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Mark S. Lohbauer
 Chairman

~~Nancy Wittenberg
 Executive Director~~

MEMORANDUM

To: Members of the Agriculture Committee

From: Susan R. Grogan 
 Chief Planner

Date: July 22, 2015

Subject: July 31, 2015 Committee meeting

Enclosed please find the agenda for the Committee's upcoming meeting on July 31, 2015. We have also enclosed the following:

- A copy of the minutes from the Committee's June 16, 2015 meeting.
- The State Agriculture Development Committee's 2014 regulations concerning on-farm direct marketing facilities, activities and events. Please note that SADC's Executive Director, Susan Payne, will be attending the Committee meeting to make a presentation on SADC's on-farm direct marketing regulations.
- A series of tables and charts displaying 2007 and 2012 land use data by management area. The Committee previously expressed an interest in knowing how much land was in agricultural use in various management areas before making any decisions about the applicability of a pilot program for special events and activities on farms.

/CS15

cc: All Commissioners (agenda only)



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AGRICULTURE COMMITTEE MEETING

Richard J. Sullivan Center
Terrence D. Moore Room
15 C Springfield Road
New Lisbon, New Jersey

July 31, 2015

Immediately following the 9:30 a.m. Policy & Implementation Committee meeting

Agenda

1. Adoption of minutes from the June 16, 2015 Agriculture Committee meeting
2. Presentation by the State Agriculture Development Committee on its Agricultural Management Practice for On-Farm Direct Marketing
3. Continued discussion of a proposed pilot program for special events and expanded economic opportunities on agricultural lands
4. Public Comment

AGRICULTURE COMMITTEE MEETING

Richard J. Sullivan Center
Terrence D. Moore Room
15 C Springfield Road
New Lisbon, New Jersey
June 16, 2015 - 9:30 a.m.

MINUTES

MEMBERS IN ATTENDANCE: Ed McGlinchey (Chairman), Sean Earlen, Ed Lloyd, Mark Lohbauer (Alternate)

MEMBERS ABSENT: Paul E. Galletta and Richard Prickett

STAFF PRESENT: Executive Director Nancy Wittenberg, Larry Liggett, Susan R. Grogan, Charles Horner, Paul D. Leakan and Betsy Piner. Also present by telephone was Mr. Christopher Howard with the Governor's Authorities Unit.

Chairman McGlinchey called the meeting to order at 9:41 a.m.

1. Adoption of minutes from the May 1, 2015 Agriculture Committee meeting

Commissioner Lohbauer moved the adoption of the minutes from the May 1, 2015 Committee meeting. Commissioner Earlen seconded the motion. The minutes were adopted, with Commissioners Lohbauer, Earlen, and Lloyd voting in favor. Chairman McGlinchey abstained as he said he had not had time to review the minutes.

2. Continued discussion of proposed pilot program for special events and expanded economic opportunities on agricultural lands

Prior to the meeting, staff distributed to all in attendance, two documents dated June 12, 2015 related to a Pilot Program for Special Events and Activities on Farms: 1) List of Meeting Participants, and 2) Issues and Suggestions Identified at Meetings with Interested Parties. (Attachments A & B to these minutes)

Referencing the two documents provided this morning, Ms. Wittenberg noted that she and Ms. Grogan had met with multiple groups concerning issues related to a pilot program for special events and activities on farms. She said Ms. Grogan had compiled a comprehensive list of the issues raised at these meetings and noted that, although many different viewpoints were expressed, they fell into a number of categories, each of which represents a major decision point for the Commission. For example, should a pilot program include all agricultural lands? All farms? Only Pinelands Development Credit (PDC) deed restricted farms? What activities should be regulated? What type and scale? Ms. Wittenberg asked, following a response to the threshold questions, what standards should apply?

Ms. Grogan said the list demonstrates how many threshold questions have arisen and that through these meetings, she and Ms. Wittenberg learned how complicated the issue quickly becomes. She said the issue of “right to farm” is one with which the Commission is not typically concerned but it was an issue for several groups. She said the meetings had been very informative but the list of issues and suggestions does not identify who said what as staff wanted to focus on the breadth and depth of the issues. She said perhaps the first question for a pilot program might be which farms to include. The management areas provide descriptions of permitted uses but there are farms in sensitive areas outside of the Agricultural Production Area (APA), including the Preservation Area District (PAD), Forest Area (FA) and Special Agricultural Production Area (SAPA) and would the Commission want to include those in a pilot program?

Chairman McGlinchey said a farm is a farm no matter where it’s located and just because a property is in the APA, it might not be a farm.

In response to Commissioner Lloyd’s question about how many acres in the various management areas, Mr. Liggett said roughly half of the APA is farmed. For the SAPA, it is more difficult to determine what is being actively farmed since there are bogs plus the supporting reservoirs.

Mr. Leakan presented the management areas on the SmartBoard (from the Commission’s web site): http://www.state.nj.us/pinelands/infor/fact/PMA_Fact_Sheet.pdf and noted there are some 68,000 acres in the APA and 37,500 in the SAPA.

Chairman McGlinchey noted that in terms of PDC allocations, uplands in the APA were more valuable.

Ms. Grogan said the program should be limited to areas that the Commission has targeted for agriculture. The CMP makes a clear distinction regarding permitted uses in the APA and SAPA. For the latter, there are no low intensity recreation use or farm markets permitted.

Chairman Lohbauer asked if festivals were permitted in the SAPA, for example, at Whitesbog.

Mr. Liggett examined the Land Capability Map and noted that Whitesbog was likely located in the PAD.

Commissioner Earlen asked if staff were aware of other festivals.

Ms. Grogan responded that that staff knew about larger events but, from their recent meetings, had learned of other activities. She said there is a big range of ongoing activities such as paintball, obstacle courses, camps and bus tours. She said the concern has evolved from special events to include ongoing activities.

Ms. Wittenberg referenced SADC’s interest in weddings on preserved farms and a bill in the legislature regarding rural microenterprises for non-agricultural activities on farms.

Commissioner Earlen said he would be interested in a pilot program that applied to all farms and was inclusive of everyone.

Mr. Liggett said some zones might permit certain activities on farms in any case, such as the Rural Development Area (RDA).

Commissioner Lohbauer said he thought a pilot program would simply regulate recreation activities on farms and develop standards. He said he didn't realize it would apply to events and festivals.

Chairman McGlinchey said he felt it had to be comprehensive to include such things as wine tastings at vineyards.

Commissioner Lohbauer said a wine tasting or a wedding was likely conducted in an enclosed area, not out in the vineyards.

Ms. Grogan suggested perhaps this is the real threshold question. Maybe the pilot program should deal only with recreation activities on farms. However, the series of meetings has raised an awareness of all these other activities so the Commission must decide how narrow or broad the pilot program should be.

Chairman McGlinchey said there is a wide variety of activities termed "recreation".

Commissioner Earlen asked, "What is the difference between 5,000 people at a cranberry festival vs. 5,000 people at a soccer field?"

Commissioner Lohbauer said he felt the question is, "What is the impact on the land from these activities?"

Chairman McGlinchey said staff deals more with these issues than the Commission, and Commissioner Earlen added that the Committee needed to provide the staff with direction.

Commissioner Lloyd said the issues should be looked at as broadly as possible to see what impacts are out there. He said he wanted a chance to look at the material provided this morning and think about how to categorize the issues. He said he wanted to have a sense of what is going on.

Commissioner Lohbauer said the impacts have to be a primary driver. Also, there is the equity issue. He said there are those who have benefitted from the PDC and SADC programs.

Ms. Grogan said there are different deed restrictions for the two programs.

Commissioner Lloyd said PDC deed restrictions and the conservation easements are separate from the Commission's regulations.

Ms. Grogan said a PDC deed restriction does not change the permitted uses for a farm in the APA or SAPA. The language of the deed restriction mirrors that of the CMP's permitted uses. The Commission may wish to look at the wording in the deed restrictions and tighten the definitions. Also, definitional changes regarding recreational uses may be needed, including providing additional examples.

In response to Commissioner Lohbauer's comment that such changes would require a rule change, Ms. Grogan said the pilot program itself will require a rule change.

The Committee discussed the relationship between a pilot program and the municipalities in terms of granting variances for special event permits.

