

STATE AGRICULTURE DEVELOPMENT COMMITTEE

Regular Meeting

January 23, 2025

Secretary Wengryn called the meeting to order at 9:03 a.m.

Mr. Roohr read the notice stating that the meeting was being held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.

Roll call indicated the following:

Members Present

Secretary Wengryn, Chairman
Martin Bullock
Scott Ellis
Pete Johnson
Rich Norz
Gina Fischetti
Lauren Procida
Brian Schilling

Members Absent

Tiffany Bohlin
Charles Rosen
Julia Krause

Charles Roohr, SADC Deputy Executive Director
Jay Stypinski, Esq., Deputy Attorney General

Minutes

Approval of SADC Open and Closed Session Minutes of December 5, 2024.

It was moved by Mr. Norz and seconded by Mr. Schilling to approve the SADC Open and Closed Session Minutes of December 5, 2024. Ms. Procida abstained from the vote. The motion was approved.

Report of the Chairman

Secretary Wengryn stated interviews have been scheduled for the Executive Director position and the committee will be updated soon.

Report of the Deputy Executive Director

Mr. Roohr stated staff recently closed on another fee simple farm, the 112-acre Schmied Farm in Hunterdon County.

Public Comment

Patricia Springwell of Hunterdon County commented that she hopes the committee will focus on what the NJ taxpayers voted for and do what is best to protect the state's farmland so it can provide nutritious food to the public.

Anthony Cucchi, director of programs from the New Jersey Conservation Foundation (NJCF), commented that the NJCF recognizes the importance of the statewide formula valuation methodology to increase the pace of farmland preservation throughout the state and commended the SADC for this innovative approach. NJCF recognizes and is appreciative of the consideration of the natural resource valuation aspect; however, they are concerned that there doesn't seem to be additional protection for those natural resources. He asked that the SADC consider amending the restrictions on those properties when one is being paid more for the natural resources. Mr. Cucchi stated NJCF would be pleased to work with SADC in this regard.

Old Business

A. Stewardship

1. Resolution: Review of Activities – Cyktor Farm

Mr. Willmott stated that, at the December 2024 meeting, the committee reviewed activities that took place on the Cyktor Farm that were found to be in violation of the deed of easement (DOE) by the Hunterdon CADB. The activities include dumping and processing offsite waste material to create mulch and topsoil for sale and operating as a solid waste facility. The committee reviewed the activities and concurred with the CADB that the farm was in violation. Staff has drafted a resolution finding the farm in violation of the DOE paragraphs 1, 2, 3, 5, 6 and 7.

Mr. Cyktor stated that all this material is not coming from offsite as he produces 50% or more from his own tree farm and he uses 50% or more on the farm to replenish tree holes. He stated that he has all his materials in a small area in front of the farm for the public to see so he can sell it.

Mr. Schilling asked what percentage of the material is derived from onsite waste versus waste being brought in. Mr. Willmott stated that is unknown at this time and would be something the landowner provides through a conservation plan. Mr. Roohr stated the CADB holds the easement, and SADC is concurring with their

findings. In order to determine what materials can stay on the farm and what has to be removed, SADC would need a conservation plan from a professional.

It was moved by Mr. Ellis and seconded by Mr. Bullock to approve Resolution FY2025R1(1), as presented, subject to any condition of said resolution.

Cyktoz Farm, SADC ID #10-0323-PG, FY2025R(1), Block 51, Lot 1, Delaware Township, Hunterdon County, 21.459 acres.

The motion was unanimously approved. A copy of Resolution FY2025R1(1) is attached to and a part of these minutes.

New Business

A. Stewardship

1. Resolution: Special Occasion Events (SOE)

Mr. Kimmel referred the committee to an SOE event application for which the SADC is an easement holder on the preserved farm. The original operator, Reed Sod Farm, submitted an application to hold up to 26 SOEs in 2025 through a combination of weddings, lifetime and milestone events and other cultural and social events. Staff reviewed the application and conducted a monitoring visit to make sure that the SOE parameters were met. Mr. Kimmel stated staff recommends approval of this application.

It was moved by Mr. Norz and seconded by Mr. Ellis to approve Resolution FY2025R1(2) granting approval, as presented, subject to any condition of said resolution.

David Reed/Reed's Sod Farm, LLC, SADC ID #13-0030-DE, Upper Freehold Township, Monmouth County, 200.289 acres.

The motion was unanimously approved. A copy of Resolution FY2025R1(2) is attached to and a part of these minutes.

Old Business

1. Resolution: Review of Activities – Princeton Show Jumping

Note: Ms. Schilling is recused due to Rutgers Extension involvement through the equine science department.

Ms. Procida recused herself as Ms. Voight represents a client in a matter that is pending with her office at the DEP.

Mr. Norz recused himself from the discussion.

Ms. Krause joined the meeting to ensure a quorum.

Mr. Willmott stated that Princeton Show Jumping (PSJ) submitted their request for the 2025 competition show schedule for 14 shows running from April to September, which consists of 69 shows days and 176 tent days, within the 180-day threshold given by the committee. Staff also recommended delegation of approval for amended show dates throughout the season based on certain parameters such as inclement weather. Staff reviewed the production data and recommended approval of this show schedule.

It was moved by Mr. Ellis and seconded by Ms. Fischetti to approve Resolution FY2025R1(3) granting approval, as presented, subject to any condition of said resolution.

Princeton Show Jumping, LLC, SADC#18-0005-DN, FY2025R(3), Montgomery Township, Somerset County, 101.46 acres.

A roll call vote was taken. The motion was unanimously approved. A copy of Resolution FY2025R1(3) is attached to and a part of these minutes.

NOTE: Julie Krause left the meeting.

New Business

A. Statewide Formula Value Regulations (Discussion Only)

Mr. Roohr stated at the December meeting, the committee authorized staff to draft the Statewide Formula Value (SFV) regulations. Ms. Reynolds will present the draft today and with the committee's approval, provide a draft to the Attorney General and Governor's office for review and approval. Staff will then present the final version to the committee at the February meeting and submit for publication in the NJ Register.

Ms. Reynolds discussed the base value (N.J.A.C. 2:76-26.4) which will be 50% of the property's unrestricted certified market value as determined by the appraisers. Appraisers will be instructed to take into consideration if the property is located in the pinelands area, the highlands preservation area, or the highlands planning area. For those properties, if the appraisers find that the highest and best use of the

property is agriculture, the agricultural improvements on the property will be considered when determining the before value for that property because those improvements cannot easily be removed from the property and provide value.

This section also addresses a situation in which the landowner has received a valid, good faith offer to sell the property for non-agricultural use. In that event, the appraisers are directed to consider the offer in determining the before value as long as the non-agricultural use is a permitted use in the zoning district.

Ms. Fischetti asked what would happen if the use was grandfathered in, even if it was no longer permitted by zoning. Ms. Reynolds stated that to continue a preexisting non-conforming use that use cannot be interrupted and she would have to think about this scenario more. Mr. Schilling stated that it should be based on case specifics. Ms. Reynolds stated that she will take those into consideration and make sure that the regulation is not written too narrowly.

Ms. Reynolds discussed adjustments to the base value (N.J.A.C. 2:76-26.5) which have four categories: agricultural resources factors, natural resources factors, local importance factors and voluntary deed restrictions. The first three factors may generate up to 30% of additional development easement value, or up to 80% of the certified market value unrestricted. Any voluntary restriction a landowner may choose may generate 5% of additional development easement value per restriction up to a total of 10% additional development easement value.

Ms. Reynolds reviewed the agricultural resources factors and the value increases for each (N.J.A.C. 2:76-26.6) with the committee. These factors are reviewed based on the net acreage of the premises to be preserved. Under the statewide formula valuation, there are five agricultural resource factors: soil quality and percentages of soil types; size of the premises compared to the average farm size of that county; percentage of tillable acres; contiguity to preserved farms; and agricultural water availability.

Mr. Norz asked what would happen if a property were located next to a state or county owned property. Ms. Reynolds stated the definition of preserved farmland is very broad and includes not only farms preserved in the Farmland Preservation Program but also farms that are preserved under other state or county programs that have not been enrolled in the program laws so long as the original deed restrictions imposed on the premises are consistent with SADC's restrictions and approved by the Committee.

Ms. Reynolds stated the cumulative points of the three highest scoring agricultural resource factors for a particular property will be used in determining the value

increase for this category. Specifically, the points will be multiplied by 0.67 to determine the percentage of additional development easement value to be added to the base.

Mr. Norz asked if a DEP approved water usage permit could be given to a farm owner to get more value from their property and if that could be applicable immediately. Mr. Roohr stated that if an owner has a DEP permit at the time of application, they would get the points.

Ms. Reynolds reviewed the natural resource factors and the value increases for each (N.J.A.C. 2:76-26.7) with the committee. These factors are reviewed based on the net acreage of the premises to be preserved. Under the statewide formula valuation, there are five natural resource factors: groundwater recharge capability; upland forest; wetlands and flood hazard areas; contiguity to open space; and surface water quality classification.

Ms. Reynolds noted that open water would be included in the wetlands calculations since it has similar resource benefits. Mr. Norz asked for the definition of open water. Ms. Reynolds stated the definition of open water means all areas within the landmass in NJ with periodic water coverage. Secretary Wengryn asked how that be applied to a farm with a pond and asked how that would be categorized. Mr. Bruder stated the definition is from land use definitions and includes irrigation ponds and natural and man-made water bodies. Mr. Norz suggested refining this definition as it's not clarified enough. Ms. Reynolds stated that could be done.

Ms. Reynolds stated the cumulative points of the three highest scoring natural resource factors for a particular property will be used in determining the value increase for this category, which shall be multiplied by 0.33 to determine the percentage of additional development easement value attributed to the natural resource factors to be added to the base value.

Ms. Reynolds reviewed the local importance factors (N.J.A.C. 2:76-26.8) and the value increases for each with the committee. These factors are risk of conversion, buffers to critical infrastructure and whether the property is of unique local importance. Ms. Reynolds noted the definition of critical infrastructure is still being refined as staff continue to analyze available data.

Mr. Roohr stated a combination of the factors explained by Ms. Reynolds provides a 30% maximum increase to the base value, for a total of 80% of the property's unrestricted certified market value. The voluntary deed restrictions about to be covered would be in addition to the percentage established by factors previously described.

Ms. Reynolds reviewed the Voluntary Deed Restrictions (new N.J.A.C. 2:76-26.9) and the value increases for each with the committee. These restrictions are a 10% impervious coverage limitation and a maximum house size limitation of 2500 square feet. If the residence is rendered uninhabitable by an event beyond the landowners' control or an act of God, the residence can be rebuilt to its original size or 2,500 square feet whichever is larger. If the landowner takes one or both voluntary deed restrictions, the development easement value may be increased to 85% or 90% of the unrestricted certified market value unrestricted. Mr. Norz expressed concern regarding the potential enforcement issues associated with these restrictions.

Ms. Reynolds discussed the Development easement value adjustment for residential units (N.J.A.C. 2:76-26.11) states that if any residential unit is retained on the premises the development easement value will be reduced by four times the certified per acre value for each residential unit with a couple of exceptions. Any existing residential units at the time of preservation would not count towards reduction in value. If the property doesn't have a residential unit existing at the time of preservation, then that property can get one reservation for one unit without the reduction in value. If the landowner takes an exception area but doesn't include a limitation for residential use, then the number of residential units going into that exception area will be based on the size of the exception area and the zoning there. The reduction in value wouldn't prohibit the landowner from seeking eligibility for ag labor housing in the future in accordance with the DOE.

Mr. Norz stated he felt the reduction imposed after the first residential unit limits farming families and their succession planning abilities by penalizing farmers who want their family members to reside and work on the farm. Mr. Roohr stated the rationale is the housing right retained by the landowner has a significant value worth much more than 4 times the per acre easement value. Mr. Roohr also noted this reduction amount is similar to what is in the Pinelands formula and is meant to discourage people from taking multiple housing opportunities while not being overly penalizing. Ms. Fischetti stated that there is pending legislation regarding Accessory Dwelling Units (ADUs) being permitted and superseding local zoning throughout the state. Ms. Reynolds stated that she would investigate that.

After a lengthy discussion about housing opportunities, the committee agreed that regardless of what a landowner has today, they would get two units with no penalty. If a landowner has one residence on the property at the time of preservation, they get one housing opportunity for free and if they have no residence on the property at the time of preservation, they can have two housing opportunities with no penalty.

