



## Rural Microenterprise (RME) Permits Available

If your farm was preserved prior to 2006 without an exception area and you have a building you would like to adaptively reuse for a small scale, nonagricultural business, the SADC RME permit may be of interest to you.

The SADC adopted rules, pursuant to the New Jersey Rural Microenterprise Act (P.L. 2015, c. 275) that allow two categories of microenterprises – customary rural activities and agricultural support services. A “rural microenterprise” (RME) is a business compatible with agriculture to supplement farm income without diminishing the farms’ focus on agricultural production.

Customary rural activities include businesses such as snow plowing, bed and breakfasts, bakeries, woodworking and craft-based businesses. Agricultural support services include businesses such as veterinary practices, seed suppliers and tractor equipment repair shops.

A recent example of the RME permit in action takes place on Birch Creek Farm in Monmouth County. Through an RME permit, the owner was able to repurpose an underutilized barn on the preserved farm as a farm equipment repair shop.

Kevin Brown operated his farm equipment repair business in and around Monmouth County with his mobile mechanic services. If your tractor broke down in the middle of the field, Kevin would get it running no matter the location or weather. Although he was set up to work anywhere, there was just one thing missing: a warm, dry shop where customers could drop off equipment and more complex repairs could be performed under cover. Because Kevin’s equipment repair business is considered a “nonagricultural” use, it normally would not be allowable on a preserved farm unless it was within an exception area, or, if it was in existence and defined in the deed of easement

when the farm was preserved. The RME permit provided the mechanism for Kevin to operate his business in the Birch Creek Farm’s barn.



If your farm was preserved without an exception prior to 2006 and you have a building you would like to adapt for an RME, contact Tim Willmott, [Timothy.Willmott@ag.nj.gov](mailto:Timothy.Willmott@ag.nj.gov) or 609-913-6577 to see if an RME permit is right for your farm.

## Preserved Farmland Owners & Operators are Welcome to Join the SADC Monthly Public Meeting.

The SADC meets most months on the fourth Thursday at 9am. The public is welcome to attend. Agendas, presentation graphics and instructions for in-person and remote viewing are posted on the home page of the SADC’s website before the meeting. [www.nj.gov/agriculture/sadc](http://www.nj.gov/agriculture/sadc)

If you have any questions related to the SADC monthly meeting – please don’t hesitate to get in touch with Jess Uttal at [jessica.uttal@ag.nj.gov](mailto:jessica.uttal@ag.nj.gov) or call 609-913-6567.



C2867



Total Farms Preserved **2,800**

Total Acres Preserved **247,517**

Most Farms Preserved **Hunterdon County 462 farms**

Most Acres Preserved **Salem County 42,647 acres**

**Thank you  
New Jersey  
Preserved  
Farmland  
Owners!**

## Newsletter for Owners & Operators of Preserved Farmland

**In 2023 the Farmland Preservation Program will turn 40 years old! Here are a handful of important milestones achieved along the way:**

- 1979** Legislature mandates Departments of Agriculture and Environmental Protection to study methods for preserving agriculture in New Jersey.
- 1980** Publication of the “Grassroots Report” recommending the basic structure of today’s Farmland Preservation Program (FPP), establishing the concepts of Agricultural Development Areas (ADAs), County Agriculture Development Boards (CADBs), and the State Agriculture Development Committee (SADC) to administer the program.
- 1981** Voters approve the concept of the Farmland Preservation Program and pass the \$50 million Farmland Preservation Bond Act to fund it.
- 1983** The Right to Farm (RTF) Act creates the SADC and charges it with administering the FPP and the RTF Act. Simultaneously, the Agriculture Retention and Development Act passes, establishing the framework for implementing New Jersey’s Farmland Preservation Program and authorized counties to create CADBs to encourage the agricultural business climate and the preservation of agricultural land in their counties.
- 1984** Atlantic, Cumberland, Gloucester, Ocean and Salem form CADBs.
- 1985** First five farms are preserved in Chesterfield Township, Burlington County.
- 1990** The SADC reached its first significant benchmark, permanently preserving 73 farms in 10 counties covering over 10,000 acres.
- 1998** The Garden State Preservation Trust is established, functioning as the independent gatekeeper of funding for Farmland Preservation, Green Acres and Historic Preservation programs.
- 2012** Preserved farmland through the state FPP program crosses the 200,000-acre threshold!
- 2014** NJ Voters approve permanent program funding for Farmland Preservation, Open Space and Historic Preservation through dedication of Corporate Business Tax (CBT) revenue.
- 2016** The “Preserve New Jersey Act” implements the CBT funding mechanism providing the program’s first dedicated funding.  
**Thank you New Jersey voters!**



## Who “Holds the Easement” on my Farm?

The farmland preservation deed of easement is recorded in the county where the farm is located, or if the farm is in more than one county, the easement is recorded in each county.

