EJG Properties, Monroe Township
 - b. Fiorentino Farm, South Brunswick Township

Mr. Danser recused himself from any discussions pertaining to the EJG Properties in Monroe Township and the Fiorentino Farm in South Brunswick Township to avoid the appearance of a conflict of interest. Mr. Danser is the Chairman of the Middlesex County Agriculture Development Board.

Mr. Brill referred the Committee to two requests for voluntary agricultural development area (ADA) amendments in Middlesex County to allow the EJG Properties and Fiorentino Farm to be included in Middlesex County's agricultural development area (ADA). He stated that the counties are responsible for and manage the adoption and updates related to ADAs and the SADC is charged with certifying that they made reasonable judgments in relation to the State criteria that provide guidance to the larger issues. The way the Agriculture Retention and Development Act (ARDA) is set up, the counties have the ability to tailor ADAs to local conditions and added criteria based on what they think is most appropriate for their areas. Mr. Brill reviewed the specifics of each request with the Committee and stated that staff recommendation is to certify the designations of ADAs as presented and discussed for Middlesex County.

It was moved by Mr. Germano and seconded by Mr. Waltman to approve Resolution FY2013R4(2) certifying the designation of Agricultural Development Area to the land owned by E.J.G. Properties, Block 2, Lot 4.01, Monroe Township, consisting of approximately 18 acres, as presented and discussed, subject to any conditions of said Resolution. The motion was approved. (Mr. Danser recused himself from the vote.) (A copy of Resolution FY2013R4(2) is attached to and is a part of these minutes.)

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolution FY2013R4(3) certifying the designation of Agricultural Development Area to the land owned by Dean J. Fiorentino, Block 6, Lots 21.071 and 21.072, South Brunswick Township, approximately 9 acres, as presented and discussed, subject to any conditions of said Resolution. The motion was approved. (Mr. Danser recused himself from the vote.) (A copy of Resolution FY2013R4(3) is attached to and is a part of these minutes.)

C. Agricultural Development Area Map Amendments – Mercer County

Mr. Brill referred the Committee to a request for certification of Mercer County's amended agricultural development area (ADA) map, to include the Barry Black farm, known as Block 2713, Lots 32 and 34, in Hamilton Township, Mercer County, comprising approximately 61 acres. He reviewed the specifics of the request with the Committee and stated that staff recommendation is to certify the amendment to the Mercer County ADA map, as presented and discussed.

It was moved by Mr. Waltman and seconded by Mr. Danser to approve Resolution FY2013R4(4) certifying the amendment to the Mercer County Agriculture Development Board's Agricultural Development Area Map dated December 2012, to include the Barry Black farm, known as Block 2713, Lots 32 and 34, Hamilton Township, Mercer County, approximately 61 acres, as presented and discussed, subject to any conditions of said Resolution. The motion was unanimously approved. (A copy of Resolution FY2013R4(4) is attached to and is a part of these minutes.)

D. SADC Appraisal Handbook 2013 Update – Draft Summary of Changes to the SADC Appraisal Handbook 2013

Mr. Burns referred the Committee to the Draft Summary of Changes to the SADC Appraisal Handbook 2013. He stated that this information is for discussion purposes only at this point in time for the purpose of the Committee's input and then it will go out to the counties for their input as well. The draft changes will then come back to the

Committee at its May meeting for approval and if approved, will be distributed to those appraisers on the Approved Appraisers List. He briefly reviewed the specifics with the Committee. He stated that the highlights of the draft changes are that the SADC is moving toward electronic appraisals rather than paper copies of appraisals. Also, staff created a Pinelands Onsite Development Worksheet to help the appraisers understand the zones in the Pinelands (Agricultural Production or AP Management Areas, Special Agriculture Production or SAP Management Areas). He stated that staff's goal is to have the electronic appraisal capacity in place by the time of the Appraisal Conference in June.

E. Resolution for Final Approval – County Planning Incentive Grant Program
1. Sella Farm, Fredon Township, Sussex County

Ms. Brodhecker recused herself from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest. Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.

Ms. Winzinger referred the Committee to Resolution FY2013R4(5) for a request for final approval under the County Planning Incentive Grant Program. She reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Germano and seconded by Mr. Danser to approve Resolution FY2013R4(5) granting final approval to the following application, as presented and discussed, subject to any conditions of said Resolution:

George and Janet Sella, SADC #19-0023-PG
Block 801, Lot 32.03, Fredon Township, Sussex County, 152.3 Net Easement Acres
State cost share of \$3,040 per acre (69.09% of the certified market value and 67.56% of the purchase price) for a total grant need of approximately \$476,881.76, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C."

Discussion: The property has one 1-acre nonseverable exception area for a future single-family residence; a 1.3 acre severable exception area for an existing single-family residence and an 8.2-acre severable exception area for an existing single-family residence. The county has requested to encumber an additional 3% buffer for possible final surveyed acreage increases; therefore, 156.869 acres will be utilized to calculate the SADC grant need. Base grant funding will be utilized for this property.

The motion was approved. (Ms. Brodhecker recused herself from the vote.) (A copy of Resolution FY2013R4(5) is attached to and is a part of these minutes.)

F. Resolutions for Final Approval – State Acquisition Program

Ms. Winzinger referred the Committee to three requests for final approval under the State Acquisition Program. She reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval, as presented and discussed.

1. Pleasant Run, LLC (Block 30.02), Readington Township, Hunterdon County

It was moved by Mr. Germano and seconded by Ms. Brodhecker to approve Resolution FY2013R4(6) granting final approval to the following application, as presented and discussed, subject to any conditions of said Resolution:

Pleasant Run, LLC (Lot 30.02), SADC # 10-0201-DE
Block 75, Lot 30.02, Readington Township, Hunterdon County, 113.79 Net
Easement Acres
Acquisition of the development easement at a value of \$15,300 per acre (113.79
net easement acres) for a total of approximately \$1,740,987.00, subject to the
conditions contained in Schedule “B.”

Discussion: The property has one 1-acre nonseverable exception area for one future single-family residence.

The motion was unanimously approved. (A copy of Resolution FY2013R4(6) is attached to and is a part of these minutes.)

2. Pleasant Run, LLC (Block 19), Readington Township, Hunterdon County

It was moved by Mr. Germano and seconded by Mr. Danser to approve Resolution FY2013R4(7) granting final approval to the following application, as presented and discussed, subject to any conditions of said Resolution:

Pleasant Run, LLC (Lot 19), SADC # 10-0200-DE
Block 75, Lot 19, Readington Township, Hunterdon County, 71 Net
Easement Acres
Acquisition of the development easement at a value of \$17,000 per acre (71
net easement acres) for a total of approximately \$1,207,000.00, subject to the

conditions contained in Schedule "B."

Discussion: The property has an 8.75 acre severable exception area for a farm market and one ancillary residential apartment unit that shall be subject to municipal zoning restrictions; the severable exception will either be severed prior to closing or a "Waiver and Hold Harmless Agreement" will be executed along with the Agreement to Sell Development Easement. The property also has a one-acre nonseverable exception area for an existing single-family residence.

The motion was unanimously approved. (A copy of Resolution FY2013R4(7) is attached to and is a part of these minutes.)

3. Norwood Reid # 2, Alexandria Township, Hunterdon County

It was moved by Mr. Germano and seconded by Mr. Danser to approve Resolution FY2013R4(8) granting final approval to the following application, as presented and discussed, subject to any conditions of said Resolution:

Norwood Reid # 2, SADC # 10-0155-DE
Block 12, Lot 10, Alexandria Township, Hunterdon County, 96 Net Easement
Acres
Acquisition of the development easement at a value of \$9,500 per acre for a total of approximately \$912,000.00, subject to the conditions contained in Schedule "B."

Discussion: The owner has requested a 1-acre nonseverable exception area for flexibility of non-residential use.

The motion was unanimously approved. (A copy of Resolution FY2013R4(8) is attached to and is a part of these minutes.)

PUBLIC COMMENT

None

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, May 23, 2013 beginning at 9:00 a.m. Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 10:00 a.m., Mr. Danser moved the following resolution to go into Closed Session. The motion was seconded by Mr. Requa 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

Municipal Planning Incentive Grant Program

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to certify the development easement value for the following application, as presented and discussed in closed session:

1. Paul Ritter, SADC # 21-0521-PG
Block 11, Lot 10, Knowlton Township, Warren County, 7 Acres (SADC)

The motion was unanimously approved. (A copy of the Certification of Value Report is attached to and is a part of the closed session minutes.)

Note: Committee action for the following certification of values under the County Planning Incentive Grant Program, the State Acquisition Program and the Non-Profit Grant Program were taken in one vote. Ms. Brodhecker recused herself from any discussion/action pertaining to the Kleindienst Farm in Frelinghuysen/Stillwater Townships, Warren/Sussex County, under the County Planning Incentive Grant Program and The Land Conservancy of New Jersey/McCain farm in Frankford Township, Sussex County, under the Nonprofit Grant Program to avoid the appearance of a conflict of interest. Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.

County Planning Incentive Grant Program

It was moved by Mr. Siegel and seconded by Mr. Germano to certify the development easement value on the following application, as presented and discussed in closed session:

1. John J. and Lori A. Moore, SADC # 17-0100-PG
Block 21, Lot 8.01; Block 5, Lot 4, Mannington Township, Salem County, 145 Acres

The motion was approved. (Ms. Brodhecker recused herself from the vote.) (A copy of the Certification of Value Report is attached to and is a part of the closed session minutes.)

Direct Easement Purchase Program

It was moved by Mr. Siegel and seconded by Mr. Germano to certify the development easement values for the following applications, as presented and discussed in closed session:

1. Mihalecz/DiGregorio Farm, SADC #17-0245-DE
Block 701, Lot 60; Block 1801, Lots 5, 6, Pittsgrove Twp., Salem Co., 96 Acres
2. K. & J. Kleindienst and K. Hoyer, SADC # 19-0016-DE
Block 3302, Lot 20, Stillwater Township, Sussex County
Block 101, Lots 12, 14; Block 102, Lots 8, 8.01, Frelinghuysen Twp., War. Co.
129 Total Acres

The motion was approved. (Ms. Brodhecker recused herself from the vote.) (Copies of the Certification of Value Reports are attached to and are a part of the closed session minutes.)

Nonprofit Grant Program

It was moved by Mr. Siegel and seconded by Mr. Germano to certify the development easement value for the following application, as presented and discussed in closed session:

1. The Land Conservancy of New Jersey/McCain-Golden View Farm, SADC #19-0019-NP
Block 48, Lots 20, 20.07, Frankford Township, Sussex County, 75 Net Acres

The motion was approved. (Ms. Brodhecker recused herself from the vote.) (A copy of the Certification of Value Report is attached to and is a part of the closed session minutes.)

County Planning Incentive Grant Program

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

It was moved by Mr. Siegel and seconded by Mr. Danser to certify the development easement value for the following application, as presented and discussed in closed session:

1. Peter and Monica Chung, SADC # 03-0377-PG
Block 15.01, Lot 7.01, Shamong Township, Burlington County, 92 Acres

Discussion: Mr. Waltman raised a concern that the map of this property shows a nonseverable exception area for the purpose of a future home is located within an area that appears to be within a wetlands buffer area. He is concerned that by approving this motion with the map as an exhibit there is a suggestion that it would be OK to build a home in this wetlands buffer area, which may or may not be possible under N.J. Department of Environmental Protection (DEP) regulatory standards. He stated he would be opposing this at this point because he feels it sends a message that may be in contradiction with another State agency and as a public member on this body he is always concerned when we set ourselves up to be potentially in conflict with another State agency. He feels it is bad public policy and it reduces support for government. He would like to see this come back at another time or be briefed further on more details of this property because of that depiction of a potential future home in that area.