Ms. Reynolds discussed the Committee cost share (N.J.A.C. 2:76-26.12) and stated that since the statewide formula valuation will increase the value of development easements, the SADC would cost-share with county and municipal partners at higher percentages than is allowed for traditional development easement valuations at N.J.A.C. 2:76-6.11. Under this proposed regulation, the SADC may provide a cost share equal to 80% of the development easement purchase price for properties worth up to \$50K per acre. Due to a statutory prohibition, the SADC cannot cost-share for more than 50% of the development easement value under the nonprofit acquisition program.

Lastly, Ms. Reynolds discussed the Imminence of change proposed regulation (N.J.A.C. 2:76-26.13), which deals with acquiring property in fee-simple. Under this proposed regulation, the appraisers are directed to consider a valid good faith offer for non-agricultural use if one exists.

Ms. Reynolds stated the comments provided today will be incorporated into the draft and staff will continue the review process with the Attorney General's and Governor's office.

Mr. Norz asked if there is any way to get bonus points if you take an exception area for agricultural purposes or flexibility of use that's not residential. Mr. Roohr stated that is a new concept that would slow this rule adoption but could be revisited when the 3-year review takes place. Mr. Schilling supported continuing with the rule as is.

Mr. Roohr stated that he wanted to address some comments that came up during the discussion. One being if adding voluntary restrictions would be burdensome for monitoring purposes. Mr. Roohr stated impervious cover will be captured in mapping that will take place every three years and partners will only need to determine if a large-scale project happened within the 3 years. The other being 2,500 sq ft house size, which is similar to SADC and partner review required for house replacements outside of exception areas currently taking place.

Mr. Norz thanked the staff and the subcommittee for their hard work on this effort and he congratulated everyone on a great job. The committee agreed.

B. Soil and Water Regulation Amendment (Discussion Only)

Mr. Clapp stated the intent of the amendments made to the soil and water regulations is to address challenges and opportunities related to cost share rates maximum eligibility, add an ability to accept cost estimates, revise the process used to approve project funding, create a concept that correlates with soil

protection to allocate funds after consolidation and address staffing issues and opportunities.

Mr. Clapp stated there were minor language changes to section 5.0 to include components of Policy P-48 into the regulations. It also identifies planning grants available to farmers for the preparation of conservation and engineering plans. New definitions were added in relation to hiring consultants, clarifying land eligibility, funding partners, implementing conservation work and identifying different resource concerns on a farm.

Mr. Clapp stated that Section 5.4 has been revised so all preserved farms fall under one formula. The formula increases the cost share rate to be \$50,000 plus \$500 an acre for farms that are less than 200 acres and farms that are greater than 200 acres would have a maximum eligibility of \$150,000. This provides meaningful eligibility to small farms and still rewards larger farms for their size. Mr. Clapp stated there is new eligibility to receive a planning grant up to \$10,000 every five years that enables a landowner to hire a licensed technical service provider to create conservation and engineering plans. There were minor clarifications made related to when and how eligibility would be calculated and renewed.

Mr. Clapp stated that sections 5.5 and 5.6 had minor clarifications to eligible applicants and includes the process of planning grant application submission and processing.

Section 5.7 discusses the approval of the project grants and the process to increase an awarded cost-share grant to the lowest of three estimates instead of using NRCS cost estimates. This provides the landowner the opportunity to receive the full cost share percentage available. It also allows matching grants from multiple partners, not just counties. The goal is to allow nonprofits or the federal government to provide additional funds and possibly cover 100% of the project's cost. Language was added to give rationale as to when a project can be approved, conditionally approved or denied. The eligibility and approval timeline language from section 5.4 has been moved to this section.

Mr. Smith stated that when it comes to conditional approval, section 5.7(g) provides for the grant of up to 100% for the planned development grant but there is no conditional approval or denial for that section. Mr. Clapp stated conditional approval could be appropriate if a landowner applies for a grant but has a DOE violation they are not actively addressing. This is to avoid the potential of using SADC funding to address an issue in litigation or cited in a court order. Mr. Roohr suggested tweaking the language in section 5.7(g) and the committee agreed.

Mr. Clapp stated the cost share percentage language has been revised to allow up to 75% for a cost-share. This will keep the SADC's cost share less than or equal to what the federal government offers. This avoids the agency being in direct competition with the group that it relies on for technical assistance. Mr. Clapp stated that staff is hoping to develop a process which allow farmers to combine the two programs.

Mr. Clapp stated language in section 5.8 states SADC will have their own process with approving planning grants and also clarifies minor language changes to address 20-year-old regulations. Section 5.9 addresses the allocation of cost-share eligibility after subdivisions or consolidation of eligible land. Mr. Clapp stated that Section 5.10 incorporates the ranking and priority criteria that is in Policy 48, which addresses what will be done if funding runs out.

Mr. Clapp stated these changes will go through review at the Attorney General's and the Governor's office and a final draft will be brought to the committee for review before it goes into the register as a proposal.

C. Stewardship

1. Presentation: Next Generation Farmer Program – Initial Work, Outreach/Research and Ideas

Mr. David Kimmel stated SADC is actively developing a Next Generation Farmer Program to help new and beginning farmers address the challenges they face when getting started, gaining experience, and establishing their own operations. The overall goal is not to duplicate existing efforts but rather collaborate with partners to develop a coordinated, comprehensive system to identify, train, equip, and support the next generation of farmers in New Jersey. This includes providing support to a diverse range of potential next generation farmers, including those from farm families, newcomers from non-farming backgrounds, veterans, women, urban growers, and others in historically underserved communities.

Mr. Pearsall stated a lot of outreach, research and assistance has been done to date. Staff has responded to over 80 inquiries from new farmers and provided resources to help their beginning operations. For those farmers that are more experienced, staff has been doing targeted follow-up to track their progress and offer assistance. Staff has also been coordinating events with partner organizations such as Farmers of NJ and a Farmers Resource Fair from Somerset County.

Mr. Pearsall stated that the Next Gen staff are in the American Farmland Trust Land Transfer Navigator Training Program which helps understand farm succession, how to work with farmers and help with land transition and transfer.

That program offers mini grants that allows farmers funding to support land transfer, operations, infrastructure improvements, and planning. Mr. Pearsall stated their outreach efforts include attendance at stakeholder meetings including Rutgers University, CADBs, Ag conventions, and Farm Bureau conventions. Staff has also administered surveys to various marketing channels and partners and have received over 175 responses from Next Generation farmers, established farmers, ag support organizations and other interested parties.

Ms. Brandeisky stated staff has been examining next generation farmer programs and efforts that are going on nationwide to see what can be applied to New Jersey's program, such as the Rodale Institute in PA which has a registered vegetable apprenticeship program and Cornell University which has a small farm operations program for veterans. Ms. Brandeisky stated research is being done to determine the different profiles and demographics of who Next generation farmers in NJ are, their interested and challenges and create ways to support them as they get established in the industry.

Mr. Pearsall stated that some of the top issues and concerns expressed are access to available and affordable land, gaining farm experience and industry knowledge, high cost of starting and managing a farming business, difficulties acquiring the capital to meet high costs, finding reliable and profitable marketing channels, and navigating the agricultural industry in general. Common challenges faced by all farmers include being able to find and afford labor, mental and physical stress, and difficulties with land transfer and succession planning.

Mr. Pearsall suggested some preliminary recommendations which include preserving smaller farms, additional loan and grant programs, and replicating an ag apprenticeship program that is currently being practiced in PA. The thought is how to benefit all farmers including next generation farmers and also looking at the issues faced by urban and veteran farmers.

Ms. Brandeisky stated the first year of the program has been dedicated to research and outreach with an emphasis on establishing a strong foundation with the ag community to help guide the development of the program. Recommendations will help staff focus on developing new programs and initiatives and collaboration with existing programs. In the third year, implementation of programs and initiatives will take place.

Mr. Norz suggested roundtable discussions with experienced farmers. Mr. Bullock agreed with this suggestion and stressed the importance of speaking to those who farm for a living. Secretary Wengryn suggested the agency could make land available to next gen farmers to introduce them to farming. Mr. Norz suggested an

incubator farm but recognized the complexities of needing proper staffing and equipment.

Secretary Wengryn suggested meeting with the Department of Labor and the Department of Education to assist with the mentoring and education aspects of this program. Ms. Fischetti asked if the program will also include those who are interested in becoming a farmer. Mr. Persall stated there is a focus on generating interest with younger people and assisting programs such as FFA and 4H.

Mr. Schilling stated one focus on this program is to help people with no experience in farming to learn how they can to be successful, which is an enormous task. In his research, young farmers continuously express a need for farm business management assistance. Land access and the land needs are also important and could be addressed with incubator and apprenticeship programs.

2. Review of Activities – Donegal Farm, LLC

Note: Ms. Procida left the meeting during this discussion.

Mr. Willmott presented a review of activities to the committee on the 161-acre Donegal Farm, LLC located in Warren County. The farm was preserved by the County with an SADC cost share in 2013 with no existing single-family residences, no ag labor units, one RDSO, one severable exception and no pre-existing non-ag uses. The farm was purchased by Donegal Farm, LLC in 2022.

During an annual site visit in 2024, the monitor reported fill material on the premises and the Warren CADB issues a cease-and-desist letter in September 2024.

In October 2024, SADC and Warren CADB conducted a site visit and observed a new building containing non-agricultural items, non-agricultural vehicles parked on the premises, fill material including bricks, concrete and other soils from unknown sources, a gully including fill material that appears to be eroding into the Musconetcong River, portions of a parking area and erosion control structure located within a 300 ft riparian buffer area, renovations to a pre-existing barn consistent with residential use, and an erosion control structure that does not meet NRCS or soil conservation standards.

In December 2024, DEP conducted a site visit with Warren CADB and SADC staff and confirmed a portion of the development occurred within the riparian buffer area. Mr. Willmott noted the DEP review is still pending. The Warren CADB adopted a resolution at its December 2024 meeting stating the property is in

violation of paragraphs 1, 2, 3, 5 and 7.

Based on site visits, aerial imagery and the CADB violation determination, SADC concurs with the CADB and finds areas of the premises have been developed for non-agricultural uses and the fill material deposited constitutes dumping of waste material and is detrimental to the soil and water resources and the continued agricultural use of the property. These findings constitute violations of paragraphs 1, 2, 3, 5, 6, and 7. Staff's recommendation is to prepare a resolution for the February meeting to present to the committee. The committee agreed.

D. Resolutions: Final Approval – Municipal Planning Incentive Grant

Note: Mr. Bullock recused from this discussion.

Ms. Mazella referred the committee to one request for final approval under the Municipal Planning Incentive Grant Program. She reviewed the specifics of the request with the committee and stated that the staff recommendation is to grant approval.

It was moved by Mr. Norz and seconded by Ms. Fischetti to approve Resolution FY2025R1(4) granting approval, as presented, subject to any condition of said resolution.

1. Jacob and Cynthia Sage Living Trust, SADC ID#13-0479-PG, FY2025R(4), Millstone Township, Monmouth County, 9.7 acres.

Mr. Ellis opposed the motion. The motion was approved. A copy of Resolution FY2025R1(4) is attached to and a part of these minutes.

E. Resolutions: Final Approval – Direct Easement Purchase Program

Mr. Zaback referred the committee to one request for final approval under the Direct Easement Purchase Program. He reviewed the specifics of the request with the committee and stated that the staff recommendation is to grant approval.

It was moved by Mr. Norz and seconded by Mr. Johnson to approve Resolution FY2025R1(5) granting approval, as presented, subject to any condition of said resolution.

1. Eventing, LLC, SADC ID# 10-0299-DE, FY2025R1(5), Block 38, Lot 1, Tewksbury Township, Hunterdon County, 30.45 gross acres.

The motion was unanimously approved. A copy of Resolution FY2025R1(5) is attached to and a part of these minutes.

F. Resolutions: Preliminary Approval – Direct Easement Program

Note: Mr. Norz recused on the Clerico Farm as per advice from the legal department.

Mr. Zaback referred the committee to one request for final approval for the Direct Easement Program. He reviewed the specifics of the request with the committee and stated that staff recommendation is to grant approval.

It was moved by Mr. Bullock and seconded by Mr. Johnson to approve Resolution FY2025R1(6) granting approval, as presented, subject to any condition of said resolution.

1. Clerico Farm LLC, SADC ID 18-0037-DE, FY2025R1(6), Block 200.10, Lot 20, Hillsborough Township, Somerset County, 35.97 net acres.