Ms. Grogan said she had assumed that through a pilot program, an individual would obtain a Certificate of Filing from the Commission and then go to the municipality to secure a special event permit that would then be reviewed by the Commission. Because of the variety of activities, there is a concern that 53 municipalities might want to offer 53 types of activities. The Commission will need to determine matters such as whether the pilot program should be mandatory for municipalities and whether a preserved farm should be treated differently from one that is not, perhaps with a PDC obligation as an offset for additional activities.

Chairman McGlinchey said that many municipalities don't take advantage of all the permitted uses allowed by the CMP. Some are optional. He said he thought the towns should have the opportunity to weigh in on these special events and activities.

Ms. Grogan said a number of people had asked if the municipalities would be able to address their own concerns, particularly for traffic and signage.

Commissioner Lloyd said perhaps the threshold should be the number of individuals involved in an event or activity. He said he wanted to know where to draw the line and agreed that the municipality should have some involvement.

Chairman McGlinchey said the size of the farm should be considered. He said a six or seven acre farm can receive farmland assessment but questioned whether it should be allowed to conduct special events vs. a 200-acre farm that can better accommodate activities.

In response to Commissioner Lloyd's question regarding the next steps in the process, Ms. Wittenberg said the most recent meeting had been the most interesting. Staff was asked why it was reinventing the wheel rather than just referring to the SADC Agricultural Management Practice for On-Farm Direct Marketing.

Ms. Grogan suggested that SADC be invited to a future meeting to explain its program and answer some of the Committee's questions.

In response to Commissioner Earlen's request for a list of known events such as wineries, festivals and corn mazes, Ms. Grogan said staff would try to develop such a list.

In response to Chairman McGlinchey's statement that it is nice for farmers to produce extra income at the end of the season with a corn maze, Ms. Wittenberg said no one is objecting to farms making money but the opportunities must be those that fit the Commission's parameters.

Chairmen McGlinchey asked what happens to the farm when the next generation has no interest in wanting it to continue.

Ms. Wittenberg responded that there is that struggle now, e.g. regulatory issues related to farm markets. Also, she also reminded everyone that the Commission will need to monitor and evaluate a pilot program.

Ms. Grogan said staff wanted the pilot program to be broad enough to have a variety of farms participate. Staff knows there are existing activities and the pilot program will allow an evaluation of impacts on neighbors, soil compaction and other issues.

Commissioner Lohbauer said the program should focus on negative impacts and equities. He said the Commission wants to celebrate agriculture and some of these activities can happen only on a farm. The Commission wants to promote agriculture.

Mr. Liggett said some old agriculture-related buildings outlive their usefulness and the CMP says they cannot be used for non-agricultural uses. SADC uses the "exception area" concept, designating certain pieces of the land outside the easement area, typically for residential use. He said the Commission might want to do something similar, as it did for solar energy facilities. The Commission encourages farmers to invest in solar energy and up to 20% of a parcel but no more than ten acres can be used for solar energy production as a principal use.

Ms. Grogan added that solar facilities must avoid prime soils and areas of high ecological value.

Mr. Liggett said he didn't think farmers should be punished for using abandoned buildings, adding that maybe there should be a maximum exception area established with a cap on permitted uses within it. He said it seems that bed-and-breakfasts could be appropriate.

Chairman McGlinchey said that because these issues are so important, for now he felt the Committee should meet frequently.

Mr. Liggett offered to send statistics related to agricultural uses. He noted that some 5,000 acres of FA is farmed.

Ms. Grogan said that some time ago, Franklin and Buena Vista townships had redesignated farmed areas in RDA and FA to APA to allow farmers to take advantage of the PDC program. Similarly, Hammonton redesignated PAD to SAPA for the same reason.

Mr. Liggett said there are 10,000 acres of farmed lands in RDA. Redesignating those lands to APA would allow those landowners to participate in the PDC program.

Chairman McGlinchey said some farmers don't want to lose the development opportunity as the PDC program has never compensated them appropriately.

Commissioner Earlen said he thought if the Committee had a list of the activities occurring on farms it would be helpful and that farms in all management areas should be included in a pilot program.

Commissioner Lohbauer said the threshold question for him was whether the activity promotes agriculture, no matter in which management area it is located.

Commissioner Lloyd said there may be activities the Committee does not want to see expanded so it would be helpful to have as many activities in the pilot program as possible.

Chairman McGlinchey reminded those present that a pilot program is not permanent.

Ms. Grogan suggested the Committee take some time to absorb the issues discussed today and she would try to develop a list of activities, albeit some would be anecdotal. She said she would re-send the SADC PowerPoint presentation and find out when SADC staff might be available to attend a future meeting. Meanwhile she encouraged the Committee to contact her with questions and concerns as staff will continue to gather information. She noted the presence of Mr. Jeff Everett, with the SADC, in the audience.

3. Public Comment

Mr. Jay Mounier, a resident of Franklin Township, said the Commission must take into account that different management areas require different treatment. He said he had not heard much discussion that one must consider the importance of including traditional land uses such as roadside sale of farm products. He provided an example of a cranberry farmer within the SAPA who can bring school buses to his farm for educational activities but cannot sell cranberries at the side of the road. He said education is important but such school outings are not something that happened 50 years ago. Also, he said that competitive motor vehicle activity has been a traditional Pinelands activity and asked if it should be included in a pilot program. The Commission should try to see what will work and what won't work and make decisions at the conclusion of the pilot program.

In response to Mr. Mounier's question if the documents provided this morning would be available to those who had participated in the meetings, Ms. Grogan said they would be provided and also posted on the web site.

Mr. Jeff Everett, Chief of Agricultural Resources, SADC, encouraged the Commission to contact him regarding these agricultural issues. He said SADC monitors some 200,000 preserved farmland acres throughout the state and he wanted the Commission to avail itself of the research already done. Mr. Everett noted that On-Farm-Direct-Marketing applies to all farms, not just preserved farms. He said that agriculture is expanding beyond its traditional functions throughout the nation, and the Commission was not alone in dealing with these issues. The states of Maryland and New York have been particularly active.

Ms. Fran Brooks, a resident of Tabernacle Township, thanked Ms. Grogan for today's handouts, noting that they demonstrate how complicated these issues are. She asked about the relationship between special events and the soccer tournaments being conducted on the Tuckahoe Turf Farms. She asked if there were already a separate set of criteria applicable to Tuckahoe Turf.

Mr. Horner said that Tuckahoe Turf Farm is separate and apart from this general issue. He said an application was filed and the Town of Hammonton imposed certain conditions. Staff determined that there was no substantial issue with the application and the soccer tournaments would be allowed to proceed for a 3-year period while the Commission develops its pilot program. At the end of that period, the issues will be addressed.

Ms. Brooks asked if the Project Review staff was looking at the impacts from those activities and had a monitoring program been established. She also asked what research methods staff is using.

Mr. Horner said the lengthy Hammonton Planning Board Resolution granting the approvals for the soccer activities on the farm lists such details and he would be happy to share it with Ms. Brooks following the meeting.

Dr. Emile DeVito, a member of the New Jersey Conservation Foundation and the Pinelands Preservation Alliance, said he was glad to hear Commissioner Lohbauer address the equity issue. He said when public funds are used to preserve lands, appraisers base the value the public pays for easements on the expectations as to how lands will be used. He said soccer tournaments generate multiple hundreds of thousands of dollars and the playing fields land is worth far more than any development potential had it not been preserved.

Mr. Horner asked the Committee to consider what activities constitute land development as that triggers an application to the Commission. He asked if it is the length of time that an activity occurs. Is it the intensity? Should an antique car show conducted for one day a year require application to the Commission?

Chairman McGlinchey said that like enduro races, a carnival or car show or some such activity could apply for a permit and then the Commission would be able to track it.

Mr. Horner responded that the CMP requires a permit for an enduro; a carnival is not specifically listed. He said staff has discussed how exemptions may apply once the Commission has gone through this pilot program process. He said there may be a list of activities that are exempt because they are so innocuous and others that require a permit. He said, in the past, the Commission has written letters such as to a farmer wishing to hold a corn maze for 4 weeks in October. Such letters indicate to the farmer that the Commission does not consider it development unless the municipality does.

