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

REGULAR MEETING

April 26, 2019

Chairman Fisher called the meeting to order at 9:09 a.m. The flag salute was conducted.

Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

Roll call indicated the following:

Members Present

Chairman Fisher Renee Jones (Rep. NJDEP Commissioner Catherine R. McCabe) Tom Stanuikynas (Rep. DCA Commissioner Sheila Oliver) Jane Brodhecker Ralph Siegel (Rep. State Treasurer Elizabeth Maher Muoio) Scott Ellis Alan Danser Brian Schilling James Waltman

Members Absent

Pete Johnson Denis Germano

Susan E. Payne, Executive Director Jason Stypinski, Esq., Deputy Attorney General **Others present as recorded on the attendance sheet**: Harriet Honigfeld, Monmouth County Agriculture Development Board (CADB), Deborah Post, and other members of the public.

Minutes

A. SADC Regular Meeting of March 28, 2019 (Open and Closed Sessions)

It was moved by Mr. Siegel and seconded by Mr. Stanuikynas to approve the Open and Closed Session minutes of the SADC regular meeting of March 28, 2019. Mr. Waltman, Mr. Schilling and Mr. Danser abstained. The motion was approved.

Report of the Chairman

Chairman Fisher discussed the 2017 Census of Agriculture. The last census (2012) reflected 9,071 active farms in the state, a loss of about 1,500 farms, but the 2017 census indicated that the number had increased to roughly 9,855 farms. While some farms have been consolidated, there are many new, small and beginning farms in New Jersey. NJ is also in the top percentile of states that have female farm operators. NJ is now one of the top five states in horticulture. Chairman Fisher encouraged staff to keep preserving farms and continue the positive momentum.

Mr. Schilling stated that two study panels at Rutgers University examined the number of female farmers and new and beginning farmers because it was becoming evident that they were being overlooked in the census. The panels also found that marketing questions were not being asked on the census.

Chairman Fisher noted that the SADC's 2018 Annual Report was completed and that it effectively explains the work of the SADC. He also encouraged staff to talk to farmers so that they better understand all of the resources that are available to assist them.

Report of the Executive Director

Ms. Payne stated that Mr. Everett and his staff created an easily-understood guidance document on Rural Microenterprises (RMEs) that explains basic program parameters and includes an application form. Graphic Information System (GIS) data were used to

determine that approximately 800 farms were preserved without exception areas prior to 2006, and are therefore potentially eligible to apply for an RME permit. A mailing list was developed, and applications were sent to those farms. Staff will follow up with the counties and the non-profits who hold easements on the farms to make those entities aware that farmers may be in contact regarding potential RMEs.

Ms. Payne thanked Ms. Winzinger and Ms. Lemyre for their efforts in creating the SADC's 2018 Annual Report.

Ms. Payne congratulated various staff members on their collaboration and excellent group effort with the New and Beginning Farm Workshops, the most recent of which was held on April 8, 2019 at Duke Farms. SADC offered a beginning farmer workshop in February 2019 to help beginning farmers understand the process of securing land through lease or purchase. Once all the summary reporting has been completed, staff will begin to examine who the key attendees are, what is the most effective ways of communicating with them, what their needs are and then determine what the next steps would be for future workshops. Ms. Jones asked if there were any young people who attended the February workshop. Ms. Payne stated that 22% of the attendees were between the ages of 25 and 34 years old and 30% were under 44 years old; she also observed that "new farmers" doesn't necessarily mean "young farmers", and it appears that most of the attendees are farming as a second career.

Staff has summarized work and outreach conducted related to Right to Farm (RTF), which most recently included a presentation to the NJ Association of Planning and Zoning Administrators (NJAPZA) by Mr. Smith and Mr. Kimmel.

Mr. Waltman stated that he has seen lots of people invest in land as a second form of income in Hopewell Township. Ms. Payne asked Mr. Waltman if the Watershed Institute received the 2017 Census of Agriculture, and he replied that the institute had not received one. Mr. Schilling was asked whether the census surveys the landowner or the farm operator, and he stated that the census is sent to the registered operator. In addition, since the average farm size dropped by five acres, smaller properties are being picked-up in the census, so they tend to get added to the roster more so than larger properties. Ms. Payne stated that staff plans to meet with Bruce Ekland of USDA's statistics service to understand the geographic aspects of the census.

Communications

Ms. Payne noted that there is a letter from Ms. Deborah Post regarding the presentation that Ms. Post gave to the Committee at the March 28, 2019 meeting. In that presentation, Ms. Post indicated that she held the proxies of over 80 Highlands landowners who authorized her to speak on their behalf. Ms. Payne stated that Ms. Post submitted copies of the proxies to staff.

Ms. Payne stated that the NJ Highlands Council contacted the SADC and DEP through the Governor's Office to discuss a pending change of Department of Interior rules. In addition to land preserved through farmland preservation and Green Acres programs, the Highlands Council also receives acquisition funding through the Federal Highlands Conservation Act (FHCA). It is anticipated that NJ will get a slightly bigger share of FHCA funds in the coming years. The Department of Interior is proposing changes to its rules which would require federal appraisal standards, also known as "yellow book" appraisals. This change would result in elimination of the hypothetical "dual appraisal" approach which has been used for easement acquisitions in the Highlands for many years. The Highlands Council asked if the SADC would be interested in sending a letter to the Department of Interior supporting continued use of the dual appraisal provision in the Highlands region. Ms. Payne stated that the letter was submitted, and a copy has been provided to the Committee in their books.

Public Comment

Ms. Deborah Post, a Chester Township landowner who holds the proxies of 80 other landowners in the Highland region, continued her discussion from last month's meeting regarding use of the municipal average to appraise farm properties in the region. She also provided handouts to Committee members. Ms. Post stated that it is her understanding that the Committee believes that it does not have the authority to launch a municipal average pilot program; however, she feels it is the Committee's fiduciary duty to do so. She presented the Committee with a suggested roadmap for that process.

Chairman Fisher and Ms. Post discussed what the fair market values might be if the municipal values were used. He noted that any appraisal standard should be equitable and easily understood, and thanked Ms. Post for taking the time to speak to the Committee.

Mr. Stanuikynas stated that this would be his last SADC meeting as he will be starting a new job as the Regional Planning Manager in Burlington County. He thanked Chairman Fisher, Ms. Payne, SADC staff, and Committee members. Chairman Fisher wished Mr. Stanuikynas much success in his new position and asked that he keep in touch with everyone.

New Business

A. Term Farmland Preservation Program – Enrollments, Renewals, Terminations, Withdrawals

Ms. Payne informed the Committee that there are two farms in Hammonton Township, NJ that are under the existing 8-year preservation program that are up for renewal and they include the following:

- 1. Renewals
- SAND Farms, LLC (Berenato), and Berenato, Anthony J. & Patrice Hammonton Township, Atlantic County, 12.75 Acres.
- SAND Farms, LLC (Berenato), Hammonton Township, Atlantic County, 19.17 Acres.
- B. Resolution of Amended Final Approval: County PIG, Windy Acres North and South Farms

Mr. Bruder and Ms. Miller referred the Committee to a request from John H. Smith and Jean M. Smith (for an amended final approval under the County PIG Program for Windy Acres North and South Farms. Mr. Bruder and Ms. Miller stated that the property was subject to a hypothetical division for appraisal and application purposes. The farm was essentially one large lot that was being appraised as two parcels that needed to be divided prior to closing. The division process triggered the need for a Highlands resource area determination and a Highlands preservation area approval to ensure that a proposed residential lot on one of the subdivided parcels was buildable. The Highlands resource area determination and preservation area approvals were granted subject to conservation of a certain forest resources on the property. DEP and the SADC worked cooperatively to finalize additional provisions in the farmland preservation program deed to be recorded on the property to ensure forest conservation practices were implemented. Ms. Miller and Mr. Bruder stated that staff recommendation is to grant amended final approval.

There was a general discussion about the precedent of amending the SADC standard deed of easement to include restrictions required by another agency. Ms. Payne indicated that this approach is being pursued in order to allow a Highlands landowner to enter the Farmland Preservation Program, while still accomplishing the conservation requirements of the NJDEP. Otherwise, the landowner has no ability to have their easement purchased and their equity protected.

It was moved by Mr. Danser and seconded by Mr. Siegel to approve Resolution FY2019R4(1), granting second amended final approval to the following application under the County PIG Program, as presented, subject to any conditions of said resolution:

1. (Amended) John H. Smith and Jean M. Smith (Owners) Resolution FY2019R4(1)

Windy Acres North Farm, SADC ID #21-0530-PG, Block 14, Lot 9, Harmony Township and Block 12, Lot 20, White Township, Warren County, 77 Net Acres.

Windy Acres South Farms, SADC ID #21-0558-PG, Block 14, Lot 9, Harmony Township, Warren County, 39 Net Acres.

The motion was unanimously approved. A copy of Resolution FY2019R4(1), is attached to and is a part of these minutes.

C. Resolutions of Final Approval: Municipal PIG

Ms. Miller, Ms. Mandelbaum and Ms. Mazzella referred the Committee to eight requests for final approval under the Municipal PIG Program. They reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Schilling and seconded by Ms. Jones to approve Resolutions FY2019R4(2) through FY2019R4(9), granting final approval to the following applications under the Municipal PIG Program, as presented, subject to any conditions of said resolution:

1. Mark Kitchen (Owner), SADC ID #21-0363-PG, Resolution FY2019R4(2), Block 47, Lot 7, Knowlton Township, Warren County, 28 Net Acres.

- Wai Kun Lee and Sau Kam Lau (Owners), SADC ID #10-0423-PG, Resolution FY2019R4(3), Block 19, Lot 26.01, Delaware Township, Hunterdon County, 33.5 Net Acres.
- 3. George and Lillian Mosley, SADC ID #13-0470-PG, Resolution FY2019R4(4), Block 20, Lot 2.01, Colts Neck Township, Monmouth County, 26 Net Acres.
- 4. Michael & David Seery, SADC ID #17-0187-PG, Resolution FY2019R4(5), Block 4, Lot 26, Upper Pittsgrove Township, Salem County, 18.5 Net Acres.
- 5. L. Scott Ambruster, SADC ID #17-080-PG, Resolution FY2019R4(6), Block 11, Lot 1 & 3, Upper Pittsgrove Township, Salem County, 25.75 Net Acres.
- 6. Hilda McCracken, SADC ID #17-0181-PG, Resolution FY2019R4(7), Block 28, Lot 23, Upper Pittsgrove Township, Salem County, 42.82 Net Acres.
- Robert A. Kessel Jr., SADC ID #17-0193-PG, Resolution FY2019R4(8), Block 7, Lot 16, Upper Pittsgrove Township, Salem County, 44.9 Net Acres.
- Joanne Rodriguez, SADC ID #17-0200-PG, Resolution FY2019R4(9), Block 801, Lot 40.03, Pittsgrove Township, Salem County, 40.32 Net Acres.

<u>The motion was unanimously approved</u>. A copy of Resolutions FY2019R4(2) through FY2019R4(9), is attached to and is a part of these minutes.

D. Resolutions of Final Approval: Direct Easement Purchase

Ms. Mandelbaum referred the Committee to one request for final approval under the Direct Easement Purchase Program. She reviewed the specifics of the application with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Danser and seconded by Mr. Waltman to approve Resolution FY2019R4(10), granting final approval to the following application under the Direct Easement Purchase Program, as presented, subject to any conditions of said resolution:

 Antonio & Clara Grande, SADC ID #19-0020-DE, Resolution FY2019R4(10), Block 44, Lots 4 & 5, Frankford Township, Sussex County, 160 Net Acres. The motion was approved. Ms. Brodhecker recused because she is a member of the Sussex CADB. A copy of Resolution FY2019R4(10) is attached to and is a part of these minutes.

E. Right to Farm - Right to Farm Development Outreach Plan

Mr. Kimmel explained that the SADC manages the Right To Farm (RTF) Program in partnership with NJ's eighteen CADBs. The SADC also coordinates the State's Agricultural Mediation Program. A major component of the SADC's RTF Program is providing RTF outreach and education for the public, including farmers, residents, and municipal officials. From 2015 to 2017, based on feedback from CADBs and other agricultural partners, the SADC developed a series of high-quality RTF education materials. In December 2017, based on additional feedback and review by the Committee, the SADC developed an updated RTF Development Plan for 2018 and 2019. The plan's overall objective was to continue to increase the awareness and understanding of RTF among all audiences. The plan's specific target-audiences were local and elected officials, CADBs and Rutgers Extension personnel. The SADC has communicated its willingness to visit any group and make presentations upon request.

Mr. Kimmel stated that some CADBs and several other entities took the SADC up on its offer, organizing local meetings at which the SADC presented, took questions on, and discussed the RTF and Agricultural Mediation Programs. Overall, the SADC has made at least 13 presentations over the last year and a half through formal presentations, panels and workshops.

In terms of updating the SADC's RTF Development Plan for 2019 and 2020, the outreach objective will be continued for any organization interested in RTF outreach and will focus efforts on specific outreach venues and avenues such as the SADC's YouTube channel, Rutgers Cooperative Extension (RCE), NJ League of Municipalities (NJLOM), NJ State Bar Association/NJ Institute for Continuing Legal Education (NJICLE), and additional guidance documents. In addition to the RTF outreach focus, the proposed plans include updating Agricultural Management Practices (AMPs) as needed and amending the AMP rules to ensure that mediation is available for all cases types authorized in the new farm bill.

Mr. Kimmel noted that the State Board of Agriculture and NJ Farm Bureau support many aspects of the efforts and plans that are taking place. In its 2019 RTF Resolution, the State Board of Agriculture recognized the SADC's increased outreach and education efforts, including the SADC's efforts to encourage the use of mediation. The NJ Farm Bureau, in its

2019 RTF Policy Statement, similarly recognizes the SADC's RTF and Agricultural Mediation guidebooks as valuable resources, and it encourages the SADC to develop additional educational materials to help municipalities better understand RTF. The NJ Farm Bureau policy also urges the SADC to update its AMPs to make sure all current Rutgers guidance documents are referenced. The State Board of Agriculture resolution also calls on the SADC to address the federal Agriculture Mediation Program grant funding issues and enable the program to use federal funding to support RTF conflict resolution efforts.

Mr. Schilling stated that he is working with staff at Rutgers University to make sure that all resource materials are updated as needed. Chairman Fisher thanked Mr. Kimmel for his hard work and extensive planning on this initiative.

Soil and Water Conservation Project Cost-Sharing

Mr. Clapp referred the Committee to three resolutions for approval under the Soil and Water Cost Share Program. He reviewed the specifics of the applications with the Committee and stated that staff recommendation is to grant approval.

It was moved by Mr. Danser and seconded by Mr. Schilling to approve Resolutions FY2019R4(11) through FY2019R4(13) granting approval to the following applications under the Soil and Water Cost Share Program, as presented, subject to any conditions of said resolution:

- 1. Resolutions of Approval
 - a. Paul & Barbara Shinn, D/B/A "Toyland Farms", Agent for Heaven Sent Farm LLC., SADC ID #03-0036-EP, Resolution FY2019R4(11), Block 1002 and 1401, Lots 4.01 and 23, Springfield Township, Burlington County, 106.598 Acres.
 - b. Keith Gennello and Jessica Rice, SADC ID #03-0392-PG, Resolution FY20194(12), Block 1602, Lot 9, Southampton Township, Burlington County, 128.603 Acres.
 - c. Brian Pearson, SADC ID #03-0391-PG, Block 1601, Lots 10 & 10.03, Southampton Township, Burlington County, 65.661 Acres.

<u>The motion was unanimously approved</u>. A copy of Resolutions FY2019R4(11) through FY2019R4(13) are attached to and is a part of these minutes.

Public Comment

There was no public comment.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: 9 a.m., Thursday May 23, 2019

Auditorium of the Health/Agriculture Building

CLOSED SESSION

At 11:00 a.m. Ms. Payne read the following resolution to go into Closed Session:

"In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into executive session to discuss certain matters including the certification of values for property acquisitions under the Farmland Preservation Program, personnel matters, any pending or anticipated litigation, and/or any matters falling within the attorney-client privilege. The minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists."

It was moved by Mr. Danser and seconded by Mr. Seigel to approve the resolution to go into closed session. The motion was unanimously approved.

Secretary Fisher left meeting at 11:00am, appointing Mr. Danser as Acting Chair.

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certification of Values

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve the Certification of Values for the following applications as discussed in closed session:

- 1. County Planning Incentive Grant Program
 - a. Daniel William and Kathleen Haynicz, SADC ID #08-0214-PG, Block 175, Lot 7, Elk Township, Gloucester County, 20.75 Net Acres.

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- b. Carol A. Beatty (North), SADC ID # 21-0614-PG, Block 26, Lots 31 & 40 and Block 27, Lot 2, Greenwich Township, Warren County, 86.1 Net Acres.
- c. Carol A. Beatty (South), SADC ID #21-0615-PG, Block 34, Lot 11, Greenwich Township, Warren County, 56.9 Net Acres.
- d. CDEK LLC & Edward Stampone, SADC ID #21-0370-PG, Block 41, Lot 10, Knowlton Township, Warren County, 31.7 Net Acres.
- 2. Municipal Planning Incentive Grant Program
 - a. Nolan R. & Devorah W. Helig, SADC ID #17-0211-PG, Block 601, Lots 9 and 9.01, and Block 2003, Lot 13, Pittsgrove Township, Salem County, 36.4 Net Acres.
 - b. Estate of Robert P. and Gloria B. Thompson, SADC ID #21-0616-PG, Block 59, Lot 1, White Township, Warren County, 39.7 Net Acres.

The motion was unanimously approved. Copies of the Certification of Value Reports are attached to and are a part of the Closed Session minutes.

B. Attorney/Client Matters

None.

ADJOURNMENT

The meeting was adjourned at 11:13 a.m.

Respectfully Submitted,

Susan E. Payne, Executive Director State Agriculture Development Committee

11

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2019R4(1)

SECOND AMENDED FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WARREN COUNTY for the PURCHASE OF A DEVELOPMENT EASEMENT

On the Properties of John H. Smith and Jean M. Smith ("Owners") Windy Acres North and South Farms Harmony and White Townships, Warren County

<u>N.J.A.C.</u> 2:76-17 et seq. SADC ID# 21-0530-PG (North) and #21-0558-PG (South)

APRIL 26, 2019

Amendment Synopsis:

- Recognize Highlands Conservation Easement restrictions associated with the "Forested Area."
- WHEREAS, on February 20, 2014 the SADC received applications for the sale of a development easement from Warren County for the subject farms identified as follows:
 - North Farm as a portion of Block 14, Lot 9, Harmony Township, and Block 12, Lot 20, White Township, Warren County, totaling approximately 77 net acres.
 - South Farm as a portion of Block 14, Lot 9, Harmony Township, Warren County, totaling approximately 39 net acres (Schedule A); and
- WHEREAS, the SADC granted <u>Amended</u> Final Approval for both the North and South farms on April 24, 2015 (Schedule B1 & B2); and
- WHEREAS, in April 2017, the landowner submitted an application to the New Jersey Department of Environmental Protection (NJDEP) for a Highlands Resource Area Determination and Highlands Preservation Area Approval (HPAA) in order to receive approval for the location of the exception area and proposed single-family residential unit within a forested area on Lot 9.08 (Schedule A); and
- WHEREAS, the NJDEP determined that due to the permanent disturbance to 0.46 acres of Highlands upland forest, above the one-quarter acre threshold, on-site mitigation would be required; and
- WHEREAS, in order to meet this mitigation requirement the NJDEP and Landowner have agreed and the County approved additional restrictions above what is required in the SADC farmland preservation Deed of Easement on the approximately 60 acres of mature forested uplands; and

WHEREAS, NJDEP and SADC staff concluded that the additional restrictions of the forested acreage could be accomplished under the farmland Deed of Easement pursuant to N.J.A.C 7:38-9.7(d)2 and N.J.A.C. 2:76-6.15(b) subject to the conditions in Schedule C for the mutual protection of Highlands resources and forest agricultural production activities, subject to a forest management plan; and

NOW THEREFORE BE IT RESOLVED,

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.