Chairman Fisher stated that it is a gamble on the part of the landowner. They may have picked a site where they can't build so the rules are whatever is in place, is in place. Aren't we saying subject to the standards of another entity within the State who has jurisdiction? We are not suggesting that we have superior jurisdiction; we are saying OK, if it is OK to do it.

Mr. Danser stated that the agency that is processing any application has to deal with the application that is before it, and if you are on a planning board and you say, "well, I don't think the DEP is going to let you do that," it isn't the planning board's business. The planning board approves it based on zoning, subject to them also getting the approval from the DEP. It says so in the minutes and he wouldn't have a problem with having a "whereas" saying that the property owner should be advised that the exception area lies completely within a buffer area and may or may not be buildable, but he doesn't think it is grounds for this body to vote no.

Ms. Winzinger stated that this is one application of multiple ones in the Pinelands that is coming out of Burlington County. The timing of the applications that come to the SADC from Burlington County is somewhat different than most. Normally we get an application in for Green Light approval and the appraisals haven't been done and deals haven't been made with landowners, but in Burlington County they are usually far ahead of us. This application actually received Green Light approval, however, because of issues like this and a lot of appraisal issues, we have been coordinating closer with the Pinelands Commission. They do get copied on all the Green Light approvals with a full set of maps. The appraisals for this farm were originally done by Burlington County without Green Light approval and the mapping in the appraisals did not have buffer maps. We have talked to the county about that saying they need to be in there and then a conversation needs to happen with the landowner when you see something like this. What we have done is, they wanted to go ahead with certification and Green Light approval, but we have talked to the county and with the Pinelands Commission about this problem with this property and they said they would be willing to do anything from having a phone conversation with the landowner all the way to getting full approvals, which most landowners don't want to do. They would be willing to sit and meet with folks regarding what their opportunities are, where is the best place to put the exception area so they can be assured that they can build what they want. It has been a very good relationship with the Pinelands Commission to try to help landowners place these things properly. This is something between the county and the landowner. We can bring it up and in this case, she believes it will be moved so when you see it at final approval it will probably be somewhere else and we will have to go back to the appraiser to make sure it doesn't have any impact on value. If it did, we would be back to the Committee with a new

certification of value.

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

PUBLIC COMMENT

None

ADJOURNMENT

There being no further business, it was moved by Mr. Danser and seconded by Mr. Siegel and unanimously approved to adjourn the meeting at 10:40 a.m.

Respectfully Submitted,



Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

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STATE OF NEW JERSEY
AGRICULTURE RETENTION AND DEVELOPMENT PROGRAM

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION # FY2013R4(1)

REQUEST FOR EXTENSION OF PROJECT APPROVAL

BURLINGTON COUNTY

ELEANOR KIRKBRIDE

APRIL 26, 2013

WHEREAS, the State Agriculture Development Committee (SADC) has received the request for extension of project approval application from the State Soil Conservation Committee (SSCC) for the **Eleanor Kirkbride, SADC ID# 03-0049-PN**, concerning the parcel of land located in the Township of Southampton, County of Burlington; and

WHEREAS, the SSCC has reviewed specific reasons for extension related to seasonal constraints and the landowner has been working with the NRCS and the NJ DEP to obtain permits for the cleaning out of the ditches. There has been a considerable delay in obtaining the permits due to the NJ DEP determination of what type of permit was required. The NJ DEP has determined the type of permit that is required and NRCS is processing the permit for approval, as stated by the landowners, and on April 8, 2013, the SSCC approved the request for extension of twelve months for installation of previously approved projects pursuant to N.J.A.C. 2:76-5.4(d)2; and

WHEREAS, the SADC has reviewed said request for extension of project approval application from the above landowners pursuant to 2:76-5.4(d)2; and

WHEREAS, on July 22, 2010, the SADC approved a soil and water state cost-share grant in the amount of \$42,350.00, for approved projects submitted by the above landowners (at 50% cost share); and

WHEREAS, the landowner has expended the amount of \$0.00 (zero) to date and has requested the balance in the amount of \$42,350.00 to be extended until July 22, 2014; and

NOW THEREFORE BE IT RESOLVED, that the SADC, under the authority of N.J.A.C. 2:76-5.4(d)2, approves the extension of the term of obligation for a cost share grant in the amount of \$42,350.00 until July 22, 2014, with no further extension for

Eleanor Kirkbride, SADC # 03-0049-PN, Township of Southampton, County of Burlington, subject to available funds; and

BE IT FURTHER RESOLVED, that the project must be completed by July 22, 2014.

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

4-26-13



DATE

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

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

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**State Soil Conservation Committee
State Cost Share Program
Request for Extension of Project Approvals**

(Note: Separate Request Required for Each Extension Previously Approved Application)

County: BURLINGTON
 Applicant Name: ELEANOR KIRKBRIDE
 State ID Number: 03-0049-PN Application # 1
 Original Approval Date 7/22/2010
 Total of Cost Share Funds Approved 42,350.00
 Amount Expended to Date \$ 0 Amount Remaining \$42,350.00

PROJECTS FOR WHICH EXTENSION IS REQUESTED. (List information below exactly as shown on original application or as revised via approved revision form. Enclose photo copies of approved applications and

A	B	C	D	E	F	G
Project Description	CPO Item #	Field #	Extent Originally Approved	Amount Originally Approved	Amount to be Extended	Amount Approved (State Office use only)
2:90-2.17 Permanent open drain.						
Surface Drainage main or lat.	1	3-B,10	5000 ft.	\$11,250.00	\$11,250.00	
Spoil Spreading	2	3-B,10	23 ac.	\$23,000.00	\$23,000.00	
Obstruction Removal	3	3-B,10	4 ac.	\$8,100.00	\$8,100.00	
Total				\$42,350.00	\$42,350.00	

DESCRIBE SPECIFIC REASONS FOR EXTENSION. Reasons must be detailed and related to seasonal constraints or other unavoidable delays beyond the applicants control.

Working with NCRS and DEP to obtain permits for cleaning out ditches on our farm. Currently getting DEP approvals to move forward. State ~~transmission~~ considerable delay in working through approval process with DEP.

Applicant Certification

I hereby request that approval for the above listed projects be extended for 12 months (not to exceed 12 months). I certify that I have been unable to complete these projects within the original three year period for the reasons stated above and anticipate completing them within the period of extension requested.

Signature Eileen G. Kubbick

Date April 1, 2013

Technical Agency Recommendation

I have reviewed this request for extension and concur with the reasons stated. Technical assistance for completion of the project will be provided.

Signature Sue DeCicco
District Conservationist

Date 4/1/2013

Soil Conservation District Approval

The Burlington Soil Conservation District has reviewed and approved this request at an official meeting held on _____ (Date) and recommends extension for 12 months.

Signature Donald R. Knapp
District Chairman

Date 4/2/2013

State Soil Conservation Committee Approval

The SSCC has reviewed and approved this request for extension of 12 months for installation of previously approved projects as described above.

Signature [Signature]

Date 4/8/13

Title EXECUTIVE SECRETARY

State Agricultural Development Committee Approval

The SADC hereby extends funding authorization for the above listed projects. This approval will expire _____.

Signature [Signature]

Date 4-26-13

Title Executive Director

NOTE: All requests for payment for projects completed by the extended date must be submitted no later than 30 days after that date. Projects completed after that date will not be eligible for payment. All requests for extension must be received by the State Soil Conservation Committee at least 30 days prior to the original expiration date to facilitate timely processing.

STATE AGRICULTURE DEVELOPMENT COMMITTEE
VOLUNTARY AGRICULTURAL DEVELOPMENT AREA
MIDDLESEX COUNTY

E.J.G. PROPERTIES AT INDEPENDENCE ACRES, LLC.

RESOLUTION# FY2013R4(2)

APRIL 26, 2013

WHEREAS, the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, provides for the identification of Agricultural Development Areas (ADAs) by county agriculture development boards (CADBs); and

WHEREAS, the ADA criteria developed by the Middlesex County Agriculture Development Board, attached as "Schedule A," have been certified by the State Agriculture Development Committee; and

WHEREAS, in addition to the designation of large, contiguous, comprehensive ADAs, the Middlesex CADB allows for voluntary ADA requests by individual landowners and the waiver of strict application of County criteria as long as the statutory criteria are met; and

WHEREAS, E.J.G. Properties at Independence Acres, LLC. (Eric J. Gulotta, Managing Member), owner of Block 2, Lot 4.01, located in Monroe Township and consisting of approximately 18 acres, has applied for inclusion of said lands in an ADA which is attached as "Schedule B;" and

WHEREAS, a public hearing was held by the Middlesex CADB on January 9, 2013; and

WHEREAS, based on extensive documentation of local conditions in the 2008 Middlesex County Comprehensive Farmland Preservation Plan, the Middlesex CADB makes a strong case that it is important to preserve farmland and sustain agriculture within both a rural and suburban context; and

WHEREAS, the E.J.G. Properties parcel is in the Suburban Planning Area (PA 2) under the State Development and Redevelopment Plan Policy Map and public water and sewer service areas; and

WHEREAS, the E.J.G. Properties parcel is located partly in a R30 Residential zone (30,000 s.f. minimum residential lots with water and sewer or 1.5 acre minimum lots without public water and sewer) and partially in the FHC - Flood Hazard Conservation zone with agriculture listed as a permitted use; and

WHEREAS, the E.J.G. Properties parcel is approximately 70% tillable, 68% wetlands and consists of 79% soils capable of supporting agriculture; and

WHEREAS, the Township of Monroe has submitted letters of support for the ADA designation and the preservation of the above property, including the willingness to provide municipal funding for a portion of the cost of easement purchase; and


WHEREAS, the Committee finds that said lands of E.J.G. Properties have met the requirements of N.J.A.C. 2:76-1 and have met the criteria established by the Middlesex County Agriculture Development Board; and

WHEREAS, the SADC has reviewed the CADB's submissions and has determined that the analysis of factors and resultant criteria is reasonable and consistent, and in compliance with the provisions of N.J.A.C. 2:76-1.6, as depicted in the attached "Schedules C and D."

NOW THEREFORE BE IT RESOLVED that the State Agriculture Development Committee certifies the designation of Agricultural Development Area to the land owned by E.J.G. Properties, Block 2, Lot 4.01, located in Monroe Township and consisting of approximately 18 acres.

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

4-26-13
DATE


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

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

Schedule #7

**CRITERIA FOR ESTABLISHING AN
AGRICULTURAL DEVELOPMENT AREA (ADA)
IN MIDDLESEX COUNTY**

1. Land that receives farmland assessment or is eligible for farmland assessment;
2. The land must encompass productive agricultural lands which are currently in production or have a strong potential for future production in agriculture;
3. Agriculture must be a permitted use under current municipal zoning, or must be permitted as a non-conforming use;
4. The land must be reasonably free of suburban and/or conflicting commercial development;
5. The land must not include greater than 90% of the County's agricultural land mass;
6. Soils must include a predominance of Prime Farmland and Soils of Statewide Importance;
7. The property must have a minimum contiguous acreage of 10 acres or more.

The Agriculture Development Board may consider waivers from the strict application of #1, #6, #7 requirements provided that the statutory criteria (#2, #3, #4, #5) are met.

Note: The above set of criteria for ADA designation was last certified at the SADC meeting of December 20, 2001.