Commissioner Lloyd said that it would be good to have a list of such examples.

Ms. Grogan responded that it might be possible to the extent that staff can recall but it might be that only anecdotal information would be available.

Commissioner Lohbauer suggested there be a means of memorializing such examples.

Commissioner Lohbauer thanked the staff for efforts in providing the information presented.

The meeting adjourned at 11:06 a.m. (moved by Commissioner Lohbauer and seconded by Commissioner Lloyd.)

Certified as true and correct:

A handwritten signature in cursive script, appearing to read "Betsy Pfner", is written over a horizontal line.

Betsy Pfner
Principal Planning Assistant

Date: July 7, 2015

N.J.A.C. 2:76-2A.13

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TITLE 2. AGRICULTURE
CHAPTER 76. STATE AGRICULTURE DEVELOPMENT COMMITTEE
SUBCHAPTER 2A. AGRICULTURAL MANAGEMENT PRACTICES: GENERALLY ACCEPTED
OPERATIONS AND PRACTICES

N.J.A.C. 2:76-2A.13 (2015)

§ 2:76-2A.13 Agricultural management practice for on-farm direct marketing facilities, activities, and events s

(a) This section, which is an agricultural management practice, sets forth the standards for on-farm direct marketing facilities, activities, and events that commercial farms must comply with to receive the protections of the Right to Farm Act (Act), N.J.S.A. 4:1C-1 et seq. This section is designed to support and protect on-farm direct marketing operations by identifying safe, effective, and economically viable agricultural management practices for commercial farms seeking the protections of the Act.

(b) As used in this section, the following words and terms shall have the following meanings:

"Agricultural output of a commercial farm" means the items specified in N.J.S.A. 4:1C-9.a that a commercial farm produces and the value-added or processed products produced from those items, provided that the primary and predominant ingredients used to produce such products are grown or raised by the commercial farm. Examples of unprocessed agricultural output include, but are not limited to: fruits, vegetables, nursery stock, bedding plants, cut flowers, Christmas trees, and forest and livestock products. Examples of value-added or processed agricultural output include, but are not limited to: meat products, dairy products, cider, canned goods, baked goods, prepared foods, cut firewood, and wreaths.

"Agriculture-related educational activities" means on-farm educational offerings that have an agricultural focus and are related to marketing the agricultural or horticultural output of the commercial farm. Such activities are accessory to, and serve to increase, the direct-market sales of the agricultural output of a commercial farm by enhancing the experience of purchasing agricultural products for the purpose of attracting customers to the commercial farm. Examples of agriculture-related educational activities may include, but are not limited to: school trips, hands-on farming activities, educational displays, farm tours, farm task experiences, wine tastings, agriculture-related lectures for clubs, farm open house days, and agriculture-related classes on topics, such as, but not limited to: canning, freezing, cooking with fresh produce, pie making, pruning, beekeeping, animal care, and gardening.

"Ancillary entertainment-based activities" means non-agricultural offerings, commonly used as incidental components of on-farm direct marketing activities, that are accessory to, and serve to increase, the direct-market sales of the agricultural output of a commercial farm. Such activities are designed to attract customers to a commercial farm by enhancing the experience of purchasing agricultural products. Examples of ancillary entertainment-based activities include, but are not limited to: background live or recorded music, face painting, story-telling, sandbox area, small swing set or playground equipment, pedal carts for children, and picnic tables. Such activities may have a fee associated with them, but such fees shall be de minimis compared to the income generated from the sale of the agricultural output of the commercial farm.

"Board" means a county agriculture development board established pursuant to N.J.S.A. 4:1C-14 or a subregional agricultural retention board established pursuant to N.J.S.A. 4:1C-17.

"Buffer" means a setback distance and/or screening utilized by a commercial farm in conjunction with its on-farm direct marketing facilities, activities, or events.

"Commercial farm" means:

1. A farm management unit of no less than five acres producing agricultural or horticultural products worth \$ 2,500 or more annually, and satisfying the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, P.L. 1964, c. 48 (N.J.S.A. 54:4-23.1 et seq.); or
2. A farm management unit less than five acres, producing agricultural or horticultural products worth \$ 50,000 or more annually and otherwise satisfying the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, P.L. 1964, c. 48 (N.J.S.A. 54:4-23.1 et seq.).

"Committee" means the State Agriculture Development Committee established pursuant to N.J.S.A. 4:1C-4.

"Community supported agriculture (CSA) operation" means an on-farm direct marketing method in which the retail sale of the agricultural output of a commercial farm is provided through a paid subscription.

"Complementary products" means items commonly used to facilitate the use or consumption of the agricultural output of the commercial farm and promotional items that help market the commercial farm. Examples of promotional items include, but are not limited to, souvenir items such as commercial farm-branded shirts, hats, and bags.

"CSA market and distribution area" means an on-farm direct marketing facility used by a CSA operation to organize and dispense CSA operation members' farm product shares and to market products that contribute to farm income.

"Farm-based recreational activities" means recreational offerings that are uniquely suited to occurring on a farm and also may include common outdoor recreation activities that are compatible with the agricultural use of the farm, where such offerings and activities are related to marketing the agricultural or horticultural output of the commercial farm. Such activities are accessory to, and serve to increase, the direct-market sales of the agricultural output of the commercial farm by enhancing the experience of purchasing agriculture products for the purpose of attracting customers to the commercial farm. Examples of farm-based recreational activities uniquely suited to occurring on a farm may include, but are not limited to: corn, sunflower, and other crop mazes; hayrides and wagon rides; agricultural animal display or petting areas; farm tours; horseback riding; pony rides; and tractor pulls. Examples of farm-based recreational activities considered common outdoor recreation activities that are compatible with the agricultural use of the farm include, but are not limited to: hiking; bird watching; sleigh rides; hunting and fishing; and bonfires. Activities and related infrastructure not considered farm-based recreational activities include, but are not limited to: athletic fields; paintball; go-karting and other similar racetracks; carnival-type amusement rides; and the flying of hobby, private, or commercial aircraft.

"Farm management unit" means a parcel or parcels of land, whether contiguous or noncontiguous, together with agricultural or horticultural buildings, structures and facilities, producing agricultural or horticultural products, and operated as a single enterprise.

"Farm market" means a facility used for the wholesale or retail marketing of the agricultural

output of a commercial farm and products that contribute to farm income, except that if a farm market is used for retail marketing at least 51 percent of the annual gross sales of the retail farm market shall be generated from sales of agricultural output of the commercial farm, or at least 51 percent of the sales area shall be devoted to the sale of agricultural output of the commercial farm, and except that if a retail farm market is located on land less than five acres in area, the land on which the farm market is located shall produce annually agricultural or horticultural products worth at least \$ 2,500.

"Hours of operation" means the time during which an on-farm direct marketing facility, activity, or event is open or offered to the public.

"On-farm direct marketing" means the on-farm facilities, activities, and events that are used to facilitate and provide for direct, farmer-to-consumer sales of the agricultural output of the commercial farm and products that contribute to farm income.

"On-farm direct marketing activity" or "activity" means an agriculture-related happening made available by a commercial farm that is accessory to, and serves to increase, the direct-market sales of the agricultural output of the commercial farm. Such activities are designed to attract customers to a commercial farm by enhancing the experience of purchasing agricultural products and include, but are not limited to: agriculture-related educational activities; farm-based recreational activities; and ancillary entertainment-based activities.

"On-farm direct marketing event" or "event" means an agriculture-related function offered by a commercial farm that is accessory to, and serves to increase, the direct-market sales of the agricultural output of the commercial farm. Such events are designed to attract customers to a commercial farm by enhancing the experience of purchasing agricultural products; may include on-farm direct marketing activities as components; are either product-based or farm-based; and occur seasonally or periodically. Product-based events, provided they demonstrate the required relationship to marketing the output of the commercial farm, may include, but are not limited to: an apple, peach, strawberry, pumpkin, wine, or other agricultural or horticultural product festival held at a commercial farm that produces that particular product. Farm-based events provided they demonstrate the required relationship to marketing the output of the commercial farm, may include, but are not limited to: seasonal harvest festivals held at a commercial farm that produces such seasonal farm products, farm open house events, CSA membership meetings, and farm-to-table events that showcase the agricultural output of the commercial farm.