- 2. The SADC amends the Windy Acres North and South application Amended Final approvals dated November 12, 2015 (Schedule B1 & B2) to recognized and incorporate additional provisions in paragraph 25, pursuant to NJAC 2:76-6.15(b) to the Forested Area on each Premises as outlined in Schedule C and depicted in Schedule A.
- 3. All other provisions of the Amended Final approvals dated November 12, 2015 (Schedule B1 & B2) shall stay in-tact including the condition of completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and
- 4. The SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 5. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
- 6. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
- 7. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/19

Date

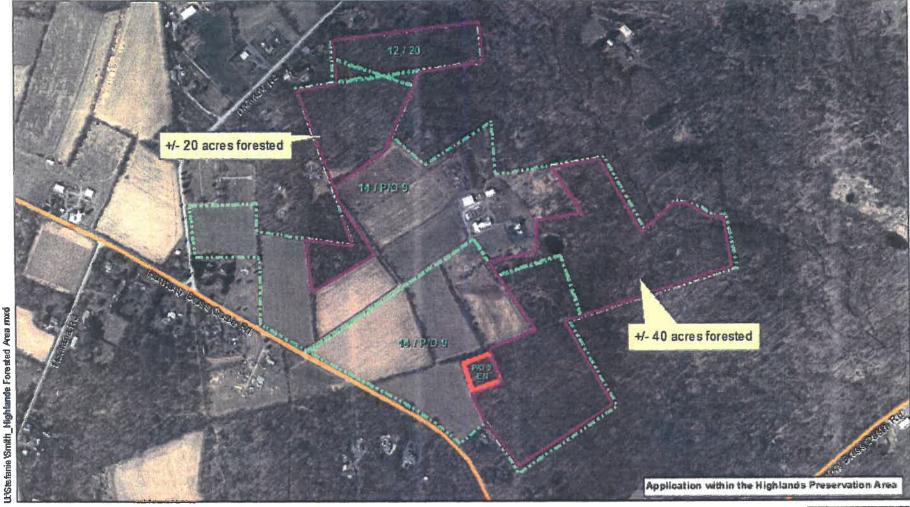
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Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	
James Waltman	YES
Juntos Trattinali	YES

Smith, North & South - Highlands Restricted Area



Dcheduk A

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Smith, John & Jaan (North) Block 14 fot 2 (,74 ac), P/O Lot 9 (72.49 ac) Humony Tep. Block 12 Lot 16 (,29 ac) & Lot 20 (6.45 ac) White Tep. Gross Total \sim 79.99 ac Warren County Smith, John & Jean (South y Block 14 PVD Lot 9 (#2.36 ac) & PYO Lot 1-DI (room-severable exception - .96 ac) Gross Telly - .43,34 ac Itamary Two Warren Courty

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STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R11(7)

<u>AMENDED</u> FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WARREN COUNTY for the PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of John H. Smith and Jean M. Smith ("Owners") Windy Acres North Farm Harmony and White Townships, Warren County

> <u>N.J.A.C.</u> 2:76-17 et seq. SADC ID# 21-0530-PG

NOVEMBER 12, 2015

Amendment Synopsis:

- Recognize a revised hypothetical lot division.
- Recognize additional acreage identified by title and survey
- Approve a new cost share based on the increased acreage.
- WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, and Block 12, Lot 20, White Township, Warren County, totaling approximately 77 net acres hereinafter referred to as "Property" (Schedule A); and
- WHEREAS, a 39 acre portion of Block 14, Lot 9 was submitted as a separate application for the sale of a development easement known as the Windy Acres South Farm; and
- WHEREAS, the SADC granted Final Approval for the Property on April 24, 2015 which included one (1) single-family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses on the area to preserved and an easement value of \$4,600 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,300 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14 (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.12, the Owner accepted the County's offer of \$4,600 per acre for the development easement for the Property; and

- WHEREAS, subsequent to SADC Final Approval title and survey revealed the Property included approximately 3.2 acres of additional land and the Owner is requesting a change to the proposed lot line between the "North" and "South" Farms and the addition of 2 small lots found in title resulting in approximately 80 net acres (Schedules C1, C2 and C3):
 - o Block 14, Lot 2 Harmony Township (0.743 acres)
 - o Block 12, Lot 16 White Township (0.293 acres); and
- WHEREAS, both appraisers and the SADC review appraiser agreed that this revision did not impact their values and the \$4,600 per acre 01/01/04 easement value remains unchanged; and
- WHEREAS, the revised quality score of the Property is 59.46, which is at least 70% of the County's average quality score of 41 as determined by the SADC July 25, 2013; and
- WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 82.4 acres will be utilized to calculate the SADC grant need; and
- WHEREAS, the Warren County Agriculture Development Board approved the revision to the application on October 15, 2015; and
- WHEREAS, on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and committed enough funding to cover its cost share on both the North and South farms and has advised it was unnecessary to amend its resolution for the revised application; and
- WHEREAS, the new estimated cost share breakdown is as follows (based on 82.4 acres):

SADC	\$260,384	(\$3,160/acre)
Warren County	\$118,656	(\$1,440/acre)
Total	\$379,040	(\$4,600/acre)

- WHEREAS, pursuant to <u>N.J.A.C</u>. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$260,384 from Competitive funding, and sufficient funds are available (Schedule D); and
- NOW THEREFORE BE IT RESOLVED, that the SADC amends the application configuration and the cost share of the Windy Acres North Farm final approval <u>Resolution</u> <u>FY2015R4(7)</u>; and
- BE IT FURTHER RESOLVED, the SADC approves a revised cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 82.4 net easement acres at a State cost share of \$3,160 per acre for a total grant need of \$260,384 pursuant to <u>N.J.A.C.</u> 2:76-6.11 and the conditions contained in (Schedule E); and

- BE IT FURTHER RESOLVED the Property has one (1) single family residential unit, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and
- BE IT FURTHER RESOLVED, all other provisions of the final approval <u>Resolution</u> <u>FY2015R4(7)</u> shall remain in effect and is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both the North and South farms; and
- BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
- BE IT FURTHER RESOLVED, that the SADC's amended final approval is conditioned upon the Governor's review pursuant to <u>N.J.S.A.</u> 4:1C-4.

11-12-15

Date

Sm E. Q

Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
Pamela Weintraub (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. Acting State Treasurer Scudder)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano, Esq.	YES



14/ P/09

Demeter



John and Jean Smith White Twp. - Block12 Lot 20 (6.8 ac) & Harmony Twp. - Block 14 Lot P/O 9 (60.5 ac) Gross Total = 67.4 ac Warren County



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Application within the Highlands Preservation Area

Sourceas: NUDEP Frashwater Weitanda Dela Green Acres Contervation Easement Data NUDT7OGIS 2012 Digital Aertel Image

August 5, 2015

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(7)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WARREN COUNTY for the PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of John H. Smith and Jean M. Smith ("Owners") Windy Acres North Farm Harmony and White Townships, Warren County

<u>N.J.A.C.</u> 2:76-17 et seq. SADC ID# 21-0530-PG

April 24, 2015

- WHEREAS, on December 15, 2007 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren County, hereinafter "County" pursuant to <u>N.J.A.C.</u> 2:76-17.6; and
- WHEREAS, pursuant to <u>N.I.A.C.</u> 2:76-17.7, Warren County received SADC approval of its FY2015 PIG Plan application annual update on May 22, 2014; and
- WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, and Block 12, Lot 20, White Township, Warren County, totaling approximately 77 net acres hereinafter referred to as "Property" (Schedule A); and
- WHEREAS, a 39 acre portion of Block 14, Lot 9 was submitted as a separate application for the sale of a development easement known as the Windy Acres South Farm; and
- WHEREAS, the Property is located in Warren County's West Project Area and the Highlands Preservation Area; and
- WHEREAS, the Property includes one (1) single-family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses on the area to preserved; and
- WHEREAS, at the time of application the Property was in corn, hay, beef and sheep production; and
- WHEREAS, the Owner(s) has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

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- WHEREAS, the Property has a quality score of 61.34 which exceeds 41, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.9(b) on June 10, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17.9(a); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on December 11, 2014 the SADC certified a development easement value of \$4,600 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,300 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14; and
- WHEREAS, the SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.12, the Owner accepted the County's offer of \$4,600 per acre for the development easement for the Property; and
- WHEREAS, on January 29, 2015 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to <u>N.J.A.C.</u> 2:76-17.14; and
- WHEREAS, pursuant to <u>N.I.A.C.</u> 2:76-17.13, on March 3, 2015 the Harmony Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and
- WHEREAS, pursuant to <u>N.J.A.C</u>. 2:76-17.13, on March 12, 2015 the White Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and
- WHEREAS, pursuant to <u>N.I.A.C.</u> 2:76-17.13 on March 19, 2015 the Warren CADB passed a resolution granting final approval for funding the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and a commitment of funding for \$1,440 per acre per acre to cover the entire local cost share; and
- WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 79.31 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 79.31 acres); and

SADC	\$ 250.619.60	(\$3,160/acre)
Warren County	\$ 114,206,40	(\$1.440/acre)
Total Easement Purchase	\$ 364,826.00	(\$4,600/acre)

- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.14, the Warren County Agriculture Development Board is requesting \$250,619.60 from the FY13 Competitive fund, which is available at this time (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11;
- NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 79.31 acres, at a State cost share of \$3,160 per acre, (68.7% of purchase price), for a total grant need of \$250,619.60 pursuant to <u>N.J.A.C.</u> 2:76-6.11 and the conditions contained in (Schedule C); and
- BE IT FURTHER RESOLVED, the Property has one (1) single family residential unit, zero (0) agricultural labor units, no pre-existing non-agricultural uses on the area to preserved; and
- BE IT FURTHER RESOLVED, final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and
- BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and
- BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and
- BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement; and
- BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to <u>N.J.A.C.</u> 2:76-6.18, 6.18(a) and 6.18(b); and

- BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
- BE IT FURTHE RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
- BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

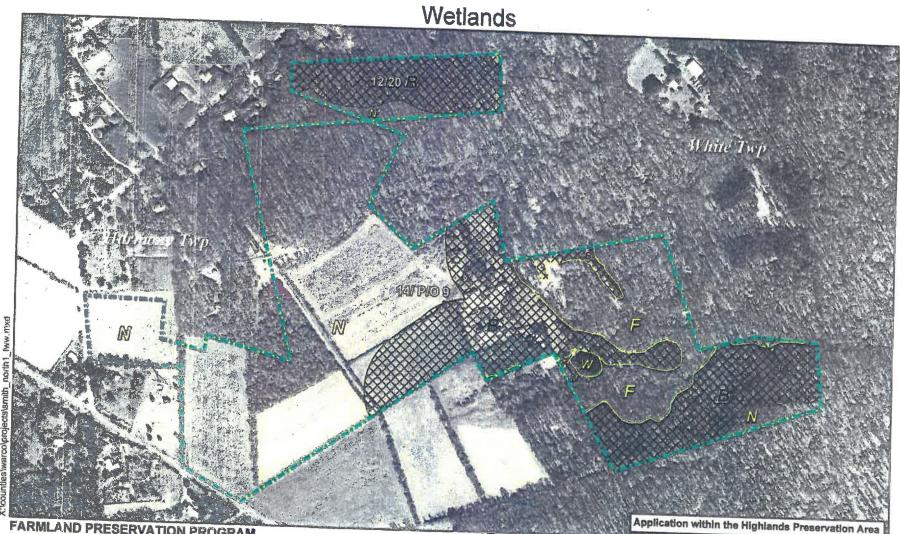
4/24/15

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Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

John and Jean Smith White Twp. - Block12 Lot 20 (6.8 ac) & Harmony Twp. - Block 14 Lot P/O 9 (69.9 ac) Gross Total = 76.7 ac Warren County

500 250 500 1,000 Feet

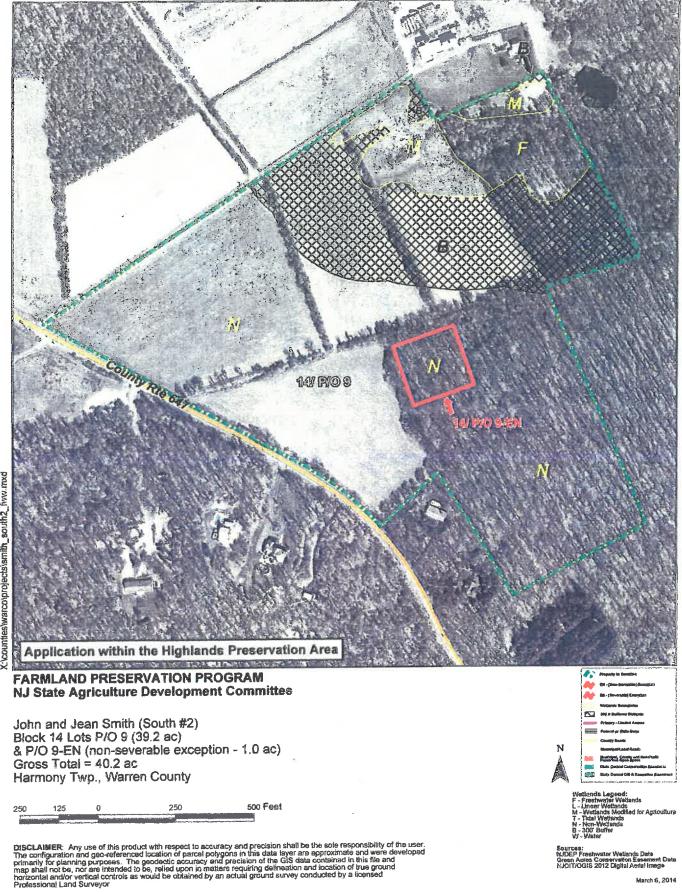
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Sources: NJDEP Freshweter Wetlande Data Grain Acres Conservation Escement Data NJDIT/OGIS 2012 Digital Aetial Imaga

Wetlands



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Warren County

Maw Jersey Farmland Preservation Program Preservation Program County Planning Incentive Grant - N.J.A.C. 278-57 at sag.

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SADC Final Review: Development Easement Purchase

Smith, John & Jean (Windy Acres North) #1 21- 0530-PG County PIG Program

77 Acres

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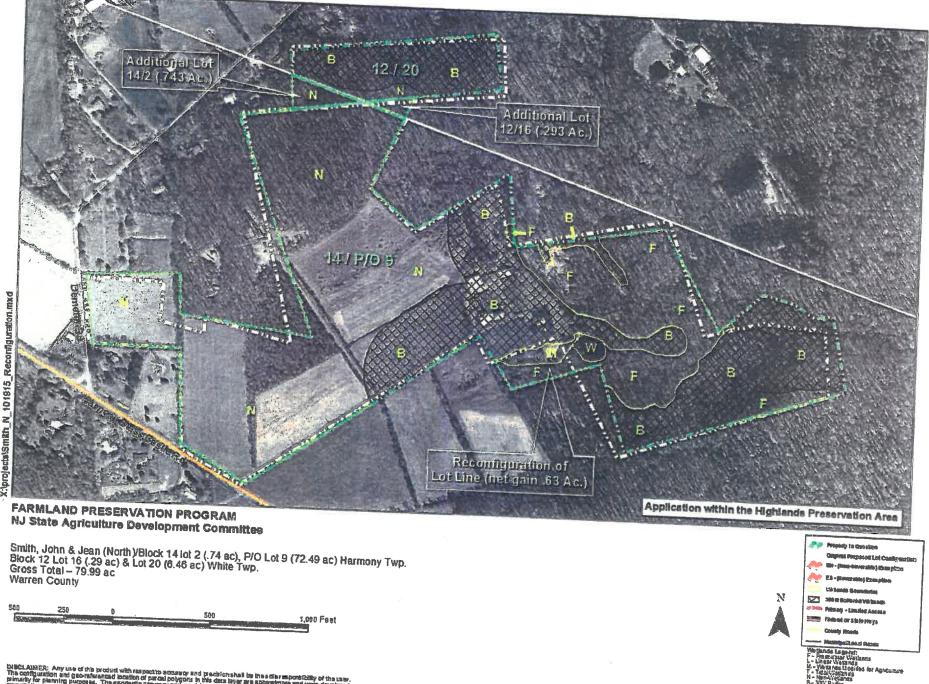
In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

- 1. Available funding.
- The allocation, not to exceed 0. Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
- 3. Compliance with all applicable statutes, rules and policies.
- 5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:

SADC's staff acceptance of the J & J Smith North and South Farms, as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing the subdivision prior to closing.

- e. Dwelling Units on Premises: Standard Single Family
- f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
- 6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
- 7. Review and approval by the SADC legal counsel for compliance with legal requirements.

Wetlands - Schedule C1

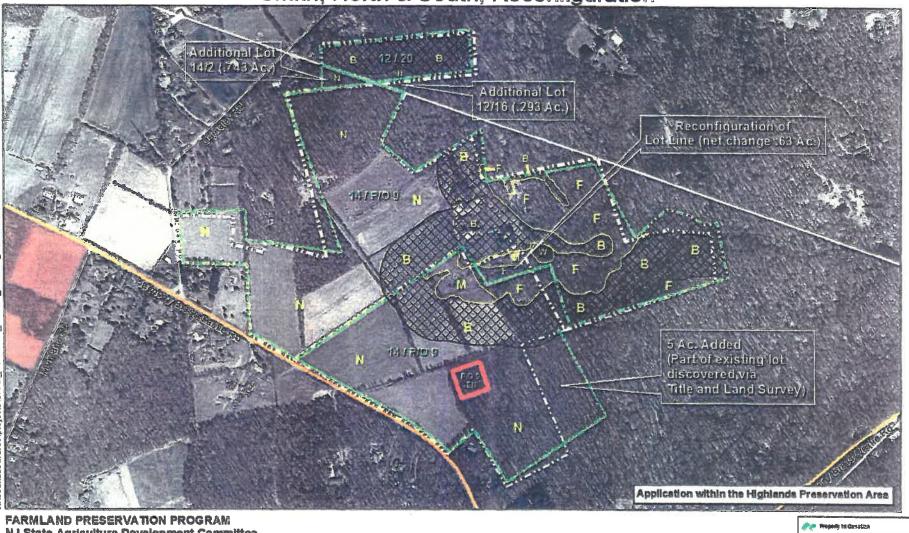


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Smith, North & South, Reconfiguration

Schedule C2



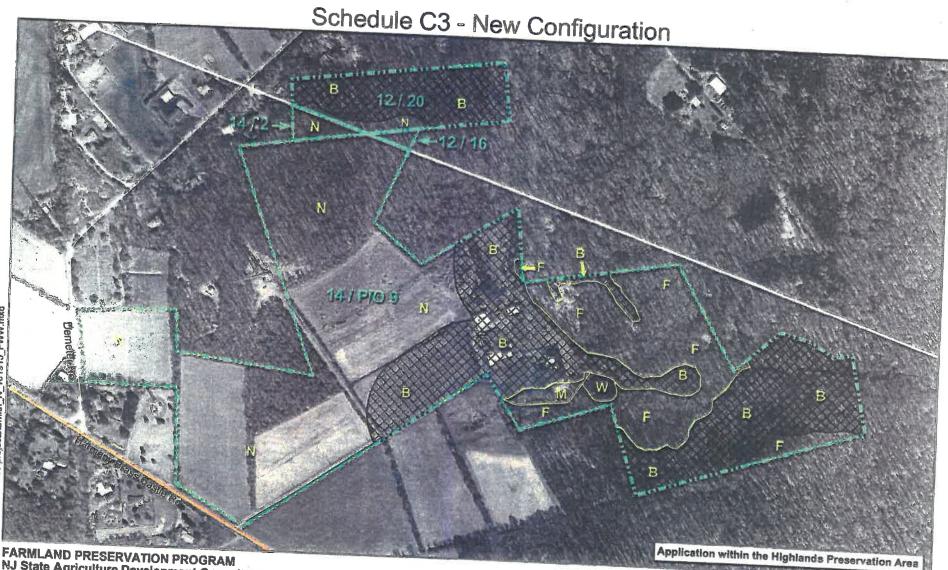
NJ State Agriculture Development Committee

Smith, John & Jean (North)/Block 14 lot 2 (.74 ac), P/O Lot 9 (.72.49 ac) Harmony Twp. Block 12 Lot 16 (.29 ac) & Lot 20 (6.45 ac) White Twp. Gross Total -- 76.99 ac Warner County Smith, John & Jean (South)/ Block 14 P/O Lot 9 (.42.38 ac) S P/O Lot 9 EN Long-constraints experision __ 85 pc) & P/O Lot 9-EN (non-severable exception - .96 ac) Gross Total - 43.34 ac Harmony Twp. Warren County

500 1,000 Feet 250 500

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Smith, John & Jean (North)/Block 14 lot 2 (.74 ac), P/O Lot 9 (72.49 ac) Harmony Twp. Block 12 Lot 16 (.29 ac) & Lot 20 (6.46 ac) White Twp. Gross Total – 79.99 ac

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



Wetlands Legend: - Frashwater Wetlands - Unsar Wetlands - Unsar Wetlands - Votlands Modified for Agriculture - Tidal Wetlands - 300° Buffer - Wetlard

Sources: NJ Fardhand Preservation Program Green Acres Conservation Essement Date NJDEP Weiterds Date NJ Preservation Commission PDC Date NJ Hightands Council Date NJ OT Read Date NJDOT Read Date NJDOT Road Date NJDOT Road Date

SADC County PIG Financial Status

Schedule D

Warren County

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schedule C

State Agriculture Development Committee SADC Final Review: Development Easement Purchase

Smith, John & Jean (Windy Acres North) #1 21- 0530-PG County PIG Program 80 Acres

	ov Actes		
Block 14 Block 12 Block 14 Block 12	Lot P/O 9 Harmony Twp. Lot 20 White Twp. Lot 2 Harmony Twp. Lot 16 White Twp.	Warren County Warren County Warren County Warren County	
SOILS:	Other Prime	42% * 0 = .00 $52\% * .15 \approx 7.80$	
	Statewide	6% * .1 = .60	
TILLABLE SOILS:	Cropland Harvested		. 40
	Wetlands	36% * .15 = 5.40 15% * 0 = .00	
	Woodlands	49% * 0 = .00	
FARM USE:	Corn-Cash Grain Hay Beef Cattle Except Feedlots Sheep & Goats	TILLABLE SOILS SCORE: 5. 12 acres 9 acres 4 acres 4 acres 4 acres	40

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

- 1. Available funding.
- The allocation, not to exceed 0 Residual Dwelling Site Opportunities 2. on the Premises subject to confirmation of acreage by survey.
- Compliance with all applicable statutes, rules and policies. 3.
- 5. Other:
 - Pre-existing Nonagricultural Use: No Nonagricultural Uses a. b.
 - Exceptions: No Exceptions Requested
 - Additional Restrictions: No Additional Restrictions c.
 - d. Additional Conditions:

SADC's staff acceptance of the J & J Smith North and South Farms , as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing the subdivision prior to closing.

