### Special Occasion Events (SOEs) on Preserved Farmland

**DRAFT – 9/26/2019**

<table>
<thead>
<tr>
<th>Evaluation Factor</th>
<th>Parameters</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Purpose</strong></td>
<td>Recognize an increasingly common on-farm activity related to hosting SOEs that provides preserved farm landowners opportunity for additional income that is accessory to the overall farming operation and increases community access to preserved farmland.</td>
<td>Proposed parameters are for all preserved farms, both wineries and non-wineries. <strong>These events are NOT considered eligible for RTF protection.</strong></td>
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<td>Improve the farm-public interface, and in doing so, expand support for NJ farms and the Farmland Preservation Program.</td>
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<td>Recognize the unique nature of the wine industry including the statutory and regulatory limits wineries have on the ability to market their agriculture product</td>
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<td>Recognize the culturally unique “social” nature of wine as an agricultural product</td>
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<tr>
<td><strong>Examples</strong></td>
<td>Public and private Events – e.g., community day; fundraiser; movie night; concert; wedding; retreat; private party</td>
<td></td>
</tr>
<tr>
<td><strong>Size and Frequency For Non-Wineries</strong></td>
<td><strong>Total # of events permitted (for all farms):</strong></td>
<td>Farms &lt; $10,000 in agricultural production value are not permitted any SOEs</td>
</tr>
<tr>
<td></td>
<td>a. For farms with at least $10,000 in agricultural production value on the commercial farm:</td>
<td>Two brackets of event allowability, 8 &amp; 15, related to the extent of agricultural productivity. Farms with greater ag productivity qualify for a greater number of events.</td>
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<tr>
<td></td>
<td>- Up to 8 SOEs per year</td>
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<tr>
<td></td>
<td>- 1 of 8 events can have &gt;250 ppl</td>
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<td>b. For farms with &gt;$50,000 in agricultural production value on the commercial farm:</td>
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<td>- Up to 15 SOEs per year</td>
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<tr>
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<td>- Up to 2 of 15 events can have &gt;250 ppl</td>
<td>Income will be determined from FA1 forms submitted; GIS mapping of farm’s soil productivity will be used to confirm feasibility.</td>
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<tr>
<td>Evaluation Factor</td>
<td>Parameters</td>
<td>Notes</td>
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</table>
| **Size and Frequency**<br>**For Wineries** | Total # of events permitted:<br>Same as for non-wineries, OR:<br> c. For farms with > $50,000 in grape/fruit production value on the commercial farm:  
- Up to 26 SOEs per year provided certain conditions are met.<br> - Up to 4 events can have >250 ppl<br> d. For farms with > $100,000 in grape/fruit production value on the commercial farm:<br> - Up to 52 SOEs per year provided certain conditions are met.<br> - Up to 6 events can have >250 ppl<br> **Conditions:**<br> - No more than 25% of gross income of the winery may come from SOE activities<br> - At least 50% of grapes processed by the winery must come from the commercial farm | SOE income received by entities closely related to winery owner will count as SOE income of the winery. |
<p>| <strong>Duration</strong> | 1 day or less | 2-day event counts as 2 events |
| <strong>Eligible for RTF Protection</strong> | No | These standards apply to events for which RTF is not obtained. |
| <strong>Subject to municipal land use approvals</strong> | Yes | Landowner must secure all required local approvals and permits. |</p>
<table>
<thead>
<tr>
<th>Evaluation Factor</th>
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<th>Notes</th>
</tr>
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<tbody>
<tr>
<td>Occupied Area</td>
<td>Up to 2.5 acres or 5 percent of the premises, whichever is greater, up to a maximum of 5 acres. Any impacts to the occupied area are minimal to ensure protection of ag resources and that land can readily be returned to productive ag use at the conclusion of the SOE.</td>
<td>Occupied area means the area of the premises (does not apply to exception areas) devoted to supporting the SOE, including but not limited to areas for parking, vendors, gatherings, tents, porta potties, etc.</td>
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<tr>
<td>Infrastructure</td>
<td>Existing buildings &amp; temporary tents No new permanent infrastructure, buildings or building improvements Temporary infrastructure permitted, e.g., seating, stage, removable fire pit, etc. No other disturbance of the site permitted</td>
<td>All buildings and outdoor space utilized are included in occupied area. Temporary infrastructure must be removed within 7 days following the SOE and not result in any residual impact to the land.</td>
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<tr>
<td>Utilities</td>
<td>No new utilities, but allow temporary utilities, e.g., portable generators</td>
<td>Included in occupied area</td>
</tr>
<tr>
<td>Sanitary Facilities</td>
<td>Allow temporary porta-potties</td>
<td>Included in occupied area</td>
</tr>
<tr>
<td>Parking</td>
<td>Existing parking areas, curtilage and grassed areas for temporary parking, to the maximum extent practicable Temporary parking and offsite parking Temporary parking must comply with standards in N.J.A.C. 2:76-2A.13(h)4.</td>
<td>Included in occupied Area</td>
</tr>
</tbody>
</table>
## Special Occasion Events (SOEs) on Preserved Farmland

