



State of New Jersey

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August 18, 2026

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Speaker of the General Assembly
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Re: Special Occasion Events on Preserved Farmland:
Annual Report Update to the Governor and Legislature

Dear Senator Scutari, Assemblyman Coughlin, and Ms. McMahon:

The Special Occasion Events (SOE) law, P.L. 2023, c.9, requires the State Agriculture Development Committee (SADC) to submit an initial report to the Governor and Legislature by August 1, 2024 on SOEs authorized under the law. Updates to the report are required on an annual basis, and a revised report is required once every four years.

Please see attached for a copy of the Annual Report Update that was adopted by the SADC at its July 23, 2026 meeting.

Sincerely,

A handwritten signature in black ink that reads "Charles Roohr".

Charles Roohr
Executive Director

Enclosure

Special Occasion Events on Preserved Farmland:
Annual Report Update to the Governor and Legislature



July 23, 2026

State Agriculture Development Committee

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Background

P.L. 2023, c.9 became law on February 3, 2023 and was amended by P.L.2025, c.83 on July 1, 2025. The law recognizes that holding special occasion events (SOEs), under certain conditions, can have positive effects on preserved farms. The SOE law's findings and declarations include the following:

With proper oversight, special occasion events on preserved farmland can have minimal impact on the land's viability for farming and provide for new business opportunities for farmers in the State without displacing agricultural or horticultural production as the first priority use of preserved farmland or disrupting neighborhoods that surround preserved farms. (N.J.S.A. 4:1C-32.15e.)

The SOE law amended the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq. (ARDA), to allow SOEs to be held on preserved farms, provided the owner or operator of the farm receives prior written approval from the easement holder and meets other statutory requirements. The law also allows municipalities, under certain circumstances, to require an application for approval of SOEs, and contains limits on the cost and scope of the application.

An SOE is defined as “a wedding, lifetime milestone event, or other cultural or social event conducted, in whole or in part, on preserved farmland on a commercial farm.” For the purposes of the SOE law, SOEs do not include the following:

- Activities eligible for Right to Farm Act protection;
- Recreational uses already permitted under the farmland preservation deed of easement; and
- Weddings held for the owner, operator, or employee of the commercial farm or weddings held for certain family members of the commercial farm owner.

2025 SOE Law Amendments

P.L.2025, c.83 amended the SOE law's requirements regarding the use of permanent structures for holding SOEs. Previously, permanent structures less than five years old could not be used for SOEs. The 2025 amendments allowed such structures to be used if either of the following two conditions is met:

- 1) The structure was constructed and is used in accordance with the Right to Farm Act (N.J.S.A. 4:1C-9) by a winery for the primary purpose of facilitating the tasting, sale, consumption, production, packaging, or marketing of wine, wine-related products, or farm-related products, as determined by the easement holder; or

- 2) The total amount of revenue to be earned by the farm from all SOEs identified in the application, and approved to be held during the calendar year, will not exceed 10 percent of the farm's total revenue during the calendar year.

The amendments further specify that farms seeking to use a permanent structure less than 5 years old for SOEs by complying with either of the above allowances are not eligible for multi-year approvals and will need to submit, as part of their annual application, a certification and supporting documentation to satisfy: 1) the primary purpose and use requirements if the applicant is a winery, or 2) the revenue percentage requirement. If a farm's SOEs are approved under the revenue percentage provision, the farm would also need to annually certify to the easement holder that the SOEs together accounted for no more than 10 percent of the annual gross income of the farm during the prior calendar year.

The amendments state that a county agriculture development board (CADB) and the State Agriculture Development Committee (SADC) also may order an independent audit for the purpose of determining compliance with the revenue percentage provision; that the farm is responsible for paying the reasonable costs of the audit; and that easement holders and the SADC may request additional documentation as necessary to verify compliance.

Applications for SOEs that would use such recently built permanent structures may not be approved prior to complete construction of the structures and the receipt of final approval from the local construction office. The amendments also outline monetary penalties for any violations of the new provisions.

Reporting Requirements

The SOE law required the SADC to submit an initial report to the Governor and Legislature by August 1, 2024. Updates to the report are to be submitted on an annual basis, and a revised report is required once every four years. The SADC submitted its initial report in July 2024 and its first annual update in July 2025. This July 2026 report is the SADC's second annual update.

The report must include at least the following:

- Number of commercial farms on which SOEs were held;
- Number of guests, type, and frequency of events;
- Extent to which disputes are reported between commercial farms and neighboring properties, municipalities, and the easement holder and SADC;
- Frequency of violations of the SOE law; and

- Frequency of unintended undesirable consequences of SOEs, such as possible instances of the removal of land from active agricultural or horticultural production to host events.

Report by Rutgers – The New Jersey legislature’s Joint Budget Oversight Committee tasked Rutgers, The State University of New Jersey (Rutgers), with studying the SOE program through the end of 2026. Rutgers has published annual SOE reports, the most recent one dated July 16, 2026, that includes topics similar to this SADC report. Rutgers will be publishing a capstone SOE report towards the end of 2026. A copy of the current Rutgers study is in the Appendix.

Outreach and Education

The SADC has continued to conduct outreach regarding the SOE law. The goal is to help farmers, CADBs, and others understand the SOE law, application process, requirements, and conditions. Outreach and education in the past year have included the following:

- Offering to meet with CADBs to provide updates and customized training, including on SOEs;
- Providing SOE presentations as requested;
- Sharing SOE update information in monthly meeting notes for CADBs;
- Updating SOE guidance documents and information on the SADC website; and
- Answering SOE questions and inquiries from farmers, CADBs, nonprofits, municipalities, Rutgers, agricultural service providers, and the public.

Many CADBs have used the SADC guidance documents and template application when working with farmers. The SADC also has provided assistance with county-specific outreach.

SOE Quantitative Data

Number of commercial farms on which SOEs were held; number of guests, type, and frequency of events; and related information – The SOE law requires easement holders to forward a copy of SOE approvals to the SADC, and it requires participating farms to provide an annual certification to the easement holder with information on SOEs held during the prior calendar year. Easement holders share these certifications as well as SOE applications with the SADC.

From this information, the SADC is aware of forty-two (42) farms having submitted SOE applications to their easement holders between February 3, 2023 and July 10, 2026. Thirty-six (36) were submitted to CADBs, six (6) to the SADC, and zero (0) to nonprofits. Of the 42 applications, thirty-four (34) were approved, five (5) were denied, one (1) was withdrawn, and two (2) are currently under review. Most of the approvals were for a single calendar year, typically the year in which the application was submitted. In many

cases, these farms also received renewal approval from their easement holders in the subsequent year or years.

In 2025, sixteen (16) new farms submitted SOE applications to their easement holders. Twelve (12) of these applications were approved in 2025, while another eighteen (18) farms received renewal approvals in 2025. (Note: one of the 12 new approvals in 2025 was made in November 2025 and specified that the approval was for calendar year 2026 rather than 2025.)

Of the 29 farms that had approval to hold SOEs in 2025, 24 of them held SOEs in 2025. According to their annual certifications, these 24 farms held between 1 and 21 events (1, 1, 1, 1, 2, 2, 3, 4, 4, 4, 4, 5, 5, 6, 6, 7, 7, 8, 8, 10, 10, 11, 15, 21, and 21 events, respectively) for a total of 163 SOEs reported as held in 2025. These SOEs included 38 weddings, 41 lifetime milestone events, 66 cultural or social events, and 18 events held by or for a nonprofit*, with a total attendance of 27,298. Events ranged in size from having as little as a few attendees to having as many as 3,000. In 2025, the median number of attendees at an event was 87.5.

	Farms with approval to hold SOEs	Number of those farms that held SOEs	Total SOEs held	Number of attendees at the SOEs held
CY 2023	9	5	32	5,915
CY 2024	17	13	67	12,012
CY 2025	29	24	163	27,298
Change from 2024 to 2025	+12	+11	+96	+15,286
Percentage Change from 2024 to 2025	+71%	+85%	+143%	+127%

Participation and use of the SOE program increased significantly in 2025. From 2024 to 2025, the number of farms that were approved to hold SOEs and the number of farms that subsequently held them increased by 71% and 85%, respectively. In addition to more farms participating in 2025, the number of people who attended SOEs more than doubled, increasing 127% year over year.

	SOEs held	Weddings	Lifetime Milestone Events	Cultural or Social Events	Events Held By or For a Nonprofit*
CY 2023	32	20	5	7	0*
CY 2024	67	16	25	26	4
CY 2025	163	38	41	66	18
Change from 2024 to 2025	+96	+22	+16	+40	+14
Percentage Change from 2024 to 2025	+143%	+138%	+64%	+154%	+350%

*More nonprofit-related events were held than listed in this column. Only nonprofit events that meet the SOE law's conditions for not counting towards a farm's limit of 26 SOEs per year are included here.

*Note: the CY2023 certification form did not specifically ask about nonprofit events.

From 2024 to 2025, the overall number of SOEs held increased by 143%, meaning that the farms with SOE approval held almost two and a half times more SOEs in 2025 than in 2024. The numbers of each type of SOE also increased. The Rutgers study, a copy of which is attached to this report, contains additional SOE quantitative data and analysis.

Some examples of the SOEs that farms reported holding in 2025 include the following:

- Weddings
 - Ceremonies and receptions.
- Lifetime milestone events
 - Parties or gatherings for birthdays, baby showers, graduations, an engagement, bridal showers, a rehearsal dinner, a 40th class reunion, and a celebration of life.
- Cultural or social events
 - Community events, e.g., Easter egg hunt, Irish fun day, Mothers' Day horse dancing show with mariachi, Father's Day horse dancing show with food, ethnic food and culture festival, Memorial Day festival, koi festival, tomato festival, drum festival, hot sauce festival, arts and crafts festival, touch a truck, car shows, music concerts, book signing, bonsai workshop, educational seminar, political meet and greet event with local

legislative district, surf shop pop up, sip and paint, ladies' day (wine tasting, music, vendors, succulent workshop), ethnic carnivals, line dancing, rodeos, horse dancing shows, cow sorting, ranch sorting competitions, country night (cow sorting, line dancing, barrel racing, live music), kids country night, and Romeria (religious pilgrimage event).

- Events with or featuring outside businesses, e.g., local makers markets, a holiday vendor market, a bridal showcase with wedding vendors and a caterer, and some festivals and events noted above.
- Private events or parties, e.g., corporate parties, school event, athletic group event, Cub Scout events, 4H Club events, local theater event, a social gathering for an agricultural nonprofit's supporters, and a military service member homecoming event with live music.
- Fundraisers for nonprofits, e.g., fundraisers for a church youth group, county historical association, food pantry, and local educational foundation; a dog show fundraiser for the municipal library; and a rodeo event with bull riding, barrel racing, line dancing, live music, food, and alcohol to raise funds for a Police Beneficial Association.
- Celebrations of farm-related milestones, e.g., a party for the farm's 75th anniversary with a barbecue, live music, alcohol, bounce, and cow train; celebration for a new Dutch windmill; and a party and toy drive for a farm animal's birthday.
- Note: a handful of these events were held by or for a nonprofit.

Issues, Observations, and Other Data

SOEs being held without easement holder approval – The SADC continues to be aware of events being held that appear to be SOEs and that should have received prior written approval from the easement holder. While it is possible that some farms may not be familiar with the requirements of the SOE law, there are other farms that should be familiar with the law and are holding events without seeking approval.

One example is wineries. Of the six (6) wineries that participated in the previous SOE pilot program, only two (2) have submitted an SOE application and received approval. Some wineries feel that because they had participated in the pilot program, they do not need approval under the new law. The SADC is concerned about this incorrect understanding of the law.

There also are examples of farms holding SOEs after the easement holder and/or the SADC informed the owner and/or operator that prior approval was needed and that holding SOEs without approval would be a violation of the deed of easement and SOE law.

The issue of farms holding unapproved, non-agricultural events will continue unless the penalties for doing so are clear and enforceable. What is unclear is whether the penalties

in the SOE law can apply to all preserved farms that hold SOEs, or only to the preserved farms that have obtained an SOE permit and become a “permittee”.

The SADC is attempting to address this issue in the draft SOE regulations; however, additional legislation may be needed. The SADC recommends that the Legislature and Governor amend the SOE law to clarify that all farms, and not just those that have obtained an SOE permit, are subject to the statute’s penalty provisions.

Different approaches and understanding regarding local regulation of SOEs – The SOE law continues to be the subject of varied interpretations by municipalities as to the municipal role in the SOE approval process. This may be due to ambiguous statutory language regarding the extent to which municipalities can regulate SOEs. Some municipalities require farms to obtain planning and/or zoning board approval on the grounds that the events are subject to variance and/or site plan ordinances. Other municipalities allow SOEs to occur without land use board approvals and have relatively basic review processes, if any. Some simply request information necessary to address public health and safety concerns that are typical of other special events occurring in the municipality.

Overall, some municipalities are unsure of the extent of their jurisdiction, role, and ability to review and regulate SOEs, despite the fact that SOEs are non-agricultural activities that are not entitled to Right to Farm Act protection.

In one municipality, a farm that received SOE approval from the CADB each year from 2023 to 2026 was not able to get SOE approval from the municipality until 2026. The farm continued to hold SOEs in the meantime, and this situation resulted in litigation between the farm and municipality. The municipality ultimately clarified its interpretation that SOEs were not a permitted use and that the farm would need a variance. In 2025, the litigation resulted in an unpublished New Jersey Superior Court decision. The court found that the SOE law does not preempt the Municipal Land Use Law and municipal ordinances, including the municipality’s requirement for a use variance and site plan approval.

The farm subsequently went through the use variance process. The planning board considered local conditions and public comments from neighbors and then issued a variance. The variance allowed the farm to hold SOEs but with limitations on the number of events, maximum attendees, and hours.

Some municipalities have expressed the view that the SOE review process should include an opportunity for the public to comment on proposed SOEs so that relevant health and safety issues and potential impacts on neighbors could be evaluated and, if necessary, addressed. Some municipalities also have said that easement holders have not been notifying them about SOE applications. In other cases where they have been notified, municipalities have said they would have liked to be notified earlier in the easement holder’s application review process.

Need to clarify ambiguity in SOE law regarding extent of municipal authority – The SOE law at N.J.S.A. 4:1C-32.17a.(4)(a) and (b) contains open-ended language that all applicable laws and regulations apply to SOEs, implying that customary land use board approval is required, but then provides that compliance with such laws and regulations can be reviewed and approved merely through the filing of an application form with, and the payment of a fee of no more than \$50 to, the municipality. Overall, there have been conflicting interpretations among farmers, municipalities, and easement holders regarding the extent to which municipalities can regulate SOEs. The farmer-municipality litigation noted above provides one example of conflicting views.

The SOE regulations currently being drafted by the SADC will attempt, to the extent possible, to clarify the municipal role and the extent to which municipalities can regulate SOEs. The Legislature may need to clarify the extent to which SOEs are subject to the typical municipal land use review process and the parameters of such review.

Extent of disputes between commercial farms and municipalities – In some cases, the extent of farm-municipality disputes depends on how difficult the process is for a farm to receive municipal land use approval and whether the municipality has placed any limitations on the approved SOEs. As noted above, one farm was in litigation with the municipality for three years due to the inability to get municipal approval. That farm and another farm received municipal approvals that included a few limitations.

Extent of disputes between commercial farms and neighboring properties – There have been some neighbor complaints and concerns related to noise, trash, hours of operation, and traffic impacts from SOEs. A few neighbors also have raised deed of easement compliance concerns, which if verified as violations would mean the farms would not be allowed to hold SOEs.

In the one case noted above in which the farm was required to get a use variance, its municipal SOE approval included conditions on the scope and hours of SOEs. In another case, in which a neighbor had complaints about a farm's SOEs and disagreed with the SOE permit granted by the CADB, the neighbor asked how to file a formal complaint about SOEs.

As noted in past reports, non-farm businesses that were required to obtain municipal site plan approval to hold events also have expressed opposition to the possibility that farms might be afforded a less rigorous review process for municipal approval of SOEs.

Extent of disputes between commercial farms and their easement holders (CADBs, the SADC, and nonprofits) – Overall, there have been few disputes between farms and their easement holders. As noted in past reports, one CADB easement holder has an informal policy that it will not approve SOE applications if the proposed events are not permitted uses by the municipality, and instead requires that municipal approval must first be obtained before the commercial farm can obtain CADB approval. This approach resulted in a dispute in 2023 regarding the length of the CADB approval process. The future

regulations could help clarify that easement holders do not have to wait for municipal approval to complete their part of the SOE review and approval process.

Another source of disputes between farms and easement holders is violations, and potential violations, of the SOE law and farmland preservation easement. As noted in last year's report, in one case the CADB's process of reviewing an SOE renewal application was contentious after violations of the SOE law and deed of easement were discovered. The farm also disagreed with aspects of the formal violation findings later made by the SADC. In two other cases, both involving concerns regarding easement compliance, the farms decided to delay proceeding with their SOE applications. In another case, the SADC worked with a farm that had received SOE approval to better understand the farm's production and agricultural activities to ensure that the farm was in compliance with the SOE law and deed of easement. The result of this process was the SADC issuing an SOE renewal approval that was conditioned on the farm providing some end-of-year information to confirm compliance.

Some farms also are looking to obtain multi-year SOE approvals from their easement holders to help with planning for and booking future SOEs. The SADC is planning to address this topic, which is not so much a dispute as a planning concern, in the SOE regulations. As of July 2026, the SADC and at least two CADBs have issued multi-year SOE approvals in some cases.

Frequency of violations of the SOE law – As noted above, one type of violation that the SADC has encountered is farms holding SOEs without easement holder approval. Preserved farms with and without wineries have been holding events without approval.

There are some farms holding SOEs that never applied to the easement holder. There also are some that applied, got an initial one-year approval, and then continued to schedule and/or hold SOEs the following year prior to seeking and obtaining renewal approval.

One example of the latter, as noted in last year's report, is a farm that received approval to hold SOEs in 2024. In 2025, it did not initially return the required certification form regarding events held the prior year, and it was holding events in 2025 without a renewal approval. When the CADB and SADC learned that the farm was scheduled to hold what appeared to be an unpermitted SOE in April 2025, the farm was sent a joint letter stating that the event appeared to be a nonagricultural activity prohibited on the preserved farm by the terms of the farmland preservation deed of easement and would require a current SOE permit in order to be conducted. The letter instructed the farm not to engage in activities that would result in violations of the deed of easement and SOE law. The farm then held the event and continued to hold other SOEs while at the same time submitting a renewal application that was conditionally approved by the CADB in July 2025 and memorialized in September 2025. The SADC conducted a Review of Activities in December 2025 and found the farm had violated the deed of easement and SOE law.

The SADC continues to work with CADBs to ensure that any wineries and other farms that are holding SOEs without approval understand the law's requirement to submit an SOE application and get written approval prior to holding SOEs. If a preserved farm does not seek and receive written approval from the easement holder to hold SOEs, the farm's unapproved non-agricultural events would be considered violations of the deed of easement and the SOE law.

In some cases, prior violations are made evident during the SOE application process or annual SOE certification process. Applicants cannot hold more than 26 SOEs in a calendar year, so easement holders typically will seek information on whether any SOEs have been held on the farm prior to the application, i.e., without approval in the current calendar year. The end-of-year certification also requires SOE permittees to account for all SOEs held in the past calendar year, which similarly might show SOEs that were held prior to approval. In one SOE renewal that the SADC approved in 2026, the SADC resolution made note of a previous violation after reviewing the farm's prior year certification form. The resolution included the following statement:

The preserved farm currently is in compliance with the farmland preservation deed of easement; however, the Owner violated the deed of easement in 2025 by holding an SOE on July 19, 2025 without first obtaining written SADC approval. The Owner is put on notice that any future SOEs held on the Premises without prior written SADC approval will constitute violations of the deed of easement and the SOE law and may subject the Owner to further enforcement action.

In addition to 'holding SOEs without approval' violations, the SADC is aware of a permanent structure violation. One farm, whose SOEs often involved live music, constructed a permanent stage. The CADB informed the farm that such stages had to be temporary and removed after each event. The CADB also found other potential deed of easement compliance issues during its FY 2026 annual monitoring visit to the farm. Until the compliance concerns have been resolved, the board will not be renewing the farm's SOE approval.

Some examples of events that preserved farms have advertised for and/or held without approval since the enactment of the SOE law include weddings, vow renewals, rehearsal dinners, bridal showers, engagement parties, anniversaries, baby showers, birthdays, quinceañeras, sweet sixteen parties, graduations, bachelorette/bachelor parties, end of life celebrations, artisan markets, local vendor fairs, holiday vendor events, pop-up makers' markets, festivals with local vendors, other events with outside businesses and vendors (e.g., farmers markets, nonprofit event promoting local farm and food businesses), events held by or for nonprofits (including agricultural nonprofits), food truck festivals, music festivals, music concerts, youth singing competitions, fundraisers, corporate events, holiday brunches/dinners/parties/events/celebrations/festivals such as for Mother's Day and St. Patrick's Day, Greek and Latino festivals, special cuisine dinners, dance parties, dance shows, comedy shows, picnics, murder mystery events,

private parties, private family events, church services, arena rentals for flea markets, sports and club events/meetings/celebrations, health and wellness events, cannabis wellness fairs, meditation workshop, line dancing classes, and country nights with line dancing and dinner. Upon passage of the SOE law some landowners have misunderstood the need to get approval in order to host SOE's and simply began hosting them. In other cases landowners appear to be stretching the definition of agricultural marketing and claim events such as those listed here to be "marketing" and therefore an SOE permit is not needed.

Frequency of unintended undesirable consequences of SOEs, such as possible instances of the removal of land from active agricultural or horticultural production to host events

- The SOE law states that SOEs should have a minimal impact and "shall be designed to protect the agricultural resources of the land and ensure that the land can be readily returned to productive agricultural or horticultural use after the event." The relatively small number of SOEs approved and held so far makes it difficult to identify with great particularity the frequency of negative impacts on a preserved farm's agricultural resources and land, but it is expected that more data will be collected on this issue over time. Easement holders should continue to be attuned to whether any areas of preserved farms are being modified or developed solely or primarily for the purposes of holding SOEs, which would be considered non-agricultural development and a violation of the deed of easement.