- Dwelling Units on Premises: e. Standard Single Family
- Agricultural Labor Housing Units on Premises: No Ag Labor Housing f.
- The SADC's grant for the acquisition of the development easement is subject 6. to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
- Review and approval by the SADC legal counsel for compliance with legal 7. requirements.

adc_flp_final_review piga.rdf

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2016R11(8)

<u>AMENDED</u> FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WARREN COUNTY for the PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of John H. Smith and Jean M. Smith ("Owners") Windy Acres South Farm Harmony Township, Warren County

<u>N.J.A.C.</u> 2:76-17 et seq. SADC ID# 21-0558-PG

NOVEMBER 12, 2015

Amendment Synopsis:

- Recognize a revised hypothetical lot division.
- Recognize additional acreage identified by title and survey
- Approve a new cost share based on the increased acreage.
- WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, Warren County, totaling approximately 39 net acres hereinafter referred to as "Property" (Schedule A); and
- WHEREAS, a 77 acre portion of Block 14, Lot 9 was submitted as part of a separate application for the sale of a development easement known as Windy Acres North Farm; and
- WHEREAS, the SADC granted Final Approval for the Property on April 24, 2015 which included a 1-acre non-severable exception area limited to one future single family residential unit and the portion of the Property outside the exception area includes zero (0) housing opportunities, zero (0) agricultural labor units and no pre-existing non-agricultural uses and an easement value of \$6,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$600 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14 (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.12, the Owner accepted the County's offer of \$6,000 per acre for the development easement for the Property; and

- WHEREAS, subsequent to SADC Final Approval title and survey revealed the Property included approximately 5 acres of additional land and the Owner is requesting a change to the proposed lot line between the "North" and "South" Farms resulting in an additional approximately .63 acres for a new net acreage of approximately 42.38 acres (Schedules C1, C2 and C3): and
- WHEREAS, both appraisers and the SADC review appraiser agreed that including the driveway did not impact their values and the \$6,000 per acre 01/01/04 easement value remains unchanged; and
- WHEREAS, the revised quality score of the Property is 58.76, which is at least 70% of the County's average quality score of 41 as determined by the SADC July 25, 2013; and
- WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 43.65 acres will be utilized to calculate the SADC grant need; and
- WHEREAS, the Warren County Agriculture Development Board approved the revision to the application on October 15, 2015; and
- WHEREAS, on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and committed enough funding to cover its cost share on both the North and South farms and has advised it was unnecessary to amend its resolution for the revised application; and
- WHEREAS, the new estimated cost share breakdown is as follows (based on 43.65 acres):

SADC	\$170,235	(\$3,900/acre)
Warren County	\$ 91,665	(\$2,100/acre)
Total		(\$6,000/acre)

- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.14, the Warren County Agriculture Development Board is requesting \$170,235 from Competitive funding, and sufficient funds are available (Schedule D); and
- NOW THEREFORE BE IT RESOLVED, that the SADC amends the application configuration and the cost share of the Windy Acres South Farm final approval <u>Resolution</u> <u>FY2015R4(8)</u>; and
- BE IT FURTHER RESOLVED, the SADC approves a revised cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 43.65 net easement acres at a State cost share of \$3,900 per acre for a total grant need of \$170,235 pursuant to <u>N.J.A.C.</u> 2:76-6.11 and the conditions contained in (Schedule E); and

- BE IT FURTHER RESOLVED the Property includes zero (0) residential units, zero (0) agricultural labor units and no pre-existing non-agricultural uses outside of the exception areas; and
- BE IT FURTHER RESOLVED, all other provisions of the final approval <u>Resolution</u> <u>FY2015R4(8)</u> shall remain in effect and is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both the North and South farms; and
- BE IT FURTHER RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
- BE IT FURTHER RESOLVED, that the SADC's amended final approval is conditioned upon the Governor's review pursuant to <u>N.J.S.A.</u> 4:1C-4.

11-12-15

Date

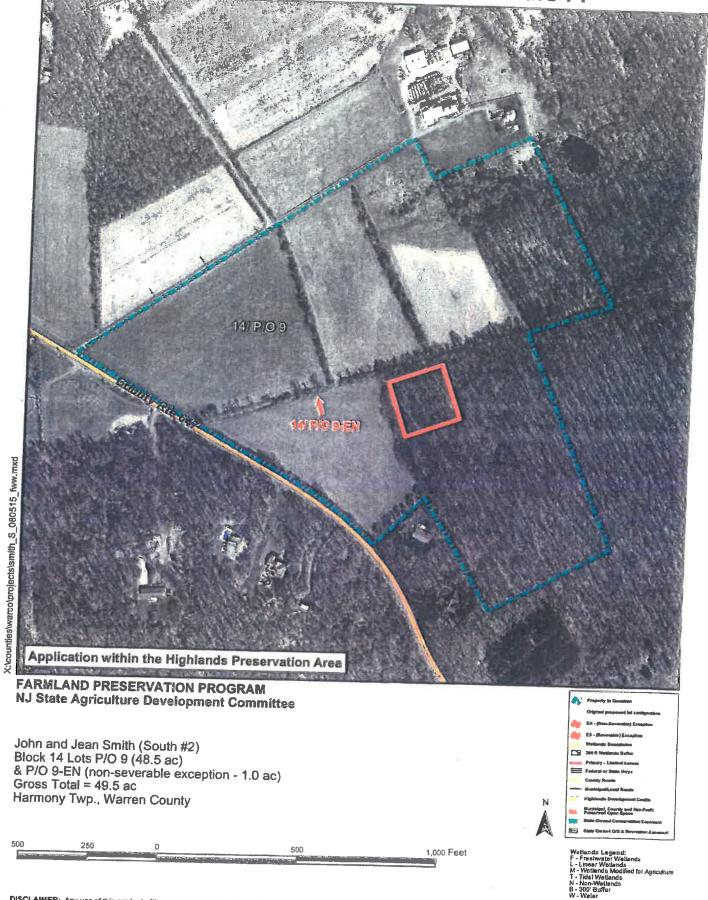
SmE. Por

Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Cecile Murphy (rep. DEP Commissioner Martin)	YES
Pamela Weintraub (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. Acting State Treasurer Scudder)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano, Esq.	YES

Original Application - Schedule A



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

Sources: NJDEP Freshwater Wellands Date Green Acres Conservation Essement Date NJDIT/OGIS 2012 Digital Aeriel Image

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2015R4(8)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WARREN COUNTY for the PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of John H. Smith and Jean M. Smith ("Owners") Windy Acres South Farm Harmony Township, Warren County

<u>N.J.A.C.</u> 2:76-17 et seq. SADC ID# 21-0558-PG

April 24, 2015

- WHEREAS, on December 15, 2007 the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren County, hereinafter "County" pursuant to <u>N.J.A.C.</u> 2:76-17.6; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.7, Warren County received SADC approval of its FY2015 PIG Plan application annual update on May 22, 2014; and
- WHEREAS, on February 20, 2014 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as a portion of Block 14, Lot 9, Harmony Township, Warren County, totaling approximately 39 net acres hereinafter referred to as "Property" (Schedule A); and
- WHEREAS, a 77 acre portion of Block 14, Lot 9 was submitted as part of a separate application for the sale of a development easement known as Windy Acres North Farm; and
- WHEREAS, the Property is located in Warren County's West Project Area and the Highlands Preservation Area; and
- WHEREAS, the Property includes a 1-acre non-severable exception area limited to one single family residential unit; and
- WHEREAS, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses on the area to preserved outside of the exception area; and

WHEREAS, at the time of application the Property was in corn and hay production; and

- WHEREAS, the Owner(s) has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and
- WHEREAS, the Property has a quality score of 62.14 which exceeds 41, which is 70% of the County's average quality score as determined by the SADC July 25, 2013; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.9(b) on June 10, 2014 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17.9(a); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on December 11, 2014 the SADC certified a development easement value of \$6,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$600 per acre based on zoning and environmental regulations in place as of the current valuation date 06/28/14; and
- WHEREAS, the SADC's certification and this resolution for final approval are conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.12, the Owner accepted the County's offer of \$6,000 per acre for the development easement for the Property; and
- WHEREAS, on January 29, 2015 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to <u>N.J.A.C.</u> 2:76-17.14; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13, on March 3, 2015 the Harmony Township Committee approved the Owner's application for the sale of a development easement, but is not participating financially in the easement purchase; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on March 19, 2015 the Warren CADB passed a resolution granting final approval for funding the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on March 25, 2015 the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval and a commitment of funding for \$2,100 per acre per acre to cover the entire local cost share; and
- WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 40.17 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 40.17 acres); and

SADC	\$ 156,663.00	(\$3,900/acre)
Warren County	\$ 84,357.00	(\$2,100/acre)
Total Easement Purchase	\$ 241,020.00	(\$6,000/acre)

- WHEREAS, pursuant to <u>N.J.A.C</u>. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$156,663.00 from the FY13 Competitive fund, which is available at this time (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11;
- NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Warren County for the purchase of a development easement on the Property, comprising approximately 40.17 acres, at a State cost share of \$3,900 per acre, (65% of purchase price), for a total grant need of \$156,663.00 pursuant to <u>N.J.A.C.</u> 2:76-6.11 and the conditions contained in (Schedule C); and
- BE IT FURTHER RESOLVED, the Property has a 1-acre non-severable exception area for and limited to one single family residence; and
- BE IT FURTHER RESOLVED, the Property includes zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses on the area to preserved outside of the exception area; and
- BE IT FURTHER RESOLVED, the SADC's final approval is conditioned upon the landowner completing an unconditional subdivision of Lot 9 prior to closing and the simultaneous preservation of both farms; and
- BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and
- BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and
- BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement; and

- BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to <u>N.J.A.C.</u> 2:76-6.18, 6.18(a) and 6.18(b); and
- BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and
- BE IT FURTHE RESOLVED, that this approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey; and
- BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.I.S.A. 4:1C-4.

4/24/15

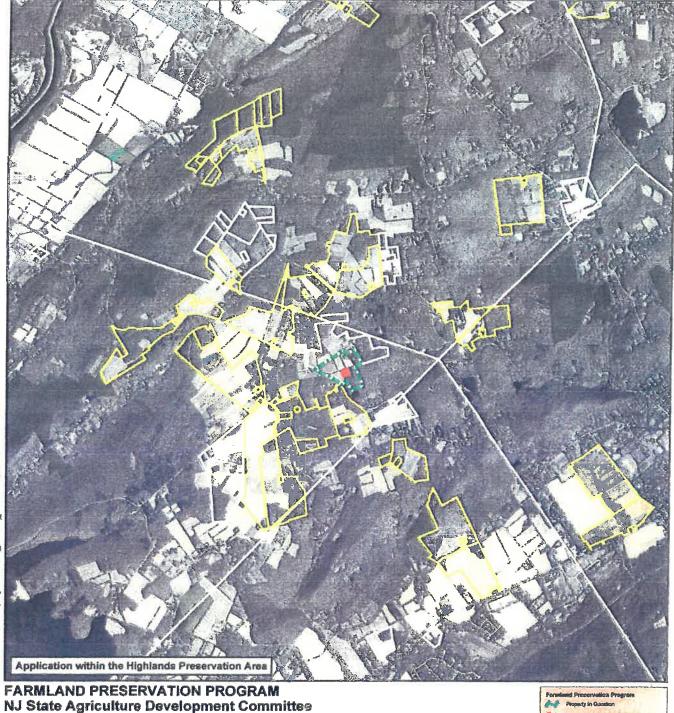
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Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

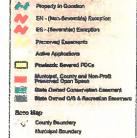
Douglas H. Fisher, Chairman	YES
Maria Connolly (rep. DCA Acting Commissioner Richman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
Renee Jones (rep. DEP Commissioner Martin)	YES
Alan Danser, Vice Chairman	YES
Jane Brodhecker	YES
Denis Germano, Esq.	ABSENT
Peter Johnson	YES
James Waltman	ABSENT

Preserved Farms and Active Applications Within Two Miles



John and Jean Smith (South #2) Block 14 Lots P/O 9 (39.2 ac) & P/O 9-EN (non-severable exception - 1.0 ac) Gross Total = 40.2 ac Harmony Twp., Warren County

2,000 1,000 2,000 4,000 6,000 Feet 0 Ballin Ba



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Sources: NJ Farmland Preservation Pr Green Acres Conservation Er NJOIT/OGIS 2012 Digital Aer

March 5, 2014

NOTE: The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

Schedule B

farren County

New Jersay Farmland Preservation Program Preservation Program County Flanning Incentive Grant - N.J.A.C. 2:78-17 at asg.

					n 1. j. pr												
Drake at 6l	Allemuchy	208,080	4,000.00	4,000.00	2,600.00	792,348.00	792,348.00	188,825,50	582,558.00 213,729.00	190,828.50	554,643.80 199,929,50	1,949,356.40					
Bowers, Aussell	Pohatcong	89.010	6,500,00	7,000.00	4,180.00	493,070.00	448,585.00	284,950.00	206,391.50	286,391.50	289,391,50	1,460,138.40		10007			
Dirisio, Irme	Manallard	03,010	01200100	- 1,000,00	41140,000	433/07 0.00	446,003.00	294,000.00	1.	8,258.50	8,258.50	1,451,578.90					
Pruden, Timothy	Нира	130.610	4,000.00	4,000.00	2,800.00	513,532,00	513,532.00	368,472.40	369,268.00	359,472.40	359,472.40	1.092.407.50					
McConnell	Oxford	57.680	8,200.00	6,200.00	4,000.00	325,014.60	325,016.40	209,688.00	93,070.40	93,870,40	93,870,40	990,537.10					10
MCCORNER	UXIND	01.90VI	0,800.00	0,800,00	-,0NB/BO	9601914100	020,010,40	E001004:040	138.849.60	115,817.60	115,817,60	882.719.50					
Conke	Hops	46.410	3,700.00	3,700.00	2,530.00	179,028.20	174,617.80	123,649.28	128,834.20	64,931.03	84,831.03	797,788.47					
Cear	Poteloang	DO.SED	6,400.00	8,400.00	3,800,00	810,678.00	\$10,678.00	340,492.00	346,692.00	340,452.00	340,452.00	457,528.47			<u> </u>		
Benver Brook/TLCNJ	Hope	139,050	3,979,00	3,979.00	2,767.40	653,279.95	633,579,92	373,707.55	366,301.30	372,500,08	372,500.88	84,835.59	1,296.67	1,206.67	1,280.07	2,998,713.33	
Bullock	White	80.770	3,900.00	3,800.00	2,740.00	237,003.00	237,003.00	166,509.80	36,136.82			48,698.77	123.577.36		- Maccondr	2,050,713.33	4,876,422.6
							· · · · · · · · · · · · · · · · · · ·		6,795.60			41,903.17					4,010,922.6
J&K Smith #1	Harmony	47,360	8,000.00	8,000.00	3,900.00	284,280.00	284,280.00	184,782.00					184,782,00	······	1		4,691,640,6
JAK Smith #2	Harmony	52,530	8,500.001	5,600.00	3,650.00	285,915.00	288,915.00	101,734.50					191,734.50				4,499,008.1
Cericola #1	Franklin	187.460	8,200.00	0,200.00	4,000.00	1,162,252.00	1,162,252.00	749,840.00					74,220.00			2,924,493,33	4,403,000.1
	1							L					675,820.00				3,824,286.1
Coricola #2	Franklin	31.42	5,750.00	8,000,00	3,775.00	168,520.00	160,685.00	118,610.50					118,610.50				3,705,975,6
Kinney Estate	Blaire/Hnowl	38.110	õ,600.00	5,600.00	3,760.00	181,720.00	181,720.00	120,065.00	41,903,17	41,903.17		0.00		78,161.83		1	3,827,513.
JJ Smith North	Harmony	79,31	4,800.00	4,500.00	3,160.00	364,828,00	364,626.00	250,819,60					250,619.00				3,378,894.
JJ Smith South	Harmony	40,17	8,008.00	5.000.00	3,900,00	241,020.00	241,020.00	. 155,663.00		and the second second			150,663.00			1	3,220,231.
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FY11 FY13

SADC Final Review: Development Easement Purchase

Smith, John & Jean (Windy Acres South)#2 21- 0558-PG County PIG Program 38 Acres

Block 14		Lot 1	P/O 9	Har	mony Twp.		Wai	ren	Coi	anty				
SOILS:					Other		29%	•	0	=	. 00			
					Prime		61%	*	.15	=	9.15			
					Statewide		10%	*	.1	-	1.00			
	¥					3				SOIL	SCORE	: :	10.15	
TILLABLE S	SOILS:			Cropland	Harvested		60%	*	.15	=	9.00			
				Wetlands			6 %	ŧ	0	=	.00			
		a) (Woodlands	I		3á 8	*	0	11	.00			
							TI	llae	LE	SOILS	SCORE	•	9.00	
FARM USE:		Cash	Grains				23 a	cres				Corn	& Нау	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

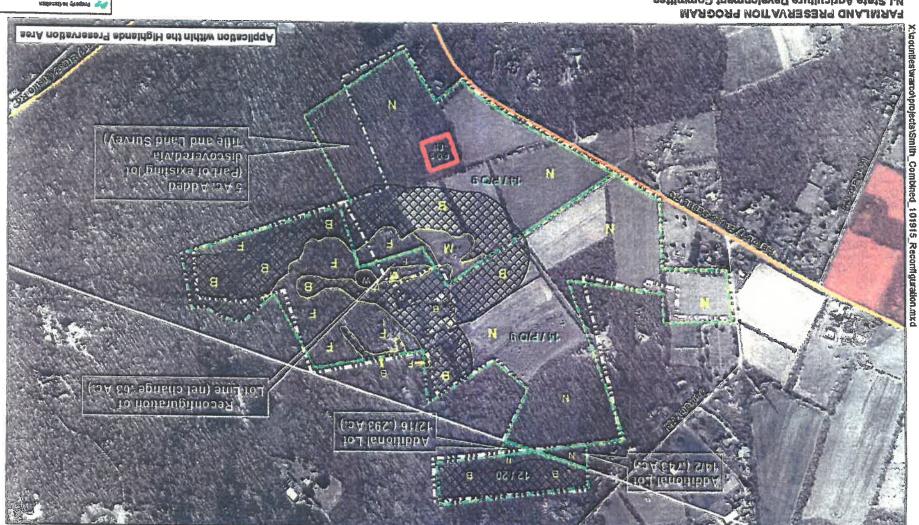
- 1. Available funding.
- 2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
- Compliance with all applicable statutes, rules and policies.
- 5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for future single family residence Exception is not to be severed from Premises Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:

SADC staff's acceptance of the J & J Smith North and South Farms, as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing a subdivision prior to closing.

- e. Dwelling Units on Premises: No Structures On Premise
- f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
- 6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
- Review and approval by the SADC legal counsel for compliance with legal requirements.



