

## Special Occasion Events (SOEs) on Preserved Farmland

**DRAFT – 9/26/2019**

Evaluation Factor	Parameters	Notes
<b>Purpose</b>	<p>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.</p> <p>Improve the farm-public interface, and in doing so, expand support for NJ farms and the Farmland Preservation Program.</p> <p>Recognize the unique nature of the wine industry including the statutory and regulatory limits wineries have on the ability to market their agriculture product</p> <p>Recognize the culturally unique “social” nature of wine as an agricultural product</p>	<p>Proposed parameters are for all preserved farms, both wineries and non-wineries.</p> <p><b>These events are NOT considered eligible for RTF protection.</b></p>
<b>Examples</b>	<p>Public and private Events – e.g., community day; fundraiser; movie night; concert; wedding; retreat; private party</p>	
<b>Size and Frequency For Non-Wineries</b>	<p><b>Total # of events permitted (for all farms):</b></p> <p><b>a. For farms with at least \$10,000 in agricultural production value on the commercial farm:</b></p> <ul style="list-style-type: none"> <li>- Up to 8 SOEs per year</li> <li>- 1 of 8 events can have &gt;250 ppl</li> </ul> <p><b>b. For farms with &gt;\$50,000 in agricultural production value on the commercial farm:</b></p> <ul style="list-style-type: none"> <li>- Up to 15 SOEs per year</li> <li>- Up to 2 of 15 events can have &gt;250 ppl</li> </ul>	<p>Farms &lt; \$10,000 in agricultural production value are not permitted any SOEs</p> <p>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.</p> <p>Income will be determined from FA1 forms submitted; GIS mapping of farm’s soil productivity will be used to confirm feasibility.</p>

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<p style="text-align: center;"><b>Size and Frequency For Wineries</b></p>	<p><b>Total # of events permitted:</b></p> <p><u>Same as for non-wineries, OR:</u></p> <p><b>c. For farms with &gt; \$50,000 in grape/fruit production value on the commercial farm:</b></p> <ul style="list-style-type: none"> <li>- Up to 26 SOEs per year <u>provided certain conditions are met.</u></li> <li>- Up to 4 events can have &gt;250 ppl</li> </ul> <p><b>d. For farms with &gt; \$100,000 in grape/fruit production value on the commercial farm:</b></p> <ul style="list-style-type: none"> <li>- Up to 52 SOEs per year <u>provided certain conditions are met.</u></li> <li>- Up to 6 events can have &gt;250 ppl</li> </ul> <p><b>Conditions:</b></p> <ul style="list-style-type: none"> <li>- No more than <b>25% of gross income</b> of the winery may come from SOE activities</li> <li>- At least <b>50% of grapes processed by the winery</b> must come from the commercial farm</li> </ul>	<p>SOE income received by entities closely related to winery owner will count as SOE income of the winery.</p>
<p style="text-align: center;"><b>Duration</b></p>	<p style="text-align: center;">1 day or less</p>	<p>2-day event counts as 2 events</p>
<p style="text-align: center;"><b>Eligible for RTF Protection</b></p>	<p style="text-align: center;">No</p>	<p>These standards apply to events for which RTF is not obtained.</p>
<p style="text-align: center;"><b>Subject to municipal land use approvals</b></p>	<p style="text-align: center;">Yes</p>	<p>Landowner must secure all required local approvals and permits.</p>