The motion was unanimously approved. A copy of Resolution FY2025R1(6) is attached to and a part of these minutes.

Ms. Bacon and Ms. Mazella referred the committee to three requests for final approval for the Direct Easement Program. They reviewed the specifics of the requests with the committee and stated that the staff's recommendation is to grant approval.

It was moved by Mr. Norz and seconded by Mr. Johnson to approve Resolutions FY2025R1(7), FY2025R1(8), FY2025R1(9), granting approval, as presented, subject to any condition of said resolution.

2. Sara Schmitt, SADC ID# 10-0302-DE, FY2025R1(6), Block 95, Lot 4.01, Clinton Township, Hunterdon County, 25.44 net acres.
3. John Peter Yarrington, SADC ID# 17-0393-DE, FY2025R1(8), Block 69, Lot 19, Upper Pittsgrove Township, Salem County, 57.84 gross acres.
4. Reed's Organic Farm, SADC ID# 01-0044-DE, FY2025R1(9), Block 3801 Lots 28, 54, 56, 57, 58; Block 3803 Lots 4, 5; Block 3701 Lot 26, Egg Harbor Township, Atlantic County, 72.9 gross acres.

The motion was unanimously approved. A copy of Resolutions FY2025R1(7), FY2025R1(8), and FY2025R1(9) is attached to and a part of these minutes.

G. Resolution: Delegation of Application Selections for the Direct Easement Program

Ms. Stephanie Kreiser stated staff has been trying to streamline efficiencies for the application process and is requesting the committee to consider delegating all direct easement applications to the Executive Director. In 2017 the SADC gave staff permission to move forward with all priority farms at any time. In 2021, SADC delegated a selection of alternate applications that meet select criteria to the Executive Director. Since 2021, 26 priority farm applications were selected, 19 alternate farms were granted approval by delegation, and 20 other farms were presented to the committee, all of which were approved. Ms. Kreiser stated staff is recommending the committee consider approving the delegation of all direct easement selections to the Executive Director, which will expediate the acquisition process.

Mr. Norz stated he is not in favor of this delegation as it limits the committee's ability to provide feedback along the acquisition process. Ms. Kreiser stated this is a suggestion to streamline the process and reduce the time it takes to close. Mr. Roohr stated staff was given the directive to make the process more efficient and this was one suggestion. After discussion, the committee decided not to take action on this matter.

Public Comment

Patricia Springwell from Hunterdon County, commended the SADC on the conservation components of the statewide formula valuation and stated that farmland should remain preserved in the best way possible for the protection of the preserved fertile land.

Ms. Uttal read a message from Christina Chrobokowa from 360 Earthworks: "Applauding the initiation of the statewide formula value and soil and water amendments as a process to integrate agriculture and conservation, echoing concern of NJCF especially in light of types of violations that have been presented in the year of meetings that I've listened in on. There is such a wide range of interpretation as to what qualifies as agriculture and stewardship of farmland. Using best available data to access soil and water is not enough to protect the resource. Our trials have shown that soils do not match NRCS maps and water infiltration is greatly and negatively impacted. Infiltration based on the history of the type of farm practices the economics of farming land subject to site specific conditions goes hand in hand with the ecology of the land. I'm concerned how

annual monitoring of preserved farms will account for this newly acknowledged resource value. I hope there is a way to be proactive rather than reactive to violations like the one presented on the Donegal Farm today. Respectfully submitted, Christina Chrobokowa.”

CLOSED SESSION

At 2:25 p.m. Mr. Roohr read the following resolution to go into Closed Session:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 4:4-13, it is hereby resolved that the SADC shall now go into executive session to discuss certifications of value, for the acquisition and development easements for properties in Newfield Township, and Franklin Township, Gloucester County, under the County Planning incentive grant and for the SADC acquisition of fee simple title on property in Clinton Township, Salem County and for discussion of real estate negotiations on property in Reddington Township, Hunterdon County and to discuss any other matters under N.J.S.A. 10:4-12(b) that arose during the public portion of the meeting. 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. Schilling and seconded by Mr. Norz to go into closed session. The motion was unanimously approved.

Action as a Result of Closed Session

A. Real Estate Matter - State Acquisition Program (easement of fee)

It was moved by Mr. Norz and seconded by Mr. Johnson to approve the certification of value for the Pustizzi, Albert farm and the Van Sciver, Mark & Suzanne farm as discussed in closed session. The motion was approved.

ADJOURNMENT

The meeting was adjourned at 3:10 p.m.

Respectfully Submitted,



Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2025R1(1)**

Review of Activities Occurring on Preserved Farm

January 23, 2025

Subject Property:

Cyktor Farm

Block 51, Lot 1

Delaware Township, Hunterdon County

21.459 Easement Acres

SADC ID# 10-0323-PG

WHEREAS, Louis Cyktor, IV, and R.K. Cyktor, hereinafter “Owners”, are the record owners of Block 51, Lot 1, in the Township of Delaware, Hunterdon County, by deed dated September 11, 2014, and recorded on September 19, 2014 in the Hunterdon County Clerk’s Office in Deed Book 2339, Page 551, totaling approximately 21.459 acres, hereinafter referred to as the “Premises” (as shown in Schedule “A”); and

WHEREAS, by Deed of Easement (DOE) dated September 11, 2014, and recorded on September 19, 2014, in the Hunterdon County Clerk’s Office in Deed Book 2339, Page 563, the Owners conveyed a development easement on the Premises to the County of Hunterdon pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq., totaling 21.459 easement acres; and

WHEREAS, the DOE identifies no existing single family residences, no agricultural labor units, no Residual Dwelling Site Opportunities (RDSO), one 2-acre non-severable exception area, and no pre-existing non-agricultural uses on the Premises; and

WHEREAS, the Owners do business as Lark Nursery and Landscaping, LLC and farm the Premises, of which approximately 7 acres are planted in tree nursery stock; and

WHEREAS, in 2019 the Hunterdon County Soil Conservation District (District) observed areas of concern, noting unauthorized soil disturbance, millings, and stockpiling of topsoil on the Premises; and

WHEREAS, by letter dated January 4, 2019, the District notified the Owners of the areas of concern and issued a stop construction order, noting that soil disturbance in excess of 5,000 sq./ft. constituted a violation of the New Jersey Soil Erosion and Sediment Control Act, Chapter 241, P.L. 1975 (SESCA), and requiring submission of a soil erosion and sediment control plan (as shown in Schedule “B”); and

WHEREAS, no plan was submitted; and

WHEREAS, on March 6, 2023, Hunterdon County received a complaint from a neighbor alleging DOE violations on the Premises; and

WHEREAS, on March 24, 2023, Hunterdon County Agriculture Development Board (HCADB) and District staff performed a site visit to investigate the alleged DOE violations; and

WHEREAS, by letter dated March 27, 2023, the District notified the Owners that soil disturbance in excess of 5,000 sq./ft. constituted a violation of and required submission of a soil erosion and sediment control plan or a USDA-NRCS conservation plan to address the activity (as shown in Schedule "C", pg. 19); and

WHEREAS, by letter dated March 28, 2023, the HCADB issued a letter to the Owners noting the following observations from the site visit: ongoing mulching activity; a large pile of wood harvested offsite that had been collected over a period of several years; significant piles of topsoil from offsite; and a sign advertising the sale of topsoil and mulch (as shown in Schedule "C", pg. 21); and

WHEREAS, in the March 28, 2023 letter, the HCADB advised the Owners that mulch grinding of material from offsite and the stockpiling of soil and mulch generated from offsite materials for resale on the Premises were non-agricultural activities prohibited by the DOE (as shown in Schedule "C", pg. 21); and

WHEREAS, on April 29, 2024, R.K. Cyktor submitted a letter to the HCADB stating that the Owners have been operating a tree nursery business on the Premises since 2001 and requested that the mulch and topsoil processing operation, existing for over 20 years and prior to preservation, be allowed to continue; and

WHEREAS, in the same letter, R.K. Cyktor stated that the nursery on the Premises produces brush and stumps that are mixed with "certified soil" brought from off site to fill in holes created from the harvested nursery stock (as shown in Schedule "C", pg. 23); and

WHEREAS, in the same letter, R.K. Cyktor stated that mulch is created from brush sourced from on and off the Premises and that finished topsoil and mulch products are sold offsite to third parties (as shown in Schedule "C", pg. 23); and

WHEREAS, on May 21, 2024, the SADC conducted a site visit, accompanied by members of the HCADB, HCADB staff, and District staff, to inspect the Premises for DOE compliance; and

WHEREAS, the May 21, 2024, site visit reflected the following:

1. R.K. Cyktor was present and represented the Owners.
2. At the entrance of the Premises an approximately .72-acre area was surfaced with what appeared to be fill material.
3. Mulch and topsoil were stockpiled in the area referenced above.
4. A sign along Kingwood-Stockton Road advertised mulch and topsoil for sale (as shown in Schedule "C", pg. 38);
5. Large piles of logs were located southeast of the farmstead complex.
6. An approximately 1.93-acre area was devoted to stockpiling tree waste and brush material and imported soil.
7. An approximately 15ft.-20ft. high pile of soil material containing bricks, concrete, and stone covered an area of approximately .5 acres of the area referenced in item #5 above.
8. Equipment for processing soil and tree waste material was located in the area referenced in item #5 above.
9. A sign advertised that the Premises accepts brush and the dumping of "clean loads" and "dirty loads", and listed the associated fees for these services (as shown in Schedule "C", pg. 27);
10. There was minimal indication of the maintenance and production of nursery stock. Nursery stock appeared overgrown in some areas. Approximately 7 acres were planted in tree nursery stock.
11. An unapproved solar energy facility had been constructed in the exception area.

WHEREAS, at the May 21, 2024, site visit, R.K. Cyktor stated that:

1. Soil and brush are imported, stored, and processed to create topsoil and mulch for sale.
2. The processing and sale of topsoil and mulch pre-existed preservation.
3. Some of the soil is used for filling in holes from harvested trees.
4. Some of the tree waste material and brush came from the Premises when overgrown tree nursery stock was cleared.

5. He was working on getting a NJDEP solid waste facility exemption for the importation and processing of the tree waste and soil material.
6. The purpose of surfacing the area near the entrance of the farm was for staging mulch, topsoil and the farm's agricultural products for sale.

WHEREAS, after the May 21, 2024, site visit, SADC staff reviewed the SADC's preservation file and baseline documentation for the Premises; and

WHEREAS, no documentation was found in the preservation file showing the mulch and topsoil processing business existed at the time of preservation; and

WHEREAS, SADC baseline documentation and historical aerial mapping show small piles of brush and soil proportionate to the agricultural production occurring on the Premises for the purpose of disposing of brush grown on the Premises and for filling holes created from harvested trees (as shown in Schedules "E" and "F"); and

WHEREAS, on May 28, 2024, the Hunterdon County Health Department (HCHD) conducted a solid waste compliance evaluation of the Premises; and

WHEREAS, on May 30, 2024, the Owner filed for a solid waste facility exemption with the HCHD; and

WHEREAS, by letter dated June 12, 2024, the HCHD issued a Notice of Violation and a Cease and Desist order to the Owners for disposing solid waste without a solid waste facility permit and unpermitted recycling of solid waste in violation of NJAC 7:26-2.8(e) (as shown in Schedule "C", pg. 40); and

WHEREAS, by letter dated July 16, 2024, Hunterdon County issued a Cease and Desist Order to the Owners for violations of the DOE related to importation of fill material and resale of soil and mulch on the Premises generated from offsite materials (as shown in Schedule "D"); and

WHEREAS, at its October 10, 2024, meeting, by resolution #2024-06, the HCADB determined the activities to be in violation of DOE paragraphs #1 through #7 (as shown in Schedule "C"); and