"On-farm direct marketing facility" or "facility" means a type of farm market including the permanent, temporary, and/or moveable structures, improvements, equipment, vehicles, and apparatuses necessary to facilitate and provide for direct, farmer-to-consumer sales of the agricultural output of the commercial farm and products that contribute to farm income. Such facilities include various types and sizes of direct marketing operations, including, but not limited to: farm stands; farm stores; CSA market and distribution areas; and pick-your-own (PYO) market areas. A facility may include one or more structures or a portion of a structure, and a facility may utilize new or existing structures. A facility's structures may also be used for the commercial farm's other farm purposes, for instance: equipment storage, equipment maintenance, and the production, processing, packaging, storage, or wholesale marketing of the agricultural output of the commercial farm.

"Pick-your-own (PYO) operation" means an on-farm direct marketing method wherein retail or wholesale customers are invited onto a commercial farm in order to harvest and pay for agricultural or horticultural products . Examples of PYO operation crops include, but are not limited to, fruits, vegetables, flowers, and Christmas trees.

"Products that contribute to farm income" means complementary or supplementary products that are sold to help attract customers to the farm market though a broadening of the range of products available and an enhancement of the experience of purchasing the agricultural output

of the commercial farm.

"PYO market area" means an on-farm direct marketing facility used by a PYO operation to set up PYO activities and collect money for PYO crops harvested by customers. PYO market areas may be stand-alone facilities or part of other on-farm direct-marketing facilities. In some cases, such as when a commercial farm has a CSA operation or component, PYO operations may not necessarily involve the collection of money following harvesting, as PYO crops may be one of the benefits of a CSA membership.

"Sales area" means the indoor, outdoor, covered, and uncovered areas of an on-farm direct marketing facility whose primary and predominant use is the display, marketing, and selling of the agricultural output of a commercial farm and products that contribute to farm income. Sales areas do not include: PYO and other production fields; pastures and other areas occupied by livestock on a regular basis; non-public areas, such as areas used for the storage of equipment and other items; and areas dedicated to farm-based Recreational activities. Covered sales areas include sales areas inside structures and sales areas underneath tents, awnings, and other canopies.

"Sanitary facilities" means restrooms or portable toilets.

"Supplementary products" means the agricultural output of other farms, and additional customary food and drink items.

(c) The hours of operation allowed for on-farm direct marketing facilities, activities, and events on commercial farms shall be as follows:

1. On-farm direct marketing facilities and activities may be open or offered on weekdays, weekends, holidays, seasonally, for part of the year, or year-round.
2. On-farm direct marketing events may be offered on weekdays, weekends, holidays, seasonally, or for part of the year.
3. Hours of operation may be between 6:00 A.M. and 10:00 P.M. These hours may be temporarily extended to 11:00 P.M. in conjunction with seasonal on-farm direct marketing sales, activities, or events.

(d) The standards for lighting of on-farm direct marketing facilities, activities, and events on commercial farms shall be as follows:

1. When an on-farm direct marketing facility, activity, or event is open or offered after dark, a commercial farm shall provide, unless specified otherwise in this section, lighting for areas used by customers, such as: walkways, parking areas, sales areas, activity areas, and event areas. This lighting shall provide, at a minimum, the amount of light necessary for customer safety.
2. All lighting shall be provided with lights focused either downward or with an orientation designed to minimize light spilling off the site and to minimize impacts on adjacent off-farm residential buildings and streets. Lights shall not be focused directly onto public roads.
3. Any temporary lighting shall be removed within 30 days after the activity or event has ended.
4. Lighting for on-farm direct marketing purposes shall be turned off within half an hour of the close of business.
5. In addition to lighting referenced in (d)1 through 4 above for on-farm direct marketing purposes, a commercial farm may use lighting for other farm management purposes, for example, for security. Security lighting may be used to help protect a farm's products or other

physical or natural resources and to discourage trespassing and vandalism and is subject to the provisions in (d)2 above.

(e) The requirements for sanitary facilities at on-farm direct marketing facilities, activities, and events on commercial farms shall be as follows:

1. A commercial farm shall provide sanitary facilities in the following cases:

i. If indoor seating space, outdoor picnic tables, or other areas are made available to enable customers to consume food on-site;

ii. If an on-farm direct marketing activity or event promotes customers staying on-site for more than 90 minutes; and

iii. When required pursuant to N.J.A.C. 8:24, the Sanitation in Retail Food Establishments and Food and Beverage Vending Machines, or N.J.A.C. 5:23, the New Jersey Uniform Construction Code.

2. The number of sanitary facilities provided shall be sufficient to accommodate, without causing long queues, the volume of visitors expected in conjunction with on-farm direct marketing facilities, activities, or events.

3. A commercial farm shall provide hand-sanitizing facilities for visitors to utilize after the use of the sanitary facilities. Hand-sanitizing facilities include running water with soap, antibacterial hand wipes, waterless hand sanitizers, and/or other hand-washing stations.

4. Sanitary facilities shall be located and managed with an appropriate cleaning schedule, so as to prevent adverse impacts on adjacent properties, such as odors.

(f) The requirements for safety for on-farm direct marketing facilities, activities, and events on commercial farms shall be as follows:

1. A commercial farm shall provide visitors with any rules or safety procedures associated with the on-farm direct marketing facilities, activities, and events that are provided, offered, or held. This information may be conveyed by farm staff, through posted signs or written handouts, or through other appropriate means, and may include notice that visitors share in the responsibility for their own safety, such as being aware of inherent risks, using common sense, and wearing farm-appropriate attire.

2. Hazardous materials shall be safely stored in a secure location and in compliance with relevant State and Federal laws, rules, and regulations.

(g) The standards for the use of signs for on-farm direct marketing facilities, activities, and events on commercial farms shall be as follows:

1. A commercial farm may use permanent and temporary signs to promote its on-farm direct marketing facilities, activities, and events.

i. Examples of signs include, but are not limited to, directional signs; advance signs; signs promoting the products available for sale; and facility, activity, and event signs.

2. The following general standards shall apply to all signs used for on-farm direct marketing facilities:

i. Signs shall be installed and maintained in a manner that does not pose a direct threat to public health and safety. Signs shall not interfere with sight distances at street intersections, ingress and egress points to or from parking areas, and other locations;

- ii. Signs may be attached to farm buildings, fences, or other structures or be freestanding;
- iii. Signs may have information on both sides.
- iv. The use and location of signs shall comply with relevant Federal and State laws, rules, and regulations;
- v. Along the approach to the farm on the road on which the on-farm direct marketing facility, activity, or event is located, a commercial farm may install advance signs up to one-half mile away from the farm's entrance. Advance signs are designed to alert drivers of an approaching on-farm direct marketing facility, activity, or event and are generally located in close proximity to one another along the road approaching, and leaving, the site upon which the facility, activity, or event is located;
- vi. Directional and other signs may be installed at key intersections or other important locations;
- vii. A commercial farm shall obtain the permission of the appropriate landowner or easement holder when locating signs at off-farm locations;
- viii. Temporary signs promoting a seasonal on-farm direct marketing facility, activity, or event may be installed up to one month prior to the facility, activity, or event's seasonal opening and shall be removed within 15 days of seasonal closing; and
- ix. Internally-lit and neon-type signs are not eligible for Right to Farm protection.

3. A commercial farm's primary on-site farm business sign shall comply with the following standards (if the commercial farm has frontage on multiple roads, one primary on-site farm business sign may be placed on each frontage):

- i. The sign is set back at least 10 feet from the paved portion of the street right of way;
- ii. The maximum size (meaning the physical size of the sign and not the combined square footage of both sides) is 32 square feet; and
- iii. The maximum height to the top of the sign does not exceed 15 feet from the ground.