Smith, North & South, Reconfiguration Schedule C2



NJ State Agriculture Development Committee

projects\Smith

Strift, John & Jean (Netthy)/Block 14 (NI 2 (, 74 ас), P/O Loi 9 (72.49 ас) Наптолу Тwp. Block 12 Loi 16 (, 28 ас) & Loi 20 (6.46 ас) Write Twp. Waren County Waren County Smith, John & Jean (Southy) Block 14 P/O Loi 9 (A.2.89 ас) Smith, John & Jean (Southy) Block 14 P/O Loi 9 (A.2.89 ас) Smith, John & Jean (Southy) Block 14 P/O Loi 9 (A.2.89 ас) Smith, John & Jean (Southy) Block 14 P/O Loi 9 (A.2.89 ас) Smith, John & Sen (Southy) Block 14 P/O Loi 9 (A.2.89 ас) Smith, John & Sen (Southy) Block 14 P/O Loi 9 (A.2.89 ас) Smith, Jivp, Waren County Harmony Twp, Waren County



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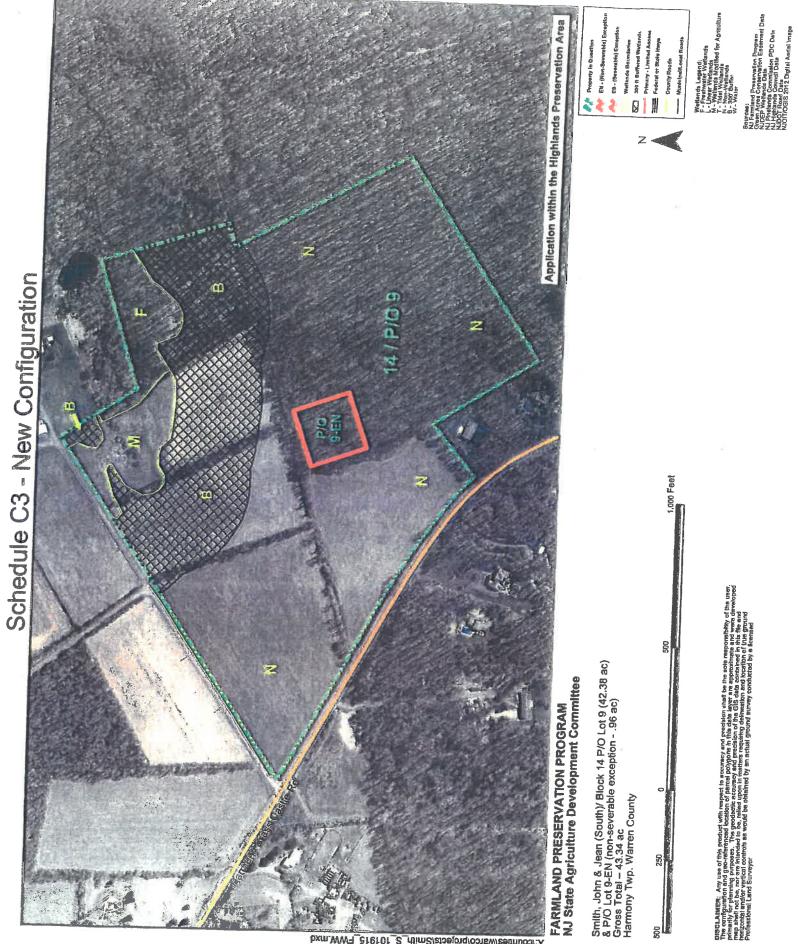
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Warren County

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IN WIK 6 State Agriculture Development Committee SADC Final Review: Development Easement Purchase March 26, 2015 Smith, John & Jean (Windy Acres South)#2 21- 0558-PG County PIG Program 42 Acres Block 14 Lot P/O 9.08 Harmony Twp. Warren County SOILS: Other 36% * 0. .00 Prime 56% * .15 8.40 = Statewide 88 * .1 = .80 SOIL SCORE: 9.20 TILLABLE SOILS: Cropland Harvested 38% * .15 5.70 Wetlands 88 * 0 = .00 Woodlands 54% * 0 -.00 TILLABLE SOILS SCORE : 5.70 FARM USE : Cash Grains 23 acres Corn & Hay In no instance shall the Committee's percent cost share for the purchase of the

development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

- Available funding.
- The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
- 3. Compliance with all applicable statutes, rules and policies.
- 5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (.96) acres for future single family residence Exception is not to be severed from Premises Exception is to be limited to zero existing single family residential unit(s) and one future single family residential unit(s)
 - c Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:

SADC staff's acceptance of the J & J Smith North and South Farms, as well as future approvals should the landowner accept the values, are conditioned upon the landowner moving forward with the preservation of both farms and completing a subdivision prior to closing.

- e. Dwelling Units on Premises: No Structures On Premise
- f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
- 6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
- 7. Review and approval by the SADC legal counsel for compliance with legal requirements.

Schedule C

Page 5 of 8

25. The parties hereto understand that a portion of the Property is identified as within the Forest Resource Area pursuant to the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1, et seq. and attendant regulations at N.J.A.C. 7:38-1.1, et seq. Accordingly, the parties hereto agree, in accordance with N.J.A.C. 2:76-6.15(b), to the following additional provisions which shall be applicable only within the forested area ("Forested Area") depicted [and/or "described"] in the attached Schedule "__"

(a). Grantor reserves the right to plant, grow, and harvest trees, timber and forest products and to engage in other woodland management activities related thereto ("woodland management activities") in the Forested Area delineated in Schedule, provided that the same are carried out in a manner consistent with a Woodland Management Plan or Forest Stewardship Plan (either of which is referred to herein as "forest management plan") that has been reviewed and approved by the New Jersey State Forester pursuant to N.J.S.A 54:4-23.3 and N.J.S.A. 13:1L-30, et seq. respectively.

(1). The forest management plan shall be prepared regardless of whether the Forested Area is classified as appurtenant or non-appurtenant woodland for farmland assessment purposes and whether or not Grantor is currently actively engaged in woodland management activities. The forest management plan shall set forth the management practices Grantor intends to carry out in order to achieve Grantor's management objectives.

(2). The forest management plan shall be prepared to provide for forest cover in perpetuity subject to the harvesting of timber and timber products using accepted forestry practices consistent with state and federal laws, regulations and currently acceptable best management practices described in the New Jersey Forestry and Wetlands Best Management Practices Manual, as may be amended, available at http://www.state.nj.us/dep/parksandforests/forest/nj_bmp_manual1995.pdf.

(3). In the Forested Area, there shall be no burning, mowing, cutting, removal, grazing, livestock access, plowing, tilling or destruction of trees, shrubs, or other vegetation (collectively, "Vegetation") unless:

[a]. Grantor and said activity are in full compliance with the forest management plan; and

[b]. Said activity is in compliance with all applicable local, state, and federal laws and regulations.

[c]. Notwithstanding the foregoing, conversion of woodlands to non-woodlands is not permitted in the Forested Area.

(4). Grantor shall obtain a forest management plan within one (1) year of the date of this Deed of Easement and shall come into compliance with the forest management plan within three (3) years of the date of this Deed of Easement. The forest management plan shall be updated not less frequently than once every ten (10) years. Amendments to the forest management plan shall be required if Grantor wishes to propose woodland management activities not contained in the then-current approved forest management plan.

(5). Grantor shall provide a copy of the forest management plan and any revisions or amendments thereto to Grantee and the Committee within 30 days after the State Forester approves the forest management plan.

The Grantor signs this Deed of Easement as of the date of the top of the first page. If the Grantor is a corporation, this Deed of Easement is signed and attested to by its proper corporate officers, and its corporate seal, if any, is affixed.

Insert Name & Title under signature	(L.S.)

Insert Name & Title under signature (L.S.)

STATE AGRICULTURE DEVELOPMENT COMMITTEE RESOLUTION FY2019R4(2) FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO Knowlton Township for the PURCHASE OF A DEVELOPMENT EASEMENT On the Property of Kitchen, Mark ("Owner") Knowlton Township, Warren County

2

<u>N.J.A.C.</u> 2:76-17A. et seq. SADC ID# 21-0363-PG

APRIL 26, 2019

- WHEREAS, on December 15, 2007, pursuant to <u>N.J.A.C</u>. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Knowlton Township, Warren County; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.7, Knowlton Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on August 3, 2018 the SADC received an application for the sale of a development easement from Knowlton Township for the subject farm identified as Block 47, Lot 7, Knowlton Township, Warren County, totaling approximately 32 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Knowlton Township's North Project Area; and

- WHEREAS, the Property includes one (1), approximately 4-acre non-severable exception area for and limited to one existing single-family residential unit and to afford future flexibility of uses resulting in approximately 28 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception area zero (0) exceptions, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in hay and soybean production; and
- WHEREAS, the Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.9A(b) on August 21, 2018 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17A.9(a); and

- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on January 24, 2019 the SADC certified a development easement value of \$5,100 per acre based on zoning and environmental regulations in place as of the current valuation date October 2018; and
- WHEREAS, the Owner accepted the Township's offer of \$5,100 per acre for the development easement for the Property; and
- WHEREAS, pursuant to <u>N.J.A.C</u>. 2:76-17.13, on March 11, 2019, the Knowlton Township Committee approved the application for the sale of development easement and a funding commitment of \$825 per acre; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on April 18, 2019, the Warren County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on April 24, 2019, the County of Warren passed a resolution granting final approval and a commitment of funding for \$825 per acre to cover the local cost share; and
- WHEREAS, the estimated cost share breakdown is as follows (based on approximately 28 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$ 96,600	(\$3,450 / acre)
Warren County	\$ 23,100	<u>(\$ 825 / acre)</u>
Knowlton Township	\$ 23,100	(\$ 825/acre)
Total Easement Purchase	e \$142,800	(\$5,100 / acre)

- WHEREAS, Knowlton Township is requesting \$3,450 per acre or approximately \$96,600 and sufficient funds are available (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

- 1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
- 2. The SADC grants final approval to provide a cost share grant to Knowlton Township for the purchase of a development easement on the Property, comprising approximately 28 net easement acres, at a State cost share of \$3,450 per acre, (67.65% of certified easement value and purchase price), for a total grant of approximately \$96,600 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
- 3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
- 4. The SADC will be providing its grant directly to Warren County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to <u>N.I.A.C.</u> 2:76-6.18, 6.18(a) and 6.18(b).
- 5. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
- 7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
- 8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/19

- E.V

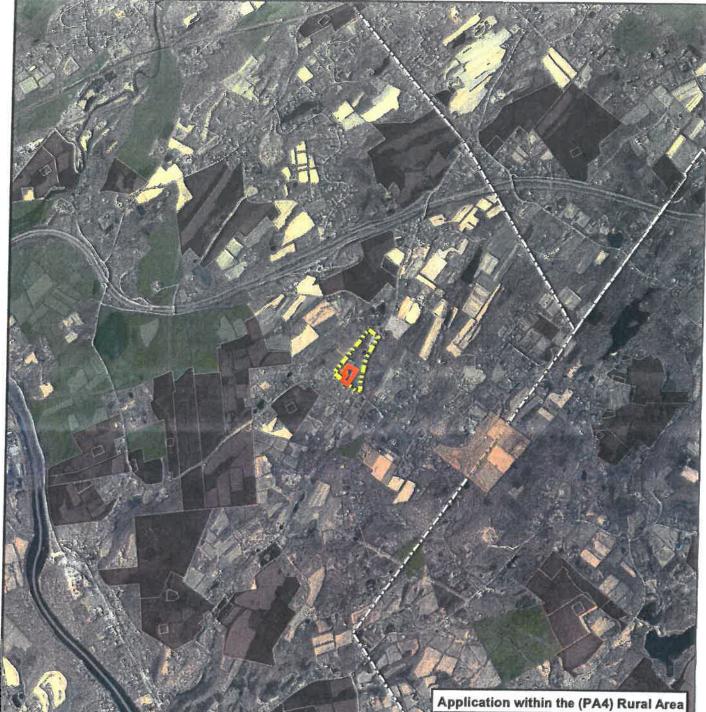
Date

Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

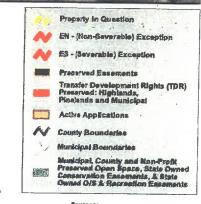
Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kitchen, Mark W. Block 47 P/O Lot 7 (28.1 ac) & P/O Lot 7-EN (non-severable exception - 4.0 ac) Gross Total - 32.1 ac Knowlton Twp., Warren County

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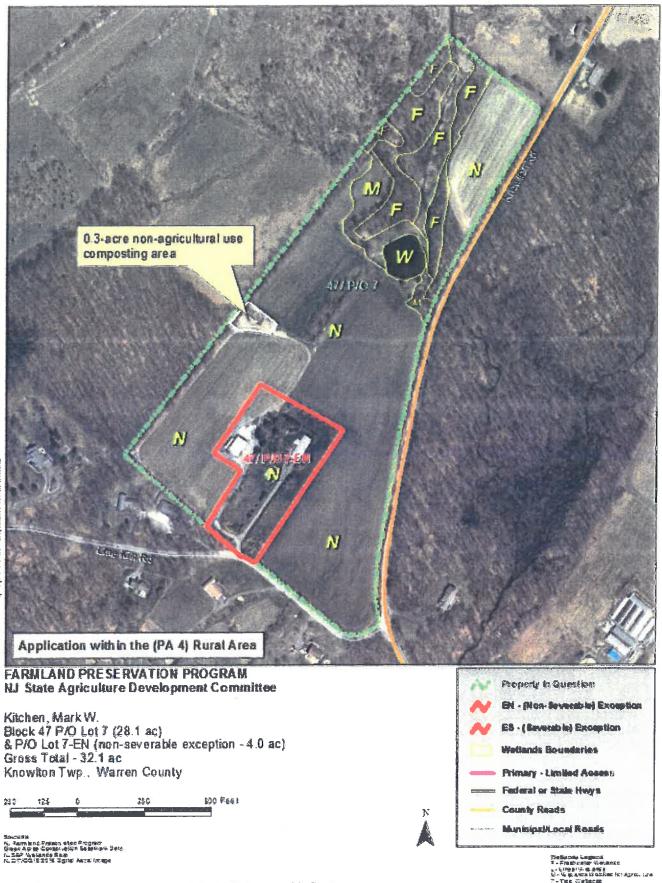


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Sources: NJ Farmland Proconvation Program Green Acras Conservation Easement Data NJOIT/OGIS 2015 Digital Aerial Image

August 6, 2018

Wetlands



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SADC Municipal Pig Financial Status Schedule B

Knowlton Township, Warren County

SADC ID#			SA	NDC Cost		al Grant		Gra Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19	nt	750,000 500,000 500,000 250,000
21-0473-PG	Peck Farm	Acres	Basis	Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	1,000,000. Balance
21-0485-PG 21-0495-PG 21-0514-PG 21-0521-PG 21-0483-PG 21-0600-PG 21-0601-PG 21-0600-PG 21-0363-PG	Buchman Ring Bertholf Ritter (Brook Hollow Winery) Ancillary Anderson Conti, Natale Anderson Ancillary Mazza, James & Stefanie Conti, Natale ancillary Kitchen, Mark	37.6430 59.1990 41.6590 55.6280 7.0000 116.8850 274.1400 20.0000 28.0000	146,807.70 161,991.55 170,801.90 294,828.40 70,000.00 607,802.00 1,028,025.00 97,000.00 142,800.00	94,107.50 119,206.99 109,935.54 197,479.40 41,886.00 409,097.50 726,471.00 66,200.00 96,600.00			94,107.50 119,206.99 109,935.54 197,479.40 41,886.00 409,097.50 730,340.00 66,200.00 96,600.00	94,107.50 119,206.99 109,935.54 197,479.40 41,886.00 409,097.50 726,471.00	94,107.50 119,206.99 109,935.54 197,479.40 41,886.00 27,312.50 409,097.50 726,471.00 9,087.50 11,500.00	3,000,000. 2,905,892. 2,786,685. 2,676,749. 2,479,270. 2,437,384. 2,410,072. 2,000,974. 1,274,503. 1,265,416. 1,199,216.0 1,187,716.0 1,091,116.0
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April 26, 2019

Schedule C

State Agriculture Development Committee 5 SADC Final Review: Development Easement Purchase

		PIG	Kitchen, 21- 03 EP - Munici 28 Ac	63-PG .pal 2007	Rule			
Block 47		Lot 7	Knowlton	Twp.	Warren	County		
SOILS:			Other		100% *	0	= .00	
30113.						SO	IL SCORE:	.00
TILLABL	E SOILS:		Cropland Harvest Other Wetlands	ed	728 * 28 * 158 *	0	= 10.80 = .00 = .00	
			Woodlands		11% *		= .00	
					TILLA	BLE SOI	LS SCORE:	10.80
FARM US		Hay Soybeans-Cas	h Grain		13 acres 11 acres			
In no instar development approval is	easement	the Committe exceed 80%	tee's percent of the purcha	cost share se price of	for the the eas	purchas sement.	se of the This fina	ıl
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	on the H	Premises sub	ject to confi	rmation of	acreage	by surv policie	s.	
3.	_	ice with all	applicable s	latutes, iu	TCD WING	P0120		
5.	Other:	ovicting l	Nonagricultura	l Use:				
	a. Pre	creatio:	n and sale of	compost cre				
	b. Exc l:	E: R. O E:	acres for Ex xception is no ight to Farm 1 f Easement xception is to amily resident	ot to be sev anguage is be limited	to be in to be in	ncluded	in Deed	
	c. Ad	ditional Re	strictions: No	Additional	Restric	ctions		
			nditions: No .					
			s on Premises:					
2			Labor Housing				Labor Hous	ing
6 .	to the 4:1C-11	terms of th et seq., P	or the acquist e Agriculture .L. 1983, c.32	Retention a 2, as ammend	ded and 1	N.J.A.C	. 2:76-17.3	14.
7.	Review require	and approva ments.	l by the SADC	legal coun	sel for (complia	nce with le	egal
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STATE AGRICULTURE DEVELOPMENT COMMITTEE RESOLUTION FY2019R4(3) FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO Delaware Township for the PURCHASE OF A DEVELOPMENT EASEMENT On the Property of Lee, Wai Kun and Lau, Sau Kam ("Owners") Delaware Township, Hunterdon County

<u>N.J.A.C.</u> 2:76-17A. et seq. SADC ID# 10-0423-PG

APRIL 26, 2019

- WHEREAS, on December 15, 2007, pursuant to <u>N.J.A.C</u>. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Delaware Township, Hunterdon County; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.7, Delaware Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on April 13, 2018 the SADC received an application for the sale of a development easement from Delaware Township for the subject farm identified as Block 19, Lot 26.01, Delaware Township, Hunterdon County, totaling approximately 34.5 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Delaware Township's Sandbrook Headquarters / Locktown Project Area; and
- WHEREAS, the Property includes one (1), approximately 1- acre non-severable exception area for flexibility of use and limited to zero (0) future single family residential units resulting in approximately 33.5 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception one (1) single family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in hay production; and
- WHEREAS, the Owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.9A(b) on May 17, 2018 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17A.9(a); and

- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on October 25, 2018 the SADC certified a development easement value of \$5,500 per acre based on zoning and environmental regulations in place as of the current valuation date August 2018; and
- WHEREAS, the Owner accepted the Township's offer of \$5;500 per acre for the development easement for the Property; and
- WHEREAS, on December 12, 2017 the Hunterdon County Agriculture Development Board (CADB) declined to hold the easement on the application or recommend funding from the County Board of Chosen Freeholders; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.15, since the County is not providing any funding, the SADC shall hold the development easement; and
- WHEREAS, to proceed with the SADC's purchase of the development easement it is recognized that various professional services will be necessary including but not limited to contracts, survey, title search and insurance and closing documents; and
- WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General; and
- WHEREAS, pursuant to <u>N.J.A.C</u>. 2:76-17.13, on March 25, 2019, the Delaware Township Committee approved the application for the sale of development easement and a funding commitment of \$1,850 per acre; and
- WHEREAS, the estimated cost share breakdown is as follows (based on approximately 33.5 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$122,275	(\$3,650/acre)
Delaware Township	\$ 61,975	(\$1,850/acre)
Total Easement Purchase	\$184,250	(\$5,500_/acre)

- WHEREAS, Delaware Township is requesting \$3,650 per acre or approximately \$122,275 and sufficient funds are available (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

- 1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
- The SADC grants final approval to provide a cost share grant to Delaware Township for the purchase of a development easement on the Property, comprising approximately 33.5 net easement acres, at a State cost share of \$3,650 per acre, (66.36% of certified easement value and purchase price), for a total grant of approximately \$122,275 pursuant to <u>N.J.A.C.</u> 2:76-6.11 and the conditions contained in (Schedule C).
- 3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
- 4. The SADC will hold the easement.
- 5. The SADC shall enter into a three-way agreement for sale of development easement with the owner and Delaware Township.
- 6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC and the Office of the Attorney General.
- 7. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
- 9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/2019

Date

-E.S

Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

Wetlands

Schedule A



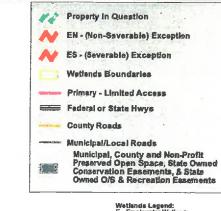
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Lee, Wai Kun & Lau, Sau Kam Block 19 Lots P/O 26.01 (33.5 ac); P/O 26.01-EN (non-severable exception - 1.0 ac) Gross Total = 34.5 ac Delaware Twp., Hunterdon County

200 100 0 200 400 Feet

Sources: NJ Familand Preservation Program Green Acras Conservation Essemant Data NJDEP Welfands Data NJOIT/DGIS 2015 Digital Aerial Image