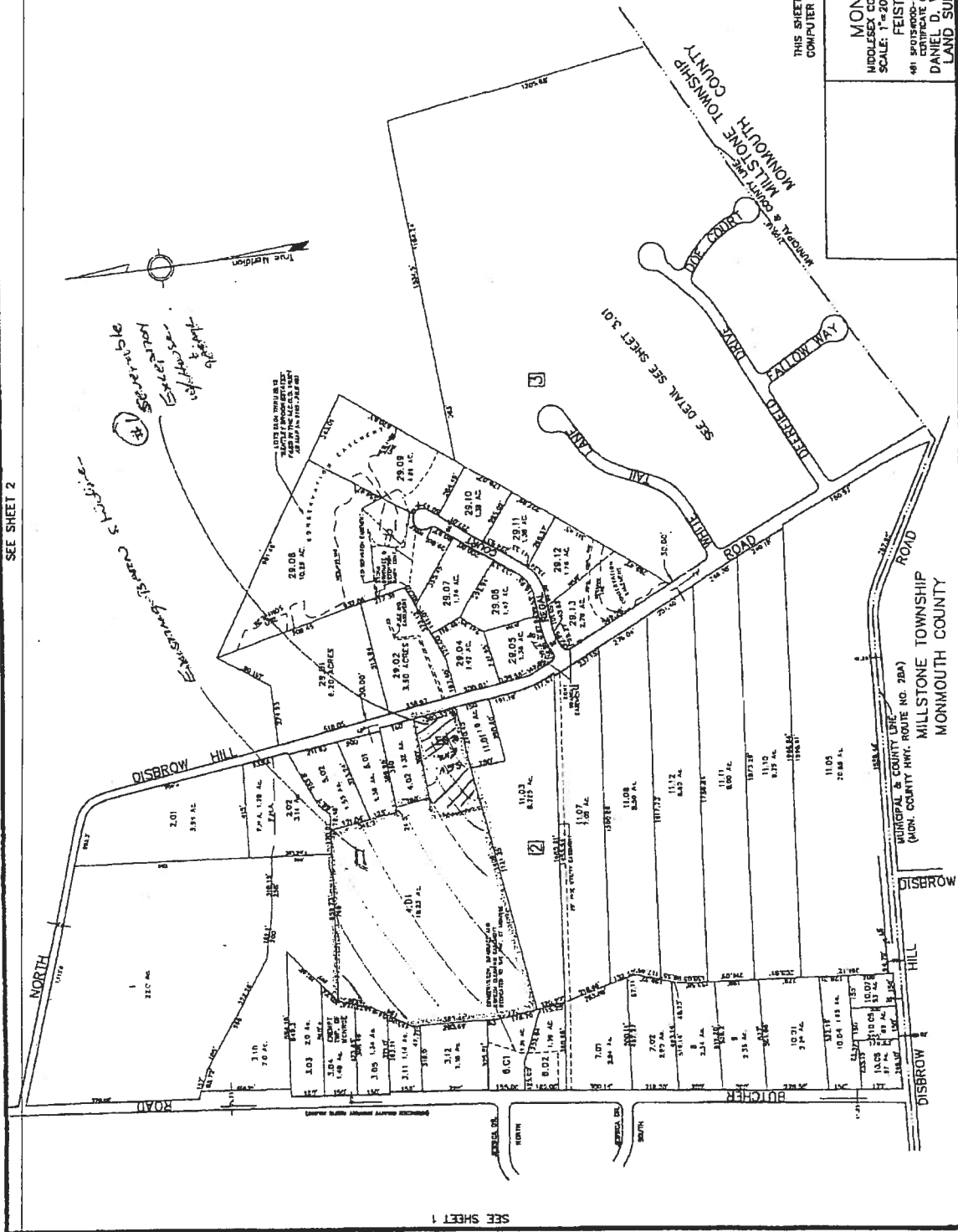
Schedule "B"

REVISIONS	
DATE	REVISION
11/09	REVISED TO SHOW ALL LOTS
09/08	REVISED TO SHOW ALL LOTS
05/08	REVISED TO SHOW ALL LOTS
02/07	REVISED TO SHOW ALL LOTS

SEE SHEET 4

SEE SHEET 2

SEE SHEET 1



THIS SHEET HAS BEEN DRAWN USING
COMPUTER AIDED DRAFTING/DESIGN (CAD)

TAX MAP
MONROE TOWNSHIP
 MIDDLESEX COUNTY
 SCALE: 1"=200'
 FEBRUARY, 2010

FEIST ENGINEERING, INC.
 461 WEST WINDY HILL ROAD, SUITE 200
 HUNTSVILLE, AL 35894
 DANIEL D. VOLOSIN, N.J. PROFESSIONAL
 LAND SURVEYOR, LIC. NO. 34022

Schedule C






Middlesex County Agriculture Development Board
FARMLAND PRESERVATION PROGRAM

Mr. Eric Gulotta
EJG Properties at Independence Acres
Block 2, Lot 4.01 in Monroe Township
18.21 acres



Legend

-  Property in Question
-  FHC zone
-  R30 zone

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



Sources:
NJDEP 2007 LU/LC

Prepared by: Middlesex County Planning Department
Division of Data Management & Technical Services

Map_080903.mxd

Schedule D



STATE AGRICULTURE DEVELOPMENT COMMITTEE
VOLUNTARY AGRICULTURAL DEVELOPMENT AREA

MIDDLESEX COUNTY

DEAN J. FIORENTINO

RESOLUTION# FY2013R4(3)

APRIL 26, 2013

WHEREAS, the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, provides for the identification of Agricultural Development Areas (ADAs) by county agriculture development boards (CADBs); and

WHEREAS, the ADA criteria developed by the Middlesex County Agriculture Development Board attached as "Schedule A," have been certified by the State Agriculture Development Committee; and

WHEREAS, in addition to the designation of large, contiguous, comprehensive ADAs, the Middlesex CADB allows for voluntary ADA requests by individual landowners and the waiver of strict application of County criteria as long as the statutory criteria are met; and

WHEREAS, Dean J. Fiorentino, owner of Block 6, Lots 21.071 and 21.072, located in South Brunswick Township and consisting of approximately 9 acres, has applied for inclusion of said lands in an ADA which is attached as "Schedule B;" and

WHEREAS, a public hearing was held by the Middlesex CADB on March 13, 2013; and

WHEREAS, based on extensive documentation of local conditions in the 2008 Middlesex County Comprehensive Farmland Preservation Plan, the Middlesex CADB makes a strong case that it is important to preserve farmland and sustain agriculture within both a rural and suburban context; and

WHEREAS, the Middlesex CADB granted a waiver for the size of the farm in relation to the County's 10-acre minimum contiguous acreage criterion; and

WHEREAS, the Fiorentino Farm is in the Environmentally Sensitive Planning Area (PA 5) under the State Development and Redevelopment Plan Policy Map and in a public water service area; and

WHEREAS, the Fiorentino Farm is located in the RR Rural Residential zone (2 to 3 acre minimum residential lots depending on septic suitability); and

WHEREAS, the Fiorentino Farm is approximately 72% tillable, 41% wetlands and consists of 85% soils capable of supporting agriculture; and

WHEREAS, Fiorentino Farm is 0.1 miles away from the existing ADA and a preserved farm, immediately adjacent to the County's Shallow Brook Conservation Area and within a mile of at least 7 preserved farms; and

WHEREAS, the South Brunswick Township has submitted a resolution of support (Resolution 2012-455 dated November 27, 2012) for the ADA designation and the inclusion of the above property on the Fiscal Year 2014 County Planning Incentive Grant list of targeted farms, including the willingness to consider providing municipal funding for a portion of the cost of easement purchase to preserve the above property for agricultural use; and

WHEREAS, the Committee finds that said lands of Dean J. Fiorentino have met the requirements of N.J.A.C. 2:76-1 and have met the criteria established by the Middlesex CADB; and

WHEREAS, the SADC has reviewed the CADB's submissions and has determined that the analysis of factors and resultant criteria is reasonable and consistent, and in compliance with the provisions of N.J.A.C. 2:76-1.6, as depicted in the attached "Schedules C and D."

NOW THEREFORE BE IT RESOLVED that the State Agriculture Development Committee certifies the designation of Agricultural Development Area to the land owned by Dean J. Fiorentino, owner of Block 6, Lots 21.071 and 21.072, located in South Brunswick Township and consisting of approximately 9 acres.

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

4-26-13

DATE



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

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

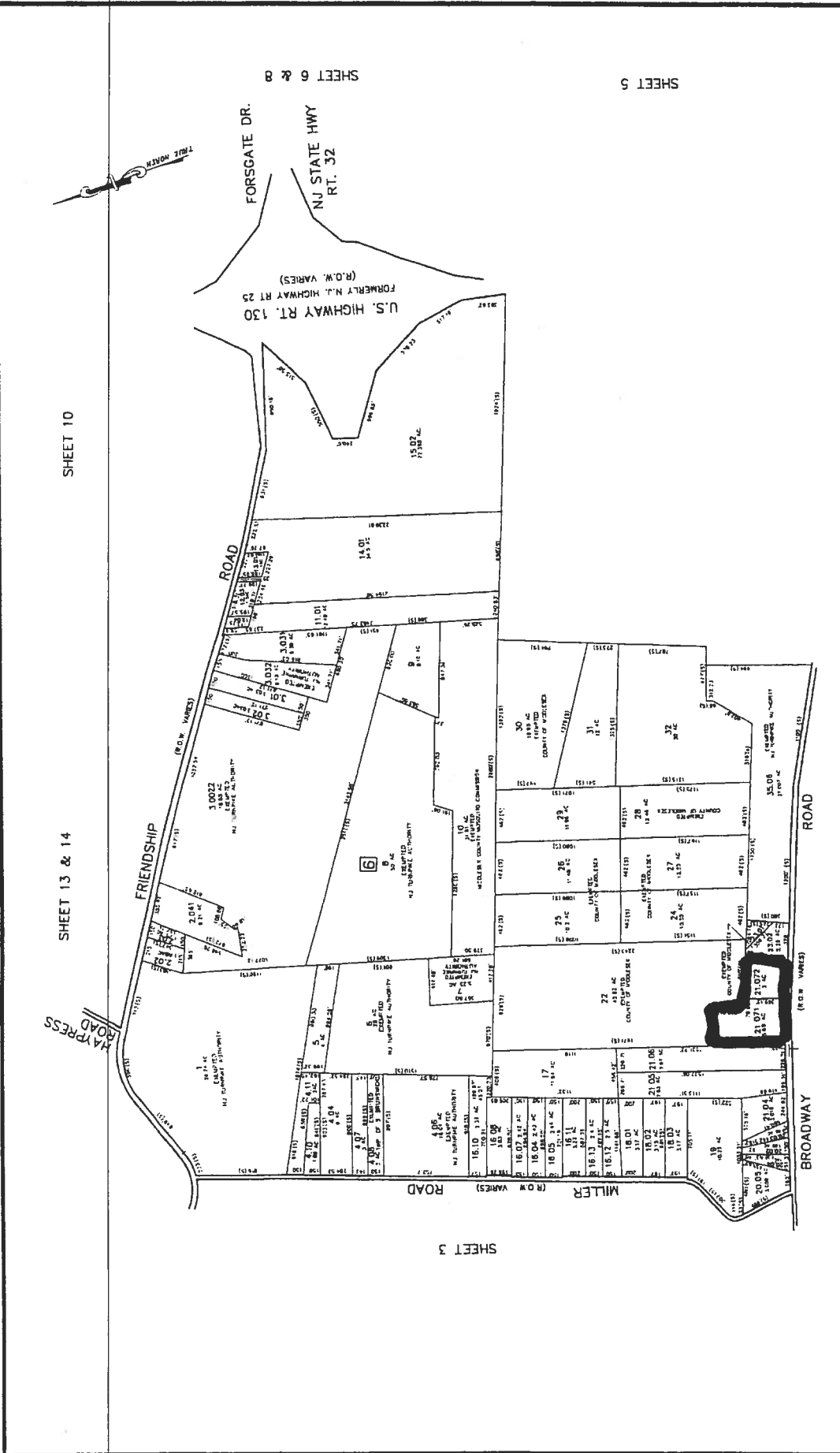
Schedule "A"

**CRITERIA FOR ESTABLISHING AN
AGRICULTURAL DEVELOPMENT AREA (ADA)
IN MIDDLESEX COUNTY**

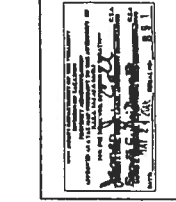
1. Land that receives farmland assessment or is eligible for farmland assessment;
2. The land must encompass productive agricultural lands which are currently in production or have a strong potential for future production in agriculture;
3. Agriculture must be a permitted use under current municipal zoning, or must be permitted as a non-conforming use;
4. The land must be reasonably free of suburban and/or conflicting commercial development;
5. The land must not include greater than 90% of the County's agricultural land mass;
6. Soils must include a predominance of Prime Farmland and Soils of Statewide Importance;
7. The property must have a minimum contiguous acreage of 10 acres or more.