4. The provisions of this subsection shall not apply to a commercial farm's primary on-site farm business sign(s), commercial billboards, New Jersey Department of Transportation Tourist Oriented Directional Signage (TODS), Farmland Preservation signs, signs whose sole purpose is to facilitate and provide for safe traffic movement directly onto or from the farm site, and signs within the interior of the farm that are not intended to be visible from a public right of way. A commercial farm's on-farm direct marketing facility, activity, and event signs shall meet the following criteria:

- i. The maximum size of any one sign (meaning the physical size of the sign and not the combined square footage of both sides) is 16 square feet;
- ii. The total combined square footage of the signs does not exceed 160 square feet (this is calculated by summing the physical sizes of the signs and not the square footage of the signs' front and back sides); and
- iii. If a commercial farm has multiple distinct and separate on-farm direct marketing locations, such as two on-farm direct marketing facilities located on two different properties within the farm management unit, each on-farm direct marketing location may utilize a total combined square footage of signs of 160 square feet, as specified in (g)4ii above.

(h) In the absence of municipal standards for the construction of parking areas applicable to on-farm direct marketing facilities, the standards in this subsection shall apply to facilities' parking areas.

1. A commercial farm's parking areas for on-farm direct marketing facilities, activities, and events may include areas permanently devoted to parking, areas temporarily devoted to parking, or a combination of such areas. Areas permanently devoted to parking means areas utilized by the facility on a daily basis when the facility is open. Areas temporarily devoted to parking means areas utilized by the facility when additional parking capacity is needed on a short-term, temporary basis, such as in conjunction with seasonal on-farm direct marketing sales, activities, or events.

2. The following standards shall apply to all parking areas:

i. Safe, off-road parking shall be provided. Parking shall not be located in a road right of way, and the number of spaces provided shall be sufficient to accommodate the normal or anticipated traffic volume for the commercial farm's on-farm direct marketing facilities, activities, and events;

ii. Ingress and egress points, driveway areas, and parking areas shall be arranged, so as to provide for safe traffic circulation. This arrangement shall allow customers to safely pull off of and onto adjacent roadways, and to safely maneuver to and from parking areas and into and out of parking spaces. On-farm direct marketing facilities need adequate driveway access to enable customers to reach the facility from the adjacent roadway; and

iii. Where applicable, on farms that allow buses, parking areas shall accommodate bus traffic and allow for the safe unloading and loading of bus passengers.

3. The types of surfaces and any physical improvements associated with areas permanently devoted to parking, such as curbing or landscaping, need not involve greater than the minimum level of improvements necessary to protect public health and safety.

4. The following standards shall apply to areas temporarily devoted to parking:

i. Areas temporarily devoted to parking shall require few or no improvements, so that they can easily be converted back to productive agricultural use once a farm's need for short-term additional parking ceases;

ii. Areas temporarily devoted to parking may include, but are not limited to, hay fields, grass fields, pastures, and other crop fields, provided they have vegetative or organic mulch cover, such that bare ground is not parked on;

iii. The slope of the land shall be considered to address issues related to drainage, puddles and pockets of standing water, and safety;

iv. During dry conditions, areas temporarily devoted to parking shall be mowed, so as to minimize fire hazards related to vegetation coming in contact with the underside of customer vehicles;

v. During wet conditions, areas temporarily devoted to parking shall be managed to provide vehicles and pedestrians with safe and sufficient traction; and

vi. A commercial farm shall mark, sign, or indicate through staff direction or other means where vehicles should be parked.

(i) The standards for buffers for on-farm direct marketing facilities, activities, and events on

commercial farms shall be as follows:

1. The general standards are as follows:

i. A commercial farm may utilize buffers as an effective tool to mitigate the impacts that on-farm direct marketing facilities, activities, or events may pose on adjacent properties, such as noise, dust, and light spillage.

ii. Buffers need not involve greater than the minimum setbacks and/or screening necessary to protect public health and safety and to mitigate unreasonably adverse impacts on adjacent properties.

iii. When making determinations regarding the necessity or extent of buffers, consideration shall be given to the following:

(1) The nature of the existing adjacent property uses;

(2) The nature and scale of the commercial farm's on-farm direct marketing facilities, activities, and events;

(3) The frequency of the commercial farm's activities and events;

(4) The physical features and constraints of the commercial farm property;

(5) The presence or absence of existing on- or off-farm buffers; and

(6) The economic feasibility of using buffers.

2. The setback requirements are as follows:

i. The standards in this paragraph shall apply to the location of building and parking areas for on-farm direct marketing facilities.

ii. The following standards shall apply to new or expanded facilities' permanent structures:

(1) A 50-foot front-yard setback from the paved portion of the road right of way;

(2) A 50-foot side-yard setback from the property line; and

(3) A 50-foot rear-yard setback from the property line;

iii. The following standards shall apply to new or expanded activities and events:

(1) A 25-foot front-yard setback from the paved portion of the road right of way;

(2) A 50-foot side-yard setback from the property line;

(3) A 50-foot rear-yard setback from the property line; and

(4) A 100-foot setback from an existing, occupied residence not located on the farm.

iv. The following standards shall apply to new or expanded areas permanently devoted to parking:

(1) A 25-foot front-yard setback from the paved portion of the road right of way;

(2) A 50-foot side-yard setback from the property line; and

(3) A 50-foot rear-yard setback from the property line.

v. Setbacks of a lesser distance than those specified in (i)2ii through iv above may be permissible provided the following is met:

(1) Screening is considered and, if appropriate, installed;

(2) The combined setback distance and screening arrangement receives approval as a site-specific agricultural management practice pursuant to N.J.A.C. 2:76-2.3 and 2.4;

(3) The site-specific agricultural management practice determination takes, at a minimum, the following into consideration:

(A) Adjacent property uses and buffers;

(B) The scale of the facility and intensity of its use;

(C) The nature, scale, and frequency of the activities and events;

(D) The physical features and constraints of the commercial farm property; and

(E) The economic feasibility of using buffers; and

(4) For a board or the Committee to make a site-specific agricultural management practice determination departing from the provisions in (i)2ii through iv above, a commercial farm must provide a legitimate farm-based reason for the departure and address the considerations listed in this subparagraph.

vi. Existing on-farm direct marketing facilities, activities, or events, including existing areas permanently devoted to parking, are not subject in their current layout and configuration to the provisions of (i)2ii through iv above. If such facilities, activities, events, or parking areas are situated at lesser distances than the standards specified in (i)2ii through iv above, the use of screening for buffer purposes shall be considered.

vii. Existing on-farm direct marketing activities or events that are offered and located in different fields over time shall not be considered new activities or events under this paragraph.

3. The screening requirements for on-farm direct marketing facilities, activities, and events on commercial farms shall be as follows:

i. Screening, when used for buffer purposes, shall consist of vegetation or structures, such as, but not limited to, trees, bushes, fences, or walls;

ii. If the screening is comprised of vegetation and if used in conjunction with a facility, the existing or newly planted materials shall be grown in such a manner that there is 75 percent screening of the facility within five years;

iii. If the screening is comprised of vegetation and if used in conjunction with an activity or event offered in two or more consecutive years, the existing or newly planted materials shall be grown in such a manner that there is 75 percent screening of the activity or event within five years;

iv. If the screening is comprised of a fence, wall, or another existing farm structure, then the fence, wall, or other existing farm structure shall be of sufficient height or construction to provide 75 percent screening of the facility, activity, or event; and

v. If the distance between a new or expanded facility and an existing, occupied residence not located on the farm is less than 100 feet, screening shall be installed.

4. For the purposes of this subsection, existing on-farm direct marketing facilities, activities, or events are those facilities, activities, or events that are in operation as of April 7, 2014, the effective date of the AMP.

(j) Outdoor sales areas shall be arranged, so as to not interfere with safe pedestrian and vehicular traffic circulation.

(k) The use of structures or improvements in conjunction with on-farm direct marketing activities and events shall be as follows:

1. Existing agricultural structures or improvements may be used in conjunction with the offering of on-farm direct marketing activities and events, provided this use does not adversely affect the continued use of the structures or improvements for agricultural production purposes.

2. New structures or improvements may be constructed and used in conjunction with the offering of on-farm direct marketing activities and events, provided this construction and use has a negligible impact on the farm's continued use of the land for agricultural production purposes.

i. If such structures or improvements are temporary and used in conjunction with a temporary or seasonal activity, the structures or improvements shall be removed within 30 days of cessation of the activity or event.

3. The use and construction of structures or improvements shall comply with relevant Federal and State laws, rules, and regulations.

() On-farm direct marketing activities and events shall have a negligible impact on the farm's continued use of the land for agricultural production purposes.