Many SOE applications have proposed using crop fields for temporary parking and tents, raising the potential for damage to farmland acreage and/or preventing the affected area from being actively farmed. Another concern is SOEs supplanting agriculture as the primary use of the farmland and agricultural structures. In the past year, the SADC has received inquiries from potential purchasers and realtors of preserved farms requesting information on the ability to hold SOEs on preserved farms. The displacement of agricultural or horticultural production as the first priority use of a preserved farm, and the potential for the business opportunity of holding SOEs to become a driver in the sale of preserved farms, remain significant concerns.

Another unintended consequence appears to be a lack of clarity around the roles, responsibilities, and jurisdiction of municipalities and easement holders regarding the approval and monitoring of SOEs.

Positive consequences of SOEs - SOEs have helped landowners generate additional income, and some farms have been able to retain or create new customers for their farm products. SOE attendees presumably enjoy their time on the farm and might come back to purchase agricultural products in the future. The Rutgers study of approved SOE activity in 2025 includes an analysis of the positive economic impacts of SOEs. In addition to contributing to the local and state economy, holding SOEs in 2025 resulted in more than \$1,100,000 in reported or estimated additional revenue from the SOEs for 24 farms that had requested, received approval to hold, and held SOEs. This dollar impact is

evidence that the SOE law is helping provide additional revenue. The law has provided a new business opportunity for farmers, helped farmers generate supplementary income, and helped support their operations' economic viability. Holding SOEs also has allowed preserved farms to help meet the public's growing interest in agritourism, promote understanding of their farm operations, and in some cases enhance community relationships.

SOE applications, monitoring, and enforcement – The SADC recognizes that the SOE law has provided additional responsibilities for easement holders. Reviewing, processing, and monitoring applications and approvals takes time. The SOE law also is not specific regarding every detail of the application process and the entities responsible for inspecting farms, monitoring events, and investigating potential violations. The SADC intends to address the lack of statutory clarity in the SOE regulations.

Compliance with the SOE law and compliance with the easement often will dovetail during application and monitoring reviews. The primary consideration for easement holders is the category in which any existing or proposed activities would fall, e.g.:

- Activities already permissible under the easement or SOE law;
- Activities not permissible under the easement, but that would be allowable if approved as SOEs;
- Activities not permissible under the easement, and that could not be made allowable through an SOE permit; or
- Activities eligible for protection under the Right to Farm Act, and so would not need SOE approval.

Easement holders are responsible for monitoring the aspects of SOE applications that they approved. They also are responsible for ensuring that SOEs are held in a way that ensures the safeguarding of preserved farmland pursuant to N.J.S.A. 4:1C-32.17.b.(2):

A special occasion event shall not interfere with the use of the preserved farmland for agricultural or horticultural production. The special occasion event shall have minimal effects on the occupied area and shall be designed to protect the agricultural resources of the land and ensure that the land can be readily returned to productive agricultural or horticultural use after the event.

If a farm is not complying with the SOE law, it is likely that the farm is not in compliance with the deed of easement by engaging in a non-agricultural use.

Separately, municipalities are responsible for monitoring the aspects of SOEs that they may initially review per the SOE law, e.g., food safety, litter, noise, solid waste, traffic, sanitary facilities, parking, the location of access and egress, and the protection of public health and safety.

In response to CADB questions regarding the process to follow when there might be a violation, the SADC has said that CADBs should document the violations in the form of a written resolution. Then the SADC would handle enforcement and penalties under the SOE law. The SADC also has worked with CADBs to draft initial joint letters to farms regarding noncompliance issues with the deed of easement, SOE law, and SOE approvals. CADBs can reach out to the SADC with questions regarding the SOE law and helping farms get into compliance.

Need for making determinations regarding SOEs vs. On-farm direct marketing (OFDM)

– The SOE law makes a distinction between SOEs and on-farm direct marketing (OFDM) activities and events. SOEs are not eligible for RTFA protection because they are non-agricultural activities, so they must get approval as SOEs. Meanwhile, OFDM activities are eligible for RTFA protection as agriculture-related activities that meet prescribed RTFA standards, so they do not need SOE approval.

When reviewing SOE applications, easement holders must consider whether a farm's activities and events would be SOEs or OFDM. In some cases, an event that promotes or helps market a farm's products might still be an SOE because of its non-agricultural focus or components. When the SADC adopted the OFDM agricultural management practice rule, N.J.A.C. 2:76-2A.13, it noted that not every marketing tool used to attract potential customers or build a customer base is protected by the RTFA.

One example is an SOE application that the SADC approved for a koi festival. The preserved farm where the event is held is owned by a business that builds, maintains, and services fishponds and related landscaping and that has its headquarters in an exception area. The business also imports, raises, and sells koi on the preserved farmland. The koi festival showcases the farm's koi while also promoting the owner's non-agricultural business operations. The event also includes outside vendors, a welcome dinner, and a closing banquet. In consideration of the non-agricultural aspects of the event, the SADC determined the festival was an SOE and granted approval for it as such.

A few additional examples of events that farms have proposed and held as SOEs, which also have intermingled some OFDM aspects, include the following:

- One farm held cultural and social events, such as fundraisers and ethnic festivals, that had primary elements such as car shows, live music, DJs, dancers and dancing, comedians, vendors, food, beer, and local sponsors, while at the same time making its farm stand products, hayrides, crop mazes, and farm animals available;
- A second farm reported that during weddings and other non-agricultural events that it held, farm elements such as hayrides, pumpkin and sunflower picking, and farm products were available; and
- A third farm said that it required its wedding parties and other SOE clients to purchase the farm's wine.

Some SOE applications have not included all of a farm's SOEs. The SADC is aware of an SOE approval that included weddings but not the farm's other events that appeared to be SOEs. In cases like this, the SADC will reach out to the easement holder to discuss what considerations were made when determining whether the activity was an SOE or OFDM. In some cases, CADBs have noted a reluctance on the part of county administration to regulate SOEs.

The SADC also is aware of end-of-year certifications that do not include all the events from the past year that appear to be SOEs. In one case, the SADC began a discussion with the farm to understand the nature of the farm's events and into what category – SOE, OFDM, or eligible recreational activity under the deed of easement – they would fall.

SOE Regulations

Feedback from stakeholders and experience from the first few years of the SOE program have provided valuable data and information for the SOE regulations. This includes information on aspects that are working well, things that could be improved, and topics and issues that need to be clarified and/or addressed in the regulations and/or through legislation.

While drafting the regulations, the SADC has been working to address topics such as the following: clarifying the application, monitoring, and enforcement processes; clarifying the roles and responsibilities of municipalities, easement holders, and the SADC; provisions for multi-year approvals; how to handle renewal applications; and the need to make SOE vs. OFDM determinations when reviewing applications. To the extent possible, the regulations should address the issue of farms holding SOEs without approval and the extent to which municipalities can regulate SOEs.

Recommendations for SOE Law Amendments

Additional legislation may be required to address the last two items in the SOE regulations section above. The SADC recommends that the Legislature and Governor amend the SOE law to: 1) clarify that it is a violation for an owner and/or operator of a preserved farm to hold SOEs without obtaining advance written approval from the grantee, and that the owner and/or operator shall be subject to the statute's penalty assessment and imposition of suspension provisions; 2) consider a revised penalty structure that results in an effective deterrent to violating the law and 3) clarify the SOE law regarding the extent to which municipalities can regulate SOEs.

Looking forward

An important goal of the SOE law is to create new business opportunities for preserved farms. Farms have begun taking advantage of this new ability to hold a limited number of non-agricultural events on the farm, helping their "bottom lines" while providing scenic venues for private parties, public events, and community gatherings. The number

of events and attendance has increased significantly since the SOE program began in 2023.

Continued outreach and education with landowners, easement holders, municipalities, and the agricultural community is needed to ensure that all preserved farms are aware of the law and remain in compliance to avoid enforcement actions. The SADC anticipates that a combination of continued outreach, adopting regulations, and continuing to focus on working with partners will lead to more farms participating and taking advantage of the program's benefits.

The SADC looks forward to the SOE program continuing to grow, consistent with the intent and purposes of ARDA. An important next step will be the development of appropriate regulations that should add clarity and guidance, help participating farms thrive, and ensure that agricultural and horticultural production remain the first priority use of the land.

Appendix

1. SOE Law – P.L. 2023, c.9, as amended
<https://www.nj.gov/agriculture/sadc/documents/rules/SOElaw.pdf>
2. SADC Guidance Document – SOEs Overview
<https://www.nj.gov/agriculture/sadc/documents/farmpreserve/postpres/SOEsOverview.pdf>
3. SADC Guidance Document – SOEs Q&A
<https://www.nj.gov/agriculture/sadc/documents/farmpreserve/postpres/SOEsQAndA.pdf>
4. Chart with SOE applications and easement holder actions (2/3/23 – 7/10/26), and SOEs held in CY 2025
5. Rutgers SOE Study dated July 16, 2026

This is a courtesy copy of the law concerning special occasion events on preserved farmland, P.L.2023, c.9 (N.J.S.A. 4:1C-32.15 et seq.), as amended by P.L.2025, c.83. For an official copy of this or any other New Jersey statute, visit the New Jersey Legislature's website at <https://www.njleg.state.nj.us/>, select the link for "Statutes" and use the site's lookup options.

C.4:1C-32.15 Findings, declarations.

1. The Legislature finds and declares that:
 - a. Over 2,800 farms comprising over 247,000 acres of farmland have been preserved in New Jersey since the inception of the State's farmland preservation program;
 - b. The original intent of the farmland preservation program was to prevent suburban sprawl and the conversion of agriculturally suitable land to other purposes, and to keep agriculture as an economically viable industry within the State;
 - c. Keeping agriculture as a sustainable industry in the State ensures residents have continued access to fresh food with low environmental impact;
 - d. The growing interest in agritourism, i.e., activities that attract the public to working farms for enjoyment or education of visitors and generate supplementary income for the farmer, has provided farmers with supplemental revenue and enhanced opportunities to market the State's agricultural and horticultural products; and
 - e. With proper oversight, special occasion events on preserved farmland can have minimal impact on land's viability for farming and provide for new business opportunities for farmers in the State without displacing agricultural or horticultural production as the first priority use of preserved farmland or disrupting neighborhoods that surround preserved farms.

C.4:1C-32.16 Definitions.

2. As used in P.L.2023, c.9 (C.4:1C-32.15 et seq.):

"Applicant" means the owner, and in cases where the owner is not also the operator of the farm and the operator is the person seeking to hold the special occasion event, then the operator of the commercial farm who applies pursuant to subsection c. of section 3 of this act for approval to hold a special occasion event.

"Board" means a county agriculture development board established pursuant to section 7 of P.L.1983, c.32 (C.4:1C-14).

"Commercial farm" means the same as that term is defined in section 3 of P.L.1983, c.31 (C.4:1C-3), except that "commercial farm" shall not include a farm that qualifies for farmland

assessment pursuant to the "Farmland Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), based entirely on a woodland management plan or a forest stewardship plan pursuant to section 3 of P.L.1964, c.48 (C.54:4-23.3).

“Committee” means the State Agriculture Development Committee established pursuant to section 4 of P.L.1983, c.31 (C.4:1C-4).

"Exception area" means a portion of the applicant’s landholdings that is excluded from the premises and, although identified in the deed of easement, is unencumbered by the farmland preservation deed restrictions set forth in the deed of easement.

“Grantee” means the entity to which the development rights of a preserved farm were conveyed pursuant to the provisions of section 24 of P.L.1983, c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-31.1), section 1 of P.L.1989, c.28 (C.4:1C-38), section 1 of P.L.1999, c.180 (C.4:1C-43.1), sections 37 through 40 of P.L.1999, c.152 (C.13:8C-37 through C.13:8C-40), or any other State law enacted for farmland preservation purposes. “Grantee” shall include all entities which lawfully succeed to the rights and responsibilities of a grantee, including, but not limited to, the grantee’s successors and assigns.

“Nonprofit entity” means a corporation organized pursuant to the “New Jersey Nonprofit Corporation Act,” N.J.S.15A:1-1 et seq. or a corporation organized pursuant to Title 16 of the Revised Statutes.

“Occupied area” means any area supporting the activities and infrastructure associated with a special occasion event including, but not limited to: an area for parking, vendors, tables, equipment, infrastructure, or sanitary facilities; an existing building; or a temporary or portable structure.

“Owner” means the record owner of the preserved farmland.

“Permittee” means the owner, and if applicable, the operator of the commercial farm to whom permission to hold special occasion events has been issued by the grantee.

“Preserved farmland” means land on which a development easement was conveyed to, or retained by, the State Agriculture Development Committee, a county agriculture development board, a county, a municipality, or a qualifying tax exempt nonprofit organization pursuant to the provisions of section 24 of P.L.1983, c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-31.1), section 1 of P.L.1989, c.28 (C.4:1C-38), section 1 of P.L.1999, c.180 (C.4:1C-43.1), sections 37 through 40 of P.L.1999, c.152 (C.13:8C-37 through C.13:8C-40), or any other State law enacted for farmland preservation purposes.

“Special occasion event” means a wedding, lifetime milestone event, or other cultural or social event conducted, in whole or in part, on preserved farmland on a commercial farm. "Special occasion event" shall not include:

(1) an activity which is eligible to receive right to farm benefits pursuant to the "Right to Farm Act," P.L.1983, c.31 (C.4:1C-1 et seq.);

(2) a recreational use permitted pursuant to a farmland preservation deed of easement; or

(3) a wedding held for:

(a) a spouse, parent, child, grandparent, grandchild, sibling, niece, nephew, or cousin of the owner of the commercial farm; or

(b) the owner, operator, or an employee of the commercial farm.

"Winery" means a commercial farm where the owner or operator of the commercial farm has been issued and is operating in compliance with a plenary winery license or farm winery license pursuant to R.S.33:1-10.

C.4:1C-32.17 Special occasion event, preserved farmland, compliance, Farmland Preservation Program.

3. a. Notwithstanding any law, or any rule or regulation adopted pursuant thereto, to the contrary, a person may hold a special occasion event on preserved farmland, provided that the grantee determines the preserved farm complies with the terms of the Farmland Preservation Program deed of easement recorded against the preserved farmland, the person complies with the requirements set forth in P.L.2023, c.9 (C.4:1C-32.15 et seq.), and the special occasion event is held in compliance with the requirements of this section and the rules and regulations adopted by the committee pursuant to section 6 of P.L.2023, c.9 (C.4:1C-32.20).

b. The owner or operator of a commercial farm located on preserved farmland that produces agricultural or horticultural products worth \$10,000 or more annually may hold special occasion events on the farm. The special occasion event shall comply with the following requirements:

(1) A special occasion event shall have a maximum duration of two consecutive calendar days if the event is marketed as a single event. An event shall be considered a single special occasion event, even if the event lasts for more than one day, if the event:

(a) is marketed as a single event;

(b) occurs only on consecutive days; and

(c) does not last for more than two days.

(2) A special occasion event shall not interfere with the use of the preserved farmland for agricultural or horticultural production. The special occasion event shall have minimal effects on the occupied area and shall be designed to protect the agricultural resources of the land and ensure that the land can be readily returned to productive agricultural or horticultural use after the event.

(3) A special occasion event that involves the service of alcoholic beverages shall comply with all applicable State and local laws, regulations, resolutions, and ordinances.

(4) (a) All applicable State and local laws, regulations, resolutions, and ordinances including, but not limited to, those concerning food safety, litter, noise, solid waste, traffic, and the protection of public health and safety shall apply to the special occasion event and all activities related thereto. To comply with local laws, regulations, resolutions, and ordinances, the municipality may require that an owner or operator of a commercial farm located on preserved farmland submit an application to the municipality for approval and may designate an office or agency of the municipality to review municipal applications for conducting special occasion events. A municipality may require a municipal application if the special occasion event would:

(i) generate a parking or traffic flow situation that could unreasonably interfere with the movement of normal traffic or emergency vehicles or other organized group sharing similar common purposes or goals proceeding in or upon any street, park, or other public place within the municipality; or

(ii) require the expenditure of municipal resources or inspections from agencies or authorities of the municipality.

(b) For a municipal application submitted in accordance with subparagraph (a) of this paragraph, the municipality shall not charge an application fee of more than \$50. The municipal application shall not require more information than an identification of locations of where tents and other temporary structures, sanitary facilities, parking, and access and egress will be located for each event, where music will be played, the number of expected guests, and other information that may be of public concern and would be required of a similar event when conducted at a public park or another public venue.

(5) (a) No new permanent structures shall be constructed or erected on preserved farmland for the purpose of holding a special occasion event, and improvements to existing structures shall be limited to the minimum required for the protection of health and safety.

(b) A permanent structure that has been constructed fewer than five years prior to the date on which an application to hold a special occasion event is submitted to the grantee, pursuant to subsection c. of this section, shall not be used for the purpose of holding any special occasion event identified in the application, unless: (i) such permanent structure was constructed and is used in accordance with section 6 of P.L.1983, c.31 (C.4:1C-9) by a winery for the primary purpose of facilitating the tasting, sale, consumption, production, packaging, or marketing of wine, wine-related products, or farm-related products, as determined by the grantee; or (ii) the total amount of revenue to be earned from all special occasion events identified in the application, and approved to be held on the farm during the calendar year, will not exceed 10 percent of the total revenues accruing to the farm in that calendar year.

(c) The installation and use of tents, canopies, umbrellas, tables, chairs, and other temporary structures on preserved farmland for the purpose of holding special occasion events shall be a permitted use provided that the tent, canopy, umbrella, table, chairs, or other temporary structure conforms to all applicable provisions of the State Uniform Construction Code and Uniform Fire Code, which have been adopted by the Commissioner of Community Affairs pursuant to P.L.1975, c.217 (C.52:27D-119 et seq.) and P.L.1983, c.383 (C.52:27D-192 et seq.), respectively. The permitted use of tents, canopies, umbrellas, tables, chairs, and other temporary structures allowed by this subparagraph shall be limited to the timeframe encompassing the first day of April through November 30 of each year.

(d) No public utilities, including gas or sewer lines, shall be extended to the preserved farmland for the purpose of holding special occasion events, except that electric and water service may be extended to preserved farmland for the purpose of holding special occasion events.

(6) Parking at a special occasion event shall be provided through the use of existing parking areas on the farm and curtilage surrounding existing buildings to the extent possible. Additional on-site areas required to provide temporary parking shall comply with the standards for on-farm direct marketing facilities, activities, and events adopted by the committee pursuant to the "Right to Farm Act," P.L.1983, c.31 (C.4:1C-1 et seq.).

(7) The occupied area associated with a special occasion event shall be no more than the lesser of 10 acres or 10 percent of the preserved farmland.

c. A special occasion event shall not be held on preserved farmland unless the applicant obtains approval to hold special occasion events, in writing from the grantee, prior to holding a special occasion event. If the applicant is the operator, but not the owner, of the farm, then the operator shall submit to the grantee a notarized affidavit from the owner authorizing the application. Once approval is obtained from the grantee, a permittee shall be required to submit an application pursuant to this subsection not more than once annually, and an individual application shall not be required for each special occasion event.

(1) A grantee whose approval is required for a special occasion event to be held on preserved farmland shall develop an application process by which an owner or operator of a commercial farm located on preserved farmland may apply for approval. The application shall, at a minimum, allow the grantee to determine:

(a) that the commercial farm located on the preserved farmland produces agricultural or horticultural products worth \$10,000 or more annually, and this may include an attestation that the commercial farm located on the preserved farmland produces agricultural or horticultural products worth \$10,000 or more annually;

(b) the number of special occasion events to be held on the commercial farm during the calendar year, and the estimated dollar amount and percentage share of total annual farm revenues

expected to be earned, during that calendar year, through the holding of such special occasion events;

(c) the maximum attendance of the special occasion events;

(d) the acreage of the occupied area, as delineated on a map or aerial photograph, to be used for the special occasion event; and

(e) whether the farm is in compliance with its farmland preservation deed of easement.

(2) The grantee shall approve, in writing, any application submitted pursuant to this section if it finds that the special occasion events identified in the application will comply with the requirements of P.L.2023, c.9 (C.4:1C-32.15 et seq.) and any rules and regulations adopted by the committee pursuant thereto. Notwithstanding any law, regulation, or prior practice to the contrary that permitted multi-year approvals for special occasion events, special occasion events occurring in structures pursuant to subparagraph (b) of paragraph (5) of subsection b. of this section shall be reviewed, and approved or denied, annually by the grantee. A written approval issued pursuant to this paragraph shall additionally indicate whether the applicant has satisfied the primary purpose and use requirements established pursuant to sub-subparagraph (i) of subparagraph (b) of paragraph (5) of subsection b. of this section or the revenue requirements established pursuant to sub-subparagraph (ii) of subparagraph (b) of paragraph (5) of subsection b. of this section, as applicable, as evidenced in the application by submission of an associated certification and supporting documentation, and is, therefore, authorized and approved to use permanent structures, constructed fewer than five years prior to the date of application, for the purposes of holding the approved special occasion events identified therein. Special occasion events occurring pursuant to sub-subparagraph (i) of subparagraph (b) of paragraph (5) of subsection b. of this section may not be approved prior to completed construction of the structure in which the special occasion event is to occur and final approval by the applicable construction office. The grantee shall forward a copy of its written approval to the committee and to the board in the county where the preserved farmland is located.

(a) If the grantee is a qualifying tax exempt nonprofit organization as defined pursuant to P.L.1999, c.152 (C.13:8C-3), the grantee may approve, approve with conditions, or deny the application submitted pursuant to this section.

(b) If the grantee does not respond to a written request to hold special occasion events within 90 days following receipt of a request, then the request shall be deemed approved.

(c) If the grantee denies an application made pursuant to this section, the grantee shall provide a reason for the denial and an opportunity for the applicant to reapply with an amended application.