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<tr>
<th>Evaluation Factor</th>
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</thead>
<tbody>
<tr>
<td>Vendors / Food Offerings</td>
<td>Permitted – e.g., catering, food vendors; other farms’ output; food trucks; jewelry/crafts</td>
<td>Included in occupied area</td>
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<td>Need to prevent “restaurants” from being created, particularly on wineries; unlevel playing field among wineries, breweries and distilleries</td>
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<tr>
<td>CADB Approval/Registration Process</td>
<td>CADB approval required for all events to evaluate potential impact to the farm.</td>
<td>Copy of all applications need to be submitted to the municipality at least 30 days in advance.</td>
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<tr>
<td></td>
<td><strong>Pre-Approvals</strong> – A landowner may annually submit to the CADB a plan for hosting SOEs. If plan is approved, a landowner may submit registration for individual events throughout the year provided the events are consistent with the plan and do not exceed 250 ppl. Registration submitted 10 days prior to SOE.</td>
<td>Copy of applications for over 250 ppl to be sent to neighbors (like SSAMP). Plan to include property boundary, defined occupied area, areas of public assembly, parking etc.</td>
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<tr>
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<td><strong>Individual Approvals</strong> -- For events with greater than 250 ppl, or not covered by pre-approval, CADB review and approval is required. Request for approval must be submitted to CADB 60 days in advance. CADB must copy municipality on requests and SADC on approvals.</td>
<td></td>
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<tr>
<td>Local Approvals</td>
<td>Landowner required to secure all necessary approvals. If site plan is required, a copy should be provided to the CADB and SADC.</td>
<td></td>
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<tr>
<td>Relationship to OFDM AMP</td>
<td>In addition to AMP authorized activities/events.</td>
<td>Landowner must obtain SSAMP to determine what events are covered under the SSAMP. All others will be considered SOEs.</td>
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## Special Occasion Events (SOEs) on Preserved Farmland

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| **Enforcement**   | - SADC/County or NP easement holder has right to inspect to confirm compliance.  
- For suspected violations, the SADC or CADB is required to hear the matter at a regularly scheduled meeting and issue its decision. CADB/NP decisions subject to appeal to SADC.  
- If a violation is found to have occurred, landowner receives written warning.  
- Second and subsequent offenses result in revocation of permit to hold SOEs for some period of time (TBD) and subject to fines. | |
Special Occasion Events on Preserved Farmland

PRESENTATION TO THE SADC
SEPTEMBER 26, 2019
Current SOE Pilot Law

- Applies to preserved farm wineries only
- Allows SOEs, subject to conditions
- No RTF protection
- SADC required to submit recommendations to the legislature and Governor (winter 2019)
- SADC SOE Working Group
Examples of SOEs

- Weddings / receptions / parties
- Corporate gatherings
- Seasonal festival (e.g., community festival)
- Outdoor concert
- Dance night (e.g., country dancing in the barn)
- Holiday event (e.g., Mother’s Day brunch)
Goals

- Support viability of family farms thru increased “agtourism” income
- Allow all preserved farms to host a small number of SOEs (not just wineries)
- Connect increased SOEs opportunity with increased ag’l production
- Grow NJ vineyards and wineries by creating a separate class for wineries – to recognize unique nature of the product and limits on marketing opportunities – and allow a higher number of SOEs
- Try to keep it simple...
Remember!