(m) Standards for certain on-farm direct marketing activities shall be as follows:

1. For pick-your-own activities, the following standards shall apply:

i. Visitors shall be informed of any rules to follow and instructed as to which fields they are permitted to harvest;

ii. Fields open for pick-your-own activities shall be clearly marked;

iii. Parking areas may be adjacent to or near pick-your-own fields, particularly if such fields are far from the farm's pick-your-own market area; and

iv. Pick-your-own market areas shall comply with applicable standards for on-farm direct marketing facilities.

2. For choose-and-cut Christmas tree activities, the following standards shall apply:

i. Visitors shall be informed of any activity and equipment rules and where Christmas trees may be selected and cut;

ii. Customers may be allowed to cut their own Christmas trees;

iii. Customers shall not be supplied with power equipment or be permitted to use motorized tree baling equipment; and

iv. Choose-and-cut Christmas tree market areas shall comply with applicable standards for on-farm direct marketing facilities.

3. For corn, sunflower, and other crop mazes, the following standards shall apply:

i. Visitors shall be informed of any rules associated with the maze, including how to exit the maze in the event of an emergency;

ii. Farm staff shall walk through the maze periodically, or periodically observe the maze from an elevated location, to check for lost visitors. Farm staff shall similarly check for lost visitors before closing the maze;

iii. If a maze is open after dark, adequate lighting shall be provided by the commercial farm and/or used by visitors to illuminate the traveled paths. If lighting is provided, the lighting shall be turned off within half an hour of the close of business; and

iv. No smoking or any other open flames shall be permitted in or near the maze.

4. For hayrides and wagon rides, the following standards shall apply:

i. Wagons shall be in good repair and have sideboards to contain occupants;

ii. A ladder, ramp, footstool, steps, or other stable device or component shall be used to assist with safe boarding of and disembarking from wagons;

iii. When using a tractor to tow wagons, the left and right brakes of the tractor shall be locked together;

iv. No smoking or any other open flames shall be permitted on hayrides and wagon rides; and

v. Wagon operators shall:

(1) Plan routes in advance;

(2) Be familiar with and have experience operating the tractor and wagon equipment;

(3) Be familiar with and have experience using draft animals, if applicable, and the wagon equipment;

(4) Evenly distribute passengers on the wagons and instruct passengers to remain seated during the ride;

(5) Operate tractor and wagon equipment in low gears and at safe speeds; and

(6) Have a current motor vehicle operator's license.

5. For livestock and animal activities, the following standards shall apply:

i. A farm employee or activity attendant shall regularly monitor activities in which visitors may have incidental contact with agricultural animals. Incidental contact includes, but is not limited to, agricultural animal display, petting, or feeding areas;

ii. A farm employee or activity attendant shall be present at all times to monitor activities in which visitors are permitted to have direct contact with agricultural animals. Direct contact includes, but is not limited to, horseback riding, pony rides, and animal shows, competitions, or demonstrations;

iii. All agricultural animals having incidental or direct contact with the public shall be observed daily for health problems by a farm employee or activity attendant. Sick animals or animals behaving strangely shall be prevented from having contact with the public;

iv. Hand-sanitizing facilities shall be provided and readily available if an activity is offered in which visitors may have incidental or direct contact with agricultural animals. Hand-sanitizing facilities include running water with soap, antibacterial hand wipes, waterless hand sanitizers, and/or other hand-washing stations. Visitors shall be advised to sanitize their hands after contact with agricultural animals;

v. Visitors shall be advised not to feed agricultural animals unless the feed has been specifically provided by the farm;

vi. Visitors shall be advised that their pets and animals shall not be allowed in areas with agricultural animal activities unless in connection with a specific agricultural purpose, including, but not limited to, agricultural animal shows, competitions, or demonstrations; and

vii. The management of animals shall comply with the Animal Welfare Act, 7 U.S.C. § 54, and the Humane Treatment of Domestic Livestock rules, N.J.A.C. 2:8, as applicable, and any other relevant State and Federal laws, rules, or regulations.

6. For bonfires, the following standards shall apply:

i. A commercial farm conducting a bonfire shall comply with Uniform Fire Code requirements, N.J.A.C. 5:70-2.7, and any other relevant State and Federal laws, rules, or regulations.

ii. A farm employee shall be present for the duration of the bonfire to monitor and oversee the activity.

(n) The event management plan for on-farm direct marketing events shall include the following:

1. If the expected volume of traffic and visitors for an event is significantly greater than the volume regularly accommodated by a commercial farm's on-farm direct marketing facility, such that the increased volume of traffic is likely to interfere with the movement of normal traffic or emergency vehicles on- and off-site, the farm shall create and implement a written event management plan to address public health and safety issues including, but not limited to, emergency vehicle access, traffic management, and public health management.

i. A complete copy of the plan shall be provided to the clerk of the municipality in which the commercial farm is located at least 30 days in advance of the event as an advisory notice and to enable coordination between the commercial farm and municipality that may be necessary regarding emergency vehicle access, traffic, and public health management.

ii. Emergency vehicle access management includes establishing the location(s) and manner in which emergency vehicles may access the farm if necessary.

iii. Traffic management includes:

(1) Providing safe ingress and egress, vehicular traffic flow, and pedestrian traffic flow;

(2) Utilizing parking attendants, signs, or other parking-related instructions to facilitate vehicular and pedestrian traffic flow onto, off of, and within the farm. Local police officers may be hired to assist with traffic management;

(3) Establishing areas temporarily devoted to parking based on the volume of visitors expected; and

(4) Establishing overflow parking areas in the event the planned-for parking capacity is exceeded.

iv. Public health management includes:

(1) Providing sanitary facilities sufficient to accommodate, without causing long queues, the volume of visitors expected;

(2) Providing hand-sanitizing facilities for visitors to wash or sanitize their hands after the use of the sanitary facilities;

(3) Locating sanitary facilities and managing them with an appropriate cleaning schedule, so as to prevent adverse impacts on adjacent properties, such as odors;

(4) Providing trash and recycling receptacles to accommodate the volume of visitors expected in order to prevent the accumulation of trash on the ground; and

(5) Properly training and equipping commercial farm staff on how to handle an emergency situation during the event including, but not limited to, whether and how police, fire, or other entities should be contacted based on an actual emergency.

2. A commercial farm may satisfy the provisions of (n)1 above by obtaining a special events permit, or its equivalent, from the municipality in which the commercial farm is located.

3. If an event of the type described in (n)1 above occurs periodically or more than once per year and occurs under the same basic conditions, a commercial farm may satisfy the provisions of (n)1 above for the multiple events by submitting a single event management plan that notes the multiple occurrences and the future dates of the event.

() This section shall not be construed to extend Right to Farm protection to overnight accommodations of any kind, including, but not limited to, lodging and camping.

(p) The approval of site plan elements for new or expanded on-farm direct marketing facilities shall be as follows:

1. A commercial farm seeking approval of site plan elements to establish a new, or expand an existing, on-farm direct marketing facility may apply to the municipality and/or the county agriculture development board for such approval.

i. A commercial farm applying to a municipality for approval of site plan elements may request that the municipality consider waiving or reducing review requirements based on a consideration of relevant site-specific elements, such as the following: the farm's setting and surroundings; the scale of the facility and intensity of its use; the type and use of the public road on which the facility is located; and the minimum level of improvements necessary to protect public health and safety. Nothing in this paragraph shall be construed as authorizing a municipality to waive or reduce review requirements required by State or Federal law, rule, or regulation.

ii. A commercial farm applying to a county agriculture development board or the Committee for approval of site plan elements shall request a site-specific agricultural management practice determination pursuant to N.J.A.C. 2:76-2.3 and 2.4.

iii. If a commercial farm has previously obtained approval for an on-farm direct marketing facility, then such a facility closing seasonally and reopening the following year with the same total square footage of indoor and/or outdoor covered sales area as previously approved shall not be considered a new facility.