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<b>Occupied Area</b>	<p>Up to 2.5 acres or 5 percent of the premises, whichever is greater, up to a maximum of 5 acres.</p> <p>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.</p>	<p>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.</p>
<b>Infrastructure</b>	<p>Existing buildings &amp; temporary tents</p> <p>No new permanent infrastructure, buildings or building improvements</p> <p>Temporary infrastructure permitted, e.g., seating, stage, removable fire pit, etc.</p> <p>No other disturbance of the site permitted</p>	<p>All buildings and outdoor space utilized are included in occupied area.</p> <p>Temporary infrastructure must be removed within 7 days following the SOE and not result in any residual impact to the land.</p>
<b>Utilities</b>	<p>No new utilities, but allow temporary utilities, e.g., portable generators</p>	<p>Included in occupied area</p>
<b>Sanitary Facilities</b>	<p>Allow temporary porta-potties</p>	<p>Included in occupied area</p>
<b>Parking</b>	<p>Existing parking areas, curtilage and grassed areas for temporary parking, to the maximum extent practicable</p> <p>Temporary parking and offsite parking</p> <p>Temporary parking must comply with standards in N.J.A.C. 2:76-2A.13(h)4.</p>	<p>Included in occupied Area</p>

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<p style="text-align: center;"><b>Vendors / Food Offerings</b></p>	<p>Permitted – e.g., catering, food vendors; other farms’ output; food trucks; jewelry/crafts</p>	<p>Included in occupied area</p> <p>Need to prevent “restaurants” from being created, particularly on wineries; unlevel playing field among wineries, breweries and distilleries</p>
<p style="text-align: center;"><b>CADB Approval/Registration Process</b></p>	<p>CADB approval required for all events to evaluate potential impact to the farm.</p> <p><b>Pre-Approvals</b> – 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.</p> <p><b>Individual Approvals</b> -- 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.</p>	<p>Copy of all applications need to be submitted to the municipality at least 30 days in advance.</p> <p>Copy of applications for over 250 ppl to be sent to neighbors (like SSAMP).</p> <p>Plan to include property boundary, defined occupied area, areas of public assembly, parking etc.</p>
<p style="text-align: center;"><b>Local Approvals</b></p>	<p>Landowner required to secure all necessary approvals. If site plan is required, a copy should be provided to the CADB and SADC.</p>	
<p style="text-align: center;"><b>Relationship to OFDM AMP</b></p>	<p>In addition to AMP authorized activities/events.</p>	<p><b>Landowner must obtain SSAMP to determine what events are covered under the SSAMP. All others will be considered SOEs.</b></p>

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<b>Enforcement</b>	<ul style="list-style-type: none"> <li>• SADC/County or NP easement holder has right to inspect to confirm compliance.</li> <li>• 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.</li> <li>• If a violation is found to have occurred, landowner receives written warning.</li> <li>• Second and subsequent offenses result in revocation of permit to hold SOEs for some period of time (TBD) and subject to fines.</li> </ul>	

FOR DISCUSSION ONLY

# Special Occasion Events on Preserved Farmland

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PRESENTATION TO THE SADC

SEPTEMBER 26, 2019

# Current SOE Pilot Law

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- 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

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- 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

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- 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!

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

# Basic Provisions

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- 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

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- 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, 1<sup>st</sup> 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: Woodland Management Plan   
 NJ Forest Stewardship Plan (Effective 2019)

**SECTION I: IDENTIFICATION**

COUNTY: <u>Mercer</u>	MUNICIPALITY: <u>Pennington NJ</u>
OWNER'S NAME: <u>Equestrian Farms</u>	TAX YEAR: <u>2019</u>
PROPERTY LOCATION: <u>48 Harborton Woods Ln</u>	BLOCK(s), LOT(s): <u>31/48.07</u>
TELEPHONE: <u>609-356-XXXX</u>	EMAIL: _____

**SECTION II: GROSS SALES**

Field Crops	Acres	Ornamental Crops	Acres	Aquaculture	Acres	Income Acres
_____	_____	_____	_____	_____	_____	20.83
_____	_____	_____	_____	_____	_____	Non-Income Acres
_____	_____	_____	_____	_____	_____	+ 35.08
Fruit Crops	Acres	Livestock	Acres	Woodland Products	Acres	Total Acres Under Farmland
_____	_____	_____	_____	_____	_____	= 55.91
_____	_____	_____	_____	_____	_____	<b>FINAL INCOME</b>
Vegetable Crops	Acres	Equine	Acres	Conservation Program Acres	_____	Total income received and anticipated for the current year. Must be sufficient to meet the minimum gross sales criteria, if applicable, to show active devotion to agriculture/horticultural use.
_____	_____	16	21	_____	_____	\$ 3500/m
_____	_____	_____	_____	_____	_____	
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. 54:4-23.14(b), this certification shall be considered as if 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]  
 Signature of Individual Owner or Co-Owner/Corporate Officer  
Pres.  
 Title of Corporate Officer