Recording the deed of easement and associated documents solidifies the farmland preservation transaction between the easement holder, funding partners, and the farmland owner.

You will also see the easement holder called the “grantee” in the deed of easement. Only the SADC, a County Agriculture Development Board (CADB), or nonprofit organization may hold the farmland preservation deed of easement in New Jersey.

In New Jersey, counties hold about 79% of the farmland preservation deeds of easement, nonprofits hold ~2% and ~1% are held directly by the SADC. The details regarding who holds the easement is found on page one of your deed of easement.

### DEED OF EASEMENT STATE OF NEW JERSEY AGRICULTURE RETENTION AND DEVELOPMENT PROGRAM

This Deed is made \_\_\_\_\_, 20\_\_.

BETWEEN (farmland owner), whose address is \_\_\_\_\_ and is referred to as the Grantor,

AND (County, SADC or Nonprofit), whose address is \_\_\_\_\_ and is referred to as the Grantee and/or Board.

The Grantor, Grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns grants and conveys to the Grantee a development easement and all of the nonagricultural development rights and credits on the Premises, located in the Township of \_\_\_\_\_, County of \_\_\_\_\_ described in the attached Schedule A, incorporated by reference in this Deed of Easement, for and in consideration of the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_). Any reference in this Deed of Easement to "Premises" refers to the property described in Schedule A.

The tax map reference for the Premises is:  
Township of \_\_\_\_\_  
Block \_\_\_\_\_, Lot \_\_\_\_\_

**Do you need a paper or electronic copy of your preserved farm's Deed of Easement or Survey? Give us a call at 609-984-2504.**

## Deer Fence Spotlight

### SADC Deer Fence Grant Program

Owners and Operators of preserved farms may be eligible for deer fence grant funding covering 30-50% of materials and installation costs. Grants are capped at \$200/acre with a total grant maximum of \$20,000.

To date, 64 grants have been awarded for deer fence installation projects and 28 projects have been completed for about 29 miles of deer fence installed.

Deer fence grant applications are accepted anytime. To find out more, visit <https://www.nj.gov/agriculture/sadc/farmpreserve/postpres/> or contact Dave Kimmel at [david.kimmel@ag.nj.gov](mailto:david.kimmel@ag.nj.gov) or give us a call 609-913-6594.



Maria and Otto Zizak installed 2,500' of deer fencing to enclose 10 acres of their 45-acre farm. The fencing has enabled them to expand their vegetable and pasture grass acres. For the Zizaks, the time from submitting their application to installing the fence and receiving their cost-share grant reimbursement was less than three months.

## Soil and Water Grant Applications Accepted Anytime

Funding is available for many Soil & Water projects on preserved farmland. The SADC provides grants to eligible landowners and their agents to fund approximately 30-50% of the costs of approved projects including drainage, erosion control, irrigation, animal waste control, land grading, stream protection and more.

Contact Dave Clapp, SADC Resource Conservationist, at: [david.clapp@ag.nj.gov](mailto:david.clapp@ag.nj.gov) or 609-913-6563.



Dave Clapp, SADC Resource Conservationist evaluating options to fix a large erosion channel.



New stone lined swale installation.

## Common Preserved Farm Requests

### Replace or relocate a house

## What Should I do?

If your existing home is located on the preserved area of the farm and not in an exception area, you can replace and/or move it to another location on the preserved acreage. Before replacing a house, you will need approval from the easement holder & the SADC.

### Build or “exercise” an RDSO

Some farms larger than 100 acres may have reserved a Residual Dwelling Site Opportunity (RDSO). This is a residence reserved for an agricultural purpose and for someone who is actively engaged in the farming operation. If your farm has an RDSO reserved and you want to build it, we call this “exercising” the RDSO. Both the easement holder & the SADC will need to approve this request.

### Agricultural labor housing — build new, upgrade or change existing

Agricultural labor housing requests need easement holder & SADC approval. Labor must be employed on the farm full time, and the need for housing must be for production purposes.

### Install solar panels

Installing solar panels on the preserved farm and within exception areas requires SADC approval, whether the panels are on the ground or a rooftop. The size and scope are limited to 110% of the previous year's energy demand or area occupying up to 1% of the preserved land.

### Replace a septic system for a house on a non-severable exception area

Replacement of a septic system to service a residence in an exception area must be contained entirely within the exception area unless it can be demonstrated to the easement holder and the SADC that there is no feasible alternative. Approvals are needed by the easement holder and the SADC.

### Divide the farm

Dividing a preserved farm is also called a “Division of Premises” and requires approval from the easement holder and the SADC. If you apply to divide your farm, the easement holder and the SADC must ensure it is for an agricultural purpose and the resulting parcels and/or tax lots are agriculturally viable.

For stewardship questions contact Tim Willmott at: [Timothy.Willmott@ag.nj.gov](mailto:Timothy.Willmott@ag.nj.gov) or 609-913-6577