(q) On-farm direct marketing facilities, activities, and events shall comply with relevant Federal and State laws, rules, and regulations, including, but not limited to:

1. The Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 et seq.;
2. The Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq.;
3. The New Jersey Uniform Construction Code, N.J.A.C. 5:23;
4. The New Jersey Uniform Fire Code, N.J.A.C. 5:70;
5. The Stormwater Management rules, N.J.A.C. 7:8;
6. The State Highway Access Management Code, N.J.A.C. 16:47;
7. The Sanitation in Retail Food Establishments and Food and Beverage Vending Machines rules, N.J.A.C. 8:24; and
8. The Pinelands Comprehensive Management Plan, N.J.A.C. 7:50.

(r) Additional miscellaneous provisions for on-farm direct marketing facilities, activities, and events on commercial farms shall be as follows:

1. This agricultural management practice does not preclude a commercial farm from requesting a site-specific agricultural management practice determination for on-farm direct marketing facilities, activities, and events pursuant to N.J.A.C. 2:76-2.3 and 2.4. A board or the Committee, pursuant to N.J.A.C. 2:76-2.3 and 2.4, may make site-specific agricultural management practice determinations for facilities, activities, and events, provided such site-specific agricultural management practice determinations are consistent with the practices set forth in this section.
2. If a commercial farm believes a municipality's standards for the construction of building and parking areas applicable to on-farm direct marketing facilities are unduly restrictive, or believes a municipality is unreasonably withholding local zoning approval related to a facility, the commercial farm may request that the appropriate board, or the Committee in counties where no board exists, make a determination in the matter by requesting a site-specific agricultural management practice pursuant to N.J.A.C. 2:76-2.3 and 2.4.

HISTORY:

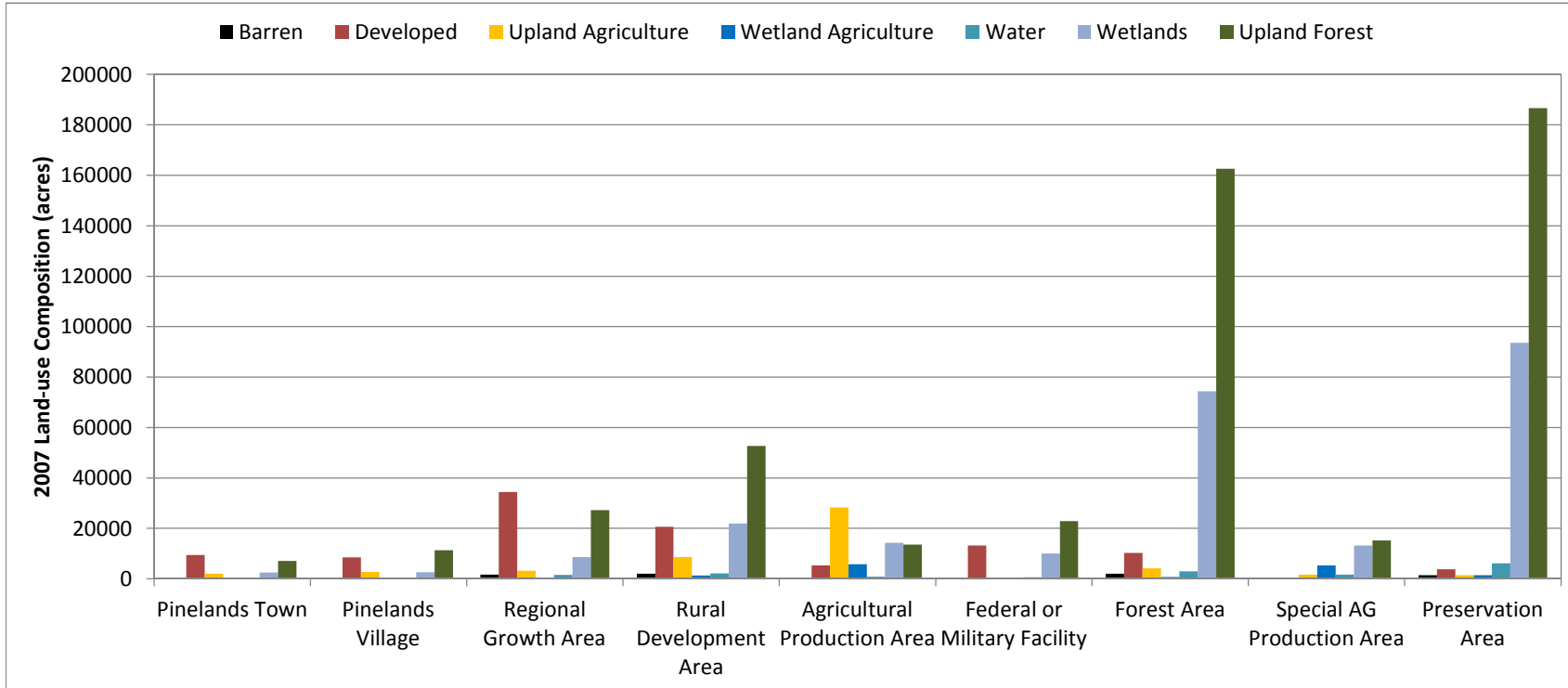
New Rule, R.2014 d.057, effective April 7, 2014.

See: 45 N.J.R. 1449(a), 46 N.J.R. 599(a).

2007

Acres of land use by management area in the Pinelands Area

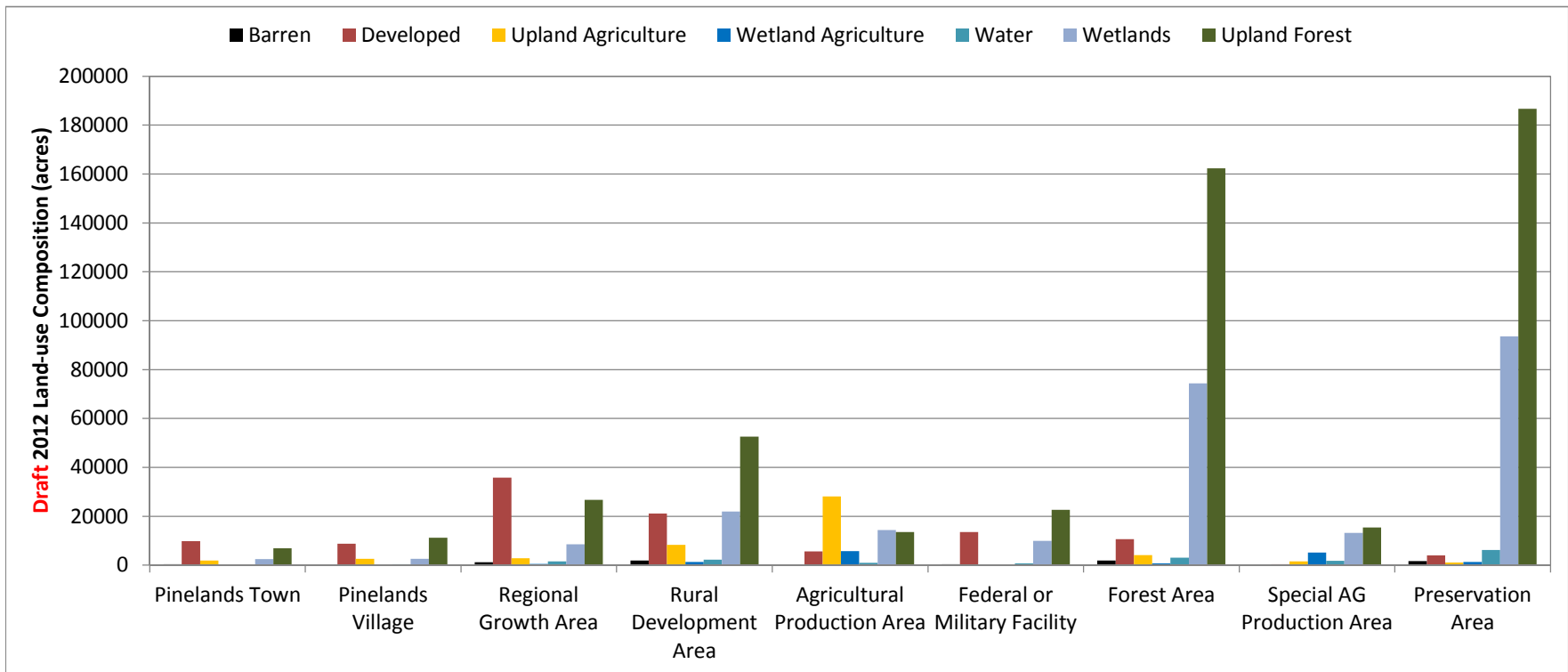
Management Areas	Barren	Developed	Upland Agriculture	Upland Forest	Water	Wetland Agriculture	Wetlands	Total Acres
Pinelands Town	360	9474	2036	7068	299	80	2439	21755
Pinelands Village	108	8534	2748	11312	393	170	2575	25841
Regional Growth Area	1670	34385	3142	27247	1500	477	8589	77009
Rural Development Area	2055	20576	8604	52635	2137	1333	21955	109296
Agricultural Production Area	190	5362	28298	13586	827	5837	14302	68403
Federal or Military Facility	250	13269	146	22909	645	96	10008	47323
Forest Area	1992	10257	4131	162541	3013	732	74335	257001
Special AG Production Area	95	303	1708	15244	1627	5346	13227	37550
Preservation Area District	1468	3779	1436	186585	6090	1386	93549	294293
Total	8188	105938	52249	499128	16531	15457	240980	938471