7/20/18  
 Date  
Equestrian Farms LLC  
 Corporate Name

THIS MUST BE FILED WITH THE FARMLAND ASSESSMENT APPLICATION (FA-1) AND, WHERE APPLICABLE, WOODLAND DATA FORM (WD-1) AND ACTIVITY MAP

BLOCK 31  
LOT 48.07  
QUALIFIER Ofarm

Land is farmed by owner [REDACTED] Equestrum Farms, LLC

Land is rented to [REDACTED] Farms, LLC Address [REDACTED] S Main St  
New Hope, PA

Acreage Use	SOIL CLASS	NUMBER OF ACRES	For Assessor Use Only		
			X	FARMLAND VALUE	TOTAL VALUE
CROPLAND HARVESTED	A		X		
	B		X		
	C		X		
	D		X		
	E		X		
CROPLAND PASTURED	A		X		
	B	20.83	X	\$380	\$7,915
	C		X		
	D		X		
	E		X		
PERMANENT PASTURE	A		X		
	B	10.00	X	\$152	\$1,520
	C		X		
	D		X		
	E		X		
NON-APPURTENANT WOODLAND	A		X		
	B		X		
	C		X		
	D		X		
	E		X		
APPURTENANT WOODLAND	A		X		
	B		X		
	C		X		
	D	25.08	X	\$30	\$152
	E		X		
WETLANDS			X		

Total acreage In Farmland 55.91 Total Value \$10,187

LAND NOT IN AGRICULTURAL USE  
HOME SITE 3.0  
Other non-farm use land \_\_\_\_\_  
TOTAL (non-farm use) \_\_\_\_\_  
ENTIRE FARM ACREAGE 58.91

Crop Harvested	Acres
Corn	
Hay	
Oats	
Wheat	
TOTAL ACRES	

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

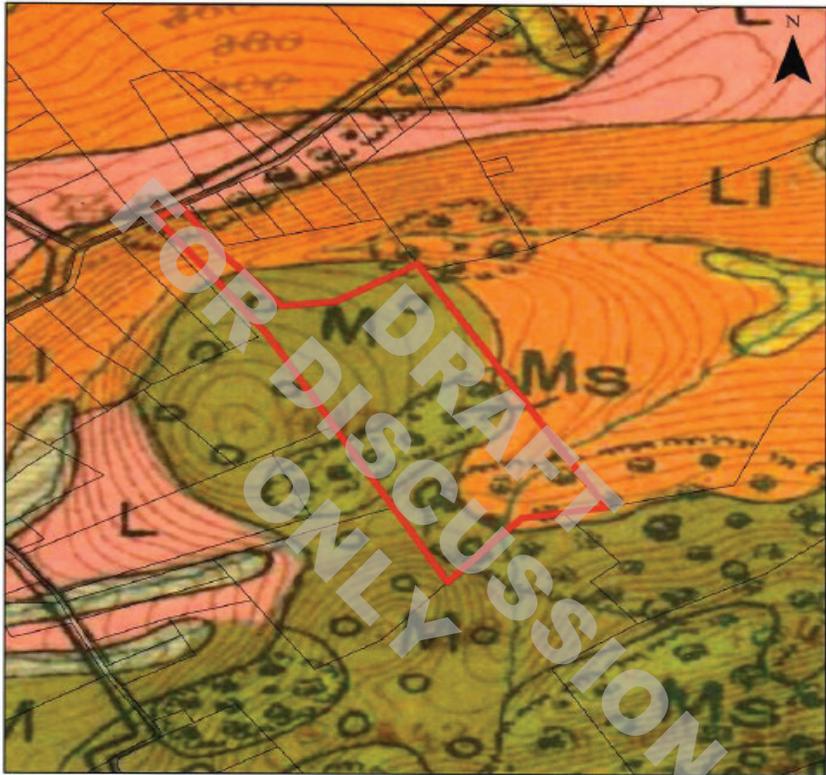
Government Program	No. Of Acres
Specify the Crop & Contract No.	