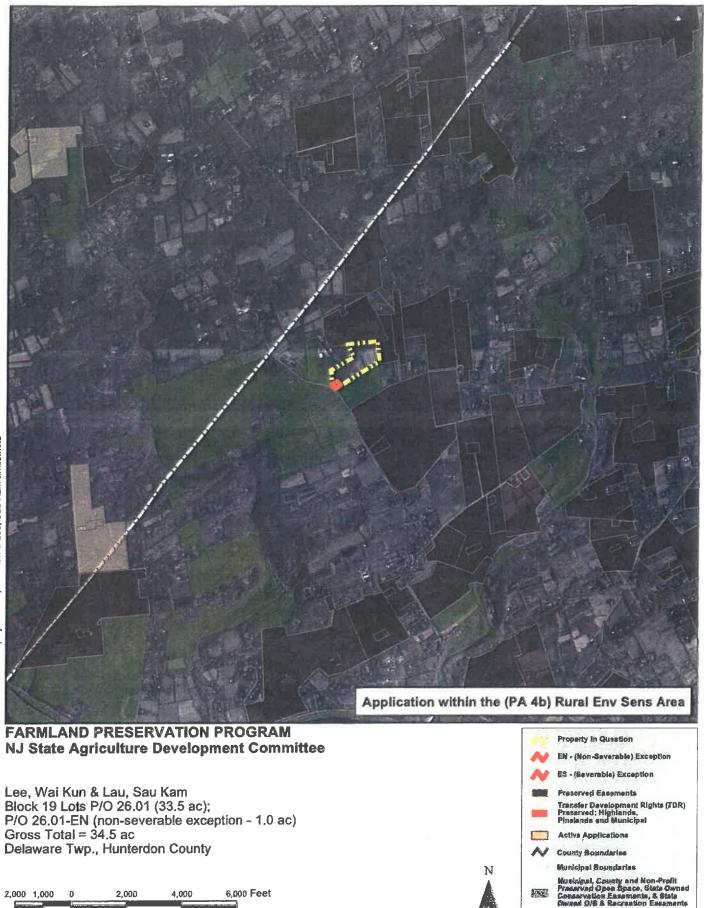
DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and gao-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodecil a sourcey and precision of the GS data contented in this file and mag shall not be, nor are intended to be, relied upon in metters requiring defineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor



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

Preserved Farms and Active Applications Within Two Miles



2,000 1,000 2,000 4,000 6,000 Feet 0

ଲିକାନତେ: ଲୁମ୍ ନ୍ୟମନ୍ତରମାନ Program ଭିଜରନ Acros.Conservation Essentent Data ଲାନ୍ତମ୍ମ/ଠଦ୍ୱାS 2015 Digital Aerial Image

2.5%

NOTE: The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jessey Goard of Professional Engineers and Land Surveyors

May 9, 2018

SADC Municipal Pig Financial Status Schedule B

Delaware Township, Hunterdon County

SADC ID#			SADC Cost Cost		Federal Grant		Grant			
							Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19			750,000.00 500,000.00 500,000.00 500,000.00
SAUG IDF	Farm	Acres	Basis	Share	Federal Grant	SADC Federal Grant	Encumbered	PV		
10-0318-PG 10-0333-PG 10-0323-PG 10-0334-PG 10-0362-PG 10-0423-PG	Copeland Yard Cyktor Lovenberg Ianniciello / Panorama Ianniciello / Panorama Copeland,Yard,Cyktor,Lovenberg,Ianniciello ancillary Lee, Wai Kun`and Lau, Sau Kam	74.4070 33.3200 21.4590 42.0630 56.5850 33.5000	939,634.90 328,160.95 334,542.00 363,721.60 577,167.00	563,780.94 196,896.57 200,725.20 219,059.60 346,300.20 122,275.00	481,741.19 181,395.50 191,100.00	105,887.23 50,131.12 44,100.00	457,893.71 146,765.45 200,725.20 222,933.90 352,328.40 122,275.00	457,893.71 146,765.45 200,725.20 219,059.60 346,300.20	Expended 457,893.71 146,765.45 200,725.20 219,059.60 346,300.20 17,105.00	Balance 2,250,000,00 1,792,106.29 1,645,340.84 1,444,615.64 1,225,556.04 879,255.84 862,150.84 739,875.84
Closed Encumbered	5	227.8340 33.5000	2,543,226,450 184,250.000	1,526,762.510 122,275.000	854,236.690	200,118.350				
					Encumbe Encumbe Encumbe	Encumber/Expended FYD9 Encumber/Expended FY11 Encumber/Expended FY13 Encumber/Expended FY17 Encumber/Expended FY19 Total			750,000.00 500,000.00 137,849.16	239,875.84 500,000.00 739,875.84

State Agriculture Development Committee SADC Final Review: Development Easement Purchase

		Wai Kun and Lau, S 10- 0423-PG EP - Municipal 200 34 Acres				
Block 19	Lot 26.01	Delaware Twp.	Hunterdon	Counts	1	
SOILS:		Other	6% * 0	=	.00	
		Statewide	94% * .1	-	9.40	
				SOIL :	SCORE :	9.40
TILLABLE SOILS:		Cropland Harvested	75%*.15	-	11.25	
		Wetlands	20% * 0	=	.00	
		Woodlands	5%* 0	=	.00	
			TILLABLE	SOILS	SCORE :	11.25
FARM USE:	Нау		29 acres			

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

- 1. Available funding.
- The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
- 3. Compliance with all applicable statutes, rules and policies.
- 5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:

1st one (1) acres for existing barn Exception is not to be severed from Premises Exception is for future flexibility but restricted to zero (0) single family residential units

- c. Additional Restrictions: No Additional Restrictions
- d. Additional Conditions:
 - 1. County is not participating and the SADC will hold and monitor the easement
- e. Dwelling Units on Premises: Standard Single Family
- f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
- 6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
- 7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE RESOLUTION FY2019R4(4) FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO Colts Neck Township for the PURCHASE OF A DEVELOPMENT EASEMENT On the Property of Mosley, George and Lillian ("Owners") Colts Neck Township, Monmouth County

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<u>N.J.A.C.</u> 2:76-17A. et seq. SADC ID# 13-0470-PG

April 26, 2019

- WHEREAS, on May 22, 2014, pursuant to <u>N.J.A.C</u>. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Colts Neck Township, Monmouth County; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.7, Colts Neck Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on January 23, 2018 the SADC received an application for the sale of a development easement from Colts Neck Township for the subject farm identified as Block 20, Lot 2.01, Colts Neck Township, Monmouth County, totaling approximately 27 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Colts Neck Township's Project Area; and

- WHEREAS, the Property includes one (1), approximately 1 acre non-severable exception area for and limited to 1 existing single family residential unit resulting in approximately 26 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception area includes zero (0) exceptions, one (1) agricultural housing apartment (one-bedroom, 1,000 square feet attached to the garage/shop), zero (0) Residual Dwelling Site Opportunity (RDSO), and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in corn, hay, beef cattle, swine, and layer poultry production; and
- WHEREAS, the Owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.9A(b) on March 15, 2018 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17A.9(a); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on December 6, 2018 the SADC certified a development easement value of \$35,000 per acre based on zoning and environmental regulations in place as of the current valuation date July 12, 2018; and
- WHEREAS, the SADC's Green Light Approval and certification of easement value were conditioned upon including this farm in the Township's Comprehensive Farmland Preservation Plan as a targeted farm prior the SADC granting final approval; and
- WHEREAS, the farm was included in the Township's Comprehensive Farmland Preservation Plan that was submitted to the SADC on October 5, 2017 as part of the Fiscal Year 2019 Municipal Planning Incentive Grant application and approved at the May 24, 2018 SADC meeting; and
- WHEREAS, the Owner accepted the Township's offer of \$35,000 per acre for the development easement for the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13, on January 30, 2019, the Colts Neck Township Committee approved the application for the sale of development easement and a funding commitment of \$5,600 per acre; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on March 5, 2019, the Monmouth County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on March 18, 2019, the County of Monmouth passed a resolution granting final approval and a commitment of funding for \$8,400 per acre to cover the local cost share; and
- WHEREAS, the estimated cost share breakdown is as follows (based on approximately 26 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$546,000	(\$21,000/acre)
Monmouth County	\$218,400	(\$8,400/acre)
Colts Neck Township	\$145,600	(\$5,600/acre)
Total Easement Purchase	\$910,000	(\$35,000/acre)

WHEREAS, Colts Neck Township is requesting \$21,000 per acre or approximately \$546,000 and sufficient funds are available (Schedule B); and

- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

- 1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
- 2. The SADC grants final approval to provide a cost share grant to Colts Neck Township for the purchase of a development easement on the Property, comprising approximately 26 net easement acres, at a State cost share of \$21,000 per acre, (60% of certified easement value and purchase price), for a total grant of approximately \$546,000 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
- 3. The prior condition requiring the farm to be included in the Township's Comprehensive Farmland Preservation Plan as a targeted farm has been resolved and is no longer a condition.
- 4. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
- 5. The SADC will be providing its grant directly to Monmouth County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to <u>N.J.A.C.</u> 2:76-6.18, 6.18(a) and 6.18(b).
- 6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
- 8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

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9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/2019

Date

- E.C

Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

https://sonj.sharepoint.com/sites/AG-SADC/Monmouth/MPIG/13-0470-PG/ACQ/Final Approvals/Muni PIG FA 2018.docx

Schedule A

Preserved Farms and Active Applications Within Two Miles

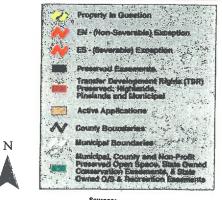


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Mosley, George and Lillian Block 20 Lots P/O 2.01 (25.9 ac); & P/O 2.01-EN (non-severable exception - 1.0 ac) Gross Total = 26.9 ac Colts Neck Twp., Monmouth County

2,000 1,000 0 2,000 4,000 6,000 Feet





Sources: NJ Farmland Preservation Program Green Acres Conservation Easement Data NJOIT/OGIS 2015 Digital Aerial Image

February 8, 2018

Wetlands



Mosley, George and Lillian Block 20 Lots P/O 2.01 (25.9 ac); & P/O 2.01-EN (non-severable exception - 1.0 ac) Gross Total = 26.9 ac Colts Neck Twp., Monmouth County

250 125 0 250 500 Feet

Sources: NJ Farmland Preservation Program Green Acres Conservation Easement Data NJDEP Wetlands Data NJDIT/OGIS 2015 Digital Aenal Image

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



N

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

SADC Municipal Pig Financial Status Schedule B

Colts Neck Township, Monmouth County

Farm	and the second se		IG THEFT CALLS	THE REAL PROPERTY AND INCOME.				ant	
	Acres	SADC		Federal Grant		Fiscal Year 11 Fiscal Year 13 Fiscal Year 17		750,000.00 500,000.00 - -	
		Basis	Cost Share			Encumbered	STELLING STORES	Expended	1,000,000.00
Cicalese Cicalese ancillary	15.1330	832,315.00	495,605.75			495,605.75	495,605.75		Balance 2,250,000.00 1,754,394.25
Moinar & Jessop anciliary	36.0200	1,188,660.00	713,196.00			735,372.00	713,196.00	4,794.30 713,196.00	1,749,599,95
Mosley, George and Lillian	26.0000	910,000.00	546,000.00			546,000.00		5,044.50	1,031,359.45 485,359.45
2	51,1530	2 030 975 00	4 200 004 75						
1	26.0000	910,000.00	546,000.00						
				Encur Encur Encur	nber/Expended FY11 nber/Expended FY13 nber/Expended FY17	31,359,45		750,000.00 468,640.55	
	Cicalese Cicalese ancillary Molnar & Jessop (Crystal Brook Training Center)	Cicalese 15.1330 Cicalese ancillary Molnar & Jessop (Crystal Brook Training Center) 36.0200 Molnar & Jessop ancillary 26.0000 Mosley, George and Lillian 26.0000	FarmAcresCost BasisCicalese Cicalese ancillary Moinar & Jessop (Crystal Brook Training Center) Moinar & Jessop ancillary Mosley, George and Lillian15.1330832,315.00Mosley, George and Lillian36.02001,188,660.00910,000.00910,000.00	Farm Acres Cost Basis Cost Share Clcalese Clcalese ancillary Molnar & Jessop (Crystal Brook Training Center) Molnar & Jessop anciliary Mosley, George and Lillian 15.1330 832,315.00 495,605.75 Molnar & Jessop anciliary Mosley, George and Lillian 26.0000 910,000.00 546,000.00	Farm Acres Cost Basis Cost Share Total Federal Gran Clcalese Clcalese ancillary Molnar & Jessop (Crystal Brook Training Center) Molnar & Jessop anciliary Mosley, George and Lillian 15.1330 832,315.00 495,605.75 Molnar & Jessop ancillary Mosley, George and Lillian 26.0000 910,000.00 546,000.00 2 51.1530 2,020,975.00 1,208,801.75 Encur Encur Encur	Farm Acres Cost Basis Cost Share Total Federal Grant SADC Share Clcalese Clcalese ancillary Molnar & Jessop (Crystal Brook Training Center) Molnar & Jessop anciliary Mosley, George and Lillian 15.1330 832,315.00 495,605.75 Molnar & Jessop ancillary Mosley, George and Lillian 26.0000 910,000.00 546,000.00 2 51.1530 2,020,975.00 1,208,801.75 1 26.0000 910,000.00 546,000,00 Encumber/Expended FY09 Encumber/Expended FY17 Encumber/Expended FY09 Encumber/Expended FY13	FarmAcresCost BasisCost ShareTotal Federal GrantSADC Federal GrantEncumberedClcalese Clcalese ancillary Molnar & Jessop (Crystal Brook Training Center) Molnar & Jessop ancillary Mosley, George and Lillian15.1330832,315.00495,605.75495,605.75495,605.75Molnar & Jessop ancillary Mosley, George and Lillian26.0000910,000.00546,000.00546,000.00546,000.002 151.1530 28.00002,020,975.00 910,000.001,208,801.75 546,000.00Encumber/Expended FY09 Encumber/Expended FY1331,358,45 Encumber/Expended FY13	Farm Acres SADC Federal Grant Fiscal Year 13 Flace Year 17 Flace Year 17 Flace Year 10 SADC Cost Basis Cost Basis Cost Share Federal Grant Federal Grant Fiscal Year 13 Flace Year 10 Flace Year 10	SADC Forderal Grant Fiscal Year 11 Fiscal Year 13 Fiscal Year 13 Farm Acres SADC Forderal Grant Farm Fiscal Year 13 Clealese Clealese ancillary 15.1330 832,315.00 495,605.75

S:\Fiscal\FISCAL Municipal PIG Funding Status.xlsx

Schedulec

State Agriculture Development Committee SADC Final Review: Development Easement Purchase

			Mosley, George 13- 0470	-PG					
		PI	G EP - Municipa 26 Acre		ule				
Block 20		Lot 2.01	Colts Neck 7	ſwp.	Monmo	uth (County		
SOILS:			Other		5% *	0	=	.00	
			Prime		71% *	.15	=	10.65	
			Statewide		24% *	.1	=	2.40	
							SOIL	SCORE :	13.05
TILLABLE	SOILS:		Cropland Harvested		68% *	.15	=	10.20	
			Wetlands		88 *	0	=	.00	
			Woodlands		248 *	0	=	.00	
					TILLA	BLE	SOILS	SCORE :	10.20
FARM USE:		Corn-Cash Hay Beef Cattl Hogs Poultry &	e Feedlots		7 acre 5 acre 5 acre 5 acre 5 acre	s s s			
	asement	exceed 80	ttee's percent cos % of the purchase lowing:						al
1. A	vailable	e funding	•						
			ot to exceed O Res						
			ubject to confirma		-			•	
	-	ce with a	ll applicable stat	utes, rules	s and	poli	cies.		
	ther:		N						
			Nonagricultural U	se:					
1		eptions:) acres for Future	flovibili			ieting	, eingle	family
	10	E E f	reside: xception is not to xception is to be amily residential	nce be severe limited to unit(s) an	d from one e	n Pre	emises ing s	ingle	romrig
			amily residential						
C	Add	itional R	estrictions: No Ad	ditional R	estric	ctior	15		
d			onditions:						
	1	conditi Townshi	ight Approval and oned upon Colts Ne p's Comprehensive d farm prior to th	eck Townshi Farmland F	p inc reser	ludi vati	ng thi on Pla	s farm i n as a	
		Preserv 2017 as	erm was included in vation Plan that was part of the Fisca ve Grant applications eting.	as submitte al Year 201	d to 9 Mun	the icip	SADC o al Pla	n Octobe nning	er 5,
			ore, the prior cond Township's Compret						

in the Township's Comprehensive Farmland Preservation Plan as a targeted farm has been resolved and is no longer a condition.

- e. Dwelling Units on Premises: No Dwelling Units
- f. Agricultural Labor Housing Units on Premises: Apartment - Attached to garage/shop - ag labor apt. 1 bedroom, 1000 SF

State Agriculture Development Committee SADC Final Review: Development Easement Purchase

- The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
- 7. Review and approval by the SADC legal counsel for compliance with legal requirements.

9

STATE AGRICULTURE DEVELOPMENT COMMITTEE RESOLUTION FY2019R4(5) FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO Upper Pittsgrove Township for the PURCHASE OF A DEVELOPMENT EASEMENT On the Property of Seery, Michael & David ("Owners") Upper Pittsgrove Township, Salem County

<u>N.J.A.C.</u> 2:76-17A. et seq. SADC ID#17-0187-PG

- WHEREAS, on December 15, 2007, pursuant to <u>N.J.A.C</u>. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Upper Pittsgrove Township, Salem County; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.7, Upper Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on July 28, 2017, the SADC received an application for the sale of a development easement from Upper Pittsgrove Township for the subject farm identified as Block 4, Lot 26, Upper Pittsgrove Township, Salem County, totaling approximately 18.5 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Upper Pittsgrove Township's Project Area; and
- WHEREAS, the Property zero (0) exceptions, one (1) single family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in hay production; and
- WHEREAS, the Owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.9A(b) on May 29, 2018, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17A.9(a); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on December 6, 2018, the SADC certified a development easement value of \$6,100 per acre based on zoning and environmental regulations in place as of the current valuation date August 30, 2018; and

- WHEREAS, the Owner accepted the Township's offer of \$6,100 per acre for the development easement for the Property; and
- WHEREAS, the Owner is in the process of restoring an approximate 1.48-acre area of the farm which was previously mined and is coordinating with SADC staff and the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) staff to incorporate details of this restoration into a farm conservation plan prior to SADC providing a cost share grant at closing on the easement; and
- WHEREAS, this Final Approval is conditioned on the finalizing NRCS farm conservation plan and establishing a mutually agreeable schedule of implementation for the restoration area with the Owner and SADC prior to closing; and
- WHEREAS, pursuant to <u>N.J.A.C</u>. 2:76-17.13, on February 12, 2019, the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,075 per acre, and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on February 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on February 7, 2019, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,075 per acre to cover the local cost share; and
- WHEREAS, the estimated cost share breakdown is as follows (based on approximately 18.5 net easement acres):

	<u>Total</u>	<u>Per/acre</u>
SADC	\$73,075.00	(\$3,950/acre)
Salem County	\$19,887.50	(\$1,075/acre)
Upper Pittsgrove Township	\$19,887.50	(\$1,075/acre)
Total Easement Purchase	\$112,850	(\$6,100/acre)

- WHEREAS, Upper Pittsgrove Township is requesting \$3,950 per acre or approximately \$73,075 and sufficient funds are available (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11; and

WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

- 1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
- 2. The SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 18.5 net easement acres, at a State cost share of \$3,950 per acre, (64.75% of certified easement value and purchase price), for a total grant of approximately \$73,075 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
- 3. This Final Approval is conditioned upon obtaining an NRCS farm conservation plan, which includes details on restoring the approximate 1.48 acre previously mined area to a condition able to be utilized for agriculture and establishing a mutually agreeable timeframe for implementation prior to closing.
- 4. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
- 5. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to <u>N.J.A.C.</u> 2:76-6.18, 6.18(a) and 6.18(b).
- 6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
- 8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/2019

Date

mE.P

Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

YES
YES
ABSENT
ABSENT
YES
YES

https://sonj.sharepoint.com/sites/AG-SADC/Salem/MPIG/17-0187-PG/ACQ/Final Approvals/Seery, Michael & David_FA.docx

Wetlands

Schedule H



X:\counties\salco\projects\Seery_Michael_and_David_fww.mxd

August 17, 2017

Preserved Farms and Active Applications Within Two Miles



Seery, Michael and David Block 4 Lot 26 (18.5 ac) Gross Total = 18.5 ac Upper Pittsgrove Twp., Salem County

2,000 1,000 0 2,000 4,000 6,000 Feet



Ν

Sources: NJ Famland Preservation Program Green Acres Conservation Easement Data NJOIT/OGIS 2015 Digital Aerial Image August 17, 2017

NOTE: The parcel location and boundaries shown on this map are approximate and should not be construed to be a tand survey as delined by the New Jersey Board of Professional Engineers and Land Surveyors

SADC Municipal Pig Financial Status Schedule B

Upper Pittsgrove Township, Salem County

				Mun Stands	EXCELEMENTS IN	of the second second		Gra	nt			
			SADC Cost Cost				Federal Grant Cost Total SADC			Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19		750,000.00 500,000.00 500,000.00 500,000.00 1,000,000.00
SADC ID#	Farm	Acres	Basis	Share		SADC Federal Grant	Encumbered	PV	Expended	Balance		
17-0159-PG	Seery, David J.	54.6840	254 000 00							3,250,000.00		
17-0167-PG	Monroeville Farm LLC (Ambruster)	25.1050	254,280.60 198,329.50	174,441.96			175,450.00	174,441.96	174,441.96	1,298,267,9		
17-0138-PG	Foote, Michael & Carolynn	30.4750	216.372.50	121,759.25			121,250.00	121,759.25	121,759.25	1,176,508.66		
17-0159-PG	Seery ancillary	30.47 30	210,372.50	96,438.60	119,933.90	37,651.40	95,266.68	96,438.60	96,438.60	1,080,070.06		
17-0158-PG	Hackett ancillary								5,388.75	1,074,681.31		
17-0111-PG	Lewis ancillary								3,936.00	1,070,745.31		
17-0108-PG	Schmid ancillary								3,784.00	1,066,961.31		
17-0120-PG	Sottile ancillary								4,085.00	1,062,876.31		
17-0113-PG	Kramme ancillary								9,987.50	1,052,888.81		
17-0167-PG	Monroeville Farm LLC (Ambruster) ancillary								5,127.50	1,047,761.31		
	Bishop Brothers and Foote Ancillary								4,292.50	1,043,468.81		
17-0187-PG	Seery, Michael and David	18,5000	112,850.00	73.075.00					15,062.00	1,028,406.81		
17-0180-PG	Ambruster, L. Scott	25.7500	153,212.50	99,781.25			73,075.00			955,331.81		
17-0181-PG	McCracken, Hilda	42.8200	256,920.00	166,998.00			99,781.25			855,550.56		
1 7-0193 -PG	Kessel, Robert A. Jr.	44.9000	264,910.00	172,865.00			166,998.00			688,552.56		
	2		204,010.00	172,005.00			172,865.00			515,687.56		
Closed	19	796.7680	4,177,407.55	2,611,730.81	759,469.07	249,741.85						
Encumbered	4	131.9700	787,892.50	512,719.25								
					Encumber/f Encumber/f Encumber/f	Expended FY09 Expended FY11 Expended FY13 Expended FY17 Expended FY19 Total	25,386.55 3,040.26 484,312:44		750,000.00 500,000,00 474,633.45 496,959.74	515,687.56		

S:\Fiscal\FISCAL Municipal PIG Funding Status.xlsx

State Agriculture Development Committee

Schedule C.