WHEREAS, as of the date of this resolution, the Owners have failed to comply with the requirements of Hunterdon County, the HCHD, the District, and the HCADB, and have continued operations despite the issuance of cease and desist orders issued by county entities.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC finds, based on on-site observations, a review of the SADC's preservation application and easement acquisition file, baseline documentation, historical aerial imagery, and the HCADB's October 10, 2024 violation determination, that:
 - (a) areas of the Premises are used for dumping and processing of waste material from offsite to create mulch and topsoil for sale;
 - (b) the activity is not listed as a pre-existing non-agricultural use in Schedule "B" of the Deed of Easement;
 - (c) piles of brush and imported soil existed at the time of preservation in smaller quantities proportionate to the agricultural operation for the purpose of disposing of brush from the Premises and filling holes from harvested trees;
 - (d) no evidence of the mulching and topsoil processing business was found in the application for preservation or submitted by the Owners;
 - (e) the activities are not being conducted in accordance with a farm conservation plan; and
 - (f) a solar energy facility was installed in the exception area circa 2013 without SADC approval.
3. As a result of the above findings, the SADC determines that:
 - (a) The amount of brush and imported soil material are not proportionate to the modest amount of agricultural production occurring on the Premises;
 - (b) The Premises is operating as a solid waste facility used for dumping, processing, and sale of products derived from waste materials brought in from offsite;
 - (c) The brush and imported soil material are primarily dumped onsite for a non-agricultural purpose;
 - (d) Areas of the Premises have been developed and adapted for non-agricultural uses and have not been retained for agriculture;
 - (e) The activities are detrimental to the soil and water resources and the continued agricultural use of the Premises in violation of DOE paragraphs 1, 2, 3, 5, 6, and 7; and

- (f) The Owners did not obtain SADC approval prior to installing the solar Energy facility in accordance with N.J.S.A. 4:1C-32.4 and N.J.A.C. 2:76-24.
4. The SADC authorizes legal proceedings to be initiated through the Office of the Attorney General, as necessary, to enforce the Deed of Easement.
5. This action is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
6. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

01/23/2025

DATE



Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Rich Norz	YES
Charles Rosen	ABSENT
Tiffany Bohlin	ABSENT
Gina Fischetti (rep. DCA Commissioner Suarez)	YES
Lauren Procida (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Edward D. Wengryn, Chairperson	YES

SCHEDULE "A"

(Premises)





SCHEDULE "B"



HUNTERDON COUNTY SOIL CONSERVATION DISTRICT
687 PITTS TOWN ROAD, SUITE #1
FRENCHTOWN, NJ 08825
TEL (908) 788-9466
FAX (908) 788-0795

January 4, 2019

STOP CONSTRUCTION ORDER

Louis & R K Cyktor
P.O. Box 128
Rosemont, NJ 08556

Re: Unauthorized Soil Disturbance, Millings, and Stockpiling of Topsoil
Block 51, Lot 1
Delaware Township

This agency has noted land disturbance in excess of 5,000 square feet on the above-referenced property (including--but not limited to--excavation/filling/land grading, building construction, parking lot construction, demolition, mining or quarrying, clearing/grubbing/de-stumping). Such disturbance constitutes a violation of the New Jersey State Soil Erosion and Sediment Control Act, Chapter 251, P.L. 1975.

THEREFORE, PURSUANT TO AUTHORITY GRANTED BY N.J.S.A. 4:24-47, YOU ARE HEREBY ORDERED TO STOP CONSTRUCTION ON SAID PROJECT EFFECTIVE IMMEDIATELY, January 4, 2019. You are by notice of this letter directed to submit a Soil Erosion and Sediment Control Plan (along with a completed application and appropriate fee) to the District by the deadline given below. (A copy of "Guidelines for Preparing a Soil Erosion and Sediment Control Plan", an Application for Soil Erosion and Sediment Control Plan Certification, "Important" letter, Agronomic Specifications, and Fee Schedule are available on the district website at www.hcsed.weebly.com.)

The deadline for submitting the required plan is January 25, 2019. Failure to comply by that date will render you liable to further action by the District, which may involve court action and penalties including fines of up to \$3,000 per day for ongoing violations.

Furthermore, you are directed to do the following immediately: Install a silt fence to completely enclose the lower limit of the disturbed area of the site. Questions or concerns on this property can be directed to the District's Sr. Site Inspector, David Pfurr, at 908-788-9466.

You are also directed to contact your municipal authorities for any other regulations which may apply to this site.

The STOP CONSTRUCTION ORDER will be rescinded upon certification of the required Soil Erosion and Sediment Control Plan and payment of all reasonable District costs, including attorney fees.

FOR THE DISTRICT,

A handwritten signature in cursive script that reads "John Van Nuys".

John Van Nuys
District Chairman

pc: Judith Allen, Clerk
Kathy Klink, Planning Board Admin. Officer
C. Richard Roseberry, Twp. Engineer
Hunterdon County Ag. Development Board

Schedule “C”

HUNTERDON COUNTY AGRICULTURE DEVELOPMENT BOARD

RESOLUTION 2024-06

Review of Activities Occurring on Preserved Farm

Louis Cyktor, IV and R.K. Cyktor
Lark Nursery and Landscaping, LLC
October 10, 2024

Subject
Property:
Block 51, Lot 1

Delaware Township, Hunterdon
County 21.459 Easement Acres

WHEREAS, Louis Cyktor, IV and R.K. Cyktor, hereinafter “Owner”, are the record owners of Block 51, Lot 1, in the Township of Delaware, Hunterdon County, totaling 24.194 acres, hereinafter referred to as the “Property”; and

WHEREAS, by Deed of Easement dated September 11, 2014, and recorded on September 19, 2014, in the Hunterdon County Clerk’s Office in Deed Book 2339, page 563, Louis Cyktor, IV and R.K. Cyktor conveyed a development easement on the Premises to the County of Hunterdon (hereinafter “County” or “Grantee”) pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq., the deed restricted portion of the Property totals 21.459, herein referred to as the “Premises” (as shown in Schedules “A” of the Deed of Easement); and

WHEREAS, the Deed of Easement identifies no existing single family residence, no agricultural labor units, no Residual Dwelling Site Opportunity (RDSO), and one 2-acre non-severable exception area; and

WHEREAS, Schedule “B” of the Deed of Easement indicated that at the time of the execution of the Deed of Easement, no nonagricultural use occurred on the Premises; and

WHEREAS, the Owner does business under the name Lark Nursery and Landscaping, LLC. At the time of preservation the Owner was the same person who is now running a nursery operation on the Premises; and

WHEREAS, at the time of preservation there existed a small (approximately .72 acre) area that contained a small pile of topsoil which was used as part of the nursery business to fill in holes from harvested trees. Attached as Exhibit A is a copy of the Baseline photos from 2015; and

WHEREAS, in 2019, areas of concern were observed noting Unauthorized Soil Disturbance, Millings, and Stockpiling of Topsoil on the Premises; and

WHEREAS, by letter date January 8, 2019, the County Soil Conservation District notified the Owner of the concern; and

WHEREAS, on March 6, 2023, the County received a complaint from a neighbor alleging Deed of Easement violations on the Owner's Premises; and

WHEREAS, County staff and County Soil Conservation District staff met on site with the Owner on March 24, 2023, to evaluate and discuss the concerns related to the soil disturbance, stockpiling of topsoil and wood chips at the Premises; and

WHEREAS, on March 27, 2023, the County Soil Conservation District issued a letter to the Owner requiring the submission of a Soil Erosion and Sediment Control Plan for the Property. Attached as Exhibit B is a copy of that letter; and

WHEREAS, on March 28, 2023, the County issued a letter to the Owner regarding prohibited activities on the property. Attached as Exhibit C is a copy of that letter.

WHEREAS, on April 11, 2024, the County received an additional complaint from the neighbor alleging further Deed of Easement violations; and

WHEREAS, on April 29, 2024, the Owner submitted a letter to the County Agriculture Development Board ("CADB") asking to be listed on the Board's May 2024 agenda for approval to continue "existing mulch and topsoil processing". Attached as Exhibit D is a copy of that letter; and

WHEREAS, the Owner's letter claims the property has been operated as a tree nursery since 2001, and that the nursery produces brush and stumps and uses topsoil to fill in holes from nursery stock that is sold. The Owner asserts that both activities are permitted under the Right to Farm Act; and

WHEREAS, in its April 29, 2024 letter, the Owner admits that they also accept brush and soil and are selling soil and mulch; and

WHEREAS, on April 29, 2024, the Owner submitted a request for an NJDEP solid waste exemption; and

WHEREAS, on May 9, 2024, the CADB discussed the Owner's letter and the neighbor complaints at its regularly scheduled monthly public meeting and determined that members of the Board should conduct a site visit of the Premises; and

WHEREAS, a site visit was conducted on May 21, 2024, which included members of the CADB, County staff, SADC staff and County Soil Conservation District staff, to investigate the allegations of a Deed of Easement violation. The Staff's findings from the site visit are as follows:

1. Staff observed an approximately 2.34-acre area near the back of the Property containing large stockpiles of topsoil and mulch on the Premises. This area was significantly larger than the approximately .72-acre area

of stockpiled soil that can be seen on the historical aerials dating from the time of preservation. Attached as Exhibit E are the 2015 and 2020 aerial photos.

2. Staff observed that the Owner had recently cleared an area near the front of the property which he explained was utilized as a sales area.
3. Staff observed a large sign which indicated that the Owner was accepting loads of brush, topsoil and "dirty loads and stumps over 4 inches" for a fee.
4. Staff observed another sign which advertised the sale of mulch and topsoil by the yard.
5. Staff observed that the nursery did not appear to be growing nursery stock. Rather, it contained old, overgrown trees that could not be used as nursery stock.
6. From onsite observation, it appeared that a small pond on the Property that existed in 2015 was filled in and re-dug elsewhere on the Property.
7. It appears that the top layers of the native soil were removed from the Property and/or otherwise buried below the deposited fill.
8. The project and activities being performed at the Premises were not conducted in accordance with an approved NRCS Conservation Plan or a Soil Erosion and Sediment Control plan.
9. During the site visit, the Owner admitted that he was accepting brush and loads of dirt and that he was selling woodchips and topsoil from the Property. He argued that mulching brush into woodchips was a protected agricultural practice. He further argued that he has been conducting these activities since the Property was preserved and should be allowed to continue to do so.

10. Attached as Exhibit F are photos from the May 21, 2024 site visit; and

WHEREAS, on May 28, 2024, the County Health Department conducted a site visit of the Property; and

WHEREAS, on May 30, 2024, the Owner filed for an exemption with the County Health Department; and

WHEREAS, on June 12, 2024, the County Health Department issued a Notice of Violation citing a violation of NJAC 7:26-2.8(e), which states that no person shall engage or continue to engage, unless exempt by 7:26-1.1, 1.7 or 1.8 in the disposal of solid waste in this State without first having filed a completed application for and received approval of a SWF Permit. The Notice further identified that "a visit to Lark Nursery revealed unpermitted recycling of solid waste operations. Items included but were not limited to: Tree parts, dirt, stone, and woodchips being utilized for operations on property and for resale." Attached as Exhibit G is a copy of the Notice of Violation.

WHEREAS, based on County and SADC observations made during the May 21, 2024 site visit, the nature of the stockpiling and sale of materials brought on to the property, and the lack of any plans indicating the project was undertaken in a manner consistent with any NRCS conservation plan standards to ensure protection of the agricultural and environmental resources on the farm, Staff determined that the imported fill material and brush/woodchips were not suitable for an agricultural purpose; and

WHEREAS, by letter dated July 16, 2024, the County issued a Cease and Desist Order to the Owner for violations of the DOE related to the importation of the fill material and resale of soil and mulch on the Premises; and

WHEREAS, the Owner did not respond to the Order and, in fact, appears to have intensified its operations since receiving the County's letter; and

WHEREAS, on September 11, 2024, a neighboring property owner submitted drone photos to illustrate the increasing size of the stockpiles. Attached as Exhibit H are copies of the drone photos; and

WHEREAS, on September 11, 2024, CADB staff conducted another site visit Attached as Exhibit I are photos from that site visit; and

WHEREAS, at its September 12, 2024, meeting, the CADB reviewed the condition of the Premises and the law regarding accepted agricultural practices on a preserved farm; and

WHEREAS, as of October 10, 2024, the Owner has failed to respond to the County Health Department's Notice of Violation issued on June 12, 2024; and

WHEREAS, as of October 10, 2024, the Owner has failed to respond to the County Soil Conservation District's letter requiring submission of a Soil Erosion and Sediment Control Plan.