FOR OFFICE USE ONLY  
Income Should Be \_\_\_\_\_  
Income Submitted \_\_\_\_\_  
Plot Plan Received - Yes \_\_\_ No \_\_\_

SIGNED [Signature]  
DATED 7/20/18

COUNTY	SOIL GROUP	CROPLAND HARVESTED		CROPLAND PASTURED		PERMANENT PASTURE		NON-APPURTENANT WOODLAND		APPURTENANT WOODLAND		IMPUTED GRAZING VALUES
		COL. 1		COL. 2		COL. 3		COL. 4		COL. 5		COL. 6
		SOIL RATING	VALUE PER ACRE	SOIL RATING	VALUE PER ACRE	SOIL RATING	VALUE PER ACRE	SOIL RATING	VALUE PER ACRE	SOIL RATING	VALUE PER ACRE	VALUE PER ACRE
ESSEX	A	120	1,080	120	540	110	198	110	174	110	50	154
	B	100	900	100	450	100	180	100	158	100	45	152
	C	70	630	70	315	80	144	90	142	90	41	148
	D	40	360	40	180	70	126	80	126	80	36	147
	E	10	90	10	45	60	108	70	111	70	32	145
GLOUCESTER	A	120	936	120	468	110	172	110	151	110	43	151
	B	100	780	100	390	100	156	100	137	100	39	150
	C	70	546	70	273	80	125	90	123	90	35	147
	D	40	312	40	156	70	109	80	110	80	31	145
	E	10	78	10	39	60	94	70	96	70	27	143
HUNTERDON	A	120	936	120	468	110	172	110	151	110	43	151
	B	100	780	100	390	100	156	100	137	100	39	150
	C	70	546	70	273	80	125	90	123	90	35	147
	D	40	312	40	156	70	109	80	110	80	31	145
	E	10	78	10	39	60	94	70	96	70	27	143
MERCER	A	120	912	120	456	110	167	110	146	110	42	151
	B	100	760	100	380	100	152	100	133	100	38	149
	C	70	532	70	266	80	122	90	120	90	34	146
	D	40	304	40	152	70	106	80	106	93	30	145
	E	10	76	10	38	60	91	70	93	70	27	143
MIDDLESEX	A	120	1,008	120	504	110	185	110	162	110	46	153
	B	100	840	100	420	100	168	100	147	100	42	151
	C	70	588	70	294	80	134	90	132	90	38	147
	D	40	336	40	168	70	118	80	118	80	34	146
	E	10	84	10	42	60	101	70	103	70	29	144
MONMOUTH	A	120	1,032	120	516	110	189	110	166	110	47	153
	B	100	860	100	430	100	172	100	151	100	43	151
	C	70	602	70	301	80	138	90	136	90	39	148
	D	40	344	40	172	70	120	80	120	80	34	146
	E	10	86	10	43	60	103	70	106	70	30	144
MORRIS	A	120	1,032	120	516	110	189	110	166	110	47	153
	B	100	860	100	430	100	172	100	151	100	43	151
	C	70	602	70	301	80	138	90	136	90	39	148
	D	40	344	40	172	70	120	80	121	80	34	146
	E	10	86	10	43	60	103	70	106	70	30	144

HOPEWELL TSWP B31, L48.07  
FARMLAND ASSESSMENT SOILS PRODUCTIVITY



1 inch = 0.2 miles

Symbol	Map Unit Name	Productive Capacity
LI	Lansdale gravelly loam	B
M	Montalto silt loam	A
Ms	Montalto stony loam	E