SADC Final Review: Development Easement Purchase

ĩ		Seery, Michael & Davi 17- 0187-PG EP - Municipal 2007 19 Acres					
Block 4	Lot 26	Upper Pittsgrove Twp	. Salem	Count	У		
SOILS:		Other	14% *	0	=	.00	
		Prime	748 *	.15	=	11.10	
		Unique zero	12% *	0	=	,00	
				5	SOIL S	SCORE :	11.10
TILLABLE SOILS:		Cropland Harvested	578 *	.15		8,55	
		Other	6%*	0	=	.00	
		Wetlands	18% *	0	=	.00	
		Woodlands	198 *	0	=	.00	
			TILL	ABLE S	OILS	SCORE :	8.55
FARM USE:	Hay Vegtable & M	elons	17 acre 7 acre				
In no instance shall development easement approval is subject t	exceed 80%	tee's percent cost share of the purchase price of owing:	for the the ea	purch sement	nase d . Th	of the nis fina	al
1 Amailabl	o funding						

- Available funding. 1.
- The allocation, not to exceed O Residual Dwelling Site Opportunities 2. on the Premises subject to confirmation of acreage by survey.
- Compliance with all applicable statutes, rules and policies. 3.
- 5. Other:

- Pre-existing Nonagricultural Use: a.
- Exceptions: No Exceptions Requested b.
- Additional Restrictions: No Additional Restrictions с.
- Additional Conditions: d.
 - 1. This Green Light Approval is conditioned upon obtaining an NRCS farm conservation plan which includes details on restoring the approximate 1.48 acre previously mined area to a condition able to be utilized for agriculture and establishing a mutually agreeable timeframe for implementation prior to closing.
 - 2. The approximate 1.48 acre restoration area was not utilized as tillable acreage and did not receive points for soils in calculating the quality score.
- Dwelling Units on Premises: e. Standard Single Family
- Agricultural Labor Housing Units on Premises: No Ag Labor Housing f.
- The SADC's grant for the acquisition of the development easement is subject 6. to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
- Review and approval by the SADC legal counsel for compliance with legal 7. requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE RESOLUTION FY2019R4(6) FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO Upper Pittsgrove Township for the PURCHASE OF A DEVELOPMENT EASEMENT On the Property of Ambruster, L. Scott ("Owner") Upper Pittsgrove Township, Salem County

<u>N.J.A.C.</u> 2:76-17A. et seq. SADC ID#17-080-PG

April 26, 2019

- WHEREAS, on December 15, 2007, pursuant to <u>N.J.A.C</u>. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Upper Pittsgrove Township, Salem County; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.7, Upper Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on December 1, 2016, the SADC received an application for the sale of a development easement from Upper Pittsgrove Township for the subject farm identified as Block 11, Lot 1 & 3, Upper Pittsgrove Township, Salem County, totaling approximately 28.75 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Upper Pittsgrove Township's Project Area; and

- WHEREAS, the Property includes one (1), approximately 3 acre severable exception area for and limited to one existing single family residential unit and to afford future flexibility of uses resulting in approximately 25.75 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception area includes one existing single family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in corn production; and
- WHEREAS, the Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on March 9, 2017, it was determined that the

application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17A.9(a); and

- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on October 26, 2017 the SADC certified a development easement value of \$5,950 per acre based on zoning and environmental regulations in place as of the current valuation date July 11, 2017; and
- WHEREAS, the Owner accepted the Township's offer of \$5,950 per acre for the development easement for the Property; and
- WHEREAS, pursuant to <u>N.J.A.C</u>. 2:76-17.13, on May 8, 2018 the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,537.50 per acre; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on May 23, 2108, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on May 18, 2018, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,537.50 per acre to cover the local cost share; and
- WHEREAS, the estimated cost share breakdown is as follows (based on approximately 25.75 net easement acres):

Tota	<u>al Per/a</u>	cre
SADC	\$99,781.25	(\$3,875/acre)
Salem County	\$26,715.63	(\$1,037.50/acre)
Upper Pittsgrove Township	\$26,715.62	(\$1,037.50/acre)
Total Easement Purchase	\$153,212.50	(\$5,950/acre)

- WHEREAS, Upper Pittsgrove Township is requesting \$3,875 per acre or approximately \$99,781.25 and sufficient funds are available (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.

- 2. The SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 25.75 net easement acres, at a State cost share of \$3,875 per acre, (65.13% of certified easement value and purchase price), for a total grant of approximately \$99,781.25 pursuant to <u>N.J.A.C.</u> 2:76-6.11 and the conditions contained in (Schedule C).
- 3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
- The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to <u>N.J.A.C.</u> 2:76-6.18, 6.18(a) and 6.18(b).
- 5. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
- 7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
- 8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

4/26/2019

Date

Susan E. Payne, Executive Director State Agriculture Development Committee

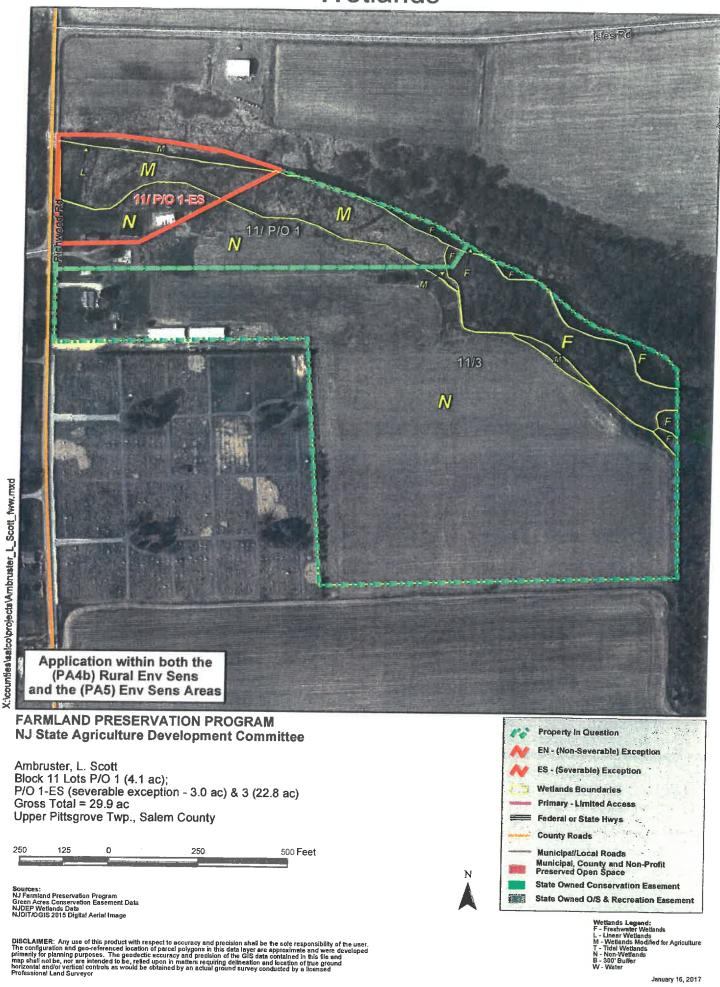
VOTE WAS RECORDED AS FOLLOWS:

YES
YES
ABSENT
ABSENT
YES
YES

https://sonj.sharepoint.com/sites/AG-SADC/Salem/MPIG/17-0180-PG/ACQ/Final Approvals/Muni PIG FA 2018.docx

Wetlands

Schedulet

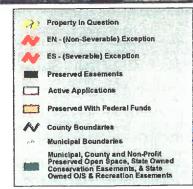




FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ambruster, L. Scott Block 11 Lots P/O 1 (4.1 ac); P/O 1-ES (severable exception - 3.0 ac) & 3 (22.8 ac) Gross Total = 29.9 ac Upper Pittsgrove Twp., Salem County

2,000 1,000 0 2,000 4,000 6,000 Feet



Ν

Schedule A

Sources: NJ Farmland Preservation Program Green Acres Conservation Easement Data NJOIT/OGIS 2015 Digital Aerial Image

NOTE: The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

SADC Municipal Pig Financial Status Schedule B

Upper Pittsgrove Township, Salem County

		IN THE CITY			ing winter a start	Area constituted a		Gra	int	
				DC	Federa	l Grant		Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19		750,000 500,000 500,000 500,000
SADC ID#	Farm	Acres	Cost Basis	Cost	Total	SADC	NEWS COLOR	TISCAI TEAT 15		1,000,000.
			12101318	Share	Federal Grant	Federal Grant	Encumbered	PV	Expended	Balance
7-0159-PG 7-0167-PG 7-0138-PG 7-0159-PG 7-0158-PG 7-0111-PG 7-0108-PG 7-0120-PG 7-0113-PG 7-0187-PG 7-0187-PG 7-0180-PG 7-0181-PG 7-0193-PG	Seery, David J. Monroeville Farm LLC (Ambruster) Foote, Michael & Carolynn Seery ancillary Hackett ancillary Lewis ancillary Schmid ancillary Sottile ancillary Kramme ancillary Monroeville Farm LLC (Ambruster) ancillary Bishop Brothers and Foote Ancillary Seery, Michael and David Ambruster, L. Scott McCracken, Hilda Kessel, Robert A. Jr.	54.6840 25.1050 30.4750 18.5000 25.7500 42.8200 44.9000	254,280.60 198,329.50 216,372.50 112,850.00 153,212.50 256,920.00 264,910.00	174,441.96 121,759.25 96,438.60 73,075.00 99,781.25 166,998.00 172,865.00	119,933.90	37,651.40	175,450.00 121,250.00 95,266.68 73,075.00 99,781.25 166,998.00 172,865.00	174,441.96 121,759.25 96,438.60	174,441.96 121,759.25 96,438.60 5,388.75 3,936.00 3,784.00 4,085.00 9,987.50 5,127.50 4,292.50 15,062.00	3,250,000, 1,298,267, 1,176,508, 1,080,070, 1,074,681, 1,070,745, 1,066,961, 1,062,876, 1,052,888, 1,047,761, 1,043,468, 1,028,406, 955,331, 855,550, 688,552,5 515,687,5
Closed Encumbered	19 4	796.7680 131.9700	4,177,407.55 787,892.50	2,611,730.81 612,719.25	Encumber/E Encumber/E	249,741.85 Expended FY09 Expended FY11 Expended FY13	25,366.55		750,000.00	
					Encumber/E	xpended FY17 xpended FY19 Total	3,040.26 484,312.44		474,633.45 496,959.74	515,687.6 515,687.6

S:\Fiscal\FISCAL Municipal PIG Funding Status.xlsx

Schedulec

State Agriculture Development Committee SADC Final Review: Development Easement Purchase

			P	mbrust	ter, Sco	tt						
					0180-PG							
		- PIG	F E P		icipal 2 Acres	007 F	ure					
Block 11		Lot 3			Pittsgrove							
Block 11		Lot 1		Upper	Pittsgrove	e Twp.	Sal	em	Coun	ty		
SOILS:				Oth	er		1%		0	-	.00	
				Pri					.15		12.15 .00	
				Uni	que zero		18%	×	0	=	SCORE :	12.15
												12.13
TILLABL	E SOILS:		-	land Past			25%		.15	11	3.75 7.95	
			-	land Har			538 228		.15	=	. 44	
			Perm	anent Pa	sture						SCORE :	12.14
										00110	500ra ·	
FARM US		Corn-Cash G Dairy				_	15 a 10 a	cres	i		5	
In no instar development approval is	easement	: exceed 80%	s of i	the pur	nt cost sh chase pric	nare f ce of	or t the	he eas	puro semen	chase nt. 1	of the his fin	al
1.	Availab	le funding.										
2.	The all	ocation, no	t to	exceed	0 Residua	al Dwe	llin	g S	Site	Oppor	tunitie	S
	on the	Premises su	ubject	t to com	nfirmatior	n of a	crea	ge	by s	survey	•	
3.		nce with al	l app	olicable	e statutes	, rul	es a	na	porr	cies.		
5.	Other:				umal Heat							
		e-existing	Nona	gricult	ulal use.							
		ceptions: .st three (3) ac	rres foi	r							
	Ţ	St three (Exce Exce	ption i ption i	s severabl s to be li dential ur	imited	to	one	e exi	sting	single	
		ditional Re		_			Rest	ric	tior	ıs		
		ditional Co					JUGT		115			
	St	elling Unit	gle F	amily								
	f. Ag	gricultural	Labo	r Housi	ng Units d	on Pre	mise	es:	No	Ag La	bor Hou:	sing
б.	to tho	C's grant f terms of th et seq., B	ne Ar	ricultu	re Retent:	ion an	a De	svel	Lopme	ent ac	τ, Ν.υ.	5.A.
7.	Review require	and approva	al by	the SA	DC legal (counse	el fo	or d	comp	liance	e with l	egal

STATE AGRICULTURE DEVELOPMENT COMMITTEE RESOLUTION FY20194R(7) FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO Upper Pittsgrove Township for the PURCHASE OF A DEVELOPMENT EASEMENT On the Property of McCracken, Hilda ("Owner") Upper Pittsgrove Township, Salem County

<u>N.J.A.C.</u> 2:76-17A. et seq. SADC ID#17-0181-PG

- WHEREAS, on December 15, 2007, pursuant to <u>N.J.A.C</u>. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Upper Pittsgrove Township, Salem County; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.7, Upper Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on December 6, 2017, the SADC received an application for the sale of a development easement from Upper Pittsgrove Township for the subject farm identified as Block 28, Lot 23, Upper Pittsgrove Township, Salem County, totaling approximately 42.82 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Upper Pittsgrove Township's Project Area; and
- WHEREAS, the Property zero (0) exceptions, one (1) single family residential unit, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in corn and hay production; and
- WHEREAS, the Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.9A(b) on May 22, 2017, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17A.9(a); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on July 26, 2018, the SADC certified a development easement value of \$6,000 per acre based on zoning and environmental regulations in place as of the current valuation date March 13, 2018; and

- WHEREAS, the Owner accepted the Township's offer of \$6,000 per acre for the development easement for the Property; and
- WHEREAS, the SADC's Green Light Approval and certification of easement value were and this Final Approval is conditioned upon amending the Right-to-Farm language in the vesting deed and rescinding the 100 foot ag buffers via a duly recorded instrument prior to closing; and
- WHEREAS, pursuant to <u>N.J.A.C</u>. 2:76-17.13, on February 12, 2019, the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,050 per acre; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on February 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on February 7, 2019, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,050 per acre to cover the local cost share; and
- WHEREAS, the estimated cost share breakdown is as follows (based on approximately 42.82 net easement acres):

	Total	<u>Per/acre</u>
SADC	\$166,998	(\$3,900/acre)
Salem County	\$44,961	(\$1,050/acre)
Upper Pittsgrove Township	\$44,961	(\$1,050/acre)
Total Easement Purchase	\$256,920	(\$6,000/acre)

- WHEREAS, Upper Pittsgrove Township is requesting \$3,900 per acre or approximately \$166,998 and sufficient funds are available (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

- 1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
- 2. The SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 42.82 net easement acres, at a State cost share of \$3,900 per acre, (65% of certified easement value and purchase price), for a total grant of approximately \$166,998 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C).
- 3. The SADC's Green Light Approval and certification of easement value were and this Final Approval is conditioned upon amending the Right-to-Farm language in the vesting deed and rescinding the 100 foot ag buffer via a duly recorded instrument prior to closing.
- 4. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
- 5. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to <u>N.J.A.C.</u> 2:76-6.18, 6.18(a) and 6.18(b).
- 6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
- 8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
- 9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019

Some Prov

Susan E. Payne, Executive Director State Agriculture Development Committee

Date

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

https://sonj.sharepoint.com/sites/AG-SADC/Salem/MPIG/17-0181-PG/ACQ/Final Approvals/Muni PIG FA 2018.docx





FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

McCracken, Hilda Block28 Lot 23 (42.43 ac) Gross Total - 42.43 ac Upper Pittsgrove Twp. Salem County



DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodectic accuracy and precision of the GIS data contrained in this file and horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor



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Wetlands Legend; F - Freshwater Wetlands L - Linear Wetlands M - Vletlands Modified for Agriculture T - Tridal Wetlands N - Non-Wetlands B - 300 Buffer W - Water

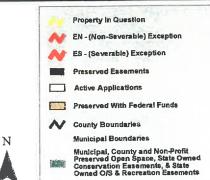
Sources: NJ Farmland Preservation Program Green Acres Conservation Easement Data NJDEP Wetlands Data NJ Pinelands Commission PDC Data NJ Highlands Council Data NJOIT/OGIS 2012 Digital Aerial Image Date: 1/30/2017

Attednut A Preserved Farms and Active Applications Within Two Miles



McCracken, Hilda Block28 Lot 23 (42.43 ac) Gross Total - 42.43 ac Upper Pittsgrove Twp. Salem County

2,000 1,000 0 2,000 4,000 6,000 Feet



Sources: NJ Farmland Preservation Program Green Acres Conservation Easement Data NJOIT/OGIS 2015 Digital Aerial Image

NOTE: The parsel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

SADC Municipal Pig Financial Status Schedule B

Upper Pittsgrove Township, Salem County

					The second second	A BUT -		Gra	nt	
			The second se	DC		l Grant		Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19		750,000.0 500,000.0 500,000.0 500,000.0
SADC ID#	Farm	Acres	Cost	Cost	Total	SADC	Sector sector states	THE REAL PROPERTY OF THE REAL		1,000,000.0
		ACTOS	Basis	Share	Federal Grant	Federal Grant	Encumbered	PV	Expended	Balance
17-0159-PG	Seery, David J.	54.6840	254,280.60	174,441.96						3,250,000.0
17-0167-PG	Monroeville Farm LLC (Ambruster)	25,1050	198,329.50	121,759.25			175,450.00	174,441.96	174,441.96	1,298,267.9
17-0138-PG	Foote, Michael & Carolynn	30.4750	216,372.50	96,438.60	110 022 00	07.054.44	121,250.00	121,759.25	121,759.25	1,176,508.6
17-0159-PG	Seery ancillary		210,012.00	30,438.00	119,933.90	37,651.40	95,266.68	96,438.60	96,438.60	1,080,070.0
17-0158-PG	Hackett ancillary								5,388.75	1,074,681.3
17-0111-PG	Lewis ancillary								3,936.00	1,070,745.3
17-0108-PG	Schmid ancillary								3,784.00	1,066,961.3
7-0120-PG	Sottile ancillary								4,085.00	1,062,876.3
17-0113-PG	Kramme ancillary								9,987.50	1,052,888.8
17-0167-PG	Monroeville Farm LLC (Ambruster) ancillary								5,127.50	1,047,761.3
	Bishop Brothers and Foote Ancillary								4,292.50	1,043,468.8
17-0187-PG	Seery, Michael and David	18.5000	112,850.00	73,075.00					15,062.00	1,028,406.8
17-0180-PG	Ambruster, L. Scott	25,7500	153,212.50	99,781,25			73,075.00			955,331.8
17-0181-PG	McCracken, Hilda	42.8200	256,920,00	166,998.00			99,781.25			855,550.50
17-0193-PG	Kessel, Robert A: Jr.	44.9000	264,910.00	172,865.00			166,998.00			688,552.50
		11.0000	204,310,00	172,000.00			172,865.00			515,687.50
Closed	40									
Encumbered	19	796.7680	4,177,407.55	2,611,730.81	759,469.07	249,741.85				
and an inserved	4	131.9700	787,892.50	512,719.25						
					Encumber/I	Expended FY09	a Martines		750,000.00	(Anterior
					Encumber/I	Expended FY11 Expended FY13			500,000.00	
					Encumber/	Expended FY17	25,366.55		474,633.45	- Statistics - S
					Encumber/	Expended FY19	3,040.26 484,312.44		496,959.74	
						Total	404,012.44	Contraction of the second	ENDIRE POPLATION	515,687.56
										515,687.5