NOW, THEREFORE, BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The County finds that, based on on-site Staff observations, statements of the Owner, and a review of the Deed of Easement and N.J.S.A. 4:1C-11 et seq., the fill material and mulch piles, in the volume present on the farm, is detrimental to drainage, flood control, water conservation, erosion control, soil conservation, and the continued agricultural use of the Premises, and was not deposited on the property in accordance with a conservation or equivalent agricultural resource management plan. There is no evidence that the fill was brought in for agricultural purposes and, therefore, constitutes the dumping of waste materials and is a prohibited expansion of nonagricultural activities. These activities and conditions violate Paragraphs #2 through Paragraph #7 of the Deed of Easement.
3. The County finds that, based on on-site Staff observations and statements of the Owner, the sale of topsoil and mulch constitutes a commercial non-

agricultural use that was not documented as a pre-existing non-agricultural use in the Deed of Easement; further, the areas utilized for the stockpiling and sale of soils and mulch have been developed and adapted for a non-agricultural use, have not been retained for agricultural use and production, and are detrimental to the continued agricultural use of the Premises in violation of Paragraph #1 through Paragraph #7 of the Deed of Easement.

4. The County finds that any waste material including, but not limited to garbage, construction debris, and "dirty" soils which are not certified as clean fill unrelated to the production agriculture activities onsite on the Premises, if not removed in accordance with all relevant rules and regulations, could be considered a violation of Paragraph 6 of the Deed of Easement. No native soil movement shall occur during the removal of waste material.
5. The County authorizes the submission of this Resolution to the SADC and requests the SADC's assistance in enforcing the Deed of Easement, or to otherwise bring a legal proceeding against the Owner for compliance.
6. The County staff is further directed to work with the Owner, as needed, and if the Owner agrees to cooperate with the County staff, to identify and implement all activities and work needed on site to achieve compliance with the Deed of Easement.



Robert Hoffman, Vice Chairman

Dated: October 10, 2024

Hunterdon County Agriculture
Development Board

Exhibit "A"
2015 Baseline Photos



Exhibit "B"
Soil Conservation District Letter 3/27/2023



HUNTERDON COUNTY SOIL CONSERVATION DISTRICT
687 PITTSTOWN ROAD, SUITE #1
FRENCHTOWN, NJ 08825
TEL (908) 788-9466
FAX (908) 788-0795

March 27, 2023

SOIL DISTURBANCE NOTED

Louis Cyktor IV & R K Cyktor
61 Kingwood Stockton Road
Rosemont, NJ 08556

Re: Soil Disturbance and Wood Mulching
Block 51, Lot 1
Delaware Twp.

This agency has noted land disturbance in excess of 5,000 square feet on the above-referenced property. Such a disturbance constitutes a violation of the New Jersey State Soil Erosion and Sediment Control Act, Chapter 251, P.L. 1975. Unless, a USDA-NRCS Conservation Plan can be provided for the entire farm.

You are, therefore, by notice of this letter directed to submit a Soil Erosion and Sediment Control Plan or a USDA-NRCS Conservation Plan (along with a completed application and appropriate fee) to the District by the deadline given below. (A copy of "Guidelines for Preparing a Soil Erosion and Sediment Control Plan", an Application for Soil Erosion and Sediment Control Plan Certification, "Important" letter, Agronomic Specifications, and Fee Schedule can be found at www.hcsed.weebly.com for your use in submitting the required plan to the District.)

The deadline for submitting the required plan is April 17, 2023. Failure to comply by that date will render you liable to further action by the District, which may involve court action and penalties.

***Please install silt fence below the entire disturbed area as soon as possible. I have enclosed the silt fence detail for your reference. Also, stabilization of the soil stockpiles is requested.**

For the District,

A handwritten signature in black ink, appearing to read "Michael DePalma".

Michael DePalma
District Manager

pc: Hunterdon CADB
Bob Hornby, Hunterdon CADB Administrator

Exhibit "C"
CADB Letter 3/28/2023

Hunterdon County Agriculture Development Board

Hunterdon County Administration Building #1
Route 12 County Complex
PO Box 2900
Flemington, New Jersey 08822-2900
CADB@co.hunterdon.nj.us
(908) 788-1490

March 28, 2023

Louis Cyktor IV & R K Cyktor
61 Kingwood Stockton Rd.
Rosemont, NJ 08556

RE: Easement activities on Delaware Twp. Block 51, Lot 1, SADC ID 10-0323-PG

Please be aware that this office received a complaint on March 6, 2023 regarding activities that are not compliant with the Farmland Preservation Deed of Easement (DOE) recorded in Book 2339 Page 563. I appreciated the opportunity to visit the farm on March 24, 2023 along with Mike DePalma, District Manager for the Hunterdon County Soil Conservation District.

During the site visit ongoing activity was observed consisting of mulch-grinding a large pile of wood that was represented as coming from offsite, that had been collected on the property over the period of the last several years, and the activity was an effort to clean up the piles and return the area to a state more conducive to agricultural uses. There were also significant piles of topsoil that came from offsite. Along the road there was a sign advertising soil and mulch for sale.

Please be aware that grinding mulch from offsite for resale is non-agricultural activity that is prohibited by the DOE. Stockpiling soils for purely for resale is also considered a prohibited non-agricultural activity. The CADB is aware of concerns from the Hunterdon Soil Conservation District regarding the stabilization of the soil piles, installation of silt fence, and a direction to submit a Soil Erosion and Sediment Control Plan or a USDA-NRCS Conservation Plan. Please note that a Conservation Plan is required by the DOE.

Sales of soil or mulch that are associated with nursery sales are allowed and the Board is under the impression that the current activities on the farm are an effort to return the farm to easement compliance.

On behalf of the Board I would like to schedule a 60-day follow-up site visit for the week of May 22-26 to ensure progress. Please contact me with any questions or concerns.

Bob Hornby
CADB Administrator
bhornby@co.hunterdon.nj.us

Exhibit "D"

Property Owner's Letter

Lark Nursery and Landscaping LLC

61 Kingwood Stockton Rd.

Stockton, NJ. 08559

609-439-7121

We are requesting to be an agenda item for May board meeting. This is to request the ability to continue our existing mulch and top soil processing on our farm that we have been doing for over 20 years that has operated as a tree nursery since 2001. This is an operation that we started before we were preserved and was not officially deemed at the time of preservation to be considered a non-use. We are a tree nursery that on its own produces brush and stumps that in the right to farm act states that we are allowed to dispose, store as we see fit. Also being that we are a tree nursery we constantly have holes in our fields from digging and selling trees that require to be filled. This was confirmed to have been an existing operation prior to preservation by your former inspector Kevern Mills multiple years ago. This operation helps support our tree nursery in multiple ways. It also uses the ability to fill and repair or holes in the fields, draw in new customers and purchase more nursery stock, has allowed us to start a large production garden that we sell as our farm stand racks on location, has helped us fund renovating and existing shed building that will become our new farm stand for our farm fresh canned goods that are made on the farm under our cottage food license, fresh produce, nursery stock, and our farm fresh soils and mulch that we make from the decomposing brush and certified soils that we take in.

Our operation for soil and brush/mulch management is in a secluded location on the farm and has remained there since we started it prior to preservation that is not visible from the road. The location was picked years ago due to it being the only part of the farm that was extremely rocky and was also a damp/wet area of the farm that was not usable for nursery stock to be dug from. It was also an area of the farm that prior to becoming a nursery in 2011 the previous farmers would have extremely low yield on harvest or would bypass planting all together for the year.

We also have full support of our operation from our TWP that uses our services of brush management, quality soils, and quality mulch. Our zoning is 100% correct for all operations allowing for commercial and commercial farm, as well as residential, and farm. Our entrance is off of a weight limitless county road to allow for all truck traffic as well.

We thank you for your time in this matter and look forward to having your support in the 20 year ongoing operation that has helped us continue to expand our farm activities and bring high quality NJ farm products to the public.

RK Cyktor

Lark Nursery and Landscaping LLC

61 Kingwood Stockton Rd. Stockton NJ, 08559 (609-439-7121)

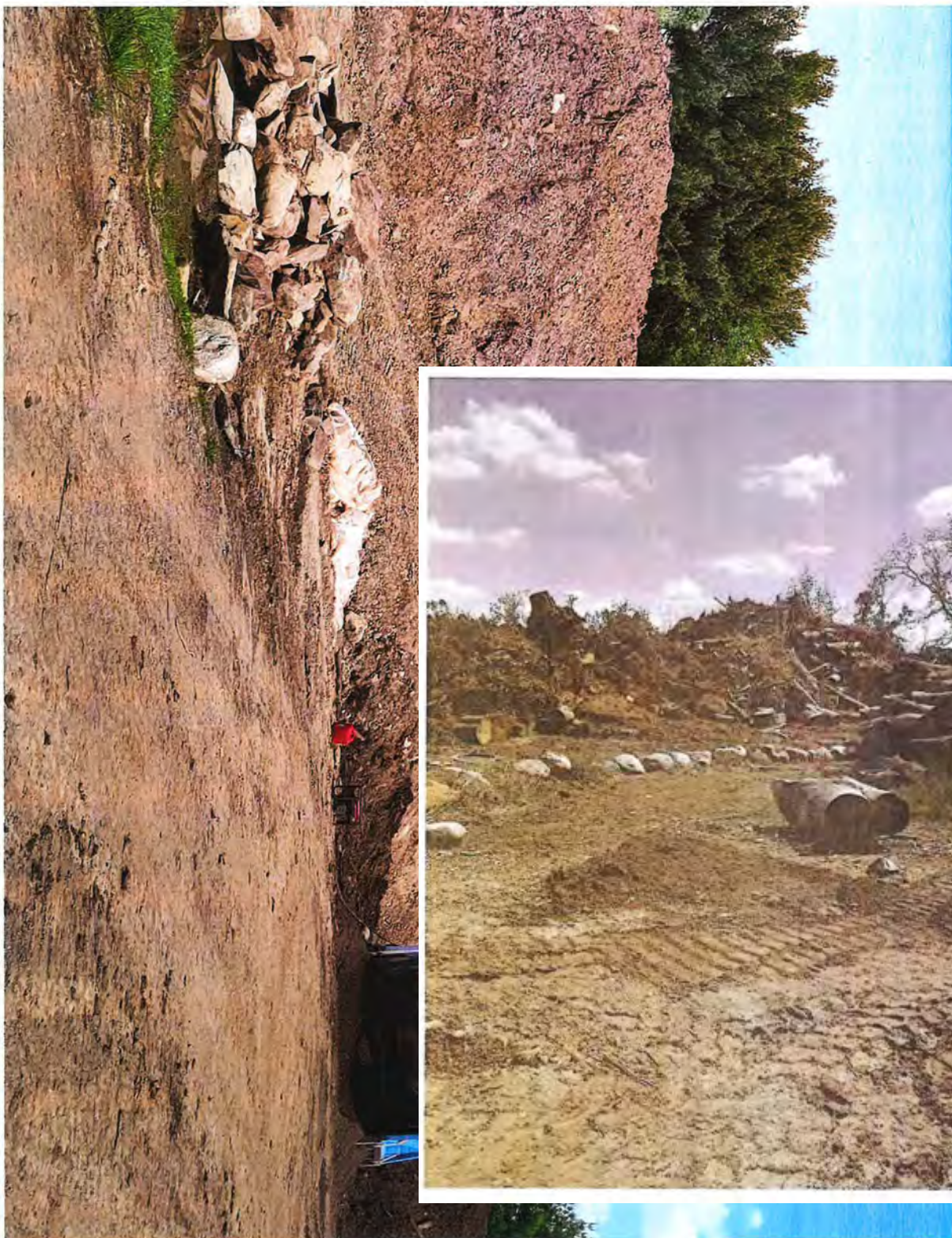
Exhibit "E" **2015 Aerial and 2020 Aerial**



Exhibit "F"