The Agriculture Development Board may consider waivers from the strict application of #1, #6, #7 requirements provided that the statutory criteria (#2, #3, #4, #5) are met.

Note: The above set of criteria for ADA designation was last certified at the SADC meeting of December 20, 2001.



TAX MAP
 SOUTH BRUNSWICK TOWNSHIP
 MIDDLESEX COUNTY, NEW JERSEY
 SCALE: 1" = 400' DATE: NOV. 2001
 MICHAEL J. MCGURL, P.L.S.
 CME ASSOCIATES
 3141 BORDENTOWN AVENUE, PARLIN
 NEW JERSEY, 08859

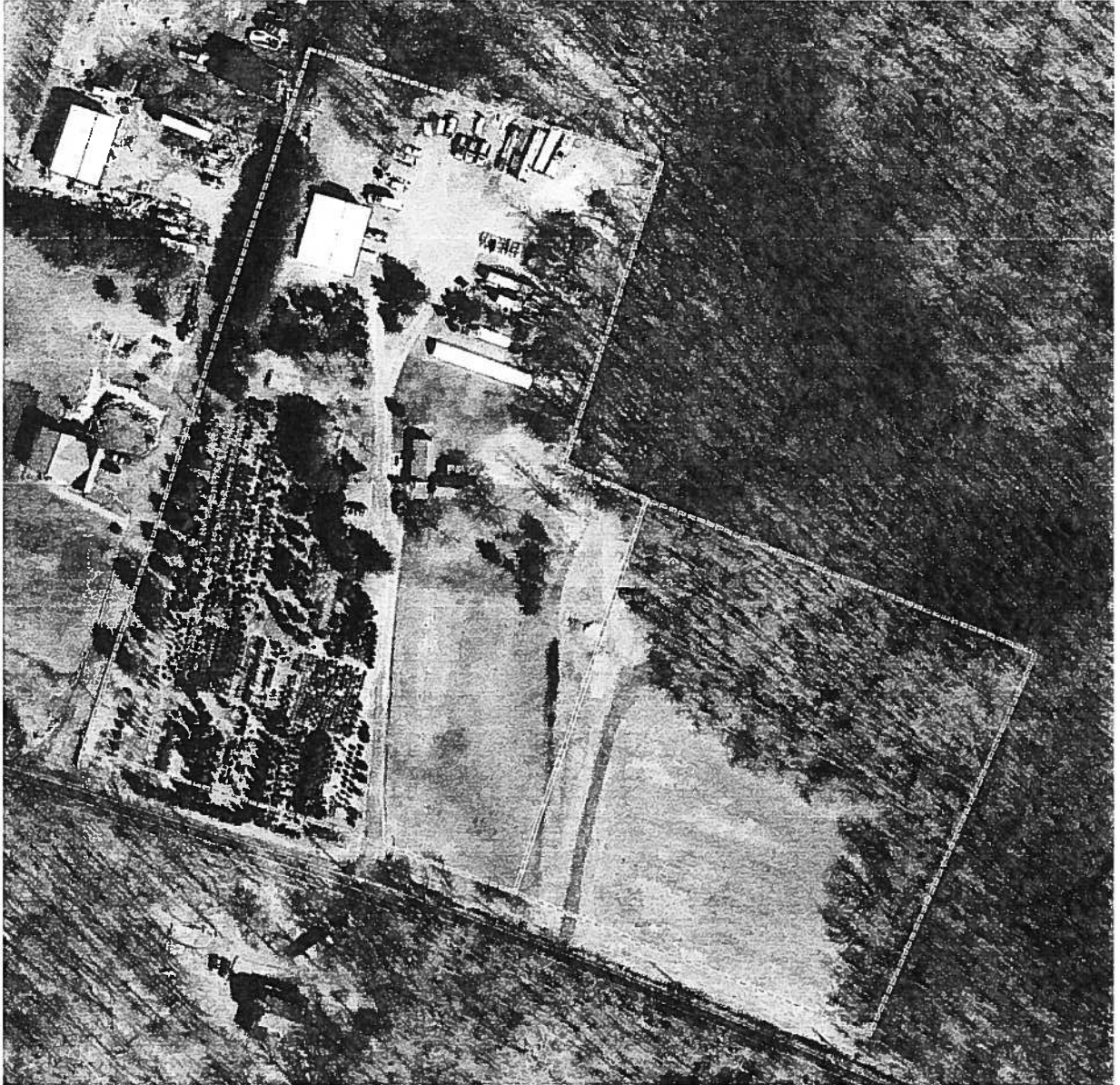


SHEET 2

PORTIONS OF THIS TAX MAP MAY HAVE BEEN PREPARED
 FROM SCANNED OR DIGITIZED FILED MAPS AND/OR TAX MAPS
 ALL PORTIONS OF THIS TAX MAP HAVE BEEN PREPARED
 ELECTRONICALLY IN AUTOCAD, R13

NO. 1	10000	10000
NO. 2	10000	10000
NO. 3	10000	10000
NO. 4	10000	10000
NO. 5	10000	10000
NO. 6	10000	10000
NO. 7	10000	10000
NO. 8	10000	10000
NO. 9	10000	10000
NO. 10	10000	10000

Schedule C



Middlesex County Agriculture Development Board
FARMLAND PRESERVATION PROGRAM

Dean Fiorentino Nursery
 Block 6; Lot 21.071 & 21.072
 South Brunswick Township
 8.69 acres



Legend

Property in Question

Zone Name

Rural Res.

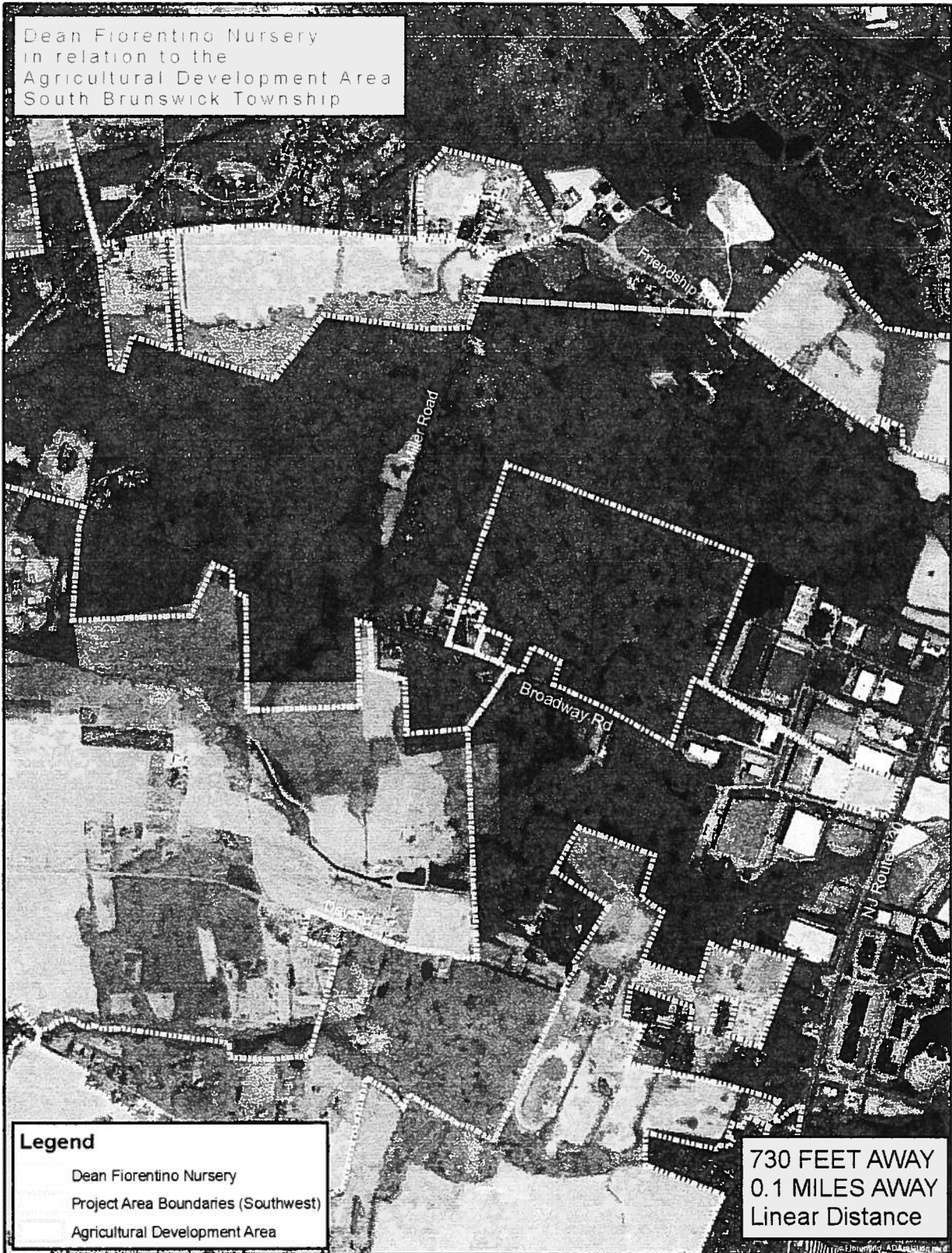
Public Land

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



Sources:
 NJDEP 2007 LU/LC
 Prepared by: Middlesex County Office of Planning
 Division of Data Management & Technical Services

Schedule D



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R4(4)

CERTIFICATION OF AMENDED AGRICULTURAL DEVELOPMENT AREA MAP

MERCER COUNTY

April 26, 2013

WHEREAS, the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, provides for the identification of Agricultural Development Areas (ADAs) by county agriculture development boards (CADBs); and

WHEREAS, the State Agriculture Development Committee (SADC) last certified Mercer County's designated Agricultural Development Area criteria and map showing the general location of the ADA(s) as defined by the application of the criteria on February 25, 2010 pursuant to N.J.S.A. 4:1C-18, and N.J.A.C. 2:76-1.4, in conjunction with an update of the County's Comprehensive Farmland Preservation Plan; and

WHEREAS, pursuant to the criteria established by the Mercer CADB, lands excluded from the ADA that may contribute to the success of agricultural preservation can be included in the ADA as an "exception;" and

WHEREAS, Barry Black is the owner of Block 2713, Lots 32 and 34 in Hamilton Township, consisting of approximately 61 acres, as shown in the attached "Schedule A;" and

WHEREAS, at the request of Save Hamilton Open Space, the Hamilton Township Planner, the New Jersey Conservation Foundation, the Crosswicks-Doctors Creek Watershed Association and the landowner, the Mercer CADB agreed to consider an amendment to the County ADA map at the August 6, 2012 CADB meeting; and

WHEREAS, the Mercer CADB held a public hearing on October 1, 2012 and provided an opportunity for written comments to be submitted through October 15, 2012 in order to consider public comments on the proposed amendment to its ADA map pursuant to N.J.A.C. 2:76-1.5; and