(3) An applicant shall annually certify to the grantee, in a form and manner to be prescribed by the grantee, information about the special occasion events held in the prior calendar year that were approved pursuant to this section, including, but not limited to, the date, occasion, and

approximate number of attendees of each event. The grantee shall forward a copy of the certification to the committee.

d. A commercial farm shall not hold more than one special occasion event with over 100 guests per calendar day. A commercial farm may hold 26 special occasion events each calendar year, of which only six special occasion events may have 250 guests or more in attendance at any time during the event. A special occasion event held by or for a nonprofit entity shall not count against the limitations on events provided by this subsection if the event has fewer than 100 guests and the permittee does not charge for and receives no fees or compensation for hosting the event, other than for reimbursement of out-of-pocket expenses. The maximum reimbursement to the permittee shall not exceed \$1,000.

e. A retail food establishment other than a temporary retail food establishment, as those terms are defined in the State Sanitary Code adopted pursuant to section 7 of P.L.1947, c.177 (C.26:1A-7), shall not operate on a commercial farm in support of a special occasion event. The limitations of this subsection on the use of a retail food establishment shall not apply to a retail food establishment based at the commercial farm.

f. Nothing in P.L.2023, c.9 (C.4:1C-32.15 et seq.), or the rules and regulations adopted by the committee pursuant to section 6 of P.L.2023, c.9 (C.4:1C-32.20), shall apply to any special occasion event that is not held, in whole or in part, on preserved farmland on a commercial farm, including, but not limited to, exception areas.

g. (1) A county agriculture development board or the State Agriculture Development Committee may order, and specify the scope of, an audit of the owner or operator of any farm engaged in conducting special occasion events on preserved farmland, for the purpose of determining compliance with sub-subparagraph (ii) of subparagraph (b) of paragraph (5) of subsection b. of this section. The audit shall be conducted by an independent certified public accountant approved by the board or the committee, and the reasonable costs thereof shall be paid by the owner or operator of the farm. A county agriculture development board, or the committee, may establish a list of independent certified public accountants approved for the purposes of conducting an audit pursuant to this paragraph. Copies of the audit shall be submitted to the board and the committee. In conjunction with an audit ordered pursuant to this paragraph, a board or the committee may request, and the farm shall then submit, additional documentation as may be necessary for the board or the committee to verify compliance with sub-subparagraph (ii) of subparagraph (b) of paragraph (5) of subsection b. of this section. An owner or operator of a farm engaged in conducting special occasion events on preserved farmland shall not be subject to an audit authorized pursuant to this paragraph more than once per year without good cause demonstrated by the applicable board or the committee.

(2) An owner or operator of a farm engaged in conducting special occasion events on preserved farmland pursuant to sub-subparagraph (ii) of subparagraph (b) of paragraph (5) of subsection b.

of this section shall annually certify to the county agriculture development board that the special occasion events together account for no more than 10 percent of the annual gross income of the farm during the prior calendar year. The board shall forward the certification of annual gross income to the committee.

h. In addition to any other penalties provided by law:

(1) A person who commits a second or subsequent violation of sub-subparagraph (i) of subparagraph (b) of paragraph (5) of subsection b. of this section shall be liable for double the maximum civil administrative penalty that may be assessed for any second or subsequent violation under subsection a. of section 5 of P.L.2023, c.9 (C.4:1C-32.19).

(2) A person who commits a violation of sub-subparagraph (ii) of subparagraph (b) of paragraph (5) of subsection b. of this section shall be liable for forfeiture of revenues earned from special events that exceed 10 percent of the farm's total annual revenues, which penalty shall be collected and enforced pursuant to section 5 of P.L.2023, c.9 (C.4:1C-32.19).

C.4:1C-32.18 Inspection, preserved farm, grantee, committee, compliance determination, appropriate credentials, rights, limitations.

4. a. The grantee and the committee shall have the right, without advance notice, to inspect a preserved farm on which special occasion events are held, upon presentation of appropriate credentials during normal business hours or during a special occasion event, in order to determine compliance with the provisions of P.L.2023, c.9 (C.4:1C-32.15 et seq.).

b. A permittee engaged in conducting special occasion events on preserved farmland shall not be subjected to an inspection for any particular type of event authorized pursuant to P.L.2023, c.9 (C.4:1C-32.15 et seq.) more than once per year without good cause demonstrated by the grantee or committee.

C.4:1C-32.19 Violations, penalties; notification, hearing, rights.

5. a. A permittee who violates the provisions of this act shall be liable to a civil administrative penalty of up to \$1,000 for the first offense, up to \$2,500 for the second offense, or up to \$5,000 for a third and subsequent offense. Each day in which a violation occurs shall be considered a separate offense.

b. In addition to the penalties established pursuant to subsection a. of this section:

(1) for a second offense, the committee shall suspend the permittee from holding special occasion events for a period of up to six months;

(2) for a third offense, the committee shall suspend the permittee from holding special occasion events for a period of six months up to one year; and

(3) for a fourth or subsequent offense, the committee shall suspend the permittee from holding special occasion events for a period of at least one year, or permanently suspend the owner or operator of the commercial farm from holding special occasion events.

c. No civil administrative penalty pursuant to subsection a. of this section or penalty established in subsection b. of this section shall be imposed pursuant to this section until after the permittee has been notified of the alleged violation by certified mail or personal service. The notice shall include:

(1) a reference to the section of the statute, regulation, order, or condition alleged to have been violated;

(2) a concise statement of the facts alleged to constitute a violation;

(3) a statement of the amount of the civil administrative penalty that may be imposed and the duration of the suspension that may be imposed, if any; and

(4) a statement of the right of the permittee to a hearing.

d. The permittee served with notice pursuant to subsection c. of this section shall have 20 days after the receipt of the notice to request in writing a hearing before the committee. The committee may retain the matter for a hearing before the committee or transmit the matter to the Office of Administrative Law in accordance with the provisions of the “Administrative Procedure Act”, P.L.1968, c.410 (C.52:14B-1 et seq.).

(1) If the hearing is conducted by the committee, the hearing shall be conducted in accordance with relevant provisions of the “Administrative Procedure Act”, P.L.1968, c.410 (C.52:14B-1 et seq.) and regulations adopted pursuant thereto, and shall provide opportunity for testimony from the municipality in which the preserved farmland is located. After the hearing, if the committee finds that a violation has occurred, the committee may issue a final order assessing the amount of the civil administrative penalty set forth in the notice and imposing the suspension, if any.

(2) If no hearing is requested, then the notice shall become a final order 20 days after the date upon which the notice was served. Payment of the civil administrative penalty shall be due, and duration of the suspension, if any, shall begin, on the date when a final order is issued or the notice becomes a final order.

e. The committee shall notify, in writing, the grantee and the board in the county in which the preserved farmland is located when it suspends a permittee from holding special occasion events pursuant to subsection b. of this section.

C.4:1C-32.20 Rules, regulations.

6. Notwithstanding the provisions of the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to the contrary, the committee may adopt, immediately upon filing with the Office of Administrative Law, such regulations as the committee deems necessary to implement the applicable provisions of this act, which shall be effective for a period not to exceed 12 months. The committee shall thereafter adopt, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement P.L.2023, c.9 (C.4:1C-32.15 et seq.), including any rules and regulations necessary to determine compliance with the requirements of section 3 of P.L.2023, c.9 (C.4:1C-32.17). The rules and regulations adopted pursuant to this section shall provide forms, processes, and procedures that are the least burdensome as feasible and which are necessary to implement P.L.2023, c.9 (C.4:1C-32.15 et seq.). A grantee may accept applications pursuant to this act and approve applications for special occasion events that comply with the provisions of this act prior to the adoption of the rules required under this section. Upon adoption of rules and regulations pursuant to this section, all approvals pursuant to this act shall comply with the rules and regulations adopted by the committee.

C.4:1C-32.21 Report to Governor, Legislature.

7. a. The committee shall report on special occasion events as authorized by P.L.2023, c.9 (C.4:1C-32.15 et seq.). All grantees shall provide the committee with data requested in relation to the report. The report shall include, but shall not be limited to, an exploration of the following:

- (1) the number of commercial farms on which special occasion events are held;
- (2) the number of guests, type, and frequency of events;
- (3) the extent to which disputes are reported between: commercial farms and neighboring properties, commercial farms and municipalities, and commercial farms and the grantee or committee;
- (4) the frequency of violations of P.L.2023, c.9 (C.4:1C-32.15 et seq.); and
- (5) the frequency of unintended undesirable consequences of special occasion events, such as possible instances of the removal of land from active agricultural or horticultural production to host events.

b. The committee shall submit the initial report conducted pursuant to this section to the Governor and to the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), on or before the first day of the 18th month next following the effective date of P.L.2023, c.9 (C.4:1C-32.15 et seq.). Following submission of this initial report, the committee shall submit to the Governor and the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1):

(1) an update of the report on an annual basis; and

(2) a revised report, once every four years beginning after submission of the initial report, summarizing the successes and drawbacks of special occasion events, and recommending any administrative and legislative changes.

Special Occasion Events – Overview

Introduction

P.L. 2023, c.9 became law on February 3, 2023. The law recognizes the positive effects that holding special occasion events (SOEs) on preserved farms can have, under certain conditions. Among these are helping sustain the agricultural industry, enhancing the growing demand for agritourism activities on farmland, and improving the viability of the state’s farm operations without displacing agricultural or horticultural use of the land, or disrupting neighborhoods that surround preserved farms. P.L. 2025, c.83 amended the SOE law on July 1, 2025.

What is an SOE?

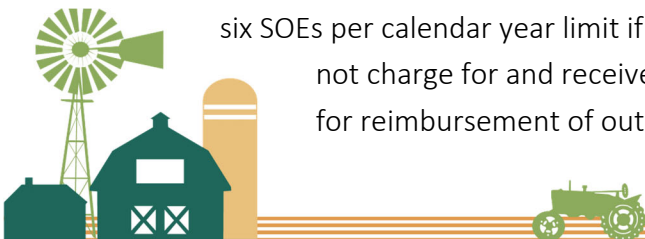
An SOE is a cultural or social event, including a wedding, held on preserved farmland. For the purposes of P.L. 2023, c.9., SOEs do not include the following: activities eligible for Right to Farm Act protection; recreational uses already permitted under the farmland preservation deed of easement; and weddings held for the owner, operator, or employee of the commercial farm or weddings held for certain family members of the commercial farm owner.

Who May Apply to Hold SOEs?

The owner or operator of a preserved farm that is also a “commercial farm” may apply to hold SOEs. The preserved farmland must produce agricultural or horticultural products worth \$10,000 or more annually to qualify to hold SOEs. If the applicant to hold SOEs is a farm operator, and not the farm owner, the operator must obtain written authorization from the owner to apply.

How Many SOEs May Be Held?

Farm owners or operators can receive approval to hold up to twenty-six (26) SOEs per calendar year on the preserved farm. Up to six of the SOEs may have 250 or more guests in attendance at any time during the event. If a farm holds more than one SOE on the same day, only one of the SOEs on that day may have 100 or more guests. An event is considered a single SOE if the event lasts not more than two consecutive days and is marketed as a single event. Further, events held by or for a nonprofit entity do not count towards the twenty-six SOEs per calendar year limit if the event has fewer than 100 guests and the permittee does not charge for and receives no fees or compensation for hosting the event, other than for reimbursement of out-of-pocket expenses, which cannot exceed \$1,000.



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Special Occasion Events – Overview

Area Used to Hold SOEs

Occupied Area – The area used to host the SOEs is referred to as the “occupied area”, and includes all areas needed for structures, parking, and other infrastructure. The occupied area may be up to 10 acres or 10% of the preserved farmland acreage, whichever is less. SOEs may not interfere with the use of the preserved farm for agricultural or horticultural production and shall have only minimal effects on the occupied area and ensure that the land can be readily returned to productive agricultural or horticultural use after the event.

Permanent and Temporary Structures – SOEs can be held outside, or they can be held inside a building under certain conditions. No new permanent structures may be constructed for the purpose of holding SOEs, and improvements to existing structures are limited to the minimum required for the protection of health and safety.



SOEs may not be held in permanent structures that are less than five years old unless either:

- 1) For wineries – the structure was constructed and is used in accordance with the Right to Farm Act (N.J.S.A. 4:1C-9) by a winery for the primary purpose of facilitating the tasting, sale, consumption, production, packaging, or marketing of wine, wine-related products, or farm-related products, or
- 2) For farms that are not wineries – the total amount of revenue earned by the farm from all SOEs held on the farm during the calendar year does not exceed 10 percent of the farm’s total revenue during the calendar year.

Temporary structures or tents may be used, provided they comply with applicable construction and fire codes and are limited to use between April 1 to November 30.

Utilities and Parking Areas – No public utilities other than electric and water service may be extended to the preserved farm for holding SOEs. Parking areas for SOEs must use existing parking areas and land around existing buildings to the extent possible. Additional temporary, on-site parking areas are required to follow standards previously adopted by the SADC in regulation (N.J.A.C. 2:76-2A.13).



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Special Occasion Events – Overview

How it Works

- 1) [Farm Submits Application](#) – Farm owners, or farm operators with written authorization from the owner, can submit an SOE application to the holder (grantee) of the Farmland Preservation Program (FPP) deed of easement.
- 2) [Easement Holder Reviews Application](#) – The easement holder, typically a County Agriculture Development Board (CADB), board of county commissioners, nonprofit organization, or State Agriculture Development Committee (SADC), will review the application. The grantee must first confirm that the farm complies with its FPP deed of easement in order for it to be eligible to hold SOEs.
- 3) [Review Timeline](#) – The grantee has 90 days to review an application once it has been deemed complete and “shall” approve the application if it adheres to the requirements in the law and to forthcoming regulations promulgated by the SADC. If the grantee does not respond to the application within 90 days, the application is deemed approved. A nonprofit grantee can approve, approve with conditions, or deny the application. A grantee cannot require a farm to submit an application to hold SOEs more than once annually.
- 4) [Annual Reporting and Certification Requirements](#) – Once an applicant receives approval to hold SOEs, the applicant is required to report annually to the grantee information about the SOEs held in the prior calendar year, including information on the dates, type of SOEs, and number of attendees of each event held. If an applicant was approved to use permanent structures less than five years old for SOEs, the applicant also would need to certify that the law’s provisions allowing for the use of such structures were met. The Grantee is required to send a copy of all the reporting information to the SADC.



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Special Occasion Events – Overview

County, Nonprofit, and SADC Roles

Counties and nonprofit partners are responsible for accepting, reviewing, and acting on SOE applications from farms for which they hold the FPP deed of easement. No additional approval by the SADC is required; the SADC, like its partners, only reviews and acts on SOE applications from those farms on which it holds the easement. Partners must forward a copy of all SOE approvals/denials and annual reporting information received from participating farms to the SADC.

The SADC is directed to develop and adopt regulations governing the SOE program, however, applications may be submitted to and processed by the easement holder prior to the SADC adopting SOE rules. The SADC also is required to regularly report to the legislature on implementation of the program.

Municipal Role

All applicable State and local laws and regulations apply to the holding of SOEs, including but not limited to those concerning food safety, litter, noise, solid waste, traffic, and the protection of public health and safety. If the SOEs proposed by a farm would generate parking or traffic flow that could unreasonably interfere with normal traffic or emergency vehicle movement, or require the expenditure of municipal resources or inspections from agencies or authorities of the municipality, a municipality may require the submission of a municipal SOE application to review compliance of a farm's proposed SOEs with local laws. Municipalities may not charge more than a \$50 application fee and may not require more information than would be required for similar events conducted at a public park or another public venue.

For More Information

Please see the SADC website, www.nj.gov/agriculture/sadc, for a copy of the SOE law and an SADC Q&A document. Farm owners and operators, as well as farmland preservation partners, also can contact the SADC at (609) 984-2504 and ask for David Kimmel.



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Special Occasion Events – Q&A

Special Occasion Events on Preserved Farmland - P.L. 2023, c.9.

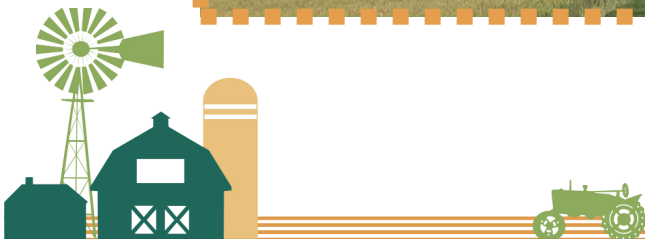
SOE Basics and How to Apply

What is a Special Occasion Event (SOE)?

An SOE is a cultural or social event, including a wedding, held on preserved farmland. For the purposes of P.L. 2023, c.9., SOEs do NOT include the following: activities eligible for Right to Farm Act protection; recreational uses already permitted under the farmland preservation deed of easement; and weddings held for the owner, operator, or employee of the commercial farm or weddings held for certain family members of the commercial farm owner.

Does a farm need approval to hold Special Occasion Events (SOEs) on preserved farmland?

Yes, a farm must get prior written approval to hold SOEs on preserved farmland. SOEs cannot be held unless the farm first obtains approval from the farmland preservation deed of easement holder – the “grantee”. Holding SOEs without having obtained approval from the grantee is a violation of the deed of easement and the law.



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Special Occasion Events – Q&A

Who can apply for a permit to hold Special Occasion Events (SOEs)?

The owner or operator of a preserved farm that is also a “commercial farm” may apply to hold SOEs. The preserved farmland must produce agricultural or horticultural products worth \$10,000 or more annually to qualify to hold SOEs. A farm operator must obtain written authorization from the owner to apply.

For the purposes of the SOE law, a “commercial farm” means the same as defined in the Right to Farm Act (see below), with one exception: it does not include a farm that qualifies for Farmland Assessment based entirely on a woodland management plan or a forest stewardship plan.

“Commercial farm” means (1) a farm management unit of no less than five acres producing agricultural or horticultural products worth \$2,500 or more annually, and satisfying the eligibility criteria for differential property taxation pursuant to the “Farmland Assessment Act of 1964,” P.L.1964, c.48 (C.54:4-23.1 et seq.), (2) a farm management unit less than five acres, producing agricultural or horticultural products worth \$50,000 or more annually and otherwise satisfying the eligibility criteria for differential property taxation pursuant to the “Farmland Assessment Act of 1964,” P.L.1964, c.48 (C.54:4-23.1 et seq.), or (3) a farm management unit that is a beekeeping operation producing honey or other agricultural or horticultural apiary-related products, or providing crop pollination services, worth \$10,000 or more annually.

Who should SOE applications be submitted to? (Who reviews applications to hold SOEs)?

SOE applications are to be submitted to the holder of the farm’s farmland preservation deed of easement – known as the “grantee” of the easement. This typically is a county agriculture development board (CADB), a county board of commissioners, a nonprofit organization, or the State Agriculture Development Committee (SADC).

If a farm wants to hold multiple SOEs, should they all be included in the same application?

Yes, a single application is to be submitted for all the SOEs to be held on the farm during the calendar year. Separate individual applications are not required for each separate SOE. To the extent known, the number of events and the estimated attendance must be submitted as part of the application.



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Special Occasion Events – Q&A

How often is a farm required to submit an SOE application? (Is an application required each year?)

Once a farm's application to hold SOEs has been approved, the farm shall be required to submit a new application not more than once annually. The easement holder may determine how often an application is needed, whether it be annually, biennially, etc., except that SOEs occurring in a permanent structure that is less than 5 years old must be reviewed, and either approved or denied, annually by the easement holder.

Is a farm required to submit an SOE certification each year?

Yes, after each calendar year, a farm that had received approval to hold SOEs must complete and submit a certification to the grantee. The certification is like a report of the SOEs that were held that year. The information required through the certification form includes at least a list of the SOEs that were held, their types and dates, and the number of attendees at each event. If an applicant was approved to use permanent structures less than five years old for SOEs, the applicant also would need to certify that the SOE law's provisions allowing for the use of such structures were met.

Can easement holders accept and approve SOE applications prior to the SADC adopting SOE rules?

Yes, the SOE law took effect on February 3, 2023. This means farms can immediately apply for permission to hold SOEs. The SADC is required to adopt rules to fully implement the SOE program, but the law explicitly allows farms to apply for, and grantees to approve, based on the law's requirements, the holding of SOEs prior to the

What happens if an SOE application is denied?

If the easement holder denies an application, it must provide a reason for the denial and an opportunity for the applicant to reapply with an amended application. If the easement holder is a nonprofit, the nonprofit may approve, approve with conditions, or deny an SOE application it receives.



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Special Occasion Events – Q&A

SOE Details – Number of Events and Conditions

How many SOEs can a farm hold, and how large can they be?

A farm may hold up to twenty-six (26) SOEs per calendar year, of which six (6) may have 250 or more guests at any time during the event.

Can a farm hold more than one SOE on the same day?

Yes, but if a farm holds more than one SOE on the same day, only one of those SOEs may have 100 or more guests.

Can a farm hold SOEs that last more than one day?

Yes, an SOE can last for two (2) consecutive days if the event is marketed as a single event. If an event lasts for more than two days, it would be considered as multiple SOEs.

If an SOE is held for a nonprofit, does it count towards the farm's limit of 26 SOEs per calendar year?

An SOE that is held by or for a nonprofit (as defined in the SOE law) does not count towards the 26-event limit if the event has fewer than 100 guests and the farm does not charge, or receive fees or compensation, for hosting the event (other than being reimbursed up to \$1,000 for out-of-pocket expenses). For example, if a farm wanted to hold its church's annual picnic at the farm or proposed hosting a fundraiser for the local fire department or land trust, the events would not count towards the 26-event limit if the above conditions were met. The event would still be an SOE and the farm would need to follow the law's conditions regarding holding SOEs. The SOE law defines a nonprofit as "a corporation organized pursuant to the "New Jersey Nonprofit Corporation Act," N.J.S.15A:1-1 et seq. or a corporation organized pursuant to Title 16 of the Revised Statutes."



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Special Occasion Events – Q&A

What part of a preserved farm can be used for SOEs?

The area used to hold SOEs may not be more than 10 acres or 10% of the preserved farmland, whichever is less. The SOE law defines this area as the “occupied area” and includes any area that supports the SOE activities, including but not limited to parking, vendors, tables, equipment, infrastructure, sanitary facilities, existing buildings, and temporary or portable structures. All aspects of an SOE must fit within the occupied area. The occupied area could be a single area, or it could be multiple non-contiguous areas on the farm.