S:\Fiscal\FISCAL Municipal PIG Funding Status.xlsx

State Agriculture Development Committee SADC Final Review: Development Easement Purchase

	PIC	McCracken, Hilda 17- 0181-PG G EP - Municipal 2007 42 Acres	Rule			
Block 28	Lot 23	Upper Pittsgrove Tw	p. Salem Co	ounty		
SOILS:		Other	38 * 0	=	.00	
		Prime	71%*.	15 =	10.65	
		Statewide	26% * .	1 =	2.60	
				SOIL	SCORE:	13.25
TILLABLE SOILS:		Cropland Harvested	91%*.	L5 =	13.65	
		Other	1%* 0	=	.00	
		Woodlands	88* 0	=	.00	
			TILLABL	E SOILS	SCORE:	13.65

FARM USE:

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

- 1. Available funding.
- 2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
- 3. Compliance with all applicable statutes, rules and policies.
- 5. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions: No Exceptions Requested
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
- 6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
- 7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE RESOLUTION FY2019R4(8) FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO Upper Pittsgrove Township for the PURCHASE OF A DEVELOPMENT EASEMENT On the Property of Kessel, Robert A. Jr. ("Owner") Upper Pittsgrove Township, Salem County

<u>N.J.A.C.</u> 2:76-17A. et seq. SADC ID#17-0193-PG

April 26, 2019

- WHEREAS, on December 15, 2007, pursuant to <u>N.J.A.C</u>. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Upper Pittsgrove Township, Salem County; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.7, Upper Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on December 5, 2017, the SADC received an application for the sale of a development easement from Upper Pittsgrove Township for the subject farm identified as Block 7, Lot 16, Upper Pittsgrove Township, Salem County, totaling approximately 46.9 gross acres hereinafter referred to as "the Property" (Schedule A); and

WHEREAS, the targeted Property is located in Upper Pittsgrove Township's Project Area; and

- WHEREAS, the Property includes one (1), approximately 2 acre non-severable exception area for and limited to one existing single family residential unit and to afford future flexibility of uses resulting in approximately 44.9 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception area zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in corn and nursery production; and

- WHEREAS, the Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.9A(b) on April 4, 2018, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17A.9(a); and

- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on October 25, 2018, the SADC certified a development easement value of \$5,900 per acre based on zoning and environmental regulations in place as of the current valuation date August 23, 2018; and
- WHEREAS, the Owner accepted the Township's offer of \$5,900 per acre for the development easement for the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13, on February 12, 2019, the Upper Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$1,025 per acre; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on February 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on February 7, 2019, the County of Salem passed a resolution granting final approval and a commitment of funding for \$1,025 per acre to cover the local cost share; and
- WHEREAS, the estimated cost share breakdown is as follows (based on approximately 44.9 net easement acres):

	Total	Per/acre
SADC	\$172,865.00	(\$3,850/acre)
Salem County	\$46,022.50	(\$1,025/acre)
Upper Pittsgrove Township	\$46,022.50	(\$1,025/acre)
Total Easement Purchase	\$264,910.00	(\$5,900/acre)

- WHEREAS, Upper Pittsgrove Township is requesting \$3,850 per acre or approximately \$172,865 and sufficient funds are available (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11; and
- WHEREAS, pursuant to <u>N.I.A.C.</u> 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.

- 2. The SADC grants final approval to provide a cost share grant to Upper Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 44.9 net easement acres, at a State cost share of \$3,850 per acre, (65.25% of certified easement value and purchase price), for a total grant of approximately \$172,865 pursuant to <u>N.J.A.C.</u> 2:76-6.11 and the conditions contained in (Schedule C).
- 3. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
- 4. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to <u>N.J.A.C.</u> 2:76-6.18, 6.18(a) and 6.18(b).
- 5. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 6. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
- 7. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
- 8. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019

Date

~ EQ

Susan E. Payne, Executive Director State Agriculture Development Committee

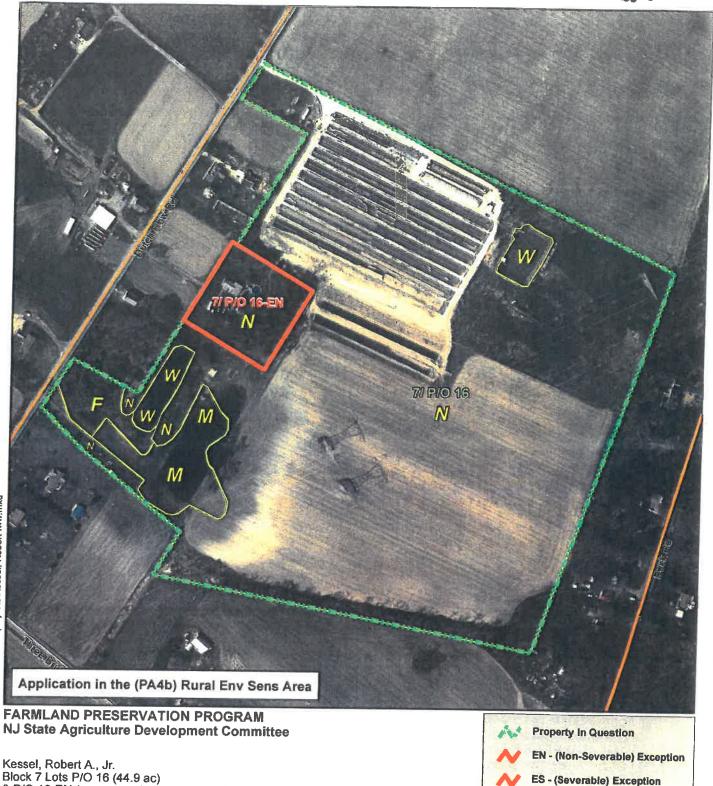
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YÉS
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

https://sonj.sharepoint.com/sites/AG-SADC/Salem/MPIG/17-0193-PG/ACQ/Final Approvals/Muni PIG FA 2018.docx

Wetlands

Schoole A



X:\counties\salco\projects\Kessel, Robert fww.mxd

Kessel, Robert A., Jr. Block 7 Lots P/O 16 (44.9 ac) & P/O 16-EN (non-severable exception - 2.0 ac) Gross Total = 46.9 ac Upper Pittsgrove Twp., Salem County

250 125 0 250 500 Feet

Sources: NJ Farmland Preservation Program Green Acres Conservation Easement Data NJDEP Wetlands Data NJDIT/OGIS 2015 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primerily for planning purposes. The geodecfc accuracy and precision of the GIS data contained in this file and horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

Ad	Property In Question
N	EN - (Non-Severable) Exception
N	ES - (Severable) Exception
	Wetlands Boundaries
-	Primary - Limited Access
	Federal or State Hwys
-	County Roads
Constraints of the	Municipal/Local Roads

N

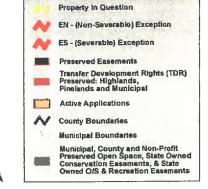
Wetlands Legend; F - Freshwater Wetlands L - Linear Wetlands M - Wetlands Modified for Agriculture T - Tidal Wetlands N - Non-Wetlands B - 300' Buffer W - Water Schole A Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Kessel, Robert A., Jr. Block 7 Lots P/O 16 (44.9 ac) & P/O 16-EN (non-severable exception - 2.0 ac) Gross Total = 46.9 ac Upper Pittsgrove Twp., Salem County

2,000 1,000 0 2,000 4,000 6,000 Feet



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Sources: NJ Farmland Preservation Program Green Acres Conservation Easement Data NJOIT/OGIS 2015 Digital Aerial Image

NOTE: The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

January 30, 2018

SADC Municipal Pig Financial Status Schedule B

Upper Pittsgrove Township, Salem County

		and the second	-4101.00		Red Cline -		Grant			
			And and a second se	DC		l Grant		Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19		750,000.0 500,000.0 500,000.0 500,000.0
SADC ID#	Farm	Acres	Cost Basis	Cost Share	Total	SADC	NEW CONTRACTOR		The section of the se	1,000,000.0
		- AUTOL	Lidata	onars	rederal Grant	Federal Grant	Encumbered	PV	Expended	Balance
17-0159-PG	Seery, David J.	54.6840	254,280.60	174,441.96			175 460 00	474 444 44		3,250,000.0
17-0167-PG	Monroeville Farm LLC (Ambruster)	25.1050	198,329.50	121,759,25			175,450.00	174,441.96	174,441.96	1,298,267.9
17-0138-PG	Foote, Michael & Carolynn	30.4750	216,372.50	96,438.60	119.933.90	37,651.40	121,250.00	121,759.25	121,759.25	1,176,508.66
17-0159-PG	Seery ancillary		,		110,000.00	57,051,40	95,266.68	96,438.60	96,438.60	1,080,070.06
17-0158-PG	Hackett ancillary								5,388.75	1,074,681.31
17-0111-PG	Lewis ancillary								3,936.00	1,070,745.31
17-0108-PG	Schmid ancillary								3,784.00	1,066,961.31
17-0120-PG	Sottile ancillary								4,085.00	1,062,876.31
17-0113-PG	Kramme ancillary								9,987.50	1,052,888.81
17-0167-PG	Monroeville Farm LLC (Ambruster) ancillary								5,127.50	1,047,761.31
	Bishop Brothers and Foote Ancillary			10					4,292.50	1,043,468.81
17-0187-PG	Seery, Michael and David	18.5000	112,850.00	73,075.00			73,075,00		15,062.00	1,028,406.81
17-0180-PG	Ambruster, L. Scott	25.7500	153,212.50	99,781.25			99,781.25			955,331.81
17-0181-PG	McCracken, Hilda	42.8200	256,920.00	166,998.00			166,998.00			855,550.56
17-0193-PG	Kessel, Robert A. Jr.	44.9000	264,910.00	172,865.00			172,865.00			688,552.56
							172,000.00			515,687.56
Closed	19	796.7680	4,177,407.55	2,611,730.81	750 400 47	A (A A ()				
Encumbered	4	131.9700	787,892.50	512,719.25	759,469.07	249,741.85				
					Encumber/I	Expended FY09			750,000,00	
					Encumber/	Expended FY11			500,000.00	A CLIMAN
					Encumber/E	Expended FY13 Expended FY17	25,366.55		474,633.45	THE SALE
					Encumber/S	Expended FY17	3,040.26		496,959.74	Charles and the second s
					THE OTHER DESCRIPTION	Tota!	484,312.44	No. of the second s	Sector Sector	515,687.56
						- Juli				515,687.56

S:\Fiscal\FISCAL Municipal PIG Funding Status.xlsx

State Agriculture Development Committee SADC Final Review: Development Easement Purchase

Schoolup C

Kessel, Robert A. Jr. 17- 0193-PG PIG EP - Municipal 2007 Rule 45 Acres Upper Pittsgrove Twp. Salem County Block 7 Lot 16 6% * 0 = .00 Other SOILS: .15 Prime 40% * = 6.00 54% * .1 5.40 Statewide = SOIL SCORE: 11.40 .15 12.90 = Cropland Harvested 86% * TILLABLE SOILS: 28 * 0 .00 = Other 28 * 0 .00 Wetlands = 10% * 0 _ .00 Woodlands 12.90 TILLABLE SOILS SCORE:

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

- 1. Available funding.
- The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
- 3. Compliance with all applicable statutes, rules and policies.
- 5. Other:

FARM USE:

a. Pre-existing Nonagricultural Use:

Corn-Cash Grain

- b. Exceptions:
 - 1st two (2) acres for existing single family residence Exception is not to be severed from Premises Exception is to be limited to one existing single family residential unit(s)

25 acres

- c. Additional Restrictions: No Additional Restrictions
- d. Additional Conditions: No Additional Conditions
- e. Dwelling Units on Premises: No Dwelling Units
- f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
- 6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
- 7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE RESOLUTION FY2019R4(9) FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO Pittsgrove Township for the PURCHASE OF A DEVELOPMENT EASEMENT On the Property of Rodriquez, Joanne L. ("Owner") Pittsgrove Township, Salem County

<u>N.J.A.C.</u> 2:76-17A. et seq. SADC ID#17-0200-PG

- WHEREAS, on December 15, 2007, pursuant to <u>N.J.A.C.</u> 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Pittsgrove Township, Salem County; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.7, Pittsgrove Township received SADC approval of its FY2019 PIG Plan application annual update on May 24, 2018; and
- WHEREAS, on April 19, 2018, the SADC received an application for the sale of a development easement from Pittsgrove Township for the subject farm identified as Block 801, Lot 40.03, Pittsgrove Township, Salem County, totaling approximately 43.32 gross acres hereinafter referred to as "the Property" (Schedule A); and
- WHEREAS, the targeted Property is located in Pittsgrove Township's North Project Area; and
- WHEREAS, the Property includes one (1), approximately 3 acre non-severable exception area for and limited to one future single family residential unit and to afford future flexibility of uses resulting in approximately 40.32 net acres to be preserved; and
- WHEREAS, the Landowner and County have identified the location a future driveway to the exception area and are relieved from the approval process required in SADC Policy P-41 so long as the driveway is constructed in the location set forth on Schedule A; and
- WHEREAS, the portion of the Property outside the exception area, includes zero (0) housing opportunities, zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in corn production; and
- WHEREAS, the Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.9A(b) on July 3, 2018, it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in <u>N.J.A.C.</u> 2:76-17A.9(a); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on January 24, 2019, the SADC certified a development easement value of \$5,600 per acre based on zoning and environmental regulations in place as of the current valuation date September 28, 2018; and
- WHEREAS, the Owner accepted the Township's offer of \$5,600 per acre for the development easement for the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13, on February 27, 2019, the Pittsgrove Township Committee approved the application for the sale of development easement and a funding commitment of \$950 per acre; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on February 27, 2019, the Salem County Agriculture Development Board passed a resolution granting final approval for the development easement acquisition on the Property; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.13 on March 20, 2019, the County of Salem passed a resolution granting final approval and a commitment of funding for \$950 per acre to cover the local cost share; and
- WHEREAS, the estimated cost share breakdown is as follows (based on approximately 40.32 net easement acres):

	<u>Total</u>	Per/acre
SADC	\$149,184	(\$3,700/acre)
Salem County	\$38,304	(\$950/acre)
Pittsgrove Township	\$38,304	<u>(\$950/acre)</u>
Total Easement Purchase	\$225,792.00	(\$5,600/acre)

- WHEREAS, Pittsgrove Township is requesting \$3,700 per acre or approximately \$149,184 and sufficient funds are available (Schedule B); and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds and consistent with the provisions of <u>N.J.A.C.</u> 2:76-6.11; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED:

- 1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
- 2. The SADC grants final approval to provide a cost share grant to Pittsgrove Township for the purchase of a development easement on the Property, comprising approximately 40.32 net easement acres, at a State cost share of \$3,700 per acre, (66.07% of certified easement value and purchase price), for a total grant of approximately \$149,184 pursuant to <u>N.J.A.C.</u> 2:76-6.11 and the conditions contained in (Schedule C).
- 3. The Landowner and County have identified the location a future driveway to the exception area and are relieved from the approval process required in SADC Policy P-41 so long as the driveway is constructed in the location set forth on Schedule A.
- 4. Should additional funds be needed and grant funding be available the grant may be adjusted to utilize unencumbered grant funds.
- 5. The SADC will be providing its grant directly to Salem County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to <u>N.J.A.C.</u> 2:76-6.18, 6.18(a) and 6.18(b).
- 6. The SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 7. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
- 8. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
- 9. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019

Sm E. Doge

Susan E. Payne, Executive Director State Agriculture Development Committee

Date

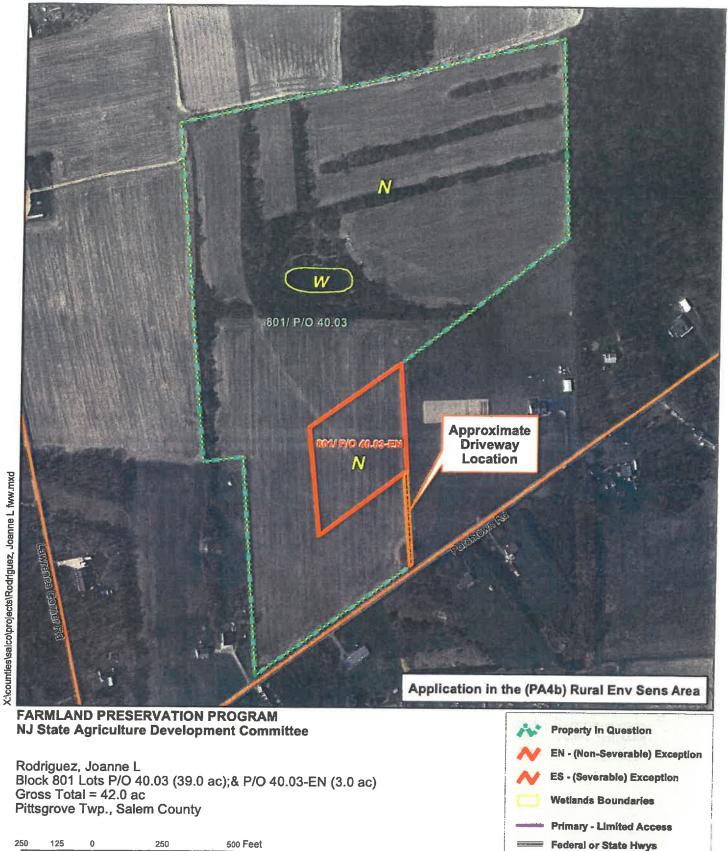
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

https://sonj.sharepoint.com/sites/AG-SADC/Salem/MPIG/17-0200-PG/ACQ/Final Approvals/Muni PIG FA 2018.docx

Wetlands

Schedule A



N

250 125 0 500 Feet 250

Sources: NJ Farmland Preservation Program Green Acres: Conservation Easement Data NJDEP Wetlands Data NJDIT/OGIS 2015 Digital Aerial Image

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

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

County Roads

Municipal/Local Roads

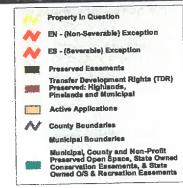


Preserved Farms and Active Applications Within Two Miles

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Rodriguez, Joanne L Block 801 Lots P/O 40.03 (39.0 ac);& P/O 40.03-EN (3.0 ac) Gross Total = 42.0 ac Pittsgrove Twp., Salem County

2,000 1,000 0 2,000 4,000 6,000 Feet



N

Sources: NJ Fermiand Preservation Program Green Acres Conservation Essement Data NJOIT/OGIS 2015 Digital Aertal Image

June 8, 2018

SADC Municipal Pig Financial Status Schedule B

Pittsgrove Township, Salem County

		A Charles	I was to shall be					Gr	ant	COLOR STREET
			And in case of the local division of the loc	DC		I Grant		Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19		750,000.00 500,000.00 500,000.00 500,000.00 1,000,000.00
SADC ID#	Farm	Acres	Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Encumbered	PV	Expended	Balance
							and and deler books hits - 0		GANGINGU	3,250,000.00
17-0107-PG	Walters	19.3300	94,717.00	64,562.20			64,562.20	64,562.20	64,562.20	2,340,032.66
17-0095-PG	Schmidt	89.9000	638,290.00	400,055.00	360,083.22	241,848.22	400,055.00	158,206.78	158,206.78	2,181,825.88
17-0139-PG	Kupelian	36.4660	295,374.60	180,506.70			180,506.70	180,506.70	180,506.70	2,001,319.18
17-0145-PG	Dubois Farm Properties LLC	64.1180	509,738.10	312,575.25			312,575.25	312,575.25	312,575.25	1,688,743.93
17-0176-PG	CTI Solutions	86.0620	318,429.40	225,482.44			221,390.00	225,482.44	225,482.44	1,463,261.49
17-0139-PG	Kupelian ancillary								4,437.50	1,458,823.99
17-0145-PG 17-0176-PG	Dubois ancillary								4,913.00	1,453,910.99
17-0095-PG	CTI Solutions ancillary								5,958.50	1,447,952.49
17-0107-PG	Schmidt ancillary								6,274.25	1,441,678.24
17-0200-PG	Walters ancillary	10.0000							3,750.00	1,437,928.24
17-0200-PG	Rodriguez, Joanne L.	40.3200	225,792.00	149,184.00			149,184.00			1,288,744.24
Closed	11	466.3800	3,179,912.45	1.998,447,37	360,083.22	241,848.22				
Encumbered	1	40.3200	225,792.00	149,184.00		ar ijo to an				
						Expended FY09	THE DOWNER WERE	Villa Students	750,000.00	
						Expended FY11		Stein E stolle its	500,000.00	States Sec.
						Expended FY13	12 - 11 Mar + 100	•	500,000.00	121-1-1
						Expended FY17	440 404 50		62,071.76	437,928.24
					Encumben	Expended FY19 Total	149,184.00	STATISTICS AND ADDRESS OF		850,816.00
						- Udi				1,288,744.24