WHEREAS, the Mercer CADB found that parcels are currently in agricultural production and farmland assessed, consist of 44% Prime Soils and 56% Soils of Statewide Importance, are 65% tillable and are adjacent to the current ADA and a preserved farm, as shown on "Schedules B and C"; and

WHEREAS, the Mercer CADB also determined that agriculture is a permitted use under the current municipal zoning ordinance, the parcels are in the Rural Planning Area (PA 4A) of the Policy Map of the 2001 State Development and Redevelopment Plan, are not within an existing or proposed sewer service area, are reasonably free from suburban and conflicting commercial development and that the additional acreage will have no significant effect on the total area of the County's ADA; and

WHEREAS, based on the thorough analysis and considerable public comments in support of the ADA amendment, the CADB adopted the amended Mercer County ADA map (as identified in the attached "Schedules D and E") at its December 3, 2012 meeting; and

WHEREAS, the CADB has requested the SADC's certification of the amended ADA map; and

WHEREAS, pursuant to N.J.A.C. 2:76-1.5, the MCADB submitted to the SADC, copies of the agenda and minutes of the publicly noticed hearing, the CADB resolution of adoption, a staff report discussing the history of the Mercer County ADA, adopted criteria and factors used to determine the map amendment, a December 12, 2012 Mercer County Planning Board resolution supporting the MCADB ADA map amendment, along with the County's Annual Planning Incentive Grant Application; and

WHEREAS, the SADC has reviewed the CADB's submissions and has determined that the analysis of factors and resultant criteria is reasonable and consistent and in compliance with the provisions of N.J.A.C. 2:76-1.6;

NOW THEREFORE BE IT RESOLVED that the SADC certifies the amendment to the Mercer County Agriculture Development Board's Agricultural Development Area map dated December 2012; and

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

4-26-13
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

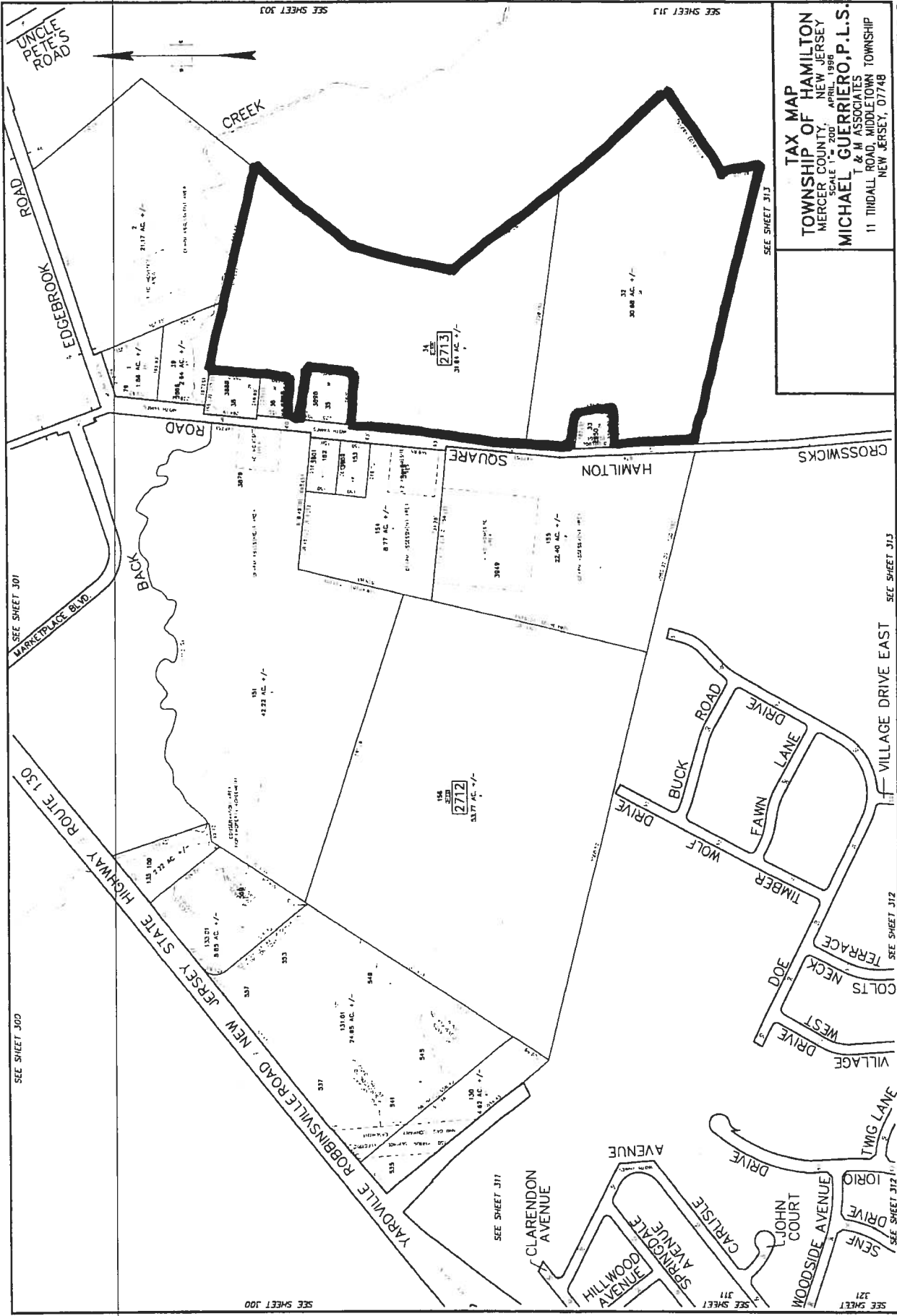
VOTE WAS RECORDED AS FOLLOWS

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

302

302

Scale 1" = 200'



TAX MAP
TOWNSHIP OF HAMILTON
 MERCER COUNTY, NEW JERSEY
 SCALE 1" = 200', APRIL, 1996
MICHAEL GUERRIERO, P.L.S.
 T & M ASSOCIATES
 11 TINDALL ROAD, MIDDLETOWN TOWNSHIP
 NEW JERSEY, 07748

SEE SHEET 301

SEE SHEET 300

YARDVILLE ROBBINSVILLE ROAD NEW JERSEY STATE HIGHWAY ROUTE 130

SEE SHEET 300

SEE SHEET 303

SEE SHEET 313

SEE SHEET 313

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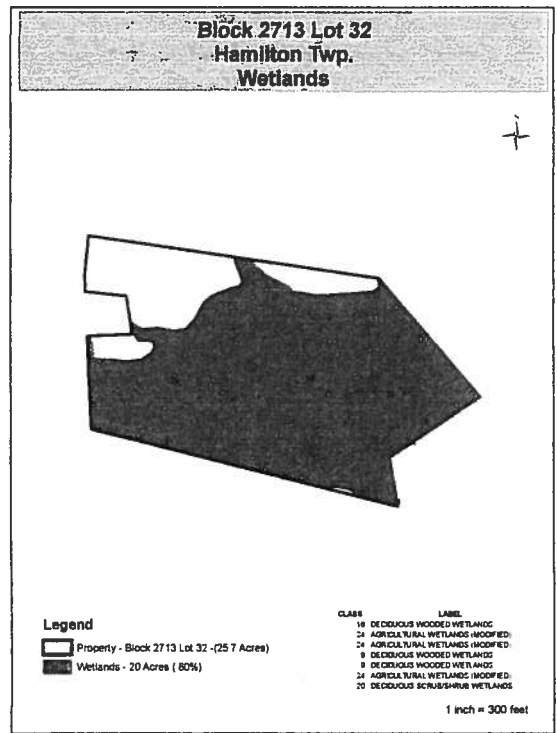
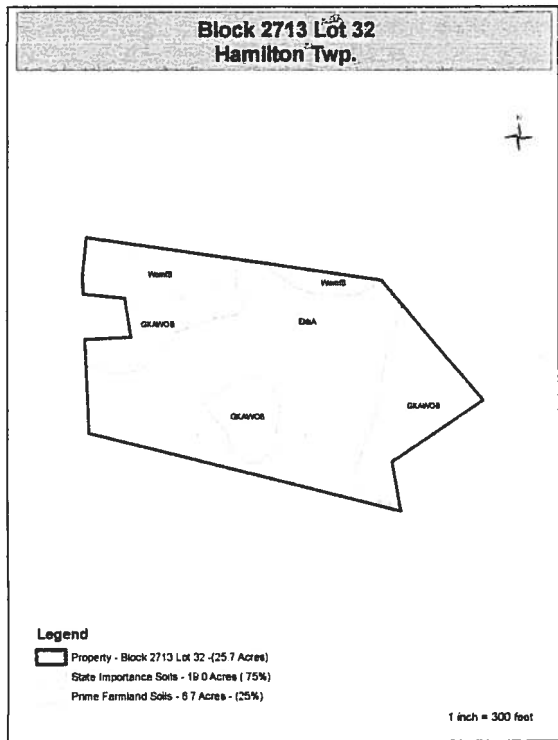
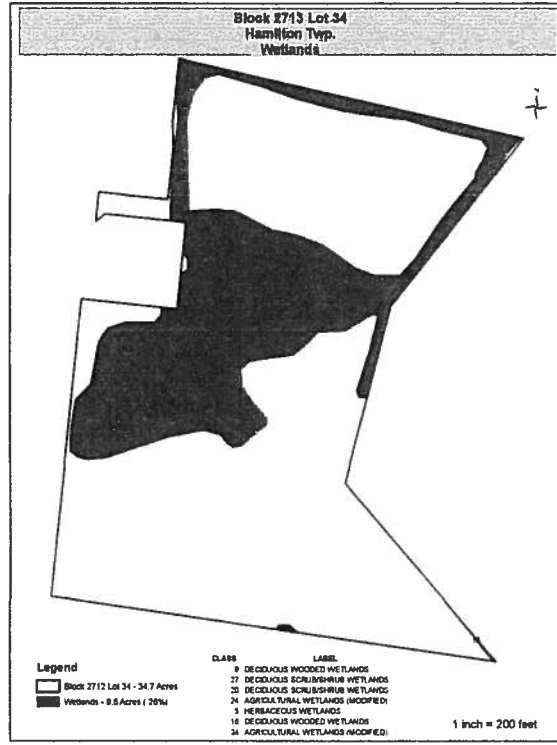
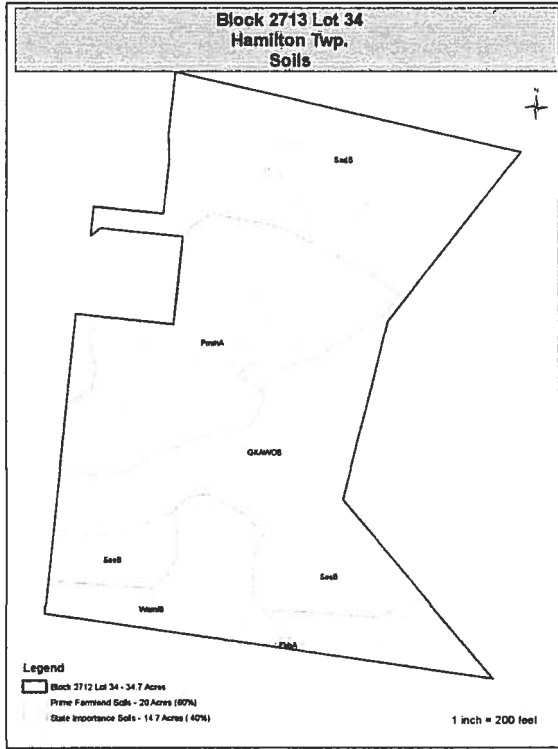
SEE SHEET 311