Can SOEs interfere with the use of preserved farmland for farming?

No. SOEs may not interfere with the use of preserved farmland for agricultural or horticultural production. SOEs shall have only minimal effects on the occupied area, be designed to protect the agricultural resources of the land, and ensure that the land can be readily returned to productive agricultural or horticultural use after the event. For example, if a farm proposed holding a mud run (that would involve digging up farmland and creating a mud pit), the proposed SOE would be denied because the SOE’s proposed use of the land would not be protective of land’s agricultural resources.

Can SOEs be held in permanent structures on the preserved farm?

Yes, however no new permanent structures may be constructed for the purpose of holding SOEs, and improvements to existing structures shall be limited to the minimum required for the protection of health and safety. For example, holding SOEs and having visitors on the farm might require accessibility improvements, such as installing a handicapped ramp to a building, or require modifications to structures such as additional lighting or ingress/egress.

SOEs may not be held in permanent structures that are less than five years old unless one of the following two conditions is met: 1) for wineries – the structure was constructed and is used in accordance with the Right to Farm Act (N.J.S.A. 4:1C-9) by a winery for the primary purpose of facilitating the tasting, sale, consumption, production, packaging, or marketing of wine, wine-related products, or farm-related products, or 2) for farms that are not wineries – the total amount of revenue earned by the farm from all SOEs held on the farm during the calendar year does not exceed 10 percent of the farm’s total revenue during the calendar year. An applicant wishing to use a recently constructed permanent structures for SOEs must submit a

certification and supporting documentation as part of their application regarding how they satisfy one of the provisions. Applications for SOEs under the winery provision cannot be approved prior to the complete construction of the structure and final approval by the applicable construction office.



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Special Occasion Events – Q&A

What can a CADB or the SADC do to determine whether a farm that is not a winery is in compliance with the revenue percentage provision regarding holding SOEs in a recently constructed permanent structure?

A CADB or the SADC may order an audit for the purpose of determining compliance with the provision. The SOE law states that the reasonable costs of an audit shall be paid by the owner or operator of the farm and that a farm shall not be subject to an audit more than once per year without good cause. A CADB or the SADC also may request additional documentation as necessary.

Can tents and temporary structures be used as part of holding SOEs?

Yes. Installing and using tents, canopies, umbrellas, tables, chairs, and other temporary structures for the purpose of holding SOEs is permitted, provided these items conform to all applicable provisions of the State Uniform Construction Code and Uniform Fire Code. The use of these items for SOEs also is limited to the timeframe from April 1 to November 30.

Can additional utilities be added for the purpose of holding SOEs?

Electric and water service may be extended to the preserved farmland in support of holding SOEs. Other public utilities, such as gas and sewer lines, may not be extended for the purpose of holding special occasion events.

What are the rules for parking for SOEs?

Parking for SOEs must be provided through existing parking areas and the area surrounding existing buildings to the extent possible. If additional on-site areas are required for providing temporary parking, this additional parking must comply with the SADC's standards for on-farm direct-marking facilities, activities, and events in N.J.A.C. 2:76-2A.13.

Can a retail food establishment be operated on a farm in support of an SOE?

If a retail food establishment is already based at the farm, then the farm can use the establishment as part of an SOE. Otherwise, the farm can only operate a temporary retail food establishment, as defined in the State Sanitary Code, N.J.A.C. 8:24, as part of the SOE.



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Special Occasion Events – Q&A

Does the SOE law apply to events held on exception areas?

If an SOE is held ENTIRELY in an exception area, the SOE law does not apply. If an SOE is held in part on an exception area and on part of the preserved farmland, then the SOE law does apply to the part of the event occurring on the preserved farm.

If a farm is not in compliance with its farmland preservation deed of easement, can it hold SOEs?

No, a farm must be in compliance with its farmland preservation deed of easement in order to be eligible to hold SOEs.

Are there any rules about serving alcohol at SOEs?

Yes, SOEs that involve the service of alcoholic beverages must comply with all applicable State and local laws and regulations.

What other applicable laws must be followed?

All applicable State and local laws and regulations also must be followed, including but not limited to those concerning food safety, litter, noise, solid waste, traffic, and the protection of public health and safety.



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Special Occasion Events – Q&A

What is the difference between recreational events permitted under the deed of easement (to which the SOE law does not apply) and recreational events that are not permitted under the deed of easement (for which a farm could seek approval through an SOE application)?

The standard deed of easement says that certain recreational uses are permitted and that income may be derived from them (activities such as hunting, fishing, cross country skiing, and ecological tours) if they use the premises in its existing condition and do not interfere with the use of the land for agricultural production. The standard easement also says that other activities from which income is derived and which alter the Premises, such as golf courses and athletic fields, are prohibited. If a potential recreational activity is already permitted by the deed of easement, the easement holder should not include it an SOE approval.

For example, suppose a preserved farm holds “goat yoga” in a field on certain days of the week. People come and put yoga mats down on the floor, and a yoga instructor leads the class. Such an activity would be considered a recreational use that uses the property in its existing condition and is therefore permitted under the deed of easement and does not require SOE approval. However, if the same farm wanted to host a yoga event, where tents are erected outside, portable seating is provided, and vendors set up tables to sell food and yoga supplies, the event would constitute an SOE and require approval. The evaluation of events is fact sensitive, and the grantee reviewing the activity will need sufficient detail to distinguish a permitted recreational activity from one that requires approval as an SOE.

How can a grantee tell the difference between special occasion events (SOEs) and on-farm direct marketing (OFDM) activities and events?

By definition, SOEs are social and cultural events that are not eligible for the benefits and protections of the Right to Farm Act (RTFA). If a farm is conducting marketing-related events that fit within the RTFA On-Farm Direct Marking Agricultural Management Practice (AMP) rules, N.J.A.C. 2:76-2A.13, such events would not count as SOEs. If a farm plans to hold both types of events – SOEs as well as events that could be eligible for

RTFA protection – the farm must request a Site-Specific Agricultural Management Practice (SSAMP) determination from the CADB to identify which events are protected under the RTFA.

The remaining events would count as SOEs.



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Special Occasion Events – Q&A

Administration of the SOE Law – Approvals, Reports, Inspections, and Violations

What is the easement holder's role regarding reviewing SOEs?

Easement holders (the “grantees”) are responsible for accepting, reviewing, and deciding SOE applications from farms on which they hold the farmland preservation deed of easement. If they do not respond to an SOE application within 90 days of receiving a complete application, the request to hold SOEs is deemed automatically approved. Grantees must forward a copy of any SOE approvals/denials to the SADC. No additional approval by the SADC is required. Grantees also are responsible for obtaining farms’ annual SOE certification forms, forwarding copies of the certification forms to the SADC, and providing the SADC with requested data for the annual reports that the SADC is required to submit under the SOE law.

What can easement holders do to determine whether the preserved farmland produces agricultural or horticultural products worth \$10,000 or more annually?

Easement holders are required to develop an application process that allows them to make determinations such as whether the preserved farmland’s annual production is at least \$10,000. The application process could ask the applicant for production information (such as the farm’s Farmland Assessment forms and receipts), an attestation, or something else. The SADC has developed a sample application form and as well as a production estimator tool (a basic spreadsheet with instructions) that easement holders may use. For a copy of the sample application and spreadsheet tool, please see the SADC website, www.nj.gov/agriculture/sadc/.



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Special Occasion Events – Q&A

What is the municipality's role regarding reviewing SOEs?

A municipality may require the submission of an application if the SOEs would:

- Generate a parking or traffic flow situation that could unreasonably interfere with the movement of normal traffic or emergency vehicles or other organized group sharing similar common purposes or goals (on any street, park, or other public place within the municipality); or
- Require the expenditure of municipal resources or require municipal inspections.

Municipalities may not charge more than a \$50 application fee, and the application may not require more information than the following:

- The locations of tents and other temporary structures, sanitary facilities, parking, and access and egress for each event;
- Where music will be played;
- The number of expected guests; and
- Other information that may be of public concern and would be required of a similar event when conducted at a public park or another public venue.

In order for the municipality to play its appropriate role under the SOE law, the SADC recommends that grantees submit a copy of SOE applications to the municipality in which the farm is located, so that the municipality is aware of the request to hold SOEs.

What are the inspection protocols for farms with SOEs?

The grantee and SADC have the right, without advance notice, to inspect preserved farms on which SOEs are held in order to determine compliance with the SOE law. Such an inspection may occur during an SOE event. Grantees, if they determine that a farm is not in compliance with the SOE law, should forward their

determination along with supporting documentation to the SADC.



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Special Occasion Events – Q&A

What are the penalties for violating the SOE law?

A farm that violates the SOE law shall be liable for a civil administrative penalty of up to \$1,000 for the first offense, up to \$2,500 for the second offense, or up to \$5,000 for a third or subsequent offense. Each day in which a violation occurs is considered a separate offense. For a second offense, the SADC shall suspend the farm from holding SOEs for up to six months. For a third offense, the SADC shall suspend the farm from holding SOEs for a period of six months up to one year. For a fourth or subsequent offense, the SADC shall suspend the farm from holding SOEs for a period of at least one year, or permanently suspend the farm from holding SOEs.

Who is responsible for enforcement of the SOE law?

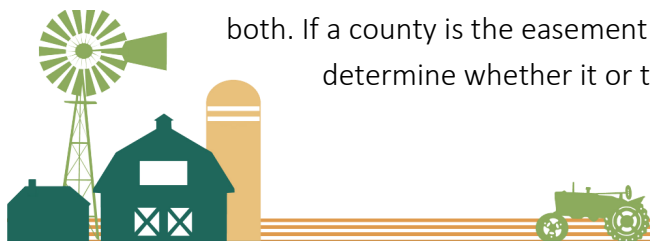
The SADC is responsible for enforcement of the SOE law. This includes providing notification of alleged violations and, if requested by the farm, holding a hearing. If the SADC finds that a violation has occurred, the SADC may issue a final order imposing the civil administrative penalty and, if applicable, a suspension from holding SOEs.

Can SOEs be held on farms preserved with federal funding?

Yes, farms preserved with federal funding can apply to hold SOEs. Easement holders (grantees) can approve a farm's application provided the holding of SOEs is consistent with the language in the farm's specific federal deed of easement. Grantees will have to review the specific language in the easement. Additional review and approval by the federal government (USDA Natural Resources Conservation Service (NRCS)) is not required; however, grantees may consult NRCS on a case-by-case basis concerning the grantee's interpretation. NRCS review and approval is necessary only when the easement terms require it or in the event NRCS must exercise its enforcement rights.

If the easement holder is a county, is it the county or CADB's responsibility to administer the SOE law?

The law refers to the "grantee" as having the responsibility of administering the SOE law. Some easements list the grantee, i.e., the easement holder, as a county board of commissioners; some list the CADB; and some list both. If a county is the easement holder, the board of county commissioners would have to determine whether it or the CADB would be responsible for administering the SOE law.



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Special Occasion Events – Q&A

Does the SADC have a template SOE application form that partners could use?

Yes, in addition to a general SOE Guidance Document and this Q&A Document, the SADC has created a sample application form. Please see the SADC website, www.nj.gov/agriculture/sadc/, for a copy of this document.

Where can someone find more information on the SOE law?

Please see the SADC website, www.nj.gov/agriculture/sadc/, for a copy of the SOE law and related SOE materials. Farm owners and operators, as well as farmland preservation partners, can also contact their easement holder, or they can contact the SADC at (609) 984-2504 and ask for David Kimmel.



PLEASE NOTE: This guidance document is not intended to provide legal advice. If you have any questions, please contact the SADC.



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<u>County</u>	<u>Municipality</u>	<u>Initial Application - Application Date</u>	<u>Initial Application Types of SOEs in Initial Application</u>	<u>Initial Application Number of SOEs Proposed and Estimated Attendance</u>	<u>Easement Holder</u>	<u>Easement Holder - Initial Action Taken by Easement Holder</u>	<u>Easement Holder - Date of Initial Action Taken by Easement Holder</u>	<u>Easement Holder - Subsequent Action(s) Taken By Easement Holder</u>	<u>2025 Certification Form - Notes on SOEs Held in 2025</u>
Burlington	Southampton Lumberton	5/9/2023	<u>Other Social/Cultural Events</u> - Small private events in picnic areas - family get togethers, reunions, star watching, observing fireworks originating from offsite	<u>26 SOEs</u> OSCEs - 26 (20-30 ppl)	Burlington CADB	Approval	6/14/2023	(Farm didn't seek reapproval in 2024) Reapproved in 2025 and 2026	<u>Weddings</u> - micro-wedding <u>Nonprofit</u> - dog show fundraiser for town library repairs/renovations - "Barks for Books"
Burlington	Mansfield	2/22/2024	<u>Weddings</u> - ceremonies and receptions <u>Lifetime Milestone Events</u> - public, private, and nonprofit events <u>Other Social/Cultural Events</u> - public, private, and nonprofit events	<u>26 SOEs</u> Weddings - 8 LMEs - 8 OSCEs - 10	Burlington CADB	Approval	3/14/2024	Reapproved in 2025 and 2026	No events held.
Burlington	Mansfield	2/20/2025	<u>Weddings</u> <u>Other Social/Cultural Events</u>	<u>26 SOEs</u> Weddings - 22 OSCEs - 4	Burlington CADB	Approval	3/13/2025	Reapproved in 2026 (with 5-year approval)	<u>Weddings</u> - 38-110 ppl LMEs - Birtday party, bridal shower <u>OSCE</u> - Wine release party with Xmas music and photos with Santa
Burlington	Chesterfield	4/2/2025	<u>Weddings</u> <u>Lifetime Milestone Events</u>	<u>26 SOEs</u> Weddings - 20 LMEs - 6	Burlington CADB	Approval	5/8/2025	Reapproved in 2026 (with 5-year approval)	<u>Weddings</u>
Burlington	Springfield	4/30/2025	<u>Weddings</u> <u>Lifetime Milestone Events</u> <u>Other Social/Cultural Events</u>	<u>26 SOEs</u> Weddings - 20 LMEs - 3 OSCEs - 3	Burlington CADB	Approval	5/8/2025	Reapproved in 2026 (with 5-year approval)	No events held.
Cape May	West Cape May	1/4/2025	<u>Weddings</u> - ceremonies and receptions <u>Lifetime Milestone Events</u> - private parties for anniversary, birthday, graduations <u>Other Social/Cultural Events</u> - community cultural event, musical festivals (e.g. Jazz Festival, Country music), church and nonprofit fundraising events	<u>26 SOEs</u> Weddings - 12 LMEs - 8 OSCEs - 6	Cape May CADB	Approval	3/24/2025	Reapproved in 2026	<u>Wedding</u> LMEs - Baby shower, Celebration of Life OSCEs - Rythym of Life Drum Circle, Cape May State VIP

Chart with SOE applications and easement holder actions (2/3/23 – 7/10/26), and SOEs held in CY2025

<u>County</u>	<u>Municipality</u>	<u>Initial Application - Application Date</u>	<u>Initial Application</u> Types of SOEs in Initial Application	<u>Initial Application</u> Number of SOEs Proposed and Estimated Attendance	<u>Easement Holder</u>	<u>Easement Holder</u> - Initial Action Taken by Easement Holder	<u>Easement Holder</u> - Date of Initial Action Taken by Easement Holder	<u>Easement Holder</u> - Subsequent Action(s) Taken By Easement Holder	<u>2025 Certification Form</u> - Notes on SOEs Held in 2025
Cape May	Lower	8/11/2025	<u>Weddings</u> - ceremonies and receptions <u>Lifetime Milestone Events</u> - public, private, and nonprofit parties, gatherings, and life events. <u>Other Social/Cultural Events</u> - music events, food/arts/crafts/ festivals, community functions, competitions (run/walks, skill games).	<u>26 SOEs</u> Weddings - 8 (25-250 ppl) LMEs - 8 (25-250 ppl) OSCEs - 10 (25-250 ppl)	Cape May CADB	Approval	11/24/2025	(Approval that was made in 2025 was for SOE permit for 2026)	No events held.
Cumberland	Upper Deerfield	4/7/2026	<u>LMEs</u> - birthday parties, showers, rehearsal dinners, graduations, anniversaries.	<u>26 SOEs</u> LMEs - 26 (45 ppl)	Cumberland CADB	Current Application	Under review	n/a	n/a
Gloucester	Franklin	8/1/2023	<u>Weddings</u> - ceremonies, receptions, food <u>Lifetime Milestone Events</u> - birthdays, baby showers, bridal showers, graduation parties	<u>15 SOEs</u> Weddings - 10 (75-150 ppl) LMEs - 5 (40-100 ppl)	Gloucester CADB	Approval	11/28/2023	Reapproved in 2024, 2025, 2026	<u>Weddings</u> <u>LMEs</u> - 30th Birthday party, 40th class reunion
Gloucester	South Harrison	5/16/2025	<u>Lifetime Milestone Events</u> - birthday parties <u>Other Social/Cultural Events</u> -nonprofit events like hosting meetings for County 4H clubs, Boy Scouts, and Girl Scouts.	<u>26 SOEs</u> LMEs - 26 (75-100 ppl)	Gloucester CADB	Approval	6/17/2025	Reapproved in 2026	<u>LMEs</u> - Birthday parties <u>Nonprofit</u> - 2 Cub Scouts events, 1 Mad Hatter Event hosted by 4H, 12 4H Club meetings
Hunterdon	Readington	7/13/2023	<u>Other Social/Cultural Events</u> - Public events and fundraisers - Fundraisers for veterans group, American Cancer Society, Irish Friday, Tico, Saucetoberfest	<u>5 SOEs</u> OSCEs - 5 (250-1,000 ppl)	Hunterdon CADB	Approval	9/14/2023	Reapproved in 2024, 2025, 2026	<u>OSCEs</u> - Irish fun day, which includes hay maze, corn maze, feeding animals, irish dancing, music, farm's farm to fork food truck

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Hunterdon	Readington	6/25/2024	<u>Other Social/Cultural Events</u> - Romeria (Costa Rican tradition/Sacrifice for the Virgin - church service in indoor arena, walk through woods); country nights (line dancing, BYOB, dinner; Zapote (Costa Rican tradition/music, dancing, food, bull riding, more); Paso Fino horse show (show, music, Columbian food, traditions); Quinceras	<u>20 SOEs</u> OSCEs - 20 (100-1,500 ppl)	Hunterdon CADB	Approval	9/12/2024	Reapproved in 2025 and 2026	<u>Wedding</u> LMEs - Pony party (kid's birthday); employee's birthday party bbq; Churro the burro's birthday party and toy drive. <u>OSCEs</u> - Cow sorting; Paso Fino shows with concert (horse shows with live music); Sip & Paint; Country night (cow sorting, line dancing, barrel racing, live music); Bulls and Beers fundraiser; Ranch sorting competition; Kids country night; Romeria Catholic event.
Hunterdon	East Amwell	6/26/2026	<u>Weddings</u> - ceremonies and receptions <u>Lifetime Milestone Events</u> - birthday parties and showers <u>Other Social/Cultural Events</u> - Sourland Mountain Festival, OysterFest, Fall Harvest Festival, etc.	<u>26 SOEs</u> Weddings - 18 (50-150 ppl) LMEs - 26 (25-75) 6 - OSCEs (100-200, except one 1,000 for a specific festival)	Hunterdon CADB	Approval	7/9/2026	n/a	n/a
Mercer	Robbinsville	6/30/2023	Application: looking for temporary parking for event not occurring on the farm	<u>20 SOEs</u> OSCEs - 20 (2,000 ppl)	Mercer CADB	Denial	8/7/2023	n/a	n/a
Mercer	Robbinsville	3/17/2025	<u>Lifetime Milestone Events</u> - birthdays, anniversaries, corporate team building private parties and gatherings, catered like farm to table events <u>Other Social/Cultural Events</u> - cultural or nonprofit events catered like farm to table events	<u>26 SOEs</u> LMEs - 22 (25-150 ppl) OSCEs - 4 (50-100 ppl)	Mercer CADB	Denial	5/7/2025	n/a	n/a

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Mercer	Hopewell	7/15/2025	<u>Weddings</u> <u>Other Social/Cultural Events</u> - Community social events like holiday festivals, car and tractor show, private dinners, art & craft shows, chili cook off, bluegrass festival, pig roast - with vendors; live music, face painting, glassblowing demos, cornhole games as examples of possible activities; food trucks	<u>26 SOEs</u> Weddings - 2 (50-100 ppl) OSCEs - 24 (50-250 ppl)	Mercer CADB	Approval	8/4/2025	(2025 approval was for two years, 2025 and 2026)	<u>OSCEs</u> - Freedom Fest - festival with local vendors Local Makers Market - Summer, Ladies Night, Christkindl Market Glassblowing, Album Release Party, Car show (NP club), Food Pantry fundraiser
Mercer	Hamilton	7/25/2025	<u>Lifetime Milestone Events</u> - private parties for birthdays, anniversaries, showers, graduations. <u>Other Social/Cultural Events</u> - community social events, festivals, car shows, craft shows, events by/for nonprofits such as fundraisers.	<u>26 SOEs</u> LMEs - 10 (25-150 ppl) OSCEs - 6 (50-250 ppl)	Mercer CADB	Approval	8/4/2025	2026 - Withdrew renewal application for 2026.	<u>LME</u> - Engagement party <u>OSCEs</u> - Hot sauce festival, Surf pop up shop event, classic car show, live music event, bonsai workshop, book signing, fundraiser for Upper Freehold Education Fund (NP)
Mercer	Hopewell	11/12/2025	<u>Other Social/Cultural Events</u> - NOFA-NJ Partners in Growth gathering to thank supporters and partners and allow them to connect and socialize.	<u>1 SOE</u> OSCE - 1 (50-75 ppl)	Mercer CADB	Approval	12/1/2025		<u>OSCE</u> - Social gathering for NOFA-NJ
Middlesex	Cranbury	5/30/2024	<u>Weddings</u> <u>Lifetime Milestone Events</u> - birthday or anniversary parties <u>Other Social/Cultural Events</u> - children's school trips and social events serving Hispanic community and other ethnic communities	<u>5 SOEs</u> Weddings - 2 (<=3300 ppl) LMEs - 2 (50-200 ppl) OSCEs - 1 (50-249 ppl)	Middlesex CADB	Approval	4/23/2025	Renewal application for 2026 currently on hold	<u>LME</u> - Birthday party <u>OSCE</u> - Educational event and seminar
Monmouth	Upper Freehold	7/11/2023	<u>Weddings</u> - ceremonies, receptions (cocktail hours, sit down dinners) <u>Lifetime Milestone Events</u> - Birthday parties, graduations, other celebrations of life <u>Other Social/Cultural Events</u> - Corporate events, community events, farm to table dinners	<u>20 SOEs</u> Weddings - 10 (50-300 ppl) LMEs - 5 (25-300 ppl) OSCEs - 5 (25-300 ppl)	Monmouth CADB	Approval	9/5/2023	Reapproved in 2024, 2025, 2026	<u>Weddings</u> - elopement ceremony <u>LMEs</u> - Birthday party <u>OSCEs</u> - Corporate party, athletic group event, rehearsal dinner, school event