DRAFT 2012

Acres of land use by management area in the Pinelands Area

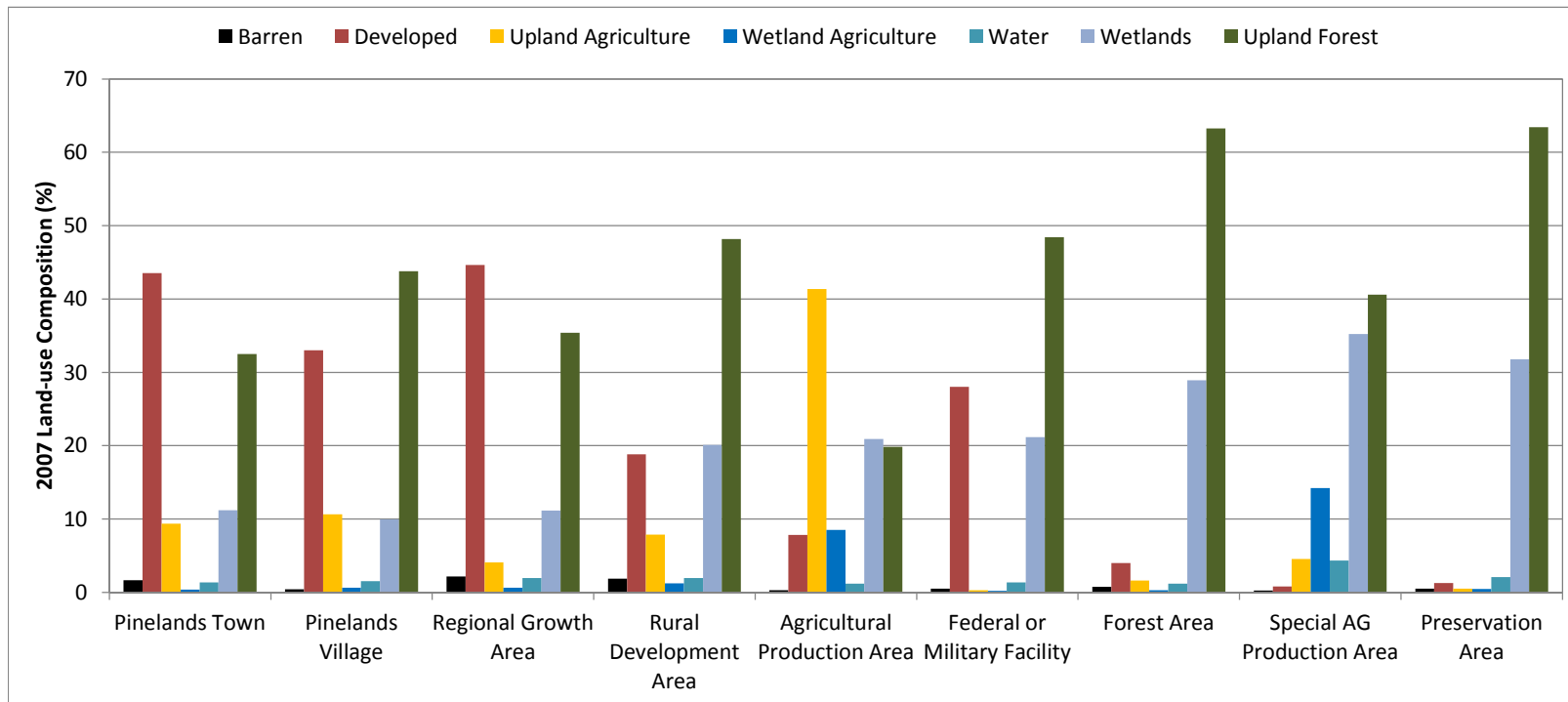
Management Areas	Barren	Developed	Upland Agriculture	Upland Forest	Water	Wetland Agriculture	Wetlands	Total Acres
Pinelands Town	375	9757	1852	6953	299	83	2435	21755
Pinelands Village	90	8785	2626	11206	395	167	2572	25841
Regional Growth Area	1157	35836	2791	26664	1553	476	8532	77009
Rural Development Area	1862	21085	8264	52592	2234	1334	21926	109296
Agricultural Production Area	214	5618	28058	13562	900	5693	14358	68403
Federal or Military Facility	371	13543	130	22577	670	95	9936	47323
Forest Area	1847	10653	4137	162269	3084	704	74308	257001
Special AG Production Area	134	322	1514	15379	1763	5203	13235	37550
Preservation Area District	1598	3985	1071	186624	6138	1334	93542	294293
Total	7648	109584	50444	497825	17037	15089	240844	938471



2007

% of land use by Pinelands management area

Management Areas	% of Barren Land Barren	% of Developed Land Developed	% of Upland Agriculture Upland Agriculture	% of Upland Forest Upland Forest	% of Water Water	% of Wetland Agriculture Wetland Agriculture	% of Wetlands Wetlands	Total Acres
Pinelands Town	1.7	43.5	9.4	32.5	1.4	0.4	11.2	21755
Pinelands Village	0.4	33.0	10.6	43.8	1.5	0.7	10.0	25841
Regional Growth Area	2.2	44.7	4.1	35.4	1.9	0.6	11.2	77009
Rural Development Area	1.9	18.8	7.9	48.2	2.0	1.2	20.1	109296
Agricultural Production Area	0.3	7.8	41.4	19.9	1.2	8.5	20.9	68403
Federal or Military Facility	0.5	28.0	0.3	48.4	1.4	0.2	21.1	47323
Forest Area	0.8	4.0	1.6	63.2	1.2	0.3	28.9	257001
Special AG Production Area	0.3	0.8	4.5	40.6	4.3	14.2	35.2	37550
Preservation Area District	0.5	1.3	0.5	63.4	2.1	0.5	31.8	294293
Total Percentage	0.9	11.3	5.6	53.2	1.8	1.6	25.7	938471



DRAFT 2012

% of land use by Pinelands management area

Management Areas	% of Barren Land	% of Developed Land	% of Upland Agriculture	% of Upland Forest	% of Water	% of Wetland Agriculture	% of Wetlands	Total Acres
Pinelands Town	1.7	44.9	8.5	32.0	1.4	0.4	11.2	21755
Pinelands Village	0.3	34.0	10.2	43.4	1.5	0.6	10.0	25841
Regional Growth Area	1.5	46.5	3.6	34.6	2.0	0.6	11.1	77009
Rural Development Area	1.7	19.3	7.6	48.1	2.0	1.2	20.1	109296
Agricultural Production Area	0.3	8.2	41.0	19.8	1.3	8.3	21.0	68403
Federal or Military Facility	0.8	28.6	0.3	47.7	1.4	0.2	21.0	47323
Forest Area	0.7	4.1	1.6	63.1	1.2	0.3	28.9	257001
Special AG Production Area	0.4	0.9	4.0	41.0	4.7	13.9	35.2	37550
Preservation Area District	0.5	1.4	0.4	63.4	2.1	0.5	31.8	294293
Total Percentage	0.8	11.7	5.4	53.0	1.8	1.6	25.7	938471