- These limits **DO NOT** apply to:
  - SOEs held on preserved farm **EXCEPTION AREAS**
  - Activities & events granted **RTF PROTECTION** by a CADB
Basic Provisions

- **All farms:**
  - $10,000 of ag’l production value = 8 SOEs/yr
  - $50,000 “ “ “ = 15 SOEs/yr

- **Wineries:**
  - $50,000 of grapes/fruit value = 26 SOEs/yr
  - $100,000 “ “ “ = 52 SOEs/yr

- **Wineries:**
  - SOE income can’t exceed 25% of gross income
  - At least 50% of grapes processed must be grown by the commercial farm
Other Provisions

- Food – allow outside catering & food trucks; prohibit “restaurants”
- Protect the farm’s resource
  - allow up to 5% of the farm to be used to support SOEs
  - 2.5 acre minimum / 5 acre maximum
  - temporary improvements only
- No additional RTF protection
- Simplify enforcement
  - CADB/SADC to hear the matter at a public meeting
  - If violations found, 1st offense is a warning and thereafter suspension and/or fines
- Simplify administration
  - stay out of farmers’ books!
  - use existing data to determine ag production value
SUPPLEMENTAL FARMLAND ASSESSMENT GROSS SALES FORM
N.J.S.A. 54:4-23.1; N.J.A.C. 18:15-1.1 et seq.

FILE ANNUALLY BY AUGUST 1 OF THE PRE-TAX YEAR

If the application includes a Form WD-1, check one:
木质管理计划
NJ 林业管理计划

SECTION I: IDENTIFICATION

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>Mercer</th>
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<tr>
<td>OWNER’S NAME</td>
<td>Equilibrium Farms</td>
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<td>PROPERTY LOCATION</td>
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<td>TELEPHONE</td>
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<td>ACRE(S), LOT(S):</td>
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SECTION II: GROSS SALES

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<th>Field Crops</th>
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<th>Fruit Crops</th>
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Imputed Grazing Value Acres __________

SECTION III: SIGNATURE AND VERIFICATION OF OWNER(S)

The undersigned declares that this form, including any accompanying schedules and statements, has been examined by him (her) and to the best of his (her) knowledge and belief is true and correct. Filing of this form is also a representation that the land will continue to be devoted to an agricultural or horticultural use during the year for which farmland assessment is requested. Under N.J.S.A. 4:14-4.14, this certification shall be considered as final made under oath and is subject to the same penalties as provided by law for perjury. In addition, for a gross and intentional misrepresentation on this form, the landowner shall be subject to a civil penalty of up to $5,000.

Signature of individual Owner or C/O Owner/Corporate Officer

Date: 7/10/18

Title of Corporate Officer

EQUILIBRIUM FARMS LLC

This must be filed with the Farmland Assessment Application (FA-1) and, where applicable, Woodland Data Form (WD-1) and activity map.
HOPEWELL TOWNSHIP  
SUPPLEMENTAL LAND USE FORM  
MERCER COUNTY

BLOCK 81  
LOT 48.02  
QUALIFIER NAME

Land is farmed by owner:  
Equus Ghian Forming, LLC

Land is rented to:  
Forming, LLC  
Address:  
S. Main St

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Total acreage: 55.91

For Assessor Use Only

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<th>Crop Harvested</th>
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<td>Wheat</td>
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<tr>
<td>TOTAL ACRES</td>
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</table>

Permanent Pasture/Acreage Used for Graz.:  
No. Of Acres:  

Government Program:  
Specify the Crop & Contract No.:  
No. Of Acres:  

Total Value: 6,187

LAND NOT IN AGRICULTURAL USE

FOR OFFICE USE ONLY

Income Should Be:  
Income Submitted:  
Plot Plan Received: Yes No

SIGNED:  
Dated: 7/5/2016
<table>
<thead>
<tr>
<th>COUNTY</th>
<th>SOIL GROUP</th>
<th>CROPLAND HARVESTED</th>
<th>CROPLAND PASTURED</th>
<th>PERMANENT PASTURE</th>
<th>NON-APPURTENANT WOODLAND</th>
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<td>COL 1 VALUE PER ACRE</td>
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# Hopewell TSWP B31, L48.07

**Farmland Assessment Soils Productivity**

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1 inch = 0.2 miles