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Monmouth	Howell	10/12/2023	<u>Weddings</u> - ceremonies, cocktail hours, sit down dinners <u>Lifetime Milestone Events</u> <u>Other Social/Cultural Events</u> - maybe church and nonprofit events	<u>18 SOEs</u> Weddings - 10 (80-200 ppl) LMEs - 14 (25-250 ppl) OSCEs - 2 (200 ppl)	Monmouth CADB	Approval	11/1/2023	Reapproved in 2024, 2025, 2026	<u>Weddings</u> <u>LMEs</u> - 2 bridal showers, 1 baby shower
Monmouth	Colts Neck	5/16/2024	<u>Weddings</u> - ceremonies, receptions (cocktail hour and sit down dinner) <u>Lifetime Milestone Events</u> - private parties (for birthdays, anniversaries, corporate events, etc.) <u>Other Social/Cultural Events</u> - farm to table dinners hosted by local chefs, nonprofit social events open to public pending ticket purchase directly from NP, vendor showcase events where bridal/event vendors advertise services in public setting	<u>12 SOEs</u> Weddings - 4 (175-225 ppl) LMEs - 4 (125-225 ppl) OSCEs - 4 (30-225 ppl)	Monmouth CADB	Approval	6/4/2024	Reapproved in 2025 and 2026	<u>Weddings</u> <u>OSCEs</u> - Bridal showcase hosted by an off-premise caterer and bridal showcase company that hosted multiple wedding event vendors and guests; Corporate party; Non-profit event for Monmouth County Historical Association
Monmouth	Upper Freehold	3/18/2025	<u>Weddings</u> <u>Lifetime Milestone Events</u> <u>Other Social/Cultural Events</u> - Windmill Day celebration with guests, vendors, ribbon cutting, luncheon	<u>1 SOE</u> OSCE - 1 (350 ppl)	Monmouth CADB	Approval	4/1/2025	Reapproved in 2026	<u>OSCE</u> - Celebration of the opening of a fully functional Dutch Windmill.
Monmouth	Upper Freehold	6/6/2025	<u>Weddings</u> <u>Lifetime Milestone Events</u> - birthdays, anniversaries, graduations. <u>Other Social/Cultural Events</u> - community barbecues, farm to table dinners	<u>25 SOEs</u> Weddings - 10 (50-150 ppl) LMEs - 10 (50-100 ppl) OSCEs - 5 (50-150 ppl)	Monmouth CADB	Current Application	Under review	n/a	n/a
Ocean	Plumsted	6/12/2023	<u>Weddings</u> - ceremonies, receptions	<u>8 SOEs</u> Weddings - 8 (<175 ppl)	Ocean CADB	Approval	10/23/2023	Reapproved in 2024, 2025, 2026	<u>Weddings</u>

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Ocean	Plumsted	6/23/2023	<u>Other Social/Cultural Events</u> - cultural events focused on South American traditions showing importance of folklore, music, dance, food, and arts	<u>6 SOEs</u> OSCEs - 6 (200-300 ppl)	Ocean CADB	Approval	9/13/2023	Reapproved in 2024 and 2025	<u>OSCEs</u> - Opening day with horse dancing shows, Easter egg hunt and Easter Bunny, Mother's Day event with mariachi and horse dancing show, Father's Day with horse shows and traditional food, Live and traditional music bands, Foam/water/musics/ dancers, 2nd annual carnival, Cascarita fest x2 with traditional food, live music, horse dancing shows, harvest your own corn, Cascarita fest with traditional pork food/ folklore / live music / horse dancing shows
Ocean	Plumsted	8/9/2023	<u>Weddings</u> <u>Lifetime Milestone Events</u> - family events or owner rodeo harvest farm stand events <u>Other Social/Cultural Events</u> - farm to table, barbecues	<u>18 SOEs</u> Weddings - 4 (250ppl) LMEs - 4 (100ppl) OSCEs - 10 (200 ppl)	Ocean CADB	Denial	2024	n/a	n/a
Hunterdon	Alexandria	2/27/2024	<u>Other Social/Cultural Events</u> - 1 event, 2024 Koi Fest - sell their fish, host vendors, have food trucks, offer giveaways	<u>1 SOE</u> OSCE - 1 (500 ppl)	SADC	Approval	6/27/2024	2025 - Reapproved 2026 - Reapproved with 2-year approval (for 2026 and 2027)	<u>OSCE</u> - Koi Fest
Camden	Voorhees	3/5/2024	<u>Weddings</u> - ceremonies, receptions (cocktail hours, sit down dinner) <u>Lifetime Milestone Events</u> - private parties (for milestones, businesses, etc.) <u>Other Social/Cultural Events</u> - fundraisers, social events, or celebrations for nonprofit, corporate, or other private group	<u>26 SOEs</u> Weddings - 13 (100-350 ppl) LMEs - 7 (50-249 ppl) OSCEs - 6 (100-1,000 ppl)	SADC	Approval	4/25/2024	2025 - Reapproved. 2026 - Withdrew renewal application for 2026.	No events held.

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Somerset	Montgomery	4/1/2024	<u>Weddings</u> - ceremonies, receptions (cocktail hours, sit down dinner) <u>Lifetime Milestone Events</u> - private parties (for milestones, businesses, etc.) <u>Other Social/Cultural Events</u> - fundraisers, social events, or celebrations for nonprofit, corporate, or other private group	<u>26 SOEs</u> Weddings - 10 (100-250 ppl) LMEs - 14 (100-250 ppl) OSCEs - 2 (50-250 ppl)	SADC	Approval	5/23/2024	(2024 approval was for 2024 - 2025) Reapproved in 2026 (with 2-year approval)	<u>Wedding</u> - for close family friend <u>LMEs</u> - 50th Birthday party, graduation party, local political meet and greet - with local legislative district.
Monmouth	Upper Freehold	7/24/2024	<u>Weddings</u> - ceremonies, receptions (cocktail hours, sit down dinner) <u>Lifetime Milestone Events</u> - private parties and LMEs such as birthdays, anniversaries, graduatoin <u>Other Social/Cultural Events</u> - hosting community events like a HS prom	<u>26 SOEs</u> (from a combination of)Weddings (75-200 ppl) LMEs (75-200 ppl) OSCEs (75-200 ppl)	SADC	Approval	1/23/2025	Reapproved in 2026	No events held.
Burlington	Medford	6/2/2025	<u>Other Social/Cultural Events</u> - outdoor local church services and Sunday school	<u>26 SOEs</u> OSCEs - 26 (150-550 ppl)	SADC	Withdrawn	n/a	n/a	n/a
Atlantic	Egg Harbor City	7/2/2025	<u>Other Social/Cultural Events</u> - Festomato event with NOFA-NJ (outside vendors), Arts & Crafts Festival, concerts, dinners	<u>5 SOEs</u> OSCEs - 5 (50-500 ppl)	SADC	Approval	7/24/2025	Reapproved in 2026 (with 2-year approval)	<u>OSCEs</u> - FesTomato Festival - partnership with NOFA NJ. Vendors in Farm Store, and outdoors with tents. Arts and Crafts Festival - Vendors in Farm Store, and outdoors with tents. Two Concerts - ticketed event. Live music in Farm Store. Vendors in Farm Store, and outdoors with tents.
Salem	Mannington	5/15/2023	<u>Weddings</u> <u>Lifetime Milestone Events</u> - Private parties – including birthdays, anniversaries, graduations, showers, etc. <u>Other Social/Cultural Events</u> - Township Recreation Committee fundraising event (County food vendor barbecue)	<u>20 SOEs</u> Weddings - 6 (50-200 ppl) LMEs - 6 (30-150 ppl) OSCEs - 8 (35-50 ppl)	Salem CADB	Approval	7/26/2023	Reapproved in 2024 2025, 2026	<u>Wedding</u> <u>LMEs</u> - 50th birthday party, Homecoming event with live music for military son, graduation party for daughters <u>Nonprofits</u> - 2 fundraisers for Christian youth ministry

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Salem	Mannington	4/22/2025	Other Social/Cultural Events	<u>26 SOEs</u> OSCEs - 26 (30-250 ppl)	Salem CADB	Approval	6/25/2025	Reapproved in 2026	No events held.
Somerset	Hillsborough	2/20/2024	<u>Weddings</u> - ceremonies, receptions <u>Lifetime Milestone Events</u> - birthday parties and LMEs (cocktail hour, party, dinner)	<u>26 SOEs</u> Weddings - 18 (100-150 ppl) LMEs - 8 (75-150 ppl)	Somerset CADB	Approval	2/26/2024	None - Farm elected not to renew in 2025	n/a
Somerset	Montgomery	3/12/2024	<u>Weddings</u> <u>Lifetime Milestone Events</u> <u>Other Social/Cultural Events</u>	<u>13 SOEs</u> Weddings - 4 (20-200 ppl) LMEs - 1 (20-200 ppl) OSCEs - 8 (20-200 ppl)	Somerset CADB	Approval	3/25/2024	None - Farm elected not to renew in 2025	n/a
Sussex	Wantage	12/30/2023	<u>Weddings</u> <u>Lifetime Milestone Events</u> <u>Other Social/Cultural Events</u> Notes - public events, private events, events held by/for a nonprofit	<u>26 SOEs</u> Weddings - 22 (100-250 ppl) LMEs - 2 (100-250 ppl) OSCEs - 2 (100-250 ppl)	Sussex CADB	Approval	2/20/2024	Reapproved in 2025 and 2026	<u>Wedding</u> <u>OSCEs</u> - Rodeo, Line Dancing
Sussex Warren	Green (Sussex) Allamuchy (Warren)	3/28/2024	<u>Weddings</u> - ceremonies and receptions <u>Lifetime Milestone Events</u> - bridal or baby showers, graduations, memorial services, etc. <u>Other Social/Cultural Events</u> - farm to table dinners, vendor events, hosting community outreach events, seasonal festivals based on what is in season on the farm	<u>25 SOEs</u> Weddings - 5 (100-150 ppl) LMEs - 12 (50-100 ppl) OSCEs - 8 (50-150 ppl)	Sussex CADB	Approval	5/20/2024	Reapproved in 2025 and 2026	<u>Weddings</u> <u>LMEs</u> - 1st / 3rd / 30th birthday, baby showers, bridal showers <u>OSCEs</u> - Ladies Day (wine tasting, music, vendors, succulent workshop), Line Dancing, 75th anniversary BBQ (pig roast, live music, alcohol, bounce, cow train), Touch a truck, Holiday market
Warren	Franklin	4/21/2023	<u>Weddings</u> - receptions <u>Lifetime Milestone Events</u> - birthday, graduations <u>Other Social/Cultural Events</u> - veterans fundraiser	<u>6 SOEs</u> Weddings - 4 (80-180 ppl) LMEs - 1 (50-150 ppl) OSCEs - 1 (100-150 ppl)	Warren CADB	Approval	11/16/2023	None - Farm did not seek reapproval	n/a
Warren	Frelinghuysen	12/12/2023	<u>Other Social/Cultural Events</u> - community classes, NRA gun safety class	<u>14 SOEs</u> OSCEs - 14 (10-25 ppl)	Warren CADB	Denial	1/23/2024	n/a	n/a

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Warren	Knowlton	10/2/2025	<u>Other Social/Cultural Event</u> - Single event on July 3-4, 2026 that would include a concert, fireworks, overnight camping, food trucks, coffee truck, BBQ, Lions Club lemonade/sweet corn tent, fishing pond, frisbee golf, volleyball, ping pong, hiking trails, patron tent, children's activities such as a bouncy house.	<u>1 SOE</u> OSCE - 1 (500-1000 ppl)	Warren CADB	Denial	12/18/2025	n/a	n/a

ANNUAL EVALUATION OF SPECIAL OCCASION EVENTS ON PRESERVED FARMS: CALENDAR YEAR 2025

JULY 16, 2026

SUBMITTED TO THE
NEW JERSEY LEGISLATURE'S JOINT BUDGET OVERSIGHT COMMITTEE
AND THE
STATE AGRICULTURE DEVELOPMENT COMMITTEE

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Your time and valuable feedback are greatly appreciated!

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I. INTRODUCTION

On February 3, 2023, P.L. 2023, c.9 became law. This law, (herein, “Special Occasion Events legislation” or “SOE legislation”), recognizes the positive effects that holding Special Occasion Events (herein, “SOEs”) can produce for preserved farms in New Jersey, under a permitted program with specific conditions. Until the adoption of the SOE legislation, preserved farms were limited to only holding events for the purposes of marketing agricultural and/or horticultural products grown and/or raised on the farm, an allowance codified through the On-Farm Direct Marketing Agricultural Management Practice (NJAC 2:76-2A.13), under the New Jersey Right-to-Farm Act (NJSA:4.1-C). Provisions therefore exist to allow owners and operators of preserved farms to engage in agriculture-related educational activities and farm-based recreational activities that relate to the marketing of farm output, which could include “ancillary entertainment-based activities, commonly used as incidental components of on-farm direct marketing activities that are accessory to and serve to increase the direct market sales of the agricultural output of a commercial farm” (<https://www.nj.gov/agriculture/sadc/rtfprogram/amps/adoptedamps/onfarmdirectmarketing.html>). The SOE legislation provides a new opportunity for owners and operators of preserved farms to diversify their income and to contribute to the improvement of the State’s overall agricultural viability.

This report satisfies the charge outlined in a May 3, 2023, memorandum issued by the New Jersey Department of the Treasury’s Office of Management and Budget (herein, “OMB”) to the State Legislature’s Joint Budget Oversight Committee (herein, “JBOC”), which directs researchers at the New Jersey Agriculture Experiment Station (herein, “NJAES”) to:

“Study the Special Occasion Events on Preserved Farmland Program that is administered by the State Agriculture Development Committee. The study will evaluate a variety of key performance indicators concerning the use and implementation of the program which may include the number of participating commercial farmers, number of guests at events, types of events, frequency of events, financial or other benefit derived from the program, among others. The findings and recommendations will be published in a public report.”

This report, *Annual Evaluation of Special Occasion Events on Preserved Farms: Calendar Year 2025* (herein, “2025 Annual Report”), is an independent evaluation of the implementation and outcomes of the Special Occasion Events program. Just as in the *2023 Annual Report* and *2024 Annual Report* (available in the Appendix of the SADC’s Reports: <https://www.nj.gov/agriculture/sadc/farmpreserve/postpres/#10>), the *2025 Annual Report* summarizes detailed analysis of SOE permits and certification reports submitted to the State Agriculture Development Committee (herein, “SADC”), as well as information collected from interviews with SOE applicants (preserved farmland owners and/or operators), easement holders of preserved farmland, County Agriculture Development Board (herein, “CADB”) administrators, municipal staff, and other important partners in the agricultural industry. The *2025 Annual Report* again provides recommendations for strengthening the SOE Program in future years. It is anticipated that this evaluation will, in part, contribute to fulfilling SADC’s statutory annual program reporting requirement to the Governor and the Legislature.

The *2025 Annual Report* is therefore organized in a manner that addresses each of the requirements outlined in the charge to NJAES (May 2023 OMB memorandum), as well as the SOE legislation (C.4:1C-32.21):

- I. [Introduction](#): Brief background of the SOE legislation and the framework of the *2025 Annual Report*.
- II. [SOE Statute](#): Definition of SOEs, eligibility, allowances, and restrictions; application process.
- III. [Development and Publication of the Report](#): Purpose, study team, and methodology for collecting and analyzing quantitative and qualitative data.
- IV. [Data Analysis](#): Findings of data derived from SADC records, SOE permit applications, and certification reports for calendar year 2025. These data are supplemented by structured interviews with preserved farmland owners/operators, municipal officials, and easement holders (e.g., staff from the SADC and CADBs) held between April and June of 2026. Comparisons to the findings of 2024 are made where applicable.
- V. [Outcomes of Holding SOEs on Preserved Farms in 2025](#): Direct and indirect economic impacts of holding permitted SOEs on preserved farms during calendar year 2025, as well as information related to disputes, and unintended and/or undesirable consequences. Comparisons to the findings of 2024 are made where applicable.
- VI. [Equity](#): Review of issues observed or reported in the SOE Program during calendar year 2025 that may impact broad access to the program, and recommendations for addressing those concerns. Comparisons to the findings of 2024 are made where applicable.
- VII. [Evaluation of the 2025 SOE Program and Recommendations for 2026 and Beyond](#): Key findings with recommendations for improvements to the SOE permit and/or review process, inconsistencies with municipal and/or CADB review, and disputes between commercial farmers and neighbors/easement holders/municipal Ordinances and/or procedures.

II. SOE STATUTE

“With proper oversight, special occasion events on preserved farmland can have minimal impact on land’s viability for farming and provide for new business opportunities for farmers in the State without displacing agricultural or horticultural production as the first priority use of preserved farmland or disrupting neighborhoods that surround preserved farms.”

Source: “Findings and Declarations” of the SOE legislation [C.4:1C-32.15(e)]

Through the development and adoption of the SOE Legislation (P.L. 2023, c.9), the Legislature has found that allowances for SOEs on preserved farms uphold the original intent of the farmland preservation program, specifically to keep agriculture as an economically viable industry within the State of New Jersey. The SOE legislation provides additional sources of revenue for preserved farmers in New Jersey, where the cost of living is among the highest in the nation. Allowances for SOEs on preserved farms provide options for gatherings and celebrations in an agricultural setting, helping to satisfy the growing interest in agritourism, as well as expanding the range of venues available for lifetime and milestone events. Finally, permitting SOEs on preserved farms is viewed as a potential strategy to help retain farmland and enhance the economic viability of the agricultural industry in the long-term through a diversified and resilient income structure for farmers.

Definition of Special Occasion Event

The SOE legislation defines a Special Occasion Event as, “a wedding, lifetime milestone event, or other cultural or social event, conducted in whole or in part on preserved farmland on a commercial farm”.

SOEs are not:

- ✖ Activities or events that are eligible for protection under the New Jersey Right-to-Farm Act
- ✖ Recreational uses permitted pursuant to a farmland preservation Deed of Easement
- ✖ A wedding held for a spouse, parent, child, grandparent, grandchild, sibling, niece, nephew, or cousin of the owner of the commercial farm
- ✖ A wedding held for the owner, operator, or an employee of the commercial farm.

Eligibility for Holding Special Occasion Events on Preserved Farms

In order for an owner or operator of a preserved farm to hold SOEs, the commercial farm (on the preserved farmland) must produce agricultural and/or horticultural products worth \$10,000 annually. Additionally, the preserved farm must be in compliance with all aspects of the Deed of Easement.

Allowances and Restrictions for Holding Approved SOEs

Allowances and restrictions for holding approved SOEs are established in §C.41:1C-32.17(b) as follows:

- ☑ A commercial farm may hold up to 26 SOEs during a calendar year, of which only six (6) may have 250 guests in attendance at any time during the SOE.
- ☑ A commercial farm may not hold more than one SOE with over 100 guests on a single calendar day.
- ☑ If the SOE is marketed as a single event, the maximum duration of the SOE is two consecutive calendar days.
- ☑ An SOE held by or for a non-profit entity does not count towards the limitation on the number of events prescribed in the legislation if that event has fewer than 100 attendees, and the SOE permittee does not receive any compensation or fees* for holding the SOE. **The SOE permittee may be reimbursed for out-of-pocket expenses incurred from holding the SOE, not to exceed \$1,000*
- ☑ SOEs shall not interfere with the use of the preserved farmland for agricultural and/or horticultural purposes.
- ☑ SOEs and the corresponding occupied area (i.e., area supporting the activities and infrastructure associated with a SOE, such as parking, sanitary facilities, temporary and portable structures, existing buildings, etc.) shall be designed to protect agricultural resources of the land, having minimal effects on the land. The land must be readily returned to productive agricultural or horticultural use after the SOE.
- ☑ SOEs that involve the service of alcoholic beverage must comply with all State and local laws, regulations, resolutions, and ordinances.
- ☑ Retail food establishments, other than temporary retail food establishments, are not permitted to operate in support of an SOE on a preserved farm.
- ☑ All applicable State and local laws, regulations, resolutions, and ordinances including, but not limited to, those concerning food safety, litter, noise, solid waste, traffic, and the protection of public health and safety shall apply to the SOE and all related activities.
- ☑ Originally, the statute did not permit new permanent structures to be constructed or erected for the purposes of holding SOEs. Improvements to existing structures were limited to the minimum required for the protection of public health and safety. No permanent structure constructed fewer than five years prior to the date of the SOE application to the grantee were to be used for the purpose of holding SOEs. On July 1, 2025, S-3418 was passed, amending the SOE legislation to allow for a limited exception to the statutory restrictions on preserved farm owners and operators using a recently constructed permanent structure for SOEs provided that (1) such structures were “constructed for the primary purpose of facilitating the tasting, sale, consumption, production, packaging, or marketing of wine, wine-related products, or farm related products as determined by the grantee” or (2) “the total amount of revenue to be earned from all

SOEs to be held on the farm during the calendar year will not exceed 10% of the total revenues accruing to the farm in that calendar year”. This amendment further identified the role of the grantee to review and approve or deny SOEs being held in these newly allowed permanent structures on an annual basis, and to certify that the applicant has satisfied the requirements established in the legislation. S-3418 specifically states that SOEs cannot be approved prior to the completed construction of an eligible structure in which the SOE will occur, and final approval is obtained through the applicable construction office. Lastly, S-3418 provides the CADB or the SADC with the ability to order an audit of the owner or operator of any farm engaged in conducting SOEs on preserved farmland in these newly eligible permanent structures. The audit is to be conducted by an independent Certified Public Accountant and paid for by the owner/operator.