SEE SHEET 311

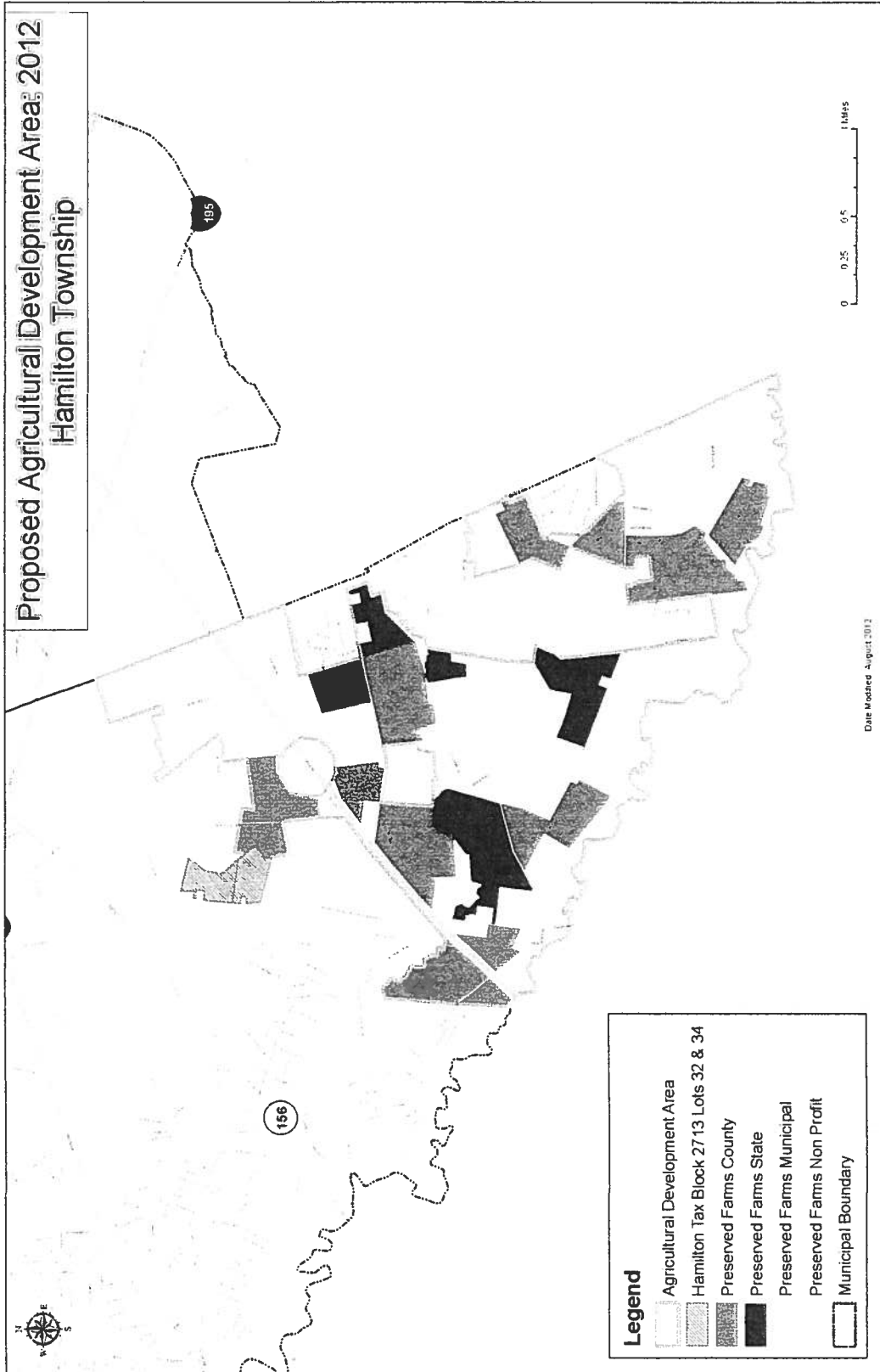
Schedule B



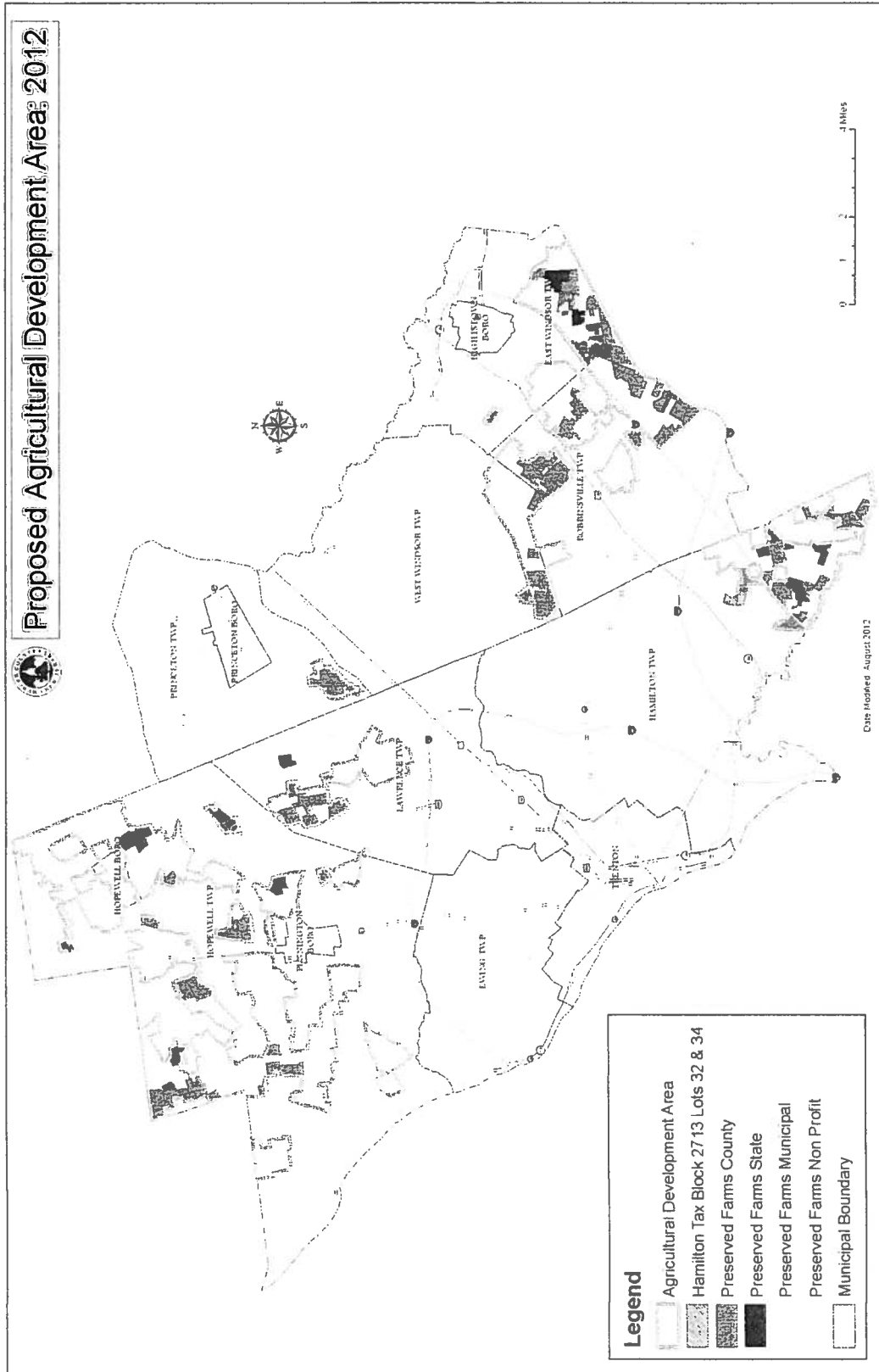
Schedule C



Schedule D



Schedule E



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R4(5)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**SUSSEX COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
George & Janet Sella
Fredon Township, Sussex County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 19-0023-PG**

April 26, 2013

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Sussex 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, Sussex County received SADC approval of its FY2013 PIG Plan application annual update on May 24, 2012; and

WHEREAS, on October 19, 2011 the SADC received an application for the sale of a development easement from Sussex County for the Sella Farm identified as Block 801 Lot 32.03, Fredon Township, Sussex County, totaling approximately 152.3 net easement acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the Property is located in Sussex County's Kittatiny Valley West 2 Project area; and

WHEREAS, the Property has one a 1-acre non-severable exception area for a future single family residence; a 1.3-acre severable exception area for an existing single family residence and an 8.2-acre severable exception area for an existing single family residence; and

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

WHEREAS, the Property is in dairy and field crop 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 rank score of 51.19 which exceeds 70% of the County's average quality score of 35, as determined by the SADC on July 24, 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on January 27, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2012 the SADC certified a development easement value of \$4,400 per acre based on zoning and environmental regulations in place as of December 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner and the County negotiated a purchase price of \$4,500 per acre for the development easement for the Property which is \$100 per acre higher than the certified value, but not higher than highest appraised value (\$5,000/acre); and

WHEREAS, on February 19, 2013 the County prioritized its farms and submitted it 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, currently the County has \$1,499,405.39 of base grant funding available, and is eligible for up to \$3,000,000 in FY11 competitive funding and \$5,000,000 in FY13 competitive grant funding, subject to available funds (Schedule B); and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 156.869 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 156.869 acres):

	<u>Cost Share</u>	
SADC	\$476,881.76	(\$3,040 per acre)
<u>Sussex County</u>	<u>\$229,028.74</u>	<u>(\$1,460 per acre)</u>
Purchase Price	\$705,910.50	(\$4,500 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, the Fredon Township on approved the application without participating financially on March 10, 2011, the Sussex County Agriculture Development Board approved the application on February 22, 2011, and the Sussex County Board of Chosen Freeholders approved the required local match (\$1,460) on March 9, 2011; and

WHEREAS, the Sussex County Agriculture Development Board is requesting \$476,881.76 of base grant funding, leaving a balance of approximately \$1,022,523.76 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; 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 the Sussex County for the purchase of a development easement on the Sella Property, comprising approximately 156.869 net acres, at a State cost share of \$3,040 per acre (69.09% of certified market value and 67.56% of the purchase price) for a total grant need of approximately \$476,881.76, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C"; and

BE IT FURTHER RESOLVED, that the SADC grant will consist of \$476,881.76 from the base grant fund only; and