S:\Fiscal\FISCAL Municipal PIG Funding Status.xlsx

April 26, 2019

Schedule C

State Agriculture Development Committee SADC Final Review: Development Easement Purchase

	Roc	dr:	iguez	z, Jo	bar	nne	L.	
			17-	0200	-P	Ġ		
PIG	ΕP	-	Mun	icipa	al	200	7	Rule
			39	Acre	es			

Block 801	Lot 40.03	Pittsgrove Twp.	Salem (Coun	ty		
SOILS:		Prime	100% *	.15	-	15.00	
bornd.					SOIL	SCORE :	15.00
TILLABLE SOILS:		Cropland Harvested	85% *	.15	=	12.75	
TITTERDIE SATOS.	Other	Other	1% *	0	1	.00	
		Woodlands	110	0	=	.00	
			TILLA	BLE :	SOILS	SCORE :	12.75

FARM USE:

33 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

- 1. Available funding.
- The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
- 3. Compliance with all applicable statutes, rules and policies.
- 5. Other:
 - a. Pre-existing Nonagricultural Use:

Corn-Cash Grain

- b. Exceptions:
 - 1st three (3) acres for Future single family residence Exception is not to be severed from Premises Exception is to be limited to one future single family residential unit(s)
- c. Additional Restrictions: No Additional Restrictions
- d. Additional Conditions: No Additional Conditions
- e. Dwelling Units on Premises: No Dwelling Units
- f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
- 6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, as ammended and N.J.A.C. 2:76-17.14.
- 7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R4(10)

Final Review and Approval SADC Easement Purchase

On the Property of Grande, Antonio and Clara ("Owners")

April 26, 2019

- Subject Property: Grande, Antonio and Clara ("Owners") Block 44, Lots 4 & 5 Frankford Township, Sussex County SADC ID#: 19-0020-DE Approximately 160 Net Easement Acres
- WHEREAS, on June 12 2018, the State Agriculture Development Committee ("SADC") received a development easement sale application from Antonio and Clara Grande, hereinafter "Owners," identified as Block 44, Lots 4 & 5, Frankford Township, Sussex County, hereinafter "the Property," totaling approximately 169 gross acres, identified in (Schedule A); and
- WHEREAS, the SADC is authorized under the Garden State Preservation Trust Act, pursuant to N.J.S.A. 13:8C-1 et seq., to purchase development easements directly from landowners; and
- WHEREAS, the Property includes two (2) exception areas: approximately one (1) acre nonseverable exception area for one (1) future single family residential unit and approximately eight (8) acre severable exception for one (1) existing single family residential unit and to afford future flexibility of uses resulting in approximately 160 net acres to be preserved; and
- WHEREAS, the portion of the Property outside the exception area includes zero (0) exceptions, zero (0) housing opportunities, zero (0) Residual Dwelling Site Opportunity (RDSO), zero (0) agricultural labor units, and no pre-existing non-agricultural uses; and
- WHEREAS, at the time of application, the Property was in corn production; and
- WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, <u>N.J.A.C.</u> 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 27, 2017, which

categorized applications into "Priority", "Alternate" and "Other" groups; and

- WHEREAS, SADC staff determined that the Property meets the SADC's "Priority" category for Sussex County (minimum acreage of 51 and minimum quality score of 52) because it is approximately 160 net easement acres and has a quality score of 56.74; and
- WHEREAS, the Owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and
- WHEREAS, pursuant to <u>N.J.A.C.</u> 2:76-17.11, on March 28, 2019 the SADC certified a development easement value of \$4,300 per acre based on zoning and environmental regulations in place as of the current valuation date of January 23, 2019 and
- WHEREAS, the Owners accepted the SADC's offer to purchase the development easement for \$4,300 per acre; and
- WHEREAS, to proceed with the SADC's purchase of the development easement it is recognized that various professional services will be necessary including but not limited to contracts, survey, title search and insurance and closing documents; and
- WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General;

NOW THEREFORE BE IT RESOLVED:

- 1. The WHEREAS paragraphs are incorporated herein by reference.
- 2. The SADC grants final approval for its acquisition of the development easement at a value of \$4,300 per acre for a total of approximately \$688,000 subject to the conditions contained in (Schedule B).
- 3. The SADC's purchase price of a development easement on the approved application shall be based on the final surveyed acreage of the area of the Property to be preserved outside of any exception areas, adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries as identified in Policy P-3-C.
- 4. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
- 5. The SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the

professional services necessary to acquire said development easement including, but not limited to, a survey and title search and to execute all necessary documents required to acquire the development easement.

- 6. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
- 7. This action is not effective until the Governor's review period expires pursuant to <u>N.J.S.A.</u> 4:1C-4f.

April 26, 2019

E. Dange

Date

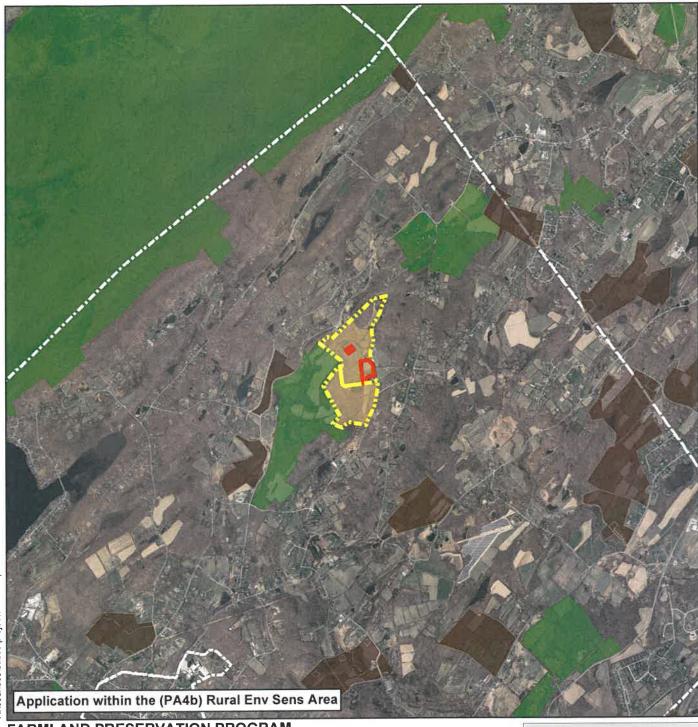
Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	RECUSED
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

https://sonj.sharepoint.com/sites/AG-SADC/Sussex/DE/19-0020-DE/ACQ/Final Approvals/DE FA 2018.docx





FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Grande, Antonio & Clara Block 44 Lots P/O 4 (91.01 ac); P/O 4-ES (severable exception - 8.01 ac); P/O 4-EN (non-severable exception - 1.01 ac) & 5 (68.86 ac) Gross Total = 168.89 ac Frankford Twp., Sussex County

6,000 Feet 2,000 4,000 2,000 1,000 0



Property In Question

Sources: NJ Farmland Preservation Program Green Acres Conservation Easement Data NJOIT/OGIS 2015 Digital Aerial Image

NOTE: The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors

ScheduleB

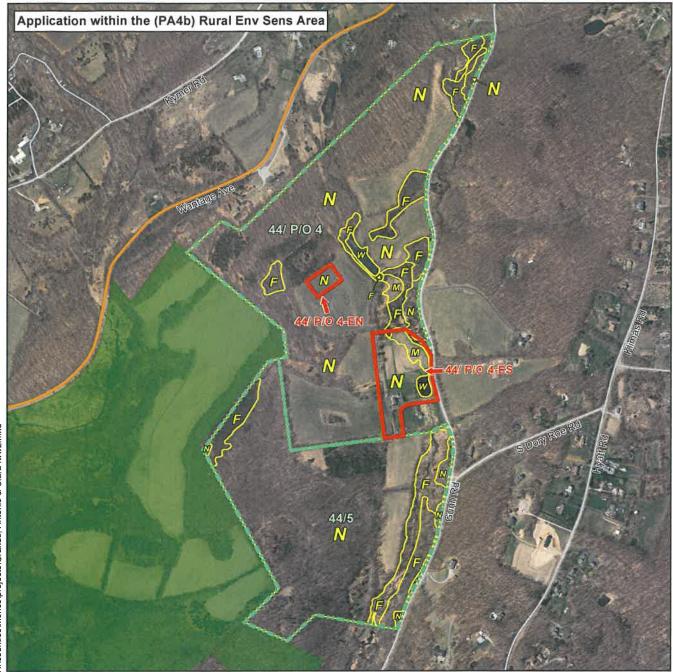
State Agriculture Development Committee SADC Final Review: Development Easement Purchase

		rande, Antonio and C asement Purchase - 3 160 Acres					
Block 44	Lot 4	Frankford Twp.	Susse	χ Coi	inty		
Block 44	Lot 5	Frankford Twp.	Susse	χ Coι	inty		
SOILS:		Other	63% *	0	=	.00	
		Prime	378 *	.15	=	5.55	
					SOIL	SCORE :	5.55
TILLABLE SOILS:		Cropland Harvested	25% *	.15	=	3.75	
		Other	48 *	0	=	.00	
		Wetlands	13% *	0	=	.00	
		Woodlands	58% *	0	=	.00	
			TILL	ABLE	SOILS	SCORE :	3.75
FARM USE:	Corn-Cash Gr Hay	cain	12 acre 38 acre				

This final approval is subject to the following:

- 1. Available funding.
- The allocation of O Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
- 3. Compliance with all applicable statutes, rules and policies.
- 4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for Future dwelling Exception is not to be severable from Premises Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s) 2nd eight (8) acres for Existing Family residence and flexibility of use Exception is severable Exception is to be limited to one existing single family residential unit(s) and zero future single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
- 5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

Wetlands



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Grande, Antonio & Clara Block 44 Lots P/O 4 (91.01 ac); P/O 4-ES (severable exception - 8.01 ac); P/O 4-EN (non-severable exception - 1.01 ac) & 5 (68.86 ac) Gross Total = 168.89 ac Frankford Twp., Sussex County

1,000 Feet 500 250 0 500 ----

Sources: NJ Farmland Preservation Program Green Acres Conservation Easement Data NJDEP Wetlands Data NJOIT/OGIS 2015 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodectic accuracy and precision of the GIS data contained in this file and may shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor Property In Question
EN - (Non-Severable) Exception
ES - (Severable) Exception
Wetlands Boundaries
Primary - Limited Access
Federal or State Hwys
County Roads
Municipal/Local Roads
Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements
Wetlands Legend: F - Freshwater Wetlands L - Linear Wetlands L - Linear Wetlands B - GO' Buffer W - Water

N

October 18, 2018

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R4(11)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

PAUL AND BARBARA SHINN, D/B/A "TOYLAND FARMS", AGENT FOR HEAVEN SENT FARM, LLC.

APRIL 26, 2019

- WHEREAS, PAUL AND BARBARA SHINN, D/B/A "TOYLAND FARMS", hereinafter "Applicant", are the agent for HEAVEN SENT FARM, LLC, SADC ID# 03-0036-EP, the current record owner of Block 1002 and 1401, Lots 4.01 and 23, in Springfield Township, Burlington County, hereinafter referred to as the "Premises", by deed dated April 19, 2016 and recorded in the Burlington County Clerk's Office in Deed Book 13221, Page 7577; and
- WHEREAS, the Premises totals approximately 106.598 acres, as shown in Schedule "A"; and
- WHEREAS, a development easement on the Premises was conveyed to Burlington County by the prior owners, Arthur and Dolores Lamberg, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated May 9, 1990, and recorded in the Burlington County Clerk's Office in Deed Book 4033, Page 229; and
- WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to <u>N.J.A.C.</u> 2:90-3; and
- WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Burlington County, and for subsequent eight-year periods subject to the then-current cost-share formula; and
- WHEREAS, the applicant is eligible for a cost share grant of up to \$40,659.80 expiring May 9, 2022; and
- WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects ("Application"); and
- WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed

for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

- WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and
- WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and
- WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.

2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

APPLICANT	<u>S&W ID#</u>	<u>COST</u>	<u>PROJECT TYPE</u>
		SHARE	
Paul and Barbara Shinn,	03-0036-EP-01	\$3,355.46	2:90-2.17 Permanent Open
d/b/a "Toyland Farms",			Drainage System
Agent for Heaven Sent			
Farm, LLC.			

PROJECT DESCRIPTION:

Install or maintain a permanent open drainage system by removing 1207 cubic yards of material from a drainage ditch and incorporating the spoils into adjacent cropland.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

4. Construction of the project is subject to all applicable local, State, and Federal regulations.

5. This approval is considered a final agency decision appealable to the Appellate Division

of the Superior Court of New Jersey.

6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019

Date

mE. Doge

Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

S:\SW\Counties\Burlington\03-0036-EP Shinn\SW_RES_04_26_19.docx

Schedule A - Soil and Water Cost Share Grant



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

N	Owner: H Application County: 1	t: Paul and Ba leaven Sent F on Number: 03 Burlington lity: Springfiel	3-0036-EP-01	oyland Farms"
0	300	600	1,200	1,800

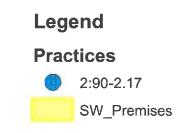


Image: NJ 2017 Natural Color

4/10/2019

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R4(12)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

KEITH GENNELLO AND JESSICA RICE

APRIL 26, 2019

WHEREAS, KEITH GENNELLO AND JESSICA RICE, hereinafter "Applicant", SADC ID# 03-0392-PG, are the current record owners of Block 1602, Lot 9, in Southampton Township, Burlington County, hereinafter referred to as the "Premises", by deed dated January 31, 2018 and recorded in the Burlington County Clerk's Office in Deed Book 13321, Page 3210; and

WHEREAS, the Premises totals approximately 128.603 acres, as shown in Schedule "A"; and

- WHEREAS, a development easement on the Premises was conveyed to Burlington County by the prior owner, ALLOWAY FAMILY LIMITED PARTNERSHIP, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated December 11, 2014, and recorded in the Ocean County Clerk's Office in Deed Book 13155, Page 999; and
- WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to <u>N.J.A.C.</u> 2:90-3; and
- WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Burlington County, and for subsequent eight-year periods subject to the then-current cost-share formula; and
- WHEREAS, the applicant is eligible for a cost share grant of up to \$42,860.30 expiring December 11, 2022; and
- WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects ("Application"); and
- WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and
- WHEREAS, <u>N.J.S.A.</u> 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution

on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

- WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and
- WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and
- WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.

2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

APPLICANT	<u>S&W ID#</u>	<u>COST</u>	PROJECT TYPE
		SHARE	
Keith Gennello and	03-0392-PG-01	\$6,127.54	2:90-2.15 Irrigation System
Jessica Rice			8 9

PROJECT DESCRIPTION:

Install an 8" or greater water well and a 3-10 hp electric powered pump.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

4. Construction of the project is subject to all applicable local, State, and Federal regulations.

5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019

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Date

Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

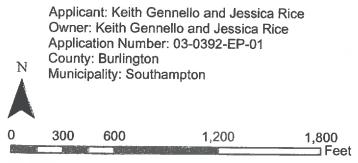
Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

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Schedule A - Soil and Water Cost Share Grant

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee





4/10/2019

Image: NJ 2017 Natural Color

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2019R4(13)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

BRIAN PEARSON

APRIL 26, 2019

- WHEREAS, BRIAN PEARSON, hereinafter "Applicant" and HEATHER PEARSON, SADC ID# 03-0391-PG, are the current record owners of Block 1601, Lots 10 & 10.03, in Southampton Township, Burlington County, hereinafter referred to as the "Premises", by deed dated October 19, 2017 and recorded in the Burlington County Clerk's Office in Deed Book 13304, Page 7972; and
- WHEREAS, the Premises totals approximately 65.661 acres, as shown in Schedule "A"; and
- WHEREAS, a development easement on the Premises was conveyed to Burlington County by the prior owner, ALLOWAY FAMILY LIMITED PARTNERSHIP, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated December 11, 2014, and recorded in the Burlington County Clerk's Office in Deed Book 13155, Page 1019; and
- WHEREAS, the Applicant is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and
- WHEREAS, the total eligible amount of cost-share funds is determined pursuant to N.J.A.C. 2:76-5.4 and remains in effect for a period of eight years from the date the development easement was conveyed to Burlington County, and for subsequent eight-year periods subject to the then-current cost-share formula; and
- WHEREAS, the applicant is eligible for a cost share grant of up to \$33,132.20 expiring December 11, 2022; and
- WHEREAS, the Applicant has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects ("Application"); and
- WHEREAS, the Application has been prioritized for soil and water cost-share funding pursuant to State Agriculture Development Committee (SADC) Policy P-48; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed

for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

- WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the Premises; and
- WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the SADC shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds, and may provide grants to eligible applicants for up to 75 percent of the cost of the soil and water conservation projects; and
- WHEREAS, consistent with N.J.A.C. 2:76-5.7, SADC Policy P-48 limits funding provided for soil and water conservation projects approved pursuant to the Soil and Water Conservation Cost-Sharing Program to no greater than 50% of the cost of installing these projects to respond to limited funding availability and substantial program demand; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above Application; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.

2. Soil and water cost-share funds are approved from funds appropriated to the SADC from the General Fund, 1992 Bond Fund, 1995 Bond Fund, Corporate Business Tax Funds, or other available funds for providing grants to eligible applicants for up to 50 percent of the cost of soil and water conservation projects for eight-year periods identified as:

APPLICANT	<u>S&W ID#</u>	<u>COST</u>	PROJECT TYPE
		SHARE	
Brian Pearson	03-0391-PG-01	\$6,876.05	2:90-2.13 Land Shaping or
			Grading
			2:90-2.17 Permanent Open
			Drainage System

PROJECT DESCRIPTION:

Install or maintain a permanent open drainage system by removing 2893 cubic yards of material from a drainage ditch and conduct land smoothing on 55 acres to remove surface irregularities that interfere with the implementation of conservation practices.

3. Payment shall be contingent upon the completion of the project as verified by the SSCC and availability of funds.

4. Construction of the project is subject to all applicable local, State, and Federal regulations.

5. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

6. This approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

April 26, 2019

Date

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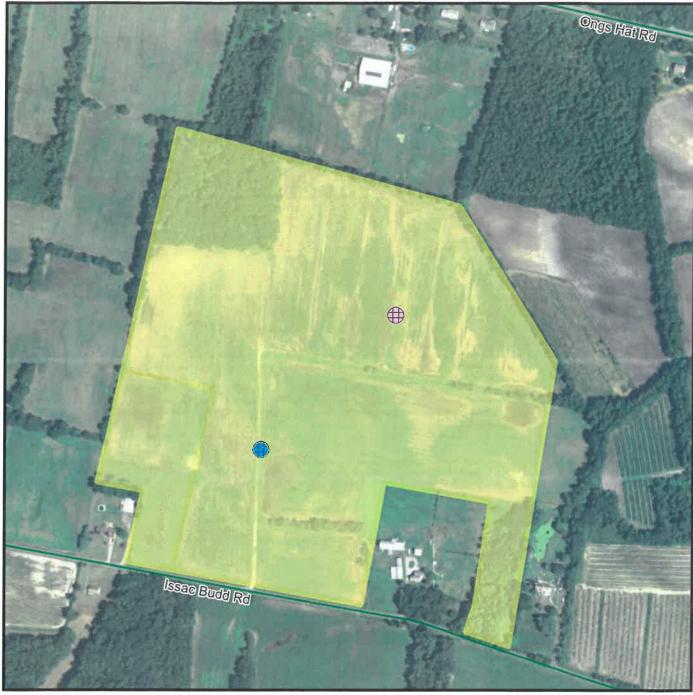
Susan E. Payne, Executive Director State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

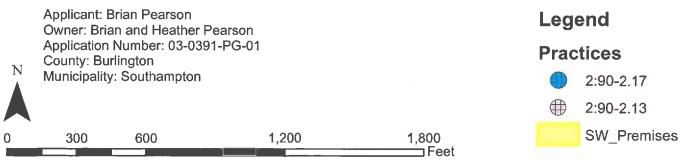
Douglas H. Fisher, Chairperson	YES
Renee Jones (rep. DEP Commissioner McCabe)	YES
Thomas Stanuikynas (rep. DCA Commissioner Oliver)	YES
Ralph Siegel (rep. State Treasurer Muoio)	YES
Jane Brodhecker	YES
Alan Danser, Vice Chairman	YES
Scott Ellis	YES
Denis C. Germano, Esq.	ABSENT
Peter Johnson	ABSENT
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	YES

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee



4/10/2019

Image: NJ 2017 Natural Color