- ☒ The use of tents, canopies, umbrellas, tables, chairs, and other temporary structures is permitted provided that they conform with all applicable provisions of the State Uniform Construction Code and the Uniform Fire Code during the limited timeframe of April 1 – November 30.
- ☒ Public utilities shall not be extended for the holding of SOEs on preserved farmland, except that electric and water service may be extended to preserved farmland for the purpose of holding SOEs.
- ☒ Existing parking areas and curtilage surrounding existing buildings should be used to the extent possible. Additional parking areas to provide temporary parking must comply with the standards established in the On-Farm Direct Marketing Agricultural Management Practice.
- ☒ The occupied area associated with SOEs shall be no more than the lesser of 10 acres or 10% of the preserved farmland.
- ☒ All SOEs must be held under an approved SOE Permit.

SOE Application and Certification Process

An SOE cannot be held on a preserved farm unless the applicant obtains approval, in writing, from the grantee. Applicants are not required to submit an application more than once annually (once approved), and that application can include the anticipated SOEs for the calendar year.

Grantees (i.e., the holders of farmland preservation easements) are required to develop an application that can be used by an applicant for SOEs on preserved farmland. As detailed in §C.41:1C-32.17(b), the application must allow the grantee to determine, at minimum:

- ☒ Satisfaction of the agricultural/horticultural production requirement (\$10,000 or more, annually)
- ☒ The number of SOEs to be held during the calendar year
- ☒ Maximum number of attendees permitted at the applied for SOEs

- ☒ Acreage of the occupied area for the proposed SOEs (including a map or aerial photograph depicting the location of the occupied area)
- ☒ Whether the commercial farm is in compliance with the Deed of Easement

Grantees have the option of approving, approving with conditions, or denying the application within 90 days of the receipt of a complete application. Approved applications must be forwarded to the SADC and the appropriate CADB. If the grantee denies an application, a written response detailing the reason for denial and an opportunity to reapply with an amended application is to be sent to the applicant. Failure of the grantee to respond to a complete application within 90 days will result in that application being deemed approved.

Applicants who receive approval to hold SOEs on preserved farms are required to submit an annual certification report to the grantee, detailing information about SOEs held in the prior calendar year (date, occasion, number of attendees, etc.). The grantee is responsible for developing the form and/or manner in which the certification is to be submitted, and for forwarding the required certification reports to the SADC.

Municipalities may require a separate municipal application if the SOE would generate a parking or traffic flow situation that interferes with the movement of general traffic or emergency vehicles or would require the expenditure of municipal resources or inspections. The purpose of this municipal review is to ensure that the applicant is conforming with local laws and ordinances, including, but not limited to, noise, food safety, traffic, and public health and safety. Municipalities are able to designate an office or agency of the municipality to review these applications and can charge a review fee not to exceed \$50. If a municipality establishes this separate application process, applicants for SOEs must submit the application, and comply with requirements established by said municipality.

III. DEVELOPMENT AND PUBLICATION OF ANNUAL EVALUATION AND REPORT

As stated in C.41:1C-3.21-7, a report is to be submitted to the Office of the Governor and the Legislature by the SADC that specifically details:

- ☐ The number of commercial farms on which SOEs are held
- ☐ The number of guests, and type and frequency of events
- ☐ The extent to which disputes are reported between:
 - Commercial farms and neighboring properties
 - Commercial farms and municipalities
 - Commercial farms and the grantee or Committee
- ☐ The frequency of violations
- ☐ The frequency of unintended, undesirable consequences of SOEs

Independent from this formal statutory reporting requirement, researchers at Rutgers University's New Jersey Agricultural Experiment Station were tasked by the Legislature's Joint Budget Oversight Committee to "evaluate a variety of key performance indicators concerning the use and implementation of the program." The scope of inquiry included the evaluation of the SOE program from the perspective of landowners, municipalities, and counties to identify the benefits realized by farmers, obstacles encountered in the application and/or approval process, issues impacting access to the program, jurisdictional issues, and potential improvements for the future of the program.

Methodology

To prepare the *2025 Annual Report*, the following methodology was implemented:

1. A study team was formed comprising:
 - ☐ Brian J. Schilling, PhD, Director - Rutgers Cooperative Extension (Principal Investigator)
 - ☐ Tara Kenyon, AICP/PP, Principal - Kenyon Planning, LLC
 - ☐ Kevin Sullivan, Senior Economist – New Jersey Agricultural Experiment Station's Office of Economic Development
2. David Kimmel, Agriculture Development Program Manager at the SADC, served as the administrative liaison between the project team and SADC.
3. SADC staff compiled and organized a database comprising information from all submitted certification reports and related permitting/application information obtained from grantees and landowners for SOEs in

2025. These data were independently analyzed and summarized by the study team.

4. Questionnaires originally developed in 2023 were reviewed and edited, as needed, to gather feedback from landowners, municipal partners, and CADB Administrators, and to ensure that the required elements of the *2025 Annual Report* are satisfied. Respondents shared their individual experiences about the application process, permitting, benefits, unintended or undesirable consequences incurred, changes to relationships, income generated, and other matters germane to the legislative charge to the study team.
5. Data from the SADC's database were further analyzed to identify trends and to drill down specific information about types of SOEs, number of attendees, and more. Data were then converted into visual representations for use in the *2025 Annual Report*. Comparisons of findings and trends from 2024 were made where applicable.
6. Outreach to landowners, municipal partners and the CADB administrators was implemented as follows:
 - A virtual focus group was held with the CADB administrators on May 27, 2026. Prior to this focus group, the questionnaire was distributed to all 18 CADB administrators electronically. 8 CADB administrators attended the focus group, and 14 administrators submitted written responses to the questionnaire. Out of all 18 CADB Administrators, feedback via the questionnaire and/or focus group was received from all but 2. Both non-participating CADB administrators were in counties with no reported SOEs during 2025.
 - Requests for interviews were sent to municipal staff in the 24 municipalities where SOEs were held or applied for in 2025. Staff from 10 municipalities participated in interviews.
 - Requests for interviews were sent to 31 landowners who held and/or applied for SOEs in 2025. 26 landowners participated.
7. Interviews were carefully documented, and key findings were compiled and analyzed. These key findings were then cross-referenced with data procured from certification reports submitted for 2025.
8. Economic impact analysis, using the IMPLAN modeling system, was conducted to assess the direct and indirect economic benefits of holding SOEs in 2025 to participating farmers and the State of New Jersey.
9. The top findings were documented for CADBs, municipalities, and landowners. Comparisons with the top findings from the *2024 Annual Report* were reviewed and discussed.
10. Recommendations for 2026 and beyond were made based on overall findings from 2025, and with consideration of the recommendations outlined in the *2024 Report*.

IV. DATA ANALYSIS – SOEs HELD IN 2025

Data for the *2025 Annual Report* were obtained, organized, and analyzed from certification reports submitted from the landowner to the CADB and SADC during the calendar year of 2025. This section of the *2025 Annual Report* details the number, types, and frequency of SOEs held, the number of attendees at SOEs, and notable trends.

Exhibit 1 on the following page summarizes data from certification reports filed by SOE permittees for calendar year 2025.

In 2025, 29 farms reported holding a total of 163 SOEs across 22 municipalities and 12 counties (Exhibit 1). Certification reports showed 27,298 people attended SOEs in 2025.

This represents a change from 2024, when 17 farms reported holding a total of 67 SOEs across 15 municipalities and 10 counties. 2024 certification reports showed that 12,012 people attended these SOEs.

In 2025, Gloucester County held the most SOEs (32), but Sussex County accounted for the most attendees (7,050). *This represents a change from 2024, when Sussex County held the most SOEs (18) and accounted for the most attendees (3,218).*

Gloucester, Sussex, and Monmouth counties accounted for the greatest number of SOEs in 2025 (77 SOEs, totaling 47.2% of all SOEs held).

This represents a change from 2024, when Sussex, Monmouth, and Ocean counties held the most SOEs (41 SOEs, totaling 61.2% of all SOEs held).

In 2025, Sussex, Mercer, and Ocean counties accounted for the majority of total attendees (15,240, totaling 56.5% of all attendees).

This represents a change from 2024, when Sussex, Hunterdon, and Ocean counties accounted for the majority of total attendees (8,862 attendees, totaling 73.8%).

Reported SOE activity was higher in 2025 than in 2024. From 2024 to 2025:

- ☐ The number of farms applying for SOEs increased from 19 to 31 (+12 applicants)
- ☐ The number of farms holding SOEs increased from 13 to 24 (+11 SOE permittees)
- ☐ The number of SOEs held increased from 67 to 163 (+96 SOEs held)
- ☐ Reported attendance at SOEs increased from 12,012 to 27,298 (+15,286 attendees)
- ☐ The number of counties in which SOEs were held increased from 10 to 12 (+2 counties)
- ☐ The number of municipalities in which SOEs were held increased from 15 to 22 (+7 municipalities)

County	Municipality	Farms Applied	Farms Permitted	SOEs Approved	SOEs Held	Total Attendees
Atlantic	Galloway Twp	1	1	5	4	1,050
Burlington	Chesterfield Twp	1	1	26	6	810
	Mansfield Twp	2	2	52	7	385
	Southampton Twp	1	1	26	2	99
	Springfield Twp	1	1	26	0	0
	Sub-total	5	5	130	15	1,294
Camden	Voorhees Twp	1	1	26	0	0
Cape May	West Cape May Boro	1	1	26	5	448
Gloucester	Franklin Twp	1	1	15	11	1,155
	South Harrison Twp	1	1	26	21	380
	Sub-total	2	2	41	32	1,535
Hunterdon	Alexandria Twp	1	1	1	1	1,500
	Readington Twp	2	2	28	16	1,715
	Sub-total	3	3	29	17	3,215
Mercer	Hamilton Twp	1	1	26	8	615
	Hopewell Twp	1	1	1	1	75
	Pennington Boro	1	1	26	10	3,580
	Robbinsville Twp	1	0	0	0	0
	Sub-total	4	3	53	19	4,270
Middlesex	Cranbury Twp	1	1	5	2	173
Monmouth	Colts Neck Twp	1	1	12	8	1,515
	Cream Ridge	1	1	1	1	350
	Howell Twp	1	1	26	5	313
	Upper Freehold Twp	2	2	46	7	970
	Sub-total	5	5	85	21	3,148
Ocean	Plumsted Twp	2	2	10	14	4,100
Salem	Mannington Twp	2	2	43	6	475
Somerset	Montgomery Twp	1	1	26	4	540
Sussex	Green Twp/ Alamuchy Twp/ Warren Twp	1	1	26	21	3,700
	Wantage Twp	1	1	26	3	3,350
	Sub-total	2	2	52	24	7,050
Warren	Knowlton Twp	1	0	0	0	0
Total		31	29	531	163	27,298

Exhibit 1. Frequency of Special Occasion Events on Preserved Farms by County and Municipality

SOEs are categorized into four general categories:

- ☐ Weddings
- ☐ Lifetime Milestone Events (LME) – examples include (but are not limited to) birthday parties, baby showers, retirement parties, graduation parties, family reunions, memorial services.
- ☐ Cultural/Social Events (C/S) – examples include (but are not limited to) cultural festivals, holiday markets, corporate events.
- ☐ Non-Profit Events (NP) – events with 100 or less attendees held for the benefit of non-profit organizations where the landowner/farmer does not charge or receive compensation for hosting the event, except for the reimbursement of up to \$1,000 for out-of-pocket expenses. Non-profit events do not count toward the maximum number of events permitted (26).

Exhibit 2 shows the distribution of the 163 SOEs, with corresponding attendees, held in 2025 across these categories.

Type of SOE	Number of SOEs Held	Pct. of Total	Total Attendees	Pct. of Total
Weddings	38	23.3%	4,403	16.1%
Lifetime Milestone Events	41	25.2%	2,593	9.5%
Cultural or Social Events	66	40.5%	19,870	72.8%
Non-Profit SOEs	18	11.0%	432	1.6%
TOTAL	163	100.0%	27,298	100.0%

Exhibit 2. Types of SOEs Held in 2025, with Corresponding Attendees (General Categories)

Exhibits 3 and 4 compare the composition of SOEs and attendance at SOEs across categories reported in 2024 and 2025.¹

¹ The 2024 Annual SOE Report inaccurately categorized 4 SOEs as Non-Profit SOEs which should have been categorized as Cultural/Social SOEs due to the number of attendees reported by the respective SOE Permittees in their 2024 Certification Reports.

Exhibit 3 has been updated to correspond to the correct number of Non-Profit SOEs held (4 Non-Profit SOEs were held in 2024 – not 8 as demonstrated in the 2024 Annual SOE Report) and the updated number of Cultural/Social SOEs held (23 Cultural/Social SOEs were held in 2024 – not 19 as demonstrated in the 2024 Annual SOE Report).

Exhibit 4 has been updated to correspond to the correct number of attendees at Non-Profit SOEs (130 attendees were attributed to Non-Profit SOEs held in 2024 – not 1,180 attendees as demonstrated in the 2024 Annual SOE Report) and the updated number of attendees at Cultural/Social SOEs (7,593 attendees were attributed to Cultural/Social SOEs held in 2024 – not 6,543 attendees as demonstrated in the 2024 Annual SOE Report).

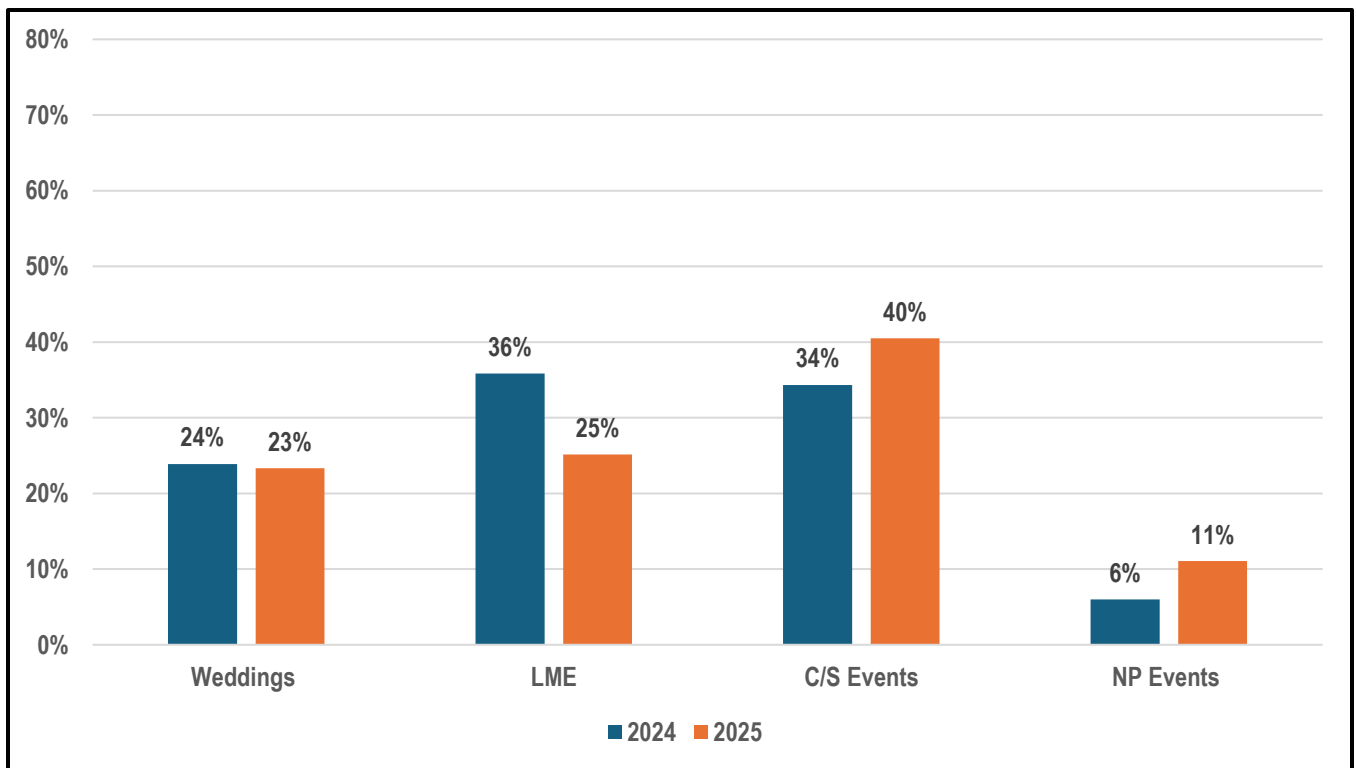


Exhibit 3. Comparison of SOEs Held by General Category (Percentage, 2024 - 2025)

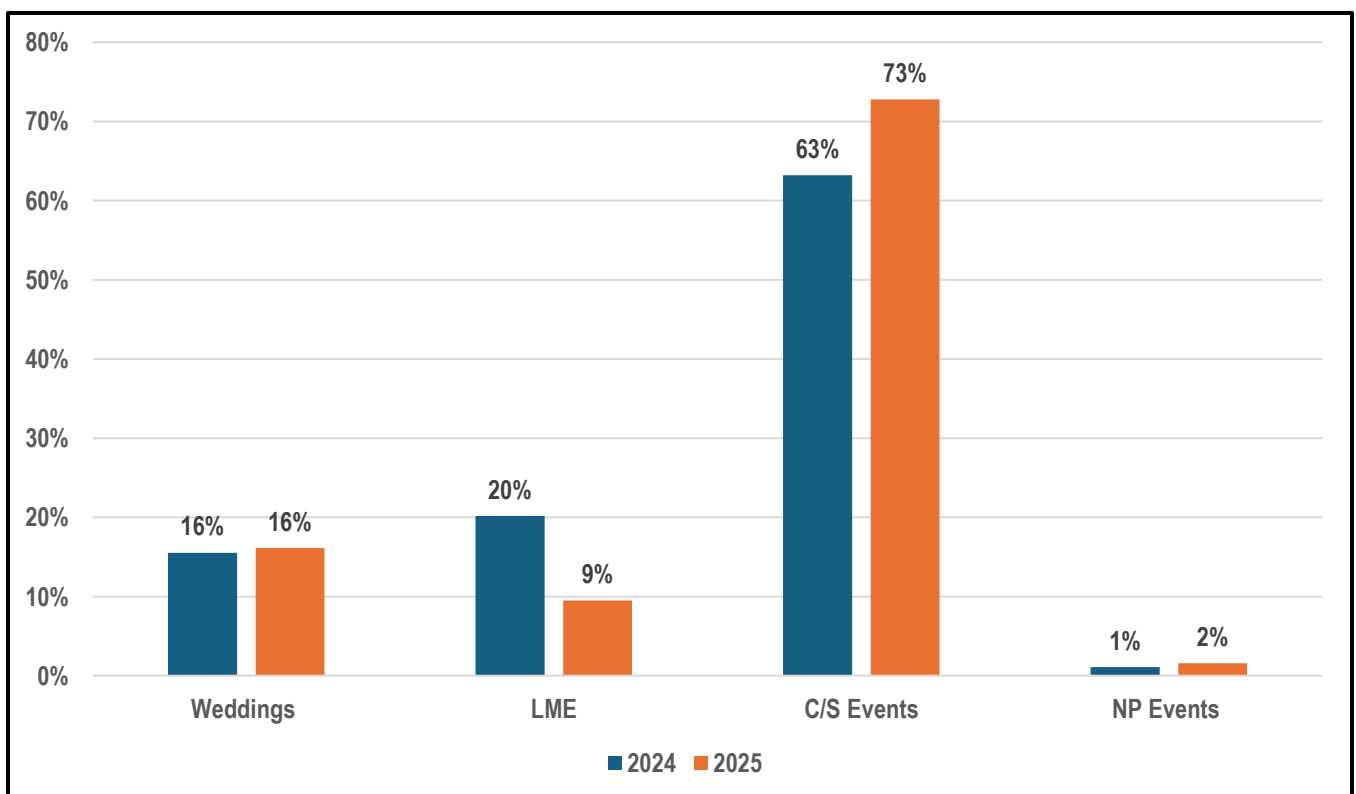


Exhibit 4. Comparison of Attendees at SOEs Held, by General Category (Percentage, 2024 – 2025)

In 2025, most SOEs were held between the months of April and November, which added 2 months into the “busy season” for SOEs, as compared to 2024 when SOEs were most robust between May and October. The most SOEs (26) were held in September again but May drew in the largest number of SOE attendees (5,743). This is a change from 2024, when August drew in the highest number of attendees.