Photos from May 21, 2024 Site Visit





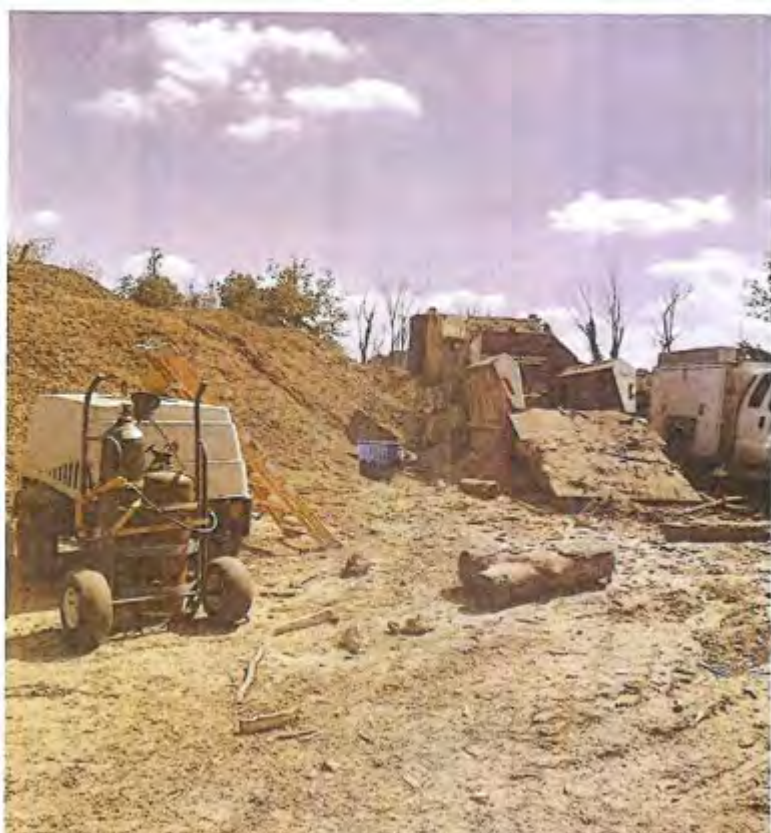
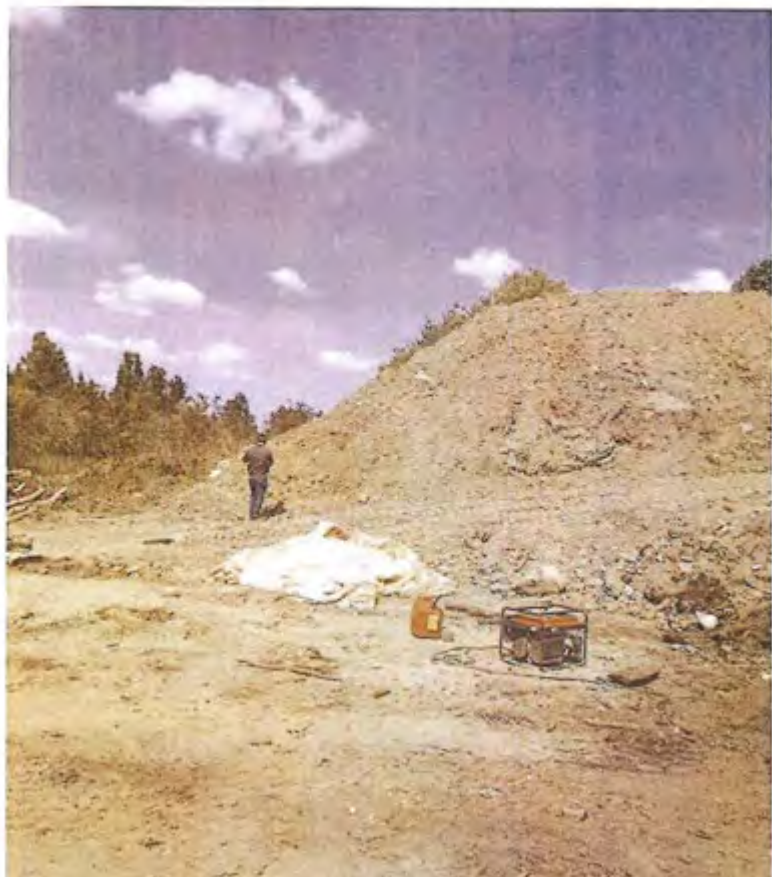












Exhibit "G"
Hunterdon County Health Department Notice of Violation
dated June 12, 2024

Complaint #: Block: 51 Lot: 1

NOTICE OF VIOLATION

Program Interest: Solid Waste Site Address: 61 Kingwood Stockton Rd, Rosemont

Municipality: Delaware Township County: Hunterdon

Responsible Party: Property Owner

Name: R K Cyktor Mailing Address: 61 Kingwood Stockton Rd, Delaware Twp

On 05/31/2024 a representative from the Hunterdon County Health Department conducted a compliance evaluation of the above Program Interest. This **NOTICE** is issued based on facts observed by or known to the Hunterdon County Health Department Health representative issuing this **NOTICE**, to warn you that a violation(s) of the Solid Waste Management Act, (N.J.S.A. 13:1E-1 et seq.) and rules at N.J.A.C. 7:26-1 et seq., N.J.A.C. 7:26A-1 et seq. has been found.

EXPLANATION OF THIS NOTICE - Violations with citation(s) to the specific rules issued under the Solid Waste Management: Violation of NJAC 7:26-2.8(e): No person shall engage or continue to engage, unless exempt by 7:26-1.1, 1.7 or 1.8 in the disposal of solid waste in this State without first having filed a completed application for and received approval of a SWF Permit.

On 05/31/2024 a visit to Lark Nursery revealed unpermitted recycling of solid waste operations. Items included but were not limited to: Tree parts, dirt, stone, and woodchips being utilized for operations on property and for resale.

In accordance with the Grace Period Law, the Hunterdon County Health Department will not assess a penalty against you for the violations marked with an asterisk * below, if you take voluntarily action to address and correct these violations within the time periods indicated in the **CORRECTIVE ACTION**.

Corrective Action: Cease recycling and/or solid waste operations. Any solid waste must be removed and properly disposed of. **The Hunterdon County Health Department will require a copy of the weight receipt as proof of legal disposal (e.g. from garbage company invoice, recyclables dealer invoice).**

Thank you for your cooperation by 07/10/2024

CORRECTIVE ACTION PAGE(S) -The Corrective Action outlines the timeframes pursuant to the Grace Period Law during which you may voluntarily take action to come into compliance. Depending on the nature of violations cited in this **NOTICE**, corrective action or compliance assistance recommendations for violations that are not subject to the Grace Period Law may also be outlined on this form.

☒ Not Provided for this Notice
See additional ____ (#) attached pages

COMPLIANCE RESPONSE FORM - Submission of a Compliance Response Form if checked below is voluntary. Completed forms should be sent to the Hunterdon County Health Department contact indicated at the bottom of this **NOTICE**.

☒ Not Applicable

If received within ____ days of receipt, it will preserve your protection from penalty under Grace Period Law.

If received within ____ days of receipt, it will be considered in potential future Hunterdon County Health Department action regarding the violations cited.

PURPOSE OF THIS NOTICE - This is intended to serve as a **NOTICE** to you, to warn you of the above violations, in order to 1) provide you with an opportunity to voluntarily investigate the matter and, voluntarily take corrective action to address the identified violation(s) and 2) identify those violations, and time periods, pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq. where your voluntary action can prevent formal enforcement orders and penalties issued by the Hunterdon County Health Department (see violations marked with an asterisk above *). This **NOTICE does not** constitute a formal enforcement order, a final agency action or a final legal determination that a violation has occurred. Therefore, this **NOTICE** may not be appealed or contested.

Neither the issuance of this **NOTICE** nor any corrective actions taken by you to address the violation(s) cited, precludes Hunterdon County, the State of New Jersey or any of its agencies from initiating future enforcement action (including issuance of a formal enforcement order and the assessment of penalties) with respect to the violations listed above or for any other violations. In the event the Hunterdon County Health Department determines to pursue future formal enforcement action, you will then be provided with an opportunity to appeal or contest such action.

RESPONDING TO THIS NOTICE – Voluntary corrective actions taken in response to this **NOTICE** can affect the Hunterdon County Health Department's determination on the need for or severity of any potential future enforcement action in this matter. In accordance with the Grace Period Law, the Hunterdon County Health Department will not assess a penalty against you for the violations marked with an asterisk * above, if you take voluntary action to address and correct these violations at the time of issuance, or within the time periods indicated in this **NOTICE**. For violations identified in this **NOTICE** that **are not** subject to the Grace Period Law, the Hunterdon County Health Department may consider any voluntary actions you take in response to this **NOTICE** as part of its determination 1) on whether to initiate future formal enforcement action for this site/matter and, 2) on the amount of any penalty that may be assessed in future enforcement actions. Please see items checked below regarding actions you may voluntarily undertake to address violations identified in this **NOTICE**:

FOR QUESTIONS REGARDING THIS NOTICE, please contact the Hunterdon County Health Department representative issuing this **NOTICE** at the location indicated:

PO Box 2900

Flemington, New Jersey 08822

Phone: 908-788-1351

Fax: 908-782-7510

Issued by: Nicholas Siani

Date: _____

Signature: _____

Title: Public Health Investigator

cc: Carla Hobbs, Environmental Health Coordinator

CERTIFIED MAIL #:

Exhibit "H"

Drone Photos submitted by Neighbor 9/11/2024

Drone Imagery from 9/11/24



Exhibit "I"
Photos from CADB Staff Site Visit 9/11/2024



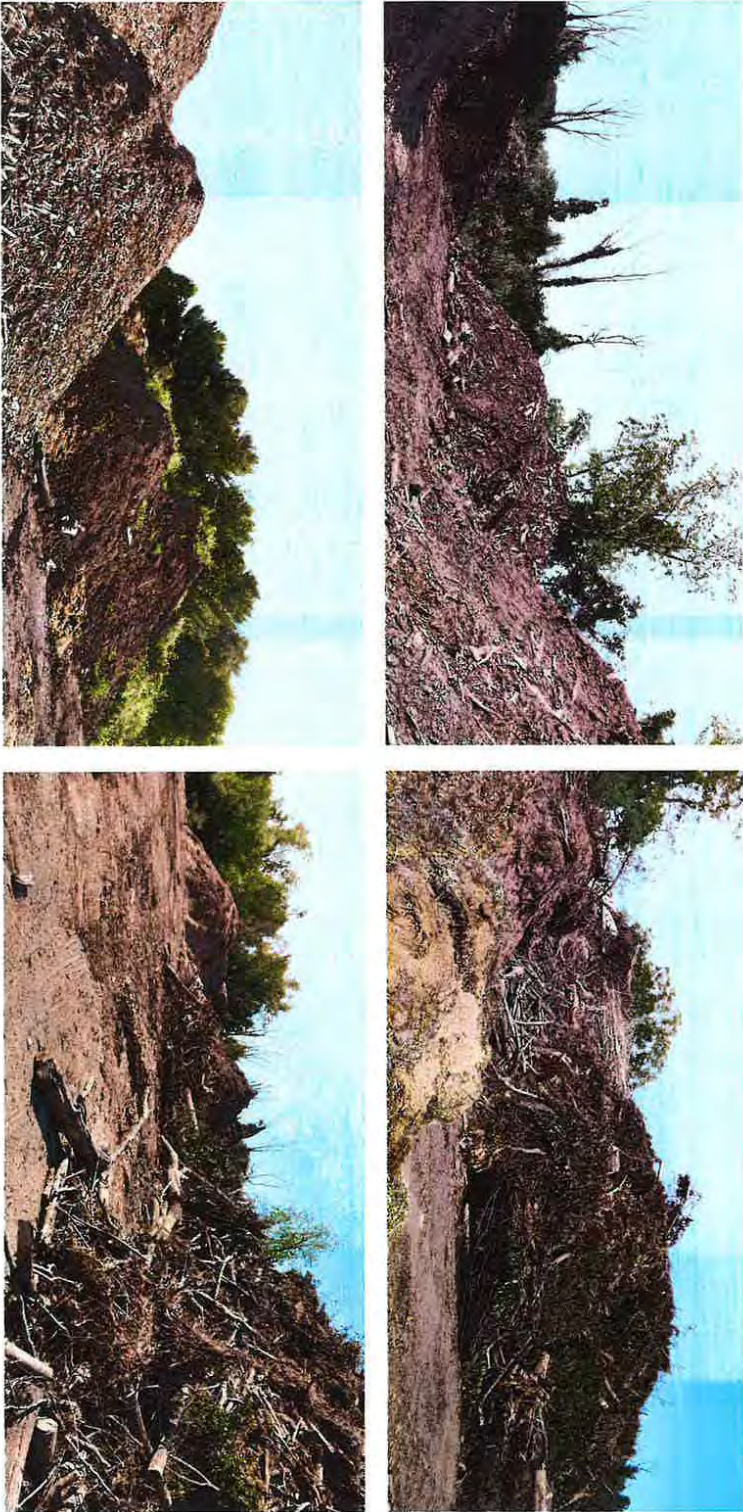
Photos taken 9/11/24



Photos taken 9/11/24



Photos taken 9/11/24



Photos taken 9/11/24

SCHEDULE "D"



COUNTY OF HUNTERDON

OFFICE OF COUNTY COUNSEL
71 Main Street, Building #1 – 3rd Floor
Post Office Box 2900
Flemington, New Jersey 08822-2900

Phone: (908) 788-1546
Fax: (908) 806-4236

COUNTY COUNSEL:

KATRINA CAMPBELL DOYLE, ESQ.