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

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


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

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

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

4-26-13

Date



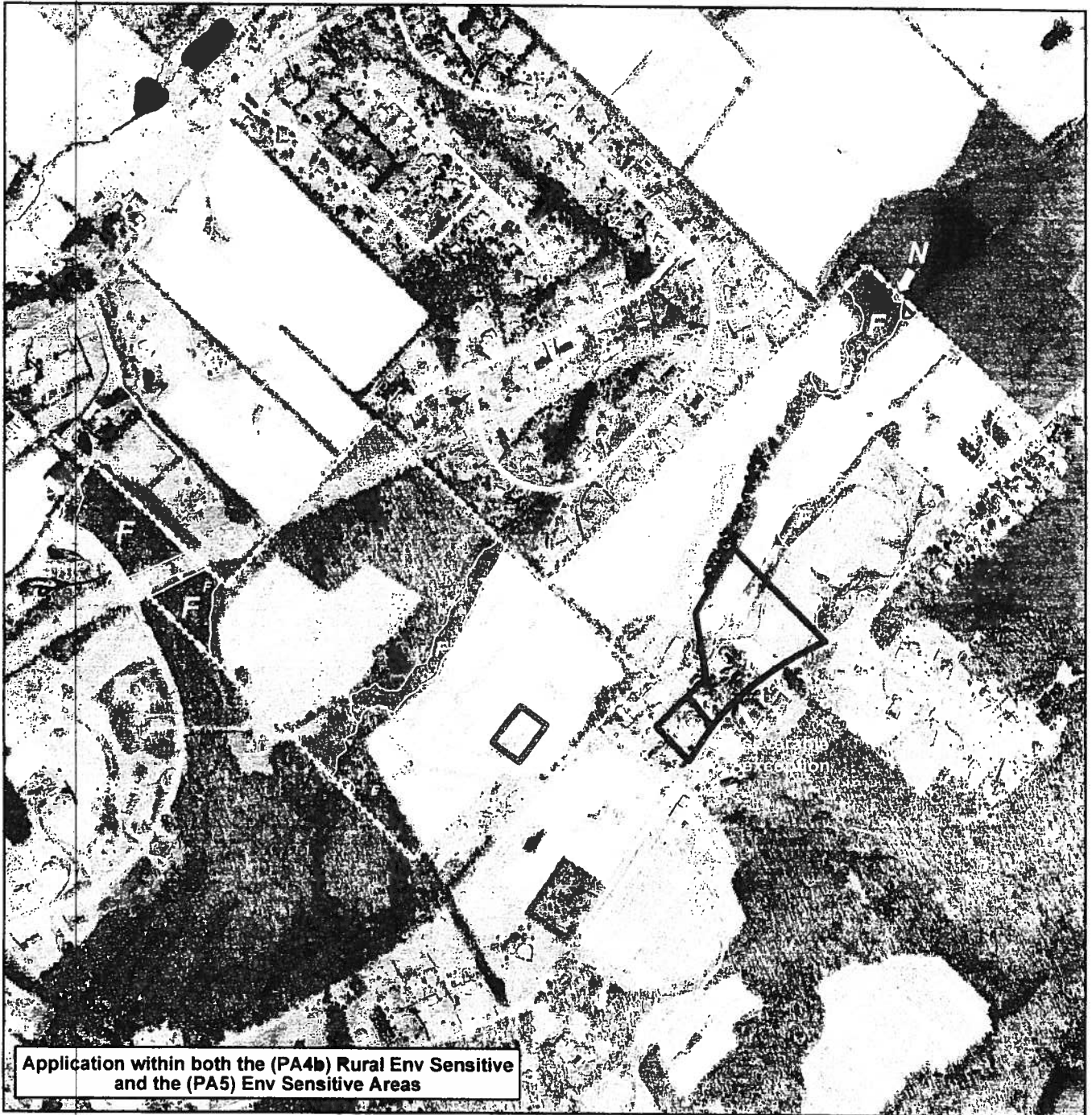
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

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

S:\Planning Incentive Grant -2007 rules County\Sussex\Sella\final approval resolution.doc

Schedule A



x:\counties\susco\projects\sella_fww.mxd

Application within both the (PA4b) Rural Env Sensitive and the (PA5) Env Sensitive Areas

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

George Sella
Block 801 Lots P/O 32.03 (152.3 ac), P/O 32.03-ES (severable exceptions - 1.3 & 8.2 ac)
& P/O 32.03 -EN (non-severable exception - 1.0 ac)
Gross Total = 162.8 ac
Fredon Twp., Sussex County



	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned ORS & Recreation Easement
	Federal Land

Wetlands Legend:

F	Freshwater Wetlands
L	Linear Wetlands
M	Wetlands Modified for Agriculture
T	Tidal Wetlands
N	Non-Wetlands
B	300 Buffer
W	Water

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

October 25, 2011

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	Cost Basis	Cost Share	Encumbered at Final	Voucher	Expend	BASE GRANT	
													FY11	Balance
Tomasso, Louis (Pittenger)	Green	47.000	48.410	9,700.00	9,750.00	5,820.00	437,521.50	331,293.80	198,776.28	281,746.20	198,776.28		2,301,223.72	1,500,000
Lane, David	Wantage	125.000	128.750	3,500.00	3,500.00	2,500.00	450,625.00	450,625.00	321,875.00	321,875.00			1,979,348.72	1,000,000
Keyes, Judith Havens	Wantage	42.720	44.0016	2,600.00	2,600.00	1,920.00	114,404.16	114,404.16	84,483.07	84,483.07			1,894,865.65	
MC Land Trust of Frankford	Frankford	103.700	106.8110	4,600.00	4,600.00	3,160.00	491,330.60	491,330.60	337,522.76	337,522.76			1,557,342.89	
Klein, M & I	Fredon	15.000	15.450	5,700.00	5,700.00	3,750.00	88,065.00	88,065.00	57,937.50	57,937.50			1,499,405.39	
Sella, George and Janet	Fredon	152.300	156.869	4,400.00	4,500.00	3,040.00	705,910.50	690,223.60	476,881.76	476,881.76			1,022,523.63	
Pending GLA or certification														
Goldman Frankford Farm	Frankford	83.000												
Encumbered/Expended FY11										1,477,476.37		0.00	22,523,628	
Encumbered/Expended FY13										0.00		0.00	1,000,000.00	
Total	7	568.72					2,287,856.76	2,165,942.16	1,477,476.37	1,477,476.37		0.00	1,022,523.63	
Reprogram Out														

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

High Hollow Farm (Sella, George & Janet)
19-0023-PG
County PIG Program
152 Acres

Block 801	Lot 32.03	Fredon Twp.	Sussex County
SOILS:		Other	100% * 0 = .00
			SOIL SCORE: .00
TILLABLE SOILS:		Cropland Harvested	43% * .15 = 6.45
		Permanent Pasture	22% * .02 = .44
		Wetlands	19% * 0 = .00
		Woodlands	16% * 0 = .00
			TILLABLE SOILS SCORE: 6.89
FARM USE:		Dairy	33 acres
		Field Crop Except Cash Grain	65 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 future Single family residence
Exception is not to be severed from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be restricted to one single family residential unit(s)
 - 2nd (8.2) acres for Single family residence
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
Exception is to be restricted to one single family residential unit(s)
 - 3rd (1.3) acres for Single family residence
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
Exception is to be restricted to one single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 #FY2013R4(6)

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

**On the Property of
Pleasant Run, LLC (Lot 30.02)**

April 26, 2013

Subject Property: Pleasant Run, LLC (Lot 30.02)
Block 75, Lot 30.02
Readington Twp., Hunterdon County
SADC ID # 10-0201-DE
Approximately 113.79 Net Easement Acres

WHEREAS, on August 5, 2011, the State Agriculture Development Committee ("SADC") received a development easement sale application from Pleasant Run, LLC, hereinafter "Owner," identified as Block 75, Lot 30.02, Readington Twp., Hunterdon County, hereinafter "Property," totaling approximately 113.79 net acres, (Schedule A); and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on June 24, 2010, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property has a quality score of 68.31, which exceeds the Priority Quality score for Hunterdon County of 56, and the Property's size exceeds the Priority acreage for Hunterdon County of 46 acres, so therefore the Property is categorized as a Priority farm; and

WHEREAS, the Property has one (1)-acre non-severable exception area for one future single family residence; and

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

WHEREAS, the Property is currently devoted to corn, hay and oat production; and

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

WHEREAS, on February 28, 2012, the SADC certified the development easement value of the Property at \$15,300 per acre based on current zoning and environmental conditions as of January, 2013; and

WHEREAS, on April 8, 2013 the Owner accepted the SADC's offer to purchase the development easement on the Property at \$15,300 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Property, for the acquisition of the development easement at a value of \$15,300 per acre (113.79 net easement acres) for a total of approximately \$1,740,987 subject to the conditions contained in (Schedule B); and


BE IT FURTHER RESOLVED, that the SADC's cost share shall be based on the final surveyed acreage of the Property adjusted for proposed road rights of way, other rights of way or easements as determined by the SADC, tidelands claim and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and

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

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

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

4-26-13
Date


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

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

Schedule A



Application within the (PA4) Rural Area

x:/counties/hunco/projects/profeta_2_fw.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

P. Profeta/Pleasant Run Farm (2)
Block 75 Lots P/O 30.02 (113.79 ac)
& P/O 30.02-EN (non-severable exception - 1.0 ac)
Gross Total = 114.79 ac
Readington Twp., Hunterdon County

500 250 0 500 1,000 Feet



- Property in Question
- EN - (Non-Severable) Exception
- EE - (Severable) Exception
- Wetlands Boundaries
- Municipal, County and Non-Profit Preserved Open Space
- State Owned Conservation Easement
- State Owned O&B & Recreation Easement
- Federal Land

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

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

Date: 5/30/2012

State Agriculture Development Committee
 SADC Final Review: Development Easement Purchase

Pleasant Run Farm (Lot 30.02)
 State Acquisition
 Easement Purchase - SADC
 110 Acres

Block 75	Lot 30.02	Readington Twp.	Hunterdon County		
SOILS:		Other	45.44% *	0	= .00
		Prime	23.36% *	.15	= 3.50
		Statewide	31.2% *	.1	= 3.12
					SOIL SCORE: 6.62
TILLABLE SOILS:		Cropland Harvested	34% *	.15	= 5.10
		Woodlands	66% *	0	= .00
					TILLABLE SOILS SCORE: 5.10
FARM USE:		Agricultural Production Crops		30 acres	

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for future single family residence
 Exception is not to be severable from Premises
 Right to Farm language is to be included in Deed of Easement
 Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions: No Additonal Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R4(7)

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

On the Property of
Pleasant Run, LLC (Lot 19)

April 26, 2013

Subject Property: Pleasant Run, LLC (Lot 19)
Block 75, Lot 19
Readington Twp., Hunterdon County
SADC ID # 10-0200-DE
Approximately 71 Net Easement Acres

WHEREAS, on August 5, 2011, the State Agriculture Development Committee ("SADC") received a development easement sale application from Pleasant Run, LLC, hereinafter "Owner," identified as Block 75, Lot 19 Readington Twp., Hunterdon County, hereinafter "Property," totaling approximately 71 net acres, (Schedule A); and

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

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on June 24, 2010, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property has a quality score of 67.80, which exceeds the Priority Quality score for Hunterdon County of 56, and the Property's size exceeds the Priority acreage for Hunterdon County of 46 acres, so therefore the Property is categorized as a Priority farm; and

WHEREAS, the Property has an 8.75-acre severable exception area for a farm market and one ancillary residential apartment unit that shall be subject to municipal zoning restrictions; the severable exception will either be severed prior to closing or a 'Waiver and Hold Harmless Agreement' will be executed along with the Agreement to Sell Development Easement; and

WHEREAS, the Property has a 1-acre non-severable exception area for an existing single family residence; and

WHEREAS, there are zero (0) single family residences, zero (0) agricultural labor units and no pre-existing non-agricultural uses on the area to be preserved outside the exception area; and

WHEREAS, the Property is currently devoted to cattle, corn, hay and oat production; and

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

WHEREAS, on February 28, 2012, the SADC certified the development easement value of the Property at \$17,000 per acre based on current zoning and environmental conditions as of January 2013; and

WHEREAS, on April 8, 2013 the Owner accepted the SADC's offer to purchase the development easement on the Property at \$17,000 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Property, for the acquisition of the development easement at a value of \$17,000 per acre (71 net easement acres) for a total of approximately \$1,207,000 subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, that the SADC's cost share shall be based on the final surveyed acreage of the Property adjusted for proposed road rights of way, other rights of way or easements as determined by the SADC, tidelands claim and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and


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

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC, or Executive Director Susan E. Payne, to execute an

Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on the Property; and

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

4-26-13
Date

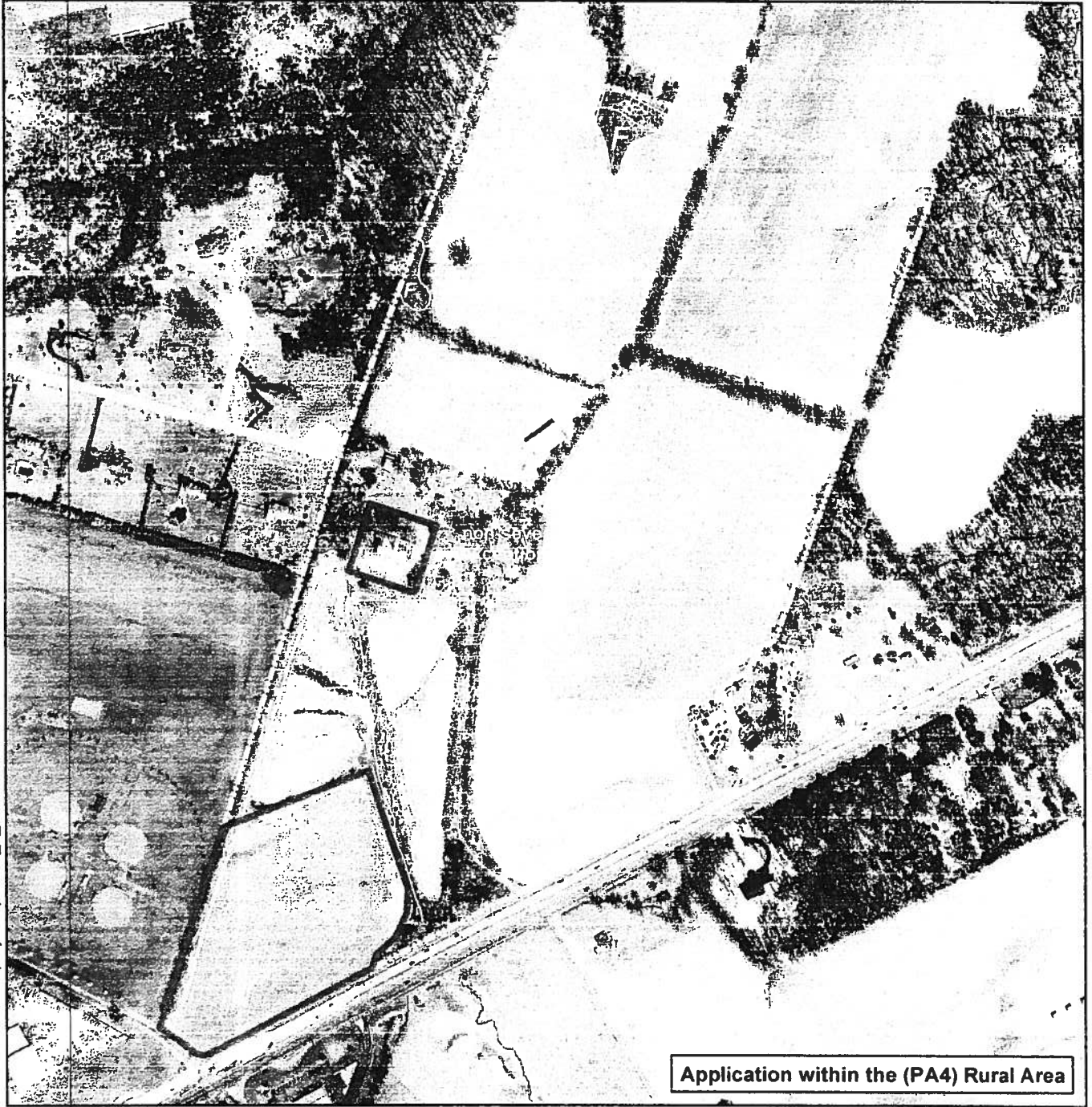

Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

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

Schedule A

x:/counties/hunco/projects/profeta_3_fw.mxd



Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

P. Profeta/Pleasant Run Farm (3)
Block 75 Lots P/O 19 (71.21 ac)
P/O 19-EN (non-severable exception - 1.0 ac)
& P/O 19-ES (severable exception - 8.75 ac)
Gross Total = 80.96 ac
Readington Twp., Hunterdon County

500 250 0 500 1,000 Feet

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Property in Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned DR & Recreation Easement
	Federal Land

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

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

Date: 5/30/2012

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Pleasant Run Farm (Lot 19)
State Acquisition
Easement Purchase - SADC
71 Acres

Block 75	Lot 19	Readington Twp.	Hunterdon County	
SOILS:		Other	4.83% * 0	= .00
		Prime	56.75% * .15	= 8.51
		Statewide	38.42% * .1	= 3.84
				SOIL SCORE: 12.35
TILLABLE SOILS:		Cropland Harvested	86% * .15	= 12.90
		Other	14% * 0	= .00
				TILLABLE SOILS SCORE: 12.90
FARM USE:	Agricultural Production Crops		71 acres	

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (8.75) acres for farm market/future flexibility
Exception is severable
restricted to zero single family dwellings - ancillary
units permitted subject to local ordinance
 - 2nd one (1) acres for existing single family residence
Exception is not to be severable from Premises
 - c. Additional Restrictions:

8.75 ac severable exception is restricted to Zero (0) Single family Dwellings. Ancillary residential units permitted subject to local zoning conditions and approval.
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R4(8)

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

**On the Property of
Norwood Reid #2**

April 26, 2013

Subject Property: Norwood Reid
Block 12, Lot 10
Alexandria Township, Hunterdon County
SADC ID#: 10-0155-DE
Approximately 96 Net Easement Acres

WHEREAS, on July 13, 2006, the State Agriculture Development Committee ("SADC") received a development easement sale application from Norwood Reid, hereinafter "Owner," identified as Block 12, Lot 10, Alexandria Township, Hunterdon County, hereinafter "Property," totaling approximately 96 net easement acres, identified in (Schedule A); and

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

WHEREAS, SADC staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 28, 2011 which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property has a quality score of 62.12, which exceeds the Priority Quality score for Hunterdon County of 58, and the Property's size of 96 net acres exceeds the Priority acreage for Hunterdon County of 46 acres, so therefore the Property is categorized as a Priority farm; and

WHEREAS, the Owner has requested a 1-acre non-severable exception area for flexibility of non-residential use; and

WHEREAS, the Property has no pre-existing non-agricultural uses, two (2) single family residences and zero (0) agricultural labor units on the area to be preserved outside of the exception area; and

WHEREAS, the Property is currently devoted to field crops; and

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

WHEREAS, on February 28, 2013, the SADC certified the development easement value of the Property at \$9,500 per acre based on January 1, 2004 zoning and environmental conditions and \$7,300 per acre based on current zoning and environmental conditions as of January, 2013; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property at the higher value of \$9,500 per acre; and

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

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

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Reid #2 Property, for the direct acquisition of the development easement at a value of \$9,500 per acre for a total of approximately \$912,000 subject to the conditions contained in Schedule B; and

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

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

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

4-26-13

Date



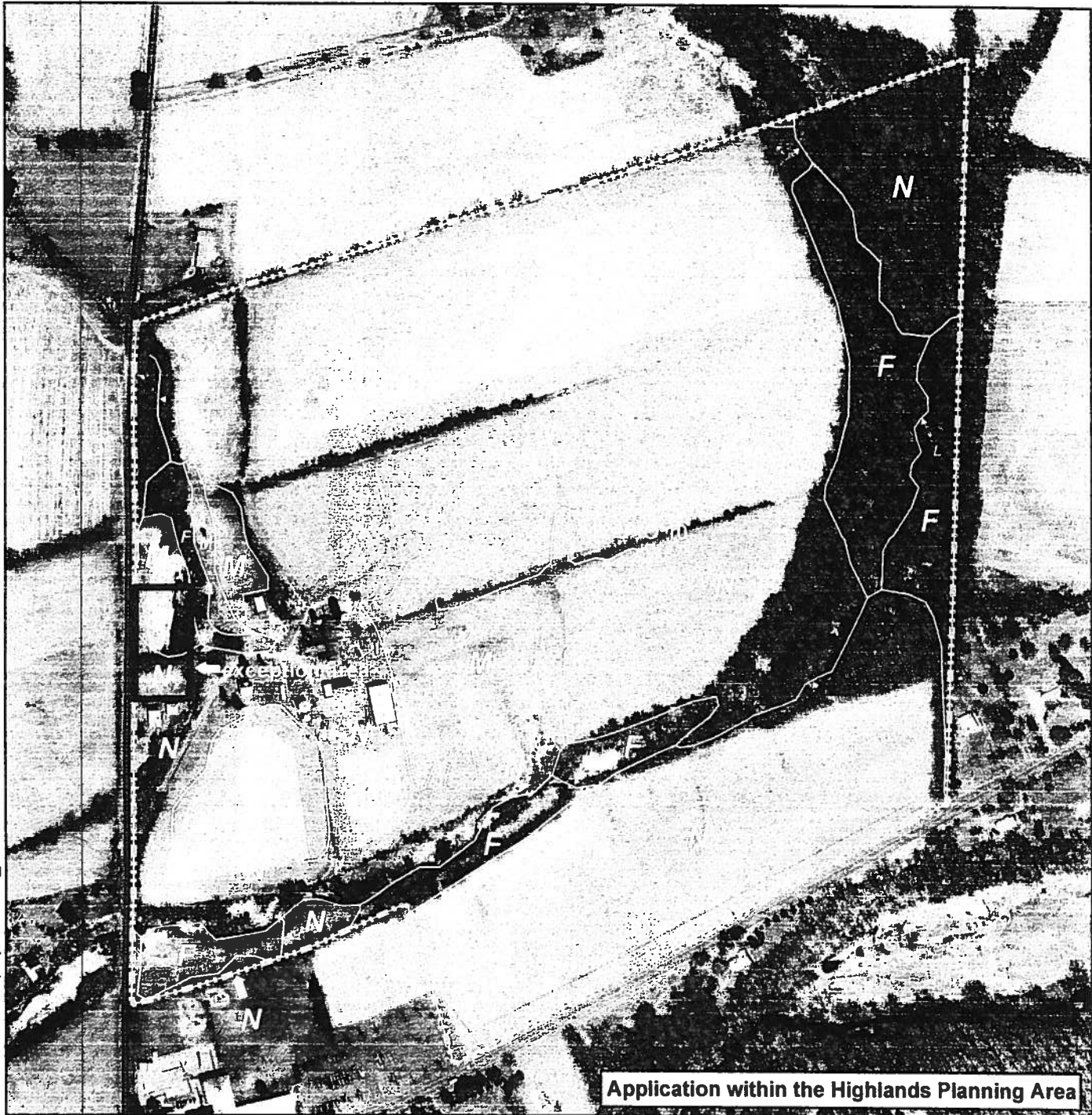
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

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

Schedule A

x:/counties/hunco/projects/reid2_fwv.mxd



Application within the Highlands Planning Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Norwood Reid (# 2)
Block 12 Lots P/O 10 (96.3 ac)
& P/O 10-EN (non-severable exception - 1.0 ac)
Gross Total = 97.3 ac
Alexandria Twp., Hunterdon County



- Property in Question
- EN - (Non-Severable) Exception
 - ES - (Severable) Exception
- Wetlands Boundaries
- Municipal, County and Non-Forest Preserved Open Space
 - State Owned Conservation Easement
 - State Owned GIS & Recreation Easement



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

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

October 15, 2012

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Reid, Norwood Farm #2
State Acquisition
Easement Purchase - SADC
96 Acres

Block 12	Lot 10	Alexandria Twp.	Hunterdon County	
SOILS:		Other	66% * 0	= .00
		Prime	26% * .15	= 3.90
		Statewide	8% * .1	= .80
				SOIL SCORE: 4.70
TILLABLE SOILS:		Cropland Harvested	70% * .15	= 10.50
		Woodlands	30% * 0	= .00
				TILLABLE SOILS SCORE: 10.50
FARM USE:	Field Crop Except Cash Grain		66 acres	

This final approval is subject to the following:

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