Month	SOEs Held	Attendees
January	2	28
February	4	498
March	5	164
April	11	1,855
May	24	5,743
June	16	1,941
July	17	2,516
August	20	5,011
September	26	3,627
October	24	3,144
November	10	1,871
December	4	900
TOTAL	163	27,298

Exhibit 5. Number of SOEs Held in 2025 with Corresponding Attendees by Month

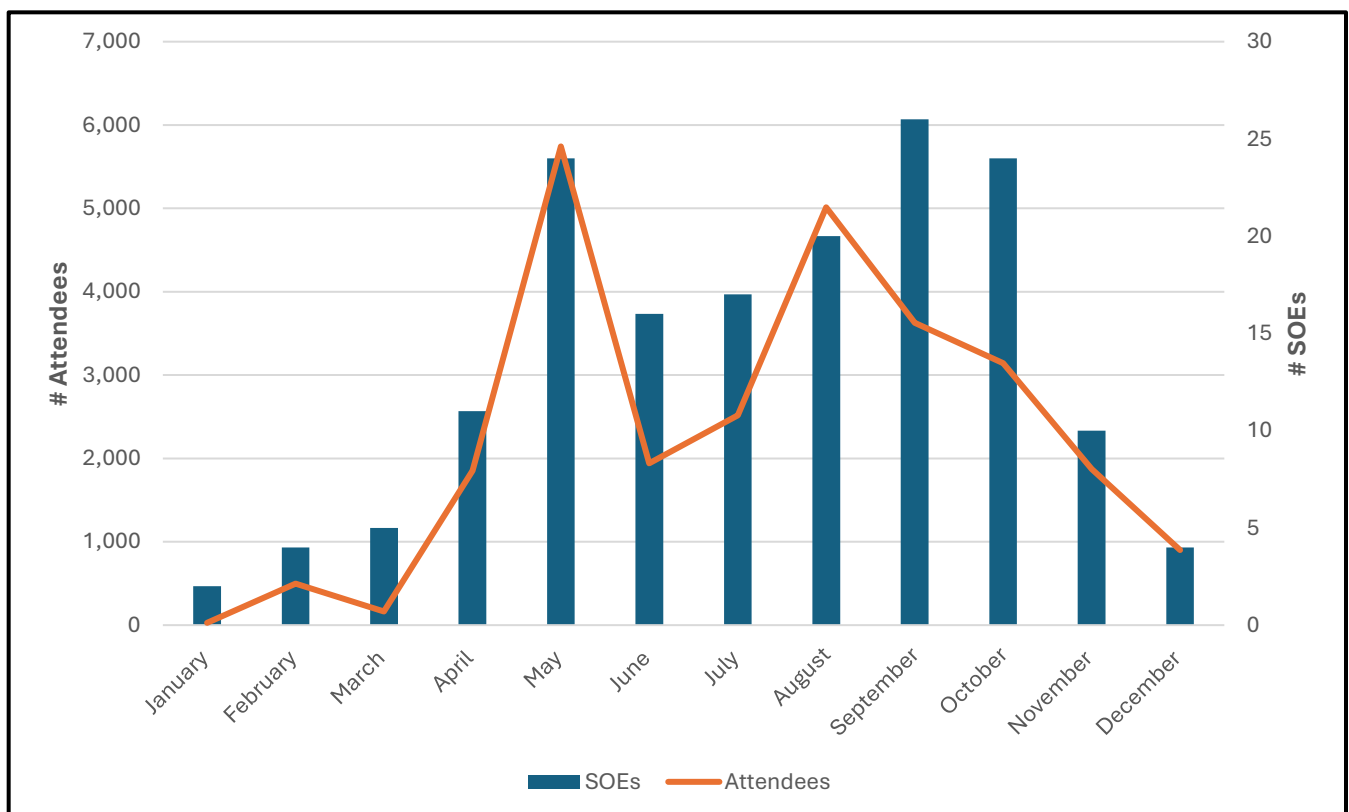


Exhibit 6. Visualization of the Number of SOEs with Corresponding Number of Attendees by Month

V. OUTCOMES OF HOLDING SOEs IN 2025

Holding SOEs on preserved farms has the potential to provide positive impacts not only directly to the farmer and/or landowner, but also to the surrounding community and for the viability of the agricultural industry in New Jersey. At the same time, the SOE statute (P.L. 2023, c.9) states an intent to avoid “displacing agricultural or horticultural production as the first priority use of preserved farmland or disrupting neighborhoods that surround preserved farms.” This section of the 2025 Annual Report will review the following topics:

- ☐ Direct and indirect economic impacts
- ☐ Disputes between farmers and neighboring property owners, municipalities, easement holders, the CADB, or the SADC
- ☐ Violations issued to farmers holding permitted SOEs
- ☐ Undesirable and/or unintended consequences experienced by farmers holding permitted SOEs

Economic Impacts of Special Occasion Events

Economic impact analysis assesses how changes in specific industries or sectors affect overall economic activity, measured in terms of output, value-added, or employment. These studies highlight inter-industry relationships and help quantify the ripple effects that one industry can have on others. Central to this analysis is the use of economic multipliers, which capture the flow of dollars through a regional economy—reflecting direct expenditures, employee and business re-spending, and tax reallocations.

For this study, the economic impact of Special Occasion Events (SOEs) on preserved farmland in New Jersey was estimated using IMPLAN Professional® Version 3.0 within a Social Accounting Matrix (SAM) framework. IMPLAN is a widely accepted input-output modeling system that estimates industry-level impacts for more than 500 sectors, including total output, employment, and value-added.²

Multiplier Effects

Economic multipliers are categorized into indirect and induced effects:

- ☐ **Indirect Effects** capture how farm economic output changes spurred by SOEs stimulate upstream demand in supporting industries. For example, farms, food vendors, service providers, or equipment suppliers expanding output to meet SOE needs.
- ☐ **Induced Effects** represent changes in household spending as a result of wages earned by SOE workers. These workers use their income to purchase goods and services, further circulating money within the state economy. For example, when a dollar in wages is earned by a SOE worker, that dollar will be used to purchase a variety of goods and services from other industries.

² IMPLAN® model, 2024 Data, using inputs provided by the user and IMPLAN System (data and software), IMPLAN LLC 16905 Northcross Dr., Suite 120, Huntersville, NC 28078 www.IMPLAN.com.

Direct Output Estimation

Primary data collected through structured interviews provided estimates of SOE revenues earned by participating farms. To increase participants' willingness to provide financial information, the interviewer presented revenue categories rather than asking for exact earnings. In instances where respondents did not provide financial information, the study team estimated farms' SOE revenue based on available information (e.g., number of SOE attendees provided in the annual certification report, online information on the farms' events, etc.).

Exhibit 7 summarizes direct output impacts, derived by multiplying the number of respondents in each sales category by the midpoint value of that range. We believe this provides a conservative estimate of total output.

Sales Category	# of respondents	Direct impact (\$ output)
\$0.00	10	\$0
\$1 - \$5,000	2	\$5,002
\$5,001 - \$10,000	5	\$37,505
\$10,001 - \$20,000	3	\$45,003
\$20,001 - \$30,000	3	\$75,003
\$30,001 - \$50,000	1	\$40,001
\$50,001 - \$75,000	3	\$187,503
\$75,001 - \$100,000	1	\$87,501
\$100,001 - \$125,000	1	\$112,501
\$125,001 - \$150,000	0	\$0
\$150,001 - \$250,000	1	\$200,001
\$250,001 - \$500,000	1	\$375,001
\$500,001+	0	\$0
Total	31	\$1,165,021

Exhibit 7. Direct Economic Impact (\$ Output) Attributed to New Jersey SOEs in CY2025

Total Economic Impact

Using IMPLAN, we estimated the direct, indirect, and induced impacts of SOEs on the state economy. Exhibit 8 summarizes these results. It is estimated that revenues (i.e., direct effects) associated with SOEs on participating farms in 2025 were \$1.165 million. IMPLAN modeling shows that this increase in farm economic output generated an additional \$323,000 in indirect effects and \$369,000 in induced effects, for a total output impact of approximately \$1.86 million.

Similarly, SOEs generated an estimated \$726,000 in direct value-added, along with \$189,000 in indirect value-added and \$241,000 in induced value-added, resulting in a total value-added impact of approximately \$1.16 million. Value-added is a measure of the net economic contribution an activity makes to the economy. It represents the value that remains after subtracting the cost of goods and services purchased from other businesses. Value-added is considered the economic equivalent of a sector's contribution to the state's gross domestic product (GDP) because it avoids double counting transactions between businesses.

Impact Type	Direct Effect	Indirect Effect	Induced Effect	Total Effect
Output (\$ dollars)	\$1,165,000	\$323,000	\$369,000	\$1,857,000
Value-Added (\$ dollars)	\$726,000	\$189,000	\$241,000	\$1,156,000
Labor Income (\$ dollars)	\$387,000	\$120,000	\$133,000	\$640,000
Employment (jobs)	12.0	1.7	1.8	15.5

Exhibit 8. Estimated Impacts of New Jersey SOEs Held to the State Economy in CY2025

Labor income generated by SOEs totaled approximately \$640,000, including \$387,000 in direct labor income, \$120,000 in indirect labor income, and \$133,000 in induced labor income. The estimated employment impact was 15.5 job-years, consisting of 12.0 direct jobs, 1.7 indirect jobs, and 1.8 induced jobs. This figure should not be interpreted as exactly 15.5 individuals employed, as it reflects full-time equivalent positions sustained over a one-year period. Because SOEs often rely on seasonal, part-time, or event-based labor, the actual number of individuals employed is likely considerably higher. Consequently, employment impacts are best interpreted in terms of job-years. Labor income is often more intuitive, reflecting the total compensation received by workers during the event year.

State Tax Revenue

The analysis also estimates that SOEs in New Jersey generated approximately \$68,000 in state tax revenue, which includes sales and use tax, personal income tax, and corporate business tax.³

Disputes, Violations, and Unintended Undesirable Consequences

§C.4:1C-32.21 specifically requires examination of disputes and violations associated with the passage of the SOE statute, including:

- ❑ The extent to which disputes are reported between:
 - Commercial farms and neighboring properties
 - Commercial farms and municipalities
 - Commercial farms and the easement holders and/or SADC
- ❑ The frequency of violations
- ❑ The frequency of unintended and/or undesirable consequences of SOEs, such as possible removal of land from active agricultural or horticultural production to host events.

³ IMPLAN's estimated tax impacts are based on actual taxes collected by governments in the given data year (i.e., estimated tax impacts are not based on tax rates). IMPLAN allocates taxes by labor income in each sector and distributes by type of tax based on the Annual Census of Government Finances distribution.

The information in this section was compiled through the following sources:

- ☐ CADB Administrators Questionnaire
- ☐ CADB Administrators Focus Group (May 27, 2026)
- ☐ Municipal Partners Questionnaire
- ☐ Interviews with Municipal Partners: Conducted between April and June 2026
- ☐ Landowners Questionnaire
- ☐ Interviews with Landowners: Conducted between April and June 2026

Disputes Between Commercial Farmers and Neighboring Properties

Of the 16 CADB administrators who completed the questionnaire and/or participated in the moderated focus group, two reported receiving minor complaints about SOEs from neighboring property owners during the calendar year 2025. While both complaints involved noise, one of them involved an additional complaint regarding trash. In both instances, the CADB Administrator reached out to the landowner to alert them of the issue and subsequently no additional complaints were received. Both CADB Administrators noted that receiving a complaint after the event is not optimal, as the issue cannot be resolved during the event or in a timely manner, which can cause greater tensions between the landowner and the neighbor lodging the complaint. No complaints were submitted by neighboring properties to the CADB in 2024.

Representatives from ten municipalities in which SOEs were held completed a questionnaire and/or participated in an interview with the study team. Of these, none reported that their municipality received complaints about SOEs from neighboring property owners. This differs slightly from the calendar year 2024 program assessment, in which three municipalities reported receiving complaints from neighboring properties. For reasons that were not specified, it appears that the two aforementioned neighbors aggrieved by noise (and in one instance, trash) associated with SOE activities in 2025 opted to notify the respective CADBs who handled the complaints internally, without municipal involvement.

Disputes Between Commercial Farmers and Municipalities

In 2025, none of the 16 CADB Administrators reported disputes between commercial farmers holding SOEs and municipalities.

Of the ten responses obtained from municipalities, none reported any disputes between residents and SOE permittees.

Two of the 26 responding landowners who held SOEs or applied for the ability to hold SOEs in calendar year 2025 reported disputes with municipalities:

- ☐ [Landowner A](#) reported that during calendar year 2025, they were still involved in ongoing litigation with the municipality, which began in 2023. While the litigation was underway, the Judge has allowed Landowner A to hold the SOEs approved at the CADB-level. During calendar year 2025, the municipality still disagreed with the SOE legislation and believed that the SOEs in question are a commercial, non-agricultural use, and that the farm is therefore required to obtain a use variance. It should be noted that during the interview conducted with Landowner A in May 2026, it was reported that the Municipal Planning Board heard and approved an application for SOEs in June 2026 at a limited level (15 SOEs approved, with a maximum of

150 attendees at each event, and required shut-down time of 8:00pm). While Landowner A was pleased to be able to begin holding SOEs within the municipal boundaries, they were concerned about the limitations on the application at the local level. Landowner A also reported that a farm within the same municipality was also approved to hold SOEs earlier in 2026, however limitations were not placed on that approval. It is unclear why two applications in the same municipality were approved differently, however it is recommended that this be investigated to understand why that occurred, and if there are specific review criteria in place at the local level to determine how many SOEs can be held, how many attendees should be permitted, and what the acceptable hours of operation are at one site versus another.

- [Landowner B](#) reported that they were again unable to hold SOEs in 2025 due to the municipality not providing approval and required permitting (this landowner applied but did not receive approval in 2023 and 2024). Like Landowner A, Landowner B did report that they were approved to hold SOEs at a limited level for calendar year 2026. This applicant is located in a different county and municipality from Landowner A, however similar limitations (number of SOEs permitted, maximum number of attendees per SOE held, and required shut-down time) were placed upon Landowner B. The same recommendation is made – this should be investigated to understand why this decision was made at the local level, and if there is a specific set of criteria in place for making these decisions.

Disputes Between Commercial Farmers and the Easement Holder and/or SADC

In 2025, none of the 16 CADB administrators who participated in this assessment reported any disputes related to SOEs between commercial farmers and an Easement Holder.

Through the CADB Administrators Focus Group, held on May 27, 2026, most CADB Administrators reported that they work closely with applicants for SOEs to prepare the application and required mapping, and that most approvals at the county-level occurred in a timeframe between one and two months (from the date of the submittal of a complete application). This is a reduction in the timeframes reported in the *2023 Annual Report* and the *2024 Annual Report*, which noted a typical timeframe of one to three months. Additionally, most CADB Administrators used the same application from 2023 (originally replicated or slightly modified from the SADC's model application) and all CADB Administrators reported using the SADC's guidance documents when reviewing the SOE program and engaging with preserved farmers.

Of the ten municipal respondents, most shared concerns over notification being forwarded by the Easement Holder. Most report that they do not receive any notification, and those that do receive notification often obtain it at time of approval. Two examples reflect current challenges with communication flow between easement holders and municipalities:

- [Municipality A](#) reported that no SOEs were held in calendar year 2025, when in fact three different farms applied for and successfully held SOEs during this time frame with over 1,200 people in attendance.
- [Municipality B](#) reported that when they do receive notification of an SOE, which is inconsistent, they receive it after the Easement Holder has already approved it. This makes more work for the municipality, and “puts them in an awkward spot” because they then have to potentially impose permitting requirements and restrictions on SOEs where the landowner believes they have full approval.

Of the 26 landowner respondents, 19 characterized the process with the Easement Holder as being “simple”. Many of those noted that instances where the CADB is the Easement Holder made it “easy” or “very easy”, and noted that the CADB staff were helpful, especially as it related to mapping. Five landowners, however, characterized the process with the Easement Holder as being “complicated”, with three of those specifically calling it “lengthy”.

- [Landowner A](#) brought attention to complications encountered with the County Engineering Department because their farm was located on a County Road. This applicant was required to submit traffic plans and other engineering requirements, which elevated the costs and extended the timeframe for approval. Landowner A questioned if this was within the scope of the Easement Holder and/or county, and if this was within the spirit of the intention of the SOE legislation.

Frequency of Violations

CADB administrators did not report issuing any violations to SOE permittees during calendar year 2025, which remains the same from 2023 and 2024. During the focus group held on May 27, 2026, CADB Administrators were asked again if they plan to integrate the monitoring of approved SOEs as part of their regular workplan and/or annual monitoring of preserved farms. 12 of the 16 reporting CADB administrators stated that there was no plan for these actions because most SOEs are held “off-hours” and because CADB staff and resources are already overwhelmed and limited. Two CADB Administrators expressed that the responsibility of monitoring and enforcement of violations regarding SOEs lies entirely with the SADC and therefore they would have no reason to monitor SOEs. The remaining two CADB Administrators stated that they would be willing to monitor SOEs if a complaint was forwarded to them by a municipality or resident, however a commitment to monitoring SOEs held on weekends or off-hours could not be definitively made.

In calendar year 2025, the SADC conducted a review of activities on one preserved farm and found that it had violated the deed of easement and SOE law earlier in the year by holding SOEs without obtaining a renewed SOE approval from the easement holder (i.e., such approval was received in 2024 but it was not appropriately renewed in 2025). The farm also held additional SOEs after the CADB and SADC jointly sent a subsequent joint letter directing the farm not to engage in further activities that would result in violations of the deed of easement and SOE law.

One interesting addition to the permitting process was implemented by two different counties for calendar year 2025. These counties, as easement holders, require that SOE permittees provide 10-days’ notice to the CADB when actual events are being held (not all permitted events are held as planned). The intention behind this action was for CADBs to be knowledgeable of when SOEs are actually being held and potentially notify and/or work with municipalities to ensure a more seamless process. Unfortunately, this practice was not very successful in calendar year 2025, however both CADBs plan on continuing this requirement in an effort to bridge communication gaps between the CADB, municipality, and landowner, as well as to reduce the potential for negative impacts on surrounding neighborhoods, roadways, and facilities.

Municipalities did not report issuing any violations to SOE permittees during calendar year 2025. The one municipality that is involved in litigation with a landowner issued a violation in 2023, which is still unresolved. The landowner is allowed to hold the SOEs permitted by the CADB until a judgment is rendered. As of the most recent interview, the hearing was scheduled for late-June 2026.

One of the 26 responding landowners reported receiving a violation during calendar year 2025:

- [Landowner A](#) was sent a violation letter by the SADC for appearing to modify and develop the preserved farmland for SOEs and for displacing agricultural production as the first priority use of the preserved farmland. Over the course of several site visits, significant investments in the farm's agricultural operations were observed that increased agricultural production and its capacity for on-farm direct marketing that would support both farm sales and SOEs. Based upon the stronger evidence that agricultural production was remaining the first priority use of the land, the SADC issued the landowner a renewal SOE approval conditioned on the farm providing end-of-year information to confirm continued compliance. The window for holding the majority of the approved SOEs had passed during this period, however. The landowner was displeased with this process and spent \$50,000 between getting the SOE permit and addressing the violation letter.

Frequency of Unintended Undesirable Consequences of SOEs

During the CADB Administrators Focus Group, held on May 27, 2026, some reported that there were some unintended, undesirable consequences as a result of allowing SOEs on preserved farms during calendar year 2025:

- ✖ [CADB Administrators A, B, and C](#) stated that the allowance of SOEs “dilute the farmland preservation program” due to the perception that new commercial uses are being permitted on preserved farmland. Similarly, these CADB Administrators felt that this allowance goes against the intention of the farmland preservation program, which could lead to a reduction in public support and confidence.
- ✖ [CADB Administrator D](#) stated that many landowners do not understand the scope of the law, and therefore believe they can automatically hold SOEs, even when they are ineligible or have not received all of the required approvals.
- ✖ [CADB Administrators E and F](#) stated that the SOEs lead to increased traffic and noise, which have an impact on the neighborhoods where these preserved farms are located.
- ✖ [CADB Administrator G](#) stated that there is a great deal of confusion between counties, municipalities, and landowners alike regarding activities and events that are SOEs versus those that land within the allowances established by the On-Farm Direct Marketing Agriculture Management Practice (NJAC 2:76-2A.13).
- ✖ [CADB Administrator H](#) stated that confusion about jurisdiction and responsibilities of counties versus municipalities puts CADB Administrators in “an awkward position” because municipalities are left feeling like they have to shoulder the bulk of responsibility as it relates to public health and safety, only after CADB approve SOEs. On the other hand, CADB Administrators do not feel that they have the jurisdiction to assist in these municipal matters, and do not want to overstep these bounds.

Only one of the ten responding municipalities noted unintended, undesirable consequences as a result of allowing SOEs on preserved farms during calendar year 2025:

- ✖ [Municipality A](#) stated that permitting SOEs on preserved farms has the potential to remove agricultural land from agricultural production, which is the intent of preserving farmland. Municipality A noted that hosting frequent, and large-scale SOEs can cause public health and safety concerns, especially when the municipality is not notified, and therefore not able to address these concerns.

15 of the responding 26 landowners did not report any unintended, undesirable consequences as a result of hosting SOEs. Those that did report experiencing unintended, undesirable consequences were directly related to violations issued by the Easement Holder or complications encountered through municipal regulations.

VI. FACTORS IMPACTING ACCESS TO THE SOE PROGRAM

The funding supporting this assessment derives from Coronavirus State and Local Fiscal Recovery Funds, which requires aligning the project's work with the State of New Jersey's equity strategy in the *2021 New Jersey Recovery Plan Performance Report*. One of the evaluation points for the *2025 Annual Report* is to understand potential barriers or factors causing differential access to the opportunities for holding SOEs as prescribed by the SOE legislation. This feedback has been gathered through interviews conducted with landowners, municipalities, and CADB Administrators associated with SOEs that were held in calendar year 2025, as well as with applications that were submitted but did not result in SOEs being held.

Through this feedback, several factors were identified that are impacting or could impact farmer utilization of the SOE program, along with potential recommendations for mitigating potential inequities as they relate to the holding of permitted SOEs on preserved farms.

- Interpretation of the roles of the municipality and CADB can lead to inequities from the beginning of the application process through the determination for approval, modification, or denial.

§C.4:1C-32.17(4) states,

“To comply with local laws, regulations, resolutions, and ordinances, the municipality may require that an owner or operator of a commercial farm located on preserved farmland submit an application to the municipality for approval and may designate an office or agency of the municipality to review municipal applications for conducting special occasion events”.

This section goes on to state that municipalities may require a municipal application if the proposed SOEs would generate a traffic or parking flow situation or require the expenditure of municipal resources or inspections. Additionally, municipalities can charge a maximum of \$50 as an application fee. Importantly, §C.4:1C-32.17(4)ii.b states,

“The municipal application shall not require more information than an identification of locations of where tents and other temporary structures, sanitary facilities, parking, and access and egress will be located for each event, where music will be played, the number of expected guests, and other information that may be of public concern and would be required of a similar event when conducted at a public park or another public venue.”