ASSISTANT COUNTY COUNSEL:

AARON R. CULTON, ESQ.

July 16, 2024

RK Cyktor
Lark Nursey and Landscaping, LLC
61 Kingwood Stockton Road
Stockton, NJ 08559

**Re: Cease and Desist
Potential Violation of Deed of Easement**

Dear Mr. Cyktor:

**THE PURPOSE OF THIS LETTER IS TO NOTIFY YOU THAT YOU
MUST IMMEDIATELY STOP ACCEPTING ANY WOOD MATERIALS (TREES,
STUMPS, BRUSH, ETC.) OR SOILS FROM ANY OFF-SITE LOCATIONS.**

This office is Counsel to the County of Hunterdon. As you are aware, the County of Hunterdon Agriculture Development Board ("CADB") and the State Agriculture Development Committee ("SADC") has been reviewing the activities taking place on your property as the concern has been raised that some of those activities are in violation of the terms and conditions of the Deed of Easement ("DOE") for your farmland preserved property. Specifically, the processing of wood products on the property from offsite locations for resale is a non-agricultural activity that is prohibited by the DOE. In addition, stockpiling soils purely for resale is also considered a prohibited non-agricultural activity. In addition to being prohibited under the conditions of the DOE, these activities are considered solid waste dumping, and the Board has been advised that you have been issued a Notice of Violation for this reason from the County Health Department.

The CADB is going to review the issue of the potential DOE violations at your property at the September 12, 2024 meeting, after which time we can begin to discuss both how the violations can be corrected and what activities

are permitted on your farm. However, at this point you must cease accepting wood materials and topsoil from any off-site locations immediately.

The CADB will be able to provide you with additional information after it meets in September. If you should have any immediate questions, please feel free to contact Bob Hornby.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Katrina C. Doyle', written in a cursive style.

Katrina C. Doyle

cc (via email only):

Bob Hornby, CADB Administrator

Timothy Willmot, SADC

Carla Hobbs, HCHD

Mike DePalma, HC Soil Conservation

SCHEDULE “E” (Baseline Photo Comparison)

6-6-2013



5-21-24



6-6-13



5-21-24



Schedule “F” Aerial Comparison







STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY25R1(2)

Special Occasion Events on Preserved Farmland

David Reed

January 23, 2025

Subject Property:

Block 23, Lots 13 and 22.01
Upper Freehold Township, Monmouth County
200.289 Acres
SADC ID# 13-0030-DE

I. Applicant and Property

WHEREAS, David Reed, hereinafter “Applicant”, is the owner and operator of Reed’s Sod Farm, LLC, a commercial farm whose farm management unit includes multiple blocks and lots in Upper Freehold Township, Monmouth County, including Block 23, Lots 13 and 22.01; and

WHEREAS, Stuart L. Reed, Jr. is the current record owner of Block 23, Lot 13, Upper Freehold Township, Monmouth County, by deed dated April 1, 2008, and recorded in the Monmouth County Clerk’s Office on April 1, 2008 in Deed Book 08713 and Page 05856; and

WHEREAS, the Reed Family Real Estate L.P. is the current record owner of Block 23, Lot 22.01, Upper Freehold Township, Monmouth Township, by deed dated August 6, 1974, and recorded in the Monmouth County Clerk’s Office on August 6, 1974 in Deed Book 04518 and Page 00316; and

WHEREAS, the Reed Family Real Estate L.P. and Stuart L. Reed, Jr. are hereinafter collectively referred to as “Owner”; and

WHEREAS, Lots 13 and 22.01 total approximately 222 acres and are hereinafter referred to as the “Property”, as shown in Schedule A; and

WHEREAS, a farmland preservation development easement on the Property, excluding a 14-acre non-severable exception area and a 7-acre severable exception area, was conveyed by the Reed Family Real Estate L.P., Stuart L. Reed, Jr., and Carole T. Reed to the State Agriculture Development Committee (SADC) on December 23, 2004 pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq. (ARDA), as a Deed of Easement, recorded in the Monmouth County Clerk’s Office on February 9, 2005 in Deed Book 8435, Page 8017, resulting in a preserved farm parcel of

200.289 acres (the “Premises”); and

WHEREAS, the Applicant, as the owner and operator of Reed’s Sod Farm, LLC, is also the operator of the commercial farm on the Property and Premises (hereinafter “Operator”); and

WHEREAS, the Premises was preserved with federal funding and the Deed of Easement contains additional federal provisions; and

II. Special Occasion Events law

WHEREAS, P.L. 2023, c.9, effective February 3, 2023, recognizes that, under certain conditions, the holding of special occasion events (SOEs) can have a positive effect on the operations of preserved farms and that, with proper oversight, SOEs on preserved farmland can have minimal impact on land's viability for farming and provide new business opportunities for farmers, without displacing agricultural or horticultural production as the first priority use of preserved farmland or disrupting neighborhoods that surround preserved farms; and

WHEREAS, the SOE statute defines an SOE as a wedding, lifetime milestone event, or other cultural or social event conducted, in whole or in part, on preserved farmland on a commercial farm, and states that SOEs shall not include activities eligible for the protections of the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.; recreational uses permitted under the farmland preservation deed of easement; weddings held for the owner, operator, or employee of the commercial farm; and weddings held for certain family members of the commercial farm owner; and

WHEREAS, the SOE statute requires that farm owners and farm operators apply for and receive written approval from the farmland preservation easement holder, prior to holding SOEs on preserved farmland; and

WHEREAS, a farm operator, with written authorization from the farm owner, may apply to hold SOEs on preserved farmland; and

WHEREAS, if the Applicant is the Operator but not the Owner of the farm, the Operator shall submit a notarized affidavit from the Owner authorizing the application; and

WHEREAS, the farm must be in compliance with the farmland preservation deed of easement to qualify to hold SOEs; and

WHEREAS, the preserved farmland must be a commercial farm and also produce agricultural or horticultural products worth \$10,000 or more annually to qualify to hold SOEs; and

WHEREAS, the SOE statute defines the area used to hold SOEs as the “occupied area”, meaning any area supporting the activities and infrastructure

associated with a special occasion event including, but not limited to: an area for parking, vendors, tables, equipment, infrastructure, or sanitary facilities; an existing building; or a temporary or portable structure; and

WHEREAS, the occupied area associated with an SOE shall be no more than the lesser of 10 acres or 10 percent of the preserved farmland; and

WHEREAS, SOEs shall not interfere with the use of the preserved farmland for agricultural or horticultural production; and

WHEREAS, SOEs shall have minimal effects on the occupied area and shall be designed to protect the agricultural resources of the land and ensure that the land can be readily returned to productive agricultural or horticultural use after an SOE; and

WHEREAS, the SOE statute does not apply to SOEs, or the parts of SOEs, that are held on exception areas or other locations that are not preserved farmland; and

WHEREAS, the SOE statute contains the following requirements regarding holding SOEs on preserved farmland:

1. SOEs that involve the service of alcoholic beverages shall comply with all applicable State and local laws, regulations, resolutions, and ordinances; and
2. All applicable State and local laws, regulations, resolutions, and ordinances including, but not limited to, those concerning food safety, litter, noise, solid waste, traffic, and the protection of public health and safety shall apply to the special occasion event and all activities related thereto; and
3. To comply with local laws, regulations, resolutions, and ordinances, and if the proposed SOE meets certain conditions, the municipality may require that the owner or operator of the farm submit an application to the municipality for approval, but the municipality shall not charge an application fee of more than \$50.00 and the application shall not require more information than the identification and location where tents and other temporary structures, sanitary facilities, parking, access and egress will be located, where music will be played, the number of expected guests, and other information that may be required of a similar event when conducted at a public park or public venue; and
4. A municipality may require a municipal application if the SOE would: (a) generate a parking or traffic flow situation that could unreasonably interfere with the movement of normal traffic or emergency vehicles or other organized group sharing similar common purposes or goals proceeding in or upon any street, park, or other public place within the municipality; or (b) require the expenditure of municipal resources or inspections from agencies or authorities of the municipality; and

5. No new permanent structures shall be constructed on preserved farmland for the purpose of holding SOEs; and
6. Permanent structures constructed fewer than five years prior to the date of the application shall not be used for holding SOEs; and
7. Improvements to existing structures shall be limited to the minimum required for the protection of health and safety; and
8. The installation and use of tents, canopies, umbrellas, tables, chairs, and other temporary structures on preserved farmland for the purpose of holding SOEs is permitted provided they comply with applicable construction and fire codes and are limited to use from April 1 to November 30; and
9. No public utilities, including gas or sewer lines, shall be extended to preserved farmland for the purpose of holding SOEs, except that electric and water service may be extended to preserved farmland for the purpose of holding special occasion events; and
10. Parking for SOEs shall be provided through the use of existing parking areas on the farm and curtilage surrounding existing buildings to the extent possible, and additional on-site areas required for temporary parking shall comply with the standards in the Agricultural Management Practice (AMP) for On-Farm Direct Marketing Facilities, Activities, and Events, N.J.A.C. 2:76-2A.13; and
11. If a farm holds more than one SOE on the same calendar day, only one of the SOEs held on that calendar day may have over 100 guests; and
12. A farm may hold 26 SOEs each calendar year, of which only six SOEs may have 250 guests or more in attendance at any time during the event; and
13. SOEs held by or for a nonprofit entity shall not count against the 26 SOE limit if the event has fewer than 100 guests and the permittee does not charge for, and receives no fees or compensation for, hosting the event, other than for reimbursement of out-of-pocket expenses, provided the maximum reimbursement to the permittee shall not exceed \$1,000; and
14. A retail food establishment, other than a temporary retail food establishment, shall not operate on a farm in support of SOEs, with the exception of a retail food establishment based at the farm; and

III. Application

WHEREAS, on July 24, 2024, the Applicant submitted and the SADC received an “Application to Hold Special Occasion Events on Preserved Farmland”; and

WHEREAS, the application was signed on July 24, 2024 by the Applicant on behalf of Reed's Sod Farm, LLC; and

WHEREAS, Reed's Sod Farm, LLC's operating agreement appointed the Applicant as its Managing Member, with the right to act for and bind the LLC in the ordinary course of business; and

WHEREAS, between September and January 2025, in response to written questions from the SADC, the Applicant submitted additional application information to clarify and modify application details and to complete the application; and

WHEREAS, on September 17, 2024, the Applicant submitted the following: notarized affidavits from the Owner authorizing the application; a confirmation that in each calendar year, the Applicant does not plan to have more than six SOEs with 250 guests or more in attendance at any time during the event; and a statement that while the Applicant does not currently plan to hold events for or by a nonprofit that would meet the exemption criteria in P.L. 2023, c.9 for not counting against the 26 SOEs limit, that plan could change in the future; and

WHEREAS, the Applicant included the following blocks and lots in the application submitted on July 24, 2024:

Block 23, Lot 13, Upper Freehold Township, Monmouth County,
Block 24, Lot 23, Upper Freehold Township, Monmouth County,
Block 11, Lots 11 & 12, Upper Freehold Township, Monmouth County, and
Block 27, Lots 43 & 43.04, Upper Freehold Township, Monmouth County; and

WHEREAS, on September 17, 2024 the Applicant made a written request to include the following additional block and lots in the application:

Block 13, Lot 21, Upper Freehold Township, Monmouth County,
Block 13, Lot 22, Upper Freehold Township, Monmouth County,
Block 23, Lots 22.01, Upper Freehold Township, Monmouth County, and
Block 24, 22.01, Upper Freehold Township, Monmouth County; and

WHEREAS, on October 22, 2024 the Applicant requested, in writing, that the application only pertain to Block 23, Lots 13 and 22.01, and the application was reviewed by the SADC as to those two lots; and

WHEREAS, on December 20, 2024, the Applicant submitted an updated map to modify the size and layout of the proposed SOE Occupied Area; and

WHEREAS, the Applicant is seeking SADC approval to hold up to twenty-six (26) SOEs in calendar year 2025, through a combination of weddings, lifetime milestone events, and other cultural or social events; and

WHEREAS, the Applicant represented that there is a commercial farm on the preserved farmland and that the value of agricultural or horticultural crops produced on the preserved farmland is \$10,000 or more annually; and