Municipalities across the State have been implementing this allowance for municipal review of SOE applications in different ways since the beginning of the SOE Program, and this remains unchanged in calendar year 2025. Some municipalities required a use variance application through the Zoning Board of Adjustment or Land Use Board. In these cases, landowners are subject to much greater fees (variance applications are estimated to cost between \$5,000 and \$10,000), and often need to hire professional engineers, planners, and attorneys. Other municipalities have taken a softer approach and are willing to approve SOEs on a preserved farm with the approval of the Easement Holder and minor review from the designated department within the municipality (typically the Zoning Officer or Municipal Clerk).

CADB as Easement Holders are often at the first level of review and again have varying processes for approval. At least two CADBs provide “Waivers to the Deed of Easement”, which is approval for the proposed SOEs only insofar as it does not violate the terms of the Deed of Easement on the preserved farms. Conversely, two other CADBs have instructed municipalities in their jurisdiction that the CADB is responsible for all review and approval. In these cases, municipalities are notified of the approval, but are very limited in the level of review, requirements, and restrictions they can impose.

In practice, this means that an owner/operator of preserved farm in one area of the State may be required to undergo a full variance application or Planning Board hearing with its associated public hearings, evidence, and site plans, while another farm seeking to hold similar SOEs may only have to complete a simple application, obtain approval from the Easement Holder, and pass inspections of the Municipal Board of Health and Fire Marshall (if applicable). In situations where the CADB has its own distinct process for review and notification, these differences in processes are even more heightened. These differences in the implementation of the same legislation potentially create geographic or jurisdictional inequities in SOEs being held on preserved farms, while also creating a tenuous relationship between the municipality and landowner.

☑ **Recommendation:** The SOE regulations, once promulgated by the SADC, should clarify the roles of the CADB and municipalities in terms of the review and approval processes. The SOE legislation is being operationalized inconsistently across the State because there is no set policy or clear guidance about county and municipal roles. Additionally, the SADC should identify areas where the SOE legislation and the New Jersey Municipal Land Use Law are not aligned and provide guidance as to how to bridge these gaps. These regulations are needed now – as time goes on, inconsistent application of the legislation continues to create inequities for landowners based on where their farm is located and how that particular county and/or municipality interprets its jurisdiction and implements its SOE Program.

This recommendation remains unchanged from the 2023 Annual Report and the 2024 Annual Report.

☐ **Disparities exist between standards established for wineries versus other types of agricultural operations in terms of the use of buildings erected 5 years or less from the time of SOE application, even with the amendment through S-3418.**

Originally, §C.4:1C-32.17(5) stated that, “No new permanent structures shall be constructed or erected on preserved farmland for the purpose of holding a special occasion event, and improvements to existing structures shall be limited to the minimum required for the protection of health and safety. No permanent structure constructed fewer than five years prior to the date of application to the grantee to hold a special occasion event (pursuant to subsection c. of this section) shall be used for the purpose of holding the special occasion event.” In 2023 and 2024, some of the landowners and CADB administrators noted that this section of the SOE legislation is a “missed opportunity”.

On July 1, 2025, S-3418 was passed, amending the SOE legislation to allow for a limited exception to the statutory restrictions on preserved farm owners and operators using a recently constructed permanent structure for SOEs provided that (1) such structures were “constructed for the primary purpose of facilitating the tasting, sale, consumption, production, packaging, or marketing of wine, wine-related products, or farm

related products as determined by the grantee” or (2) “the total amount of revenue to be earned from all SOEs to be held on the farm during the calendar year will not exceed 10% of the total revenues accruing to the farm in that calendar year”. This amendment further identified the role of the grantee to review and approve or deny SOEs being held in these newly allowed permanent structures on an annual basis, and to certify that the applicant has satisfied the requirements established in the legislation. S-3418 specifically states that SOEs cannot be approved prior to the completed construction of an eligible structure in which the SOE will occur, and final approval is obtained through the applicable construction office. Lastly, S-3418 provides the CADB or the SADC with the ability to order an audit of the owner or operator of any farm engaged in conducting SOEs on preserved farmland to determine compliance with the revenue provision. The audit is to be conducted by an independent Certified Public Accountant and paid for by the owner/operator.

For the development of the *2025 Annual Report*, a question was added to the *Interview Questionnaire for Landowners* that asked if landowners capitalized on this new allowance in the SOE legislation. Of the 22 responding landowners, none reported using facilities that were constructed less than five years from the granting of their SOE permits, mostly because the amendment was passed in July 2025 which did not provide landowners with enough time to take advantage of the amendment. It is expected that in 2026 and beyond, more landowners will use these now eligible structures for SOEs.

☒ **Recommendation:** Evaluation of the merit of an additional amendment to the SOE legislation that would provide greater parity between wineries and other types of agriculture to use structures erected during the timeframe of five years or less from the time of SOE application is recommended. Through this evaluation, it could be determined that providing greater flexibility to all types of agricultural operations is possible, while also keeping safeguards in place to protect preserved farmland and the integrity of the Farmland Preservation Program.

VII. EVALUATION OF THE 2025 SOE PROGRAM AND RECOMMENDATIONS FOR 2026 AND BEYOND

This assessment of the SOE legislation and its implementation considers data obtained from SOE applications and certification reports, as well as extensive interviews with CADB Administrators, municipal partners, and landowners who applied for and/or held SOEs throughout the year. This section of the report prioritizes the three most prominent issues raised by CADB administrators, municipalities, and landowners, and provides recommendations for consideration by the SADC when developing the regulations moving forward.

CADB Administrators – Top Issues

1. Many CADB Administrators have asserted from the onset that the monitoring and enforcement of SOEs is not under their jurisdiction.

Of the 16 CADB administrators interviewed, 12 agreed that the monitoring and enforcement of SOEs should be under the jurisdiction of the municipality or the SADC. SOEs are typically held during “off-hours” (evenings and weekends) when CADB Administrators and staff are not working, and most counties are unwilling to pay overtime for this work to be completed. Ten CADB administrators note that the requirements imposed during the SOEs, such as building permits, occupancy limitations, fire prevention, and traffic direction, are done so through the municipal approval process, and therefore should be monitored and enforced by the municipality.

Two CADB Administrators noted that the statute (C.4:1C-32.18 and 32.19) states that the only responsibility of the CADB (as easement holder) is to ensure that there are no violations to the Deed of Easement, and that the requirements to hold an SOE have been satisfied. They express that monitoring and enforcement powers are not extended to the CADB through the statute, and therefore not under its jurisdiction.

Two CADB Administrators would be willing to monitor SOEs if a resident or municipality submitted a complaint to the CADB, however the timeliness of this inspection could not be guaranteed due to the days and times when SOEs are typically held and staffing limitations. One CADB Administrator specifically addressed the lack of escrow provided by the applicant to the easement holder and/or the municipality which makes these tasks very difficult and places excessive burden on that entity.

This issue was raised during the 2023 and 2024 assessments and remains largely the same in terms of the need for clarity in the roles of the CADB and the municipality as it relates to monitoring and enforcement.

Now the SOE program is in its third year, there is more data and trends to analyze and use to project how SOEs will continue to grow in 2026 and beyond. Between 2023 and 2025, the number of SOEs held across New Jersey increased significantly each year:

- ❑ 2023 – 32 SOEs
- ❑ 2024 – 67 SOEs (+35 SOEs | increase of 109%)
- ❑ 2025 – 163 SOEs (+96 SOEs | increase of 143%)

In looking at the last three years, the number of SOEs has more than doubled, which is most likely related to more landowners learning about the allowances permitted under the statute, and hearing about the successes of other landowners participating in the SOE program as it relates to diversified and increased revenue. If this growth trend were to continue it will become imperative that monitoring and enforcement is a clearly defined process with clearly defined roles and responsibilities. Lack of clarity could potentially lead to inconsistent administration of the SOE program, overwhelming workloads for easement holders and municipalities, neighbor concerns, and public health and safety issues.

2. A strategic and comprehensive approach for outreach and education for counties and municipalities should be led and deployed by the SADC.

There continues to be confusion as to how the SOE program should be administered, which has led to a variety of approaches being taken not only across the State, but in some instances, within the same county. As a result, some landowners are subjected to the requirements and costs of a use variance, while others are able to obtain a blanket approval with little or no municipal oversight. All of this has led to friction between CADBs and their municipal partners, and between municipalities and the landowners that participate.

Upon assessing the 2025 SOE program, the 16 participating CADB Administrators agreed that the SADC should promulgate the regulations that are mandated by the statute and then follow with a strategic and comprehensive effort to educate CADBs and municipal staff about their roles and responsibilities. This guidance will alleviate some of the current jurisdictional ambiguity and will allow the SOE program to operate in an equitable, consistent, and predictable manner. Recommendations include:

- ❑ Defining when notification to municipalities must occur – is it at the time of application, approval, or both?
- ❑ Highlighting the differences and nuances between the allowances under the On-Farm Direct Marketing Agriculture Management Practice and the SOE program.
- ❑ Clarification as to how the Municipal Land Use Law and the allowances under the SOE program intersect and differ, and how this can be effectively handled by CADBs and municipalities.
- ❑ Providing clear and consistent education and outreach on exactly what is covered under the new SOE regulations (once promulgated by the SADC), and training CADBs and municipalities on how to effectively disseminate this information to landowners.

This issue was raised during the 2023 and 2024 assessments and remains largely the same. CADB Administrators were more vocal about these needs for calendar year 2025 and beyond.

3. CADB Administrators are beginning to approve or at least investigate the extension of timeframes for approvals of SOEs.

Most CADBs approve SOEs for a timeframe of one year. The process for renewal varies by county (some require a full submission of an annual application, while others ask for a written request for extension of the same activities, garnering automatic approval); however, the overall length of the typical approval seems to be one year.

In calendar year 2024, some CADBs began investigating the possibility of approving SOEs for at least two years, provided there are no major changes in scale or number of events, or any violations of the SOE permit and/or Deed of Easement. This longer approval period will reduce paperwork and review time by the CADB, thereby reducing the workload of the CADB as it relates to SOEs. Longer approval periods will also provide landowners with more confidence in planning and making business decisions, including reservations for SOEs (specifically weddings).

In calendar year 2025, one of those CADBs issued a five-year approval for an existing landowner who successfully held SOEs without incident or violation of the SOE permit and/or Deed of Easement. Another CADB was investigating the possibility further and nearing a decision on multi-year approvals. These CADB Administrators feel the level of approval required by the easement holder is not one that requires an annual application and agree that some violations of the Deed of Easement (i.e., presence of non-agricultural structures and/or uses, exceedance of soil disturbance) can be found during annual monitoring or upon receipt of complaints from neighbors or municipalities. Lastly, these CADB Administrators feel that multi-year approvals allow landowners the flexibility they need to book and hold SOEs, which are typically during a short window of time (April – October) and require quick decision-making and preparation to be successful.

This issue was raised during the 2024 assessment, at which time it was just a concept for discussion. In calendar year 2025, we began to see the implementation of this concept with the potential for other CADBs to move in the same direction.

Municipal Partners – Top Issues

1. There are different interpretations of the SOE legislation at the municipal level, which is ultimately creating different experiences for farmers.

When asked, “What is the process for reviewing and approving SOEs?,” there were numerous different responses from each of the ten reporting municipalities:

- ☐ Municipalities A, B, and C reported that the CADB handles the entire process and that there is no municipal process in place. These three municipalities do not have an existing ordinance in place, nor did they create a new ordinance for the review and approval of SOEs on preserved farms.
- ☐ Municipalities D and E have developed similar processes, which consist of two-tiered levels for review. Municipality D uses its existing Special Events Ordinance to guide the review of SOEs, which provides for a “minor license” for events with less than 25 cars/50 people and a “major license” for events with 25 cars/50 participants or more, or if events are occurring three times or

more in a one-year time period. Minor licenses require a staff level review, while major licenses require the same staff level review plus approval from the Municipal Council/Committee. Similarly, Municipality E has amended its ordinances to remove the requirement for a variance and now has an “Administrative Permit” for events of 50 people or less, and “Planning Board Approval” for events of 50 people or more.

- ❑ Municipalities F, G, and H conduct a review with various departments within the municipality to identify permitting issues, as well as improvements needed to address matters of public health and safety. These departments typically include Police, Fire Prevention, Zoning, Construction, Health, and Planning.
- ❑ Municipality I did not have a process in place during calendar year 2025 because they decided that SOEs are non-agricultural activities that require a variance. This municipality was in an ongoing legal situation with a landowner through early 2026. Municipality I amended its Land Development Ordinance in May 2026 to incorporate a definition for “SOE Permit”, which provided the municipal planning board with jurisdiction for approving SOEs.
- ❑ Municipality J reported that no SOEs were held in the Township in calendar year 2025, despite three farms obtaining SOE permits from the Easement Holder during that same time period.

Three municipalities reported charging a fee for review of \$20 - \$100, with one requiring an additional escrow requirement of \$500. The remaining municipalities do not charge a fee that is directly related to the review and approval of SOEs on preserved farms.

Nine out of ten responding municipalities do not include the Agricultural Advisory Committee (herein, “AAC”) as part of the process. While this is not required as part of the SOE legislation, the AAC is a valuable resource for preserved farmers, who are the direct focus of the SOE program.

This inconsistent application of the SOE legislation has caused confusion and, at times, animosity between landowners and municipalities. Because there are no regulations in place, municipalities end up reviewing these applications through different lenses – some believe that the Easement Holder approval is all that is needed, while other feel compelled to address potential traffic, safety, and public health issues through the permitting and/or zoning process.

Throughout all the interviews with CADBs, municipalities, and landowners, a request for clarifying guidelines has been expressed.

This matter has not changed since the 2024 Annual Report and continues to be at the forefront of municipal priorities as they relate to SOEs.

2. Municipalities continue to raise concerns about the lack of notification and the lack of opportunity for public comment in the SOE legislation.

For calendar year 2025, most of the municipalities interviewed specifically addressed frustrations with not being notified of an SOE application by the Easement Holder. These municipalities did receive notice of the

Easement Holder's decision but would have liked to have been notified at the time of application so they could have submitted feedback for review by the Easement Holder prior to a decision being made. This also leaves the municipality in a vulnerable position with landowners, who feel that the approval from the Easement Holder is paramount or that the municipality is difficult to work with by adding what they may view as additional requirements.

As referenced earlier in this Report, one municipality reported that no SOEs were held in their Township in calendar year 2025, despite three farms obtaining SOE Permits and hosting over 1,200 attendees. Most likely, this gap in reporting is due to lack of notification to the municipality or the municipality being notified at time of approval and believing that this approval is sufficient.

3. **Municipalities need and want the clarity and support in their roles – this can be provided through carefully and thoughtfully designed regulations promulgated by the SADC.**

Nearly all of the ten municipalities interviewed noted that they do not fully understand what their role is and would appreciate the clarity and support that could be provided through regulation. This framework would also mitigate the inconsistent application of the SOE legislation across the State, thereby removing inequities being experienced by landowners.

Landowners and CADB Administrators also noted the need for the promulgation of regulations required by the SADC.

These municipal priorities are unchanged from the 2024 Annual Report.

Landowners – Top Issues

1. **The main reason for holding SOEs was again to generate supplemental income.**

When asked, "Why did you decide to hold SOEs on the farm?", 21 interviewed landowners responded, "to generate supplemental income". This supplemental income was used to reinvest in agricultural operations, upgrade facilities, and in some cases, hire seasonal workers and/or expand the roles of existing employees. The secondary response was "to help with marketing." A new response in 2024 was that three landowners were approached by customers who wanted to hold SOEs on the preserved farm. This led these landowners to seek approval to hold SOEs.

When asked, "What were the benefits of holding SOEs on your farm in 2025?", the main response again was that income was increased and that SOEs brought more customers, especially repeat customers, to the farm. Other popular responses included educating the public about the farm and agriculture in general, as well as strengthening relationships with the community.

Information gathered in landowner interviews indicates that SOE program participation does meet landowners' expectations and generates supplemental income that leads to reinvestment in agricultural businesses. Twenty-three of the 26 landowners interviewed stated that they will be holding SOEs again in calendar year 2026. Furthermore, the direct financial benefit to the 26 farms that held SOEs in 2025 is estimated to be \$1,165,000 (representing an increase of approximately \$569,000 from 2024), with an

additional revenue impact of \$692,000 (representing an increase of approximately \$342,000 from 2024) stimulated in other supporting businesses and through increased household spending. The economic impact analysis also showed that holding permitted SOEs on preserved farms in 2025 generated an estimated \$68,000 (representing an increase of \$33,000 from 2024) in new State and municipal tax revenue.

Many landowners who choose to hold SOEs incur upfront costs, including costs associated with obtaining local approvals for SOEs and making capital investments that, within the conditions of approval, will help ensure that the farm's infrastructure, atmosphere, and amenities can support the successful hosting of special occasion events. Clarifying and, to the extent feasible, standardizing jurisdictional responsibilities (i.e., across municipalities, CADBs, and/or SADC) and the potential for multi-year permitting will increase the efficiency of program administration and provide for more certainty and an extended business planning horizon for landowners seeking to maximize returns on their investments in SOEs on their farms.

2. There continues to be confusion about the role of municipalities and the CADBs as it relates to SOEs.

The questionnaire for landowners asked about the application and review process with the CADB and the municipality separately – the responses received varied significantly depending on where the preserved farm was located.

19 of the 26 reporting landowners stated that the application and permitting process with the Easement Holder was “simple”, with 11 in that same group reporting that they only had interaction with the Easement Holder, and no required interaction with the municipality. The remaining seven landowners reported that the process with the municipality was “complicated”, mostly due to unforeseen requirements imposed, lengthy timeframe associated with the permitting process, and confusion surrounding the SOE legislation being the main reasons associated with this characterization.

The overall impression gained from these interviews is that the SOE legislation is still being applied differently across municipalities statewide. Depending on where a farm is located, the process can vary significantly and involve different levels of approvals, improvements, and restrictions, regardless of the actions of the Easement Holder. This disparity can also lead to varying costs for holding SOEs.

This issue is unchanged from the findings of the *2024 Annual Report* and is increasing in priority as more SOEs are being applied for and held. It should also be noted that this issue has been highlighted by all three groups of respondents for the third year of evaluation of the SOE program.

3. Multi-year approvals should be permitted for SOE Permittees with proven track records of success.

Many of the 26 landowners interviewed stated that having multi-year approvals would be beneficial for the landowner, the Easement Holder, and the municipality. Because some SOEs are typically planned by customers months to over a year in advance (especially in the case of weddings), multi-year approvals would provide farmers with the comfort and flexibility needed to book these events. When SOE permits are approved for one year at a time, landowners express that they are losing out on some business because they cannot guarantee that the location can be secured until their SOE permit is re-approved.

Many landowners also referenced the inherent hardships associated with SOEs being held on preserved farms, or any farm for that matter, as it relates to the weather and short season. Most SOEs are held during the milder times of year in New Jersey (April – November) and are dependent on weather conditions. The waiting times for approvals that are sometimes incurred cut this short time even further, adding on to this restriction.

Landowners who highlighted this issue agreed that providing multi-year permits to SOE permittees who are not proposing major changes to their applications, are not in violation of the SOE permit and/or Deed of Easement, and have demonstrated success in holding SOEs as prescribed in their permit should be allowed to have 2–5-year approvals. This flexibility would save time and money for all parties involved and would open even more opportunities for landowners who want to continue holding SOEs.

Recommendations for 2026 and Beyond

- ☑ CADBs, municipalities, and landowners all cited the need to have the SOE regulations from the SADC “sooner than later”. These regulations should clarify many of the issues outlined in this report and give each group clear direction and reasonable expectations.

This recommendation remains unchanged from the 2023 Annual Report and the 2024 Annual Report.

- ☑ The SADC should carefully consider the intent of the SOE legislation as it relates to the role of municipalities and clarify provisions defining expectations for municipal review and requirements (e.g., requirements for use variances, full site plan approvals, and/or public notice and hearing processes). Clarification on the roles and responsibilities of CADBs is similarly needed. Both sets of clarifications will provide clearer procedural and cost expectations for landowners seeking to host SOEs on preserved farms.

This recommendation remains unchanged from the 2023 Annual Report and the 2024 Annual Report.

- ☑ Similarly, the SADC should clarify the review and approval processes that can be imposed by municipalities and Easement Holders to ensure that landowners receive equitable treatment, regardless of the farm’s location. Special attention should be paid to staff capacity and expertise at the local and county levels, as well as the potential burdens imposed on applicants in terms of cost, time, and required improvements.

This recommendation remains unchanged from the 2023 Annual Report and the 2024 Annual Report.

- ☑ The responsibility for monitoring and enforcement of permitted SOEs needs to be addressed and clarified. Compliance with the SOE permit is viewed as important by municipalities and CADBs; however, the ability to monitor for and enforce compliance is difficult due to jurisdictional confusion, timing of SOEs in connection with CADB and municipal staff hours, and the understanding of all the requirements imposed by separate entities.

This recommendation remains unchanged from the 2023 Annual Report and the 2024 Annual Report.

- ☑ The merits of extending the length of approval should be investigated. Allowing approvals to extend to 2-5 years for preserved farms that are not making major changes from the previous year will give landowners the ability to book more weddings and larger-scale SOEs, which are often planned well over a year in advance. The one-year approval is viewed by some as limiting as a practical business matter and requires

more frequent paperwork and mapping. Two-year approvals (or more) could also eliminate some of the administrative pressure on CADBs and municipalities.

This recommendation remains unchanged from the 2024 Annual Report.

- ☑ More outreach and education to counties, municipalities, and landowners is needed, especially once the SOE regulations are promulgated by the SADC. Specifically, information regarding notification to municipalities, overlaps and differences between the SOE regulations and the Municipal Land Use Law, and monitoring and enforcement is paramount to advancing the SOE program across New Jersey in an effective and equitable manner.

This recommendation remains unchanged from the 2023 Annual Report and the 2024 Annual Report.

- ☑ Outreach to municipal Planning Boards, Zoning Boards of Adjustment, attorneys, and elected officials is needed, and should be conducted by the SADC. These groups in particular would benefit from a more comprehensive understanding of the SOE legislation, as well as the intent behind it. This outreach and education may be a catalyst for a more consistent and equitable application of the SOE program across the State.

VIII. CITATIONS

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