WHEREAS, the Applicant stated that the current agricultural or horticultural uses of the preserved farm are sod, wheat, and soybeans and that as of December 2024, the farm had an estimated 70 acres of sod, 70 acres of wheat, and 60 acres of soybeans; and

WHEREAS, the application included a map of the occupied area proposed to be used for all SOEs, hereinafter referred to as the “Occupied Area Applicant Map”, as shown in **Schedule B**; and

WHEREAS, the application described the SOEs proposed to be held as the following:

1. Weddings: Wedding ceremonies and receptions would be held in the tractor trailer barn on Block 23, Lot 13. If good weather permits, it is likely that the ceremonies would be held outside in a removable tent, a non-permanent structure, on the sod field adjacent to the barn. Some receptions would be cocktail-type and some would be sit-down dinners, and an outside caterer would supply the food; and
2. Lifetime milestone events: Private parties and gatherings for lifetime milestone events such as birthdays, anniversaries, and graduations would be held in the tractor trailer barn on Block 23, Lot 13. If good weather permits, it is likely that the events would be held outside in a removable tent, a non-permanent structure, on the sod field adjacent to the barn. The private parties and gatherings would be cocktail-type, and some would be sit-down dinners, and an outside caterer would supply the food; and
3. Other cultural or social events: Community social events like a high school prom would be hosted and held in the tractor trailer barn on Block 23, Lot 13. There is also the possibility of hosting the events outside, if the weather is promising, in removable tents, non-permanent structures, on the sod field adjacent to the barn. These private community gatherings could be cocktail-type styled events and/or sit-down dinners, and an outside caterer would supply the food; and

WHEREAS, the application stated that the permanent structure on the farm to be used for SOEs is the tractor trailer barn on Block 23, Lot 13 and that the structure was built in 1990; and

WHEREAS, historic aerials confirm that the tractor trailer barn on Block 23, Lot 13 is greater than five (5) years old; and

WHEREAS, the application stated that any improvements to existing permanent structures used for holding SOEs would be limited to the minimum required for the protection of health and safety; and

WHEREAS, the application stated that a 20' x 40' high top tent and a 30' x 90' tent would be used as temporary structures for the SOEs and that these structures would be located in the field behind the tractor trailer barn, as indicated on the Occupied Area Applicant Map; and

WHEREAS, the application stated that electric service for the SOEs would be provided through the farm's existing JCP&L connection in the tractor trailer barn and through generators for the temporary tents; and

WHEREAS, the application stated that water service for the SOEs would be provided by an existing well; and

WHEREAS, the application stated that the proposed SOEs would use a combination of permanent and temporary parking areas as indicated on the Occupied Area Applicant Map, with the permanent area being the existing milled parking area near the tractor trailer barn and the temporary area being the sod field and whose size would be dependent on the number of attendees; and

IV. Review of application

WHEREAS, on December 4, 2024, the SADC performed a monitoring site inspection of the Premises; and

WHEREAS, the SADC, to measure the acreage of the occupied area depicted on the Occupied Area Applicant Map, created a GIS map with the same approximate outlines, hereinafter referred to as the "Occupied Area SADC Map", as shown in **Schedule C**; and

WHEREAS, the occupied area is approximately 7.32 acres, or approximately 3.65% of the Premises, as calculated using the Occupied Area SADC Map; and

WHEREAS, the SADC, to review whether the preserved farmland produces agricultural or horticultural products worth \$10,000 or more annually, used the information from the application regarding the farm's current agricultural or horticultural uses and an Agricultural/Horticultural Production Value Estimating Tool For SOE Applications, hereinafter "Estimating Tool", as shown in **Schedule D**, and reviewed a July 2024 Custom Transaction Detail Report provided as part of the application; and

WHEREAS, the Estimating Tool and transaction report indicate that the value of agricultural or horticultural products produced on the Premises is more than \$10,000 annually; and

WHEREAS, the SADC contacted the USDA Natural Resources Conservation Service (NRCS) to see if it had any comments or concerns regarding the SOE application; and

WHEREAS, NRCS indicated that it does not have any comments or concerns; and


WHEREAS, the SOE statute states that the easement holder shall approve an SOE application upon a determination that the farm is in compliance with the terms of the farmland preservation deed of easement and a finding that the applicant and proposed SOEs comply with the requirements of the SOE statute and any rules and regulations adopted by the SADC,

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC makes the following findings of fact and conclusions of law regarding the application by the Applicant to hold up to twenty-six (26) SOEs on the Premises:
 - a. The farm is currently in compliance with the farmland preservation deed of easement.
 - b. There is a commercial farm on the Premises.
 - c. The preserved farmland produces agricultural or horticultural products worth at least \$10,000 annually.
 - d. The proposed occupied area is no more than the lesser of 10 acres or 10 percent of the preserved farmland.
 - e. The proposed number of SOEs to be held on the farm during the calendar year is not more than 26.
 - f. The proposed number of SOEs that would have 250 guests or more in attendance at any time during the event is not more than 6.
 - g. The farm and proposed SOEs comply with the requirements of the SOE statute.
3. The SADC approves the Applicant's application to hold SOEs on the Premises in calendar year 2025, provided the farm remains in compliance with ARDA, the terms of the farmland preservation deed of easement, the SOE statute, and this resolution.
4. Temporary structures shall not be used for SOEs between January 1, 2025 and March 31, 2025, nor shall they be used for SOEs between December 1, 2025 and December 31, 2025.
5. The Owner shall annually certify to the SADC, in a form and manner prescribed by the SADC, information about the SOEs that were held in the prior calendar year including, but not be limited to, the date, occasion, and approximate number of attendees of each event.
6. The SADC will transmit a copy of this resolution to Upper Freehold Township and the Monmouth County Agriculture Development Board.
7. This action 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.

1/23/2025
DATE



Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Rich Norz	YES
Charles Rosen	ABSENT
Tiffany Bohlin	ABSENT
Gina Fischetti (rep. DCA Commissioner Suarez)	YES
Lauren Procida (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Edward D. Wengryn, Chairperson	YES

Schedule A

Premises

David Reed / Reed's Sod Farm (13-0030-DE)



Schedule B

Occupied Area Applicant Map



- Red – Proposed Occupied Area
- Blue – Permanent Parking
- White – Temporary Tents Location
- Purple – Portable Sanitary Facilities
- Green – Barn (Existing Permanent Structure
- Teal – Temporary/Portable Vendors

Schedule C (page 1)

Occupied Area SADC Map

David Reed / Reed's Sod Farm (13-0030-DE) SOE Area



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

David Reed / Reed's Sod Farm (13-0030-DE)
Block 23 Lots 22.01 (86.06 ac); P/O 13 (114.23 ac)
Easement acres = 200.29
Upper Freehold Twp., Monmouth County

Easement Holder: SADC
Landowner: Stuart L. Reed, Jr. & Reed Family Real Estate L.P.
SOEs Occupied Area - 7.32 ac
Percentage of preserved farm premises in SOEs Occupied Area - 3.65%

250 125 0 250 500 Feet

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 geodetic 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 true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Sources:
NJ Farmland Preservation Program
Near Map 2024 Digital Aerial Image

December 30, 2024

Schedule C (page 2)

Occupied Area SADC Map

David Reed / Reed's Sod Farm (13-0030-DE) SOE Area



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

David Reed / Reed's Sod Farm (13-0030-DE)
Block 23 Lots 22.01 (86.06 ac); P/O 13 (114.23 ac)
Easement acres = 200.29
Upper Freehold Twp., Monmouth County

Easement Holder: SADC
Landowner: Stuart L. Reed, Jr. & Reed Family Real Estate L.P.
SOEs Occupied Area - 7.32 ac
Percentage of preserved farm premises in SOEs Occupied Area - 3.65%

250 125 0 250 500 Feet

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 geodetic 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 true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Sources:
NJ Farmland Preservation Program
Near Map 2024 Digital Aerial Image

December 30, 2024

Schedule D

Agricultural/Horticultural Production Value Estimating Tool For SOE Applications

Agricultural/Horticultural Production Value Estimating Tool For Special Occasion Event (SOE) Applications			
Applicant Name	David Reed / Reed's Sod Farm		
Farm Address	1369 Old York Rd., Allentown, NJ 08501		
County	Monmouth		
Municipality	Upper Freehold		
SADC ID Number	13-0030-DE		
General Category of Production	Estimated Gross Production Value/ Acre	Number of Acres	Total Estimated Gross Production Value
Vegetable	\$1,747		
Fruit (other than grapes)	\$6,335		
Winery/Grapes	\$0		
Nursery/greenhouse/floriculture	\$10,000		
Sod	\$6,000	70.0	\$420,000.00
Field crops	\$294	130.0	\$38,272.00
Hay	\$287		
Equine	\$190		
Livestock	\$190		
Dairy	\$190		
Christmas Trees	\$0		
Woodland	\$0		
TOTALS		200.0	\$458,272.00
Basic Instructions: Fill in the number of acres from the farm's SOE Application. The spreadsheet estimating tool will then provide an estimated value of the farm's annual agricultural or horticultural production.			
*Notes: The SADC is in the process of adding an "Estimated Gross Production Value/Acre" for each "General Category of Production". Any category that does not yet have an estimated value will show up as \$0. Please check back regularly for updated versions of this spreadsheet tool as the remaining estimated values get added.			
*Last Updated 3/23/23			

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2025R1(3)

Review of Activities Occurring on Preserved Farm

Princeton Show Jumping, LLC/Hunter Farms North Equine Activities

January 23, 2025

Subject Property:

Block 26001, Lot 1.02

Montgomery Township, Somerset County

101.46 Acres

SADC ID# 18-0005-DN

WHEREAS, Princeton Show Jumping LLC, hereinafter (“Owner”) is the current record owner of Block 26001, Lot 1.02, in the Township of Montgomery, County of Somerset, as recorded in the Somerset County Clerk’s Office in Deed Book 6519, Page 3387 by deed dated May 7, 2012, totaling 101.46 acres, hereinafter referred to as the “Premises”, as shown in Schedule “A”; and

WHEREAS, a development easement on the Premises was conveyed by the State of New Jersey to the State Agriculture Development Committee on December 2, 2003, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded on May 28, 2004, in the Somerset County Clerk’s Office in Deed Book 5599, Page 859; and

WHEREAS, Andrew Philbrick is the sole owner of Princeton Show Jumping, LLC (PSJ), hereinafter referred to as the “Owner;” and

WHEREAS, upon purchasing the Premises, the Owner began to develop the site with state-of-the-art sand rings and other infrastructure designed to create a premier hunter/jumper show, training and competition facility; and

WHEREAS, in May 2013, the Owner made a request to the Committee to utilize the Premises to host nine, 3- to 5-day, hunter/jumper shows consisting of 42 total show days, which are sanctioned and licensed by the U.S. Equine Federation (USEF); and

WHEREAS, on May 23, 2013, the Committee approved Resolution #FY2013R5(5), finding that the shows, as described by the Owner, were permissible activities attracting the public in an effort to increase the direct marketing and sales of the farm’s agricultural output; and

WHEREAS, since 2017 the SADC has been working with the Owner to address the Owner’s noncompliance with the Deed of Easement as well as various Committee approvals related to activities on the Premises including, but not limited to, impervious cover, stormwater requirements, soil restoration, conservation planning, and equine production; and

WHEREAS, at its September 26, 2019, meeting the SADC rescinded its May 23, 2013, resolution approving 9 shows and 42 show days, and decided that the approval of Owner's show calendars would be considered by the Committee on an annual basis; and

WHEREAS, for the 2021 show season, the SADC approved 14 shows and 67 show days; and

WHEREAS, at its October 28, 2021, meeting the SADC directed staff to engage a qualified professional to assist the SADC in evaluating standards to account for equine production on the Premises; and

WHEREAS, the SADC provided for a one-year grace period from October 28, 2021, to allow the Owner to continue its operations while these production standards were being reevaluated; and

WHEREAS, for the 2022 show season, the SADC approved 15 shows and 64 show days; and

WHEREAS, at its December 1, 2022, meeting, the SADC approved 14 shows totaling 64 show days for the 2023 season; and

WHEREAS, on February 6, 2023, staff received a request from the Owner to amend its 2023 show calendar; and

WHEREAS, at its March 23, 2023, meeting the SADC reviewed and approved the request to amend the Owner's 2023 show calendar, including the request to add six additional show days that would result in 14 shows totaling 70 show days and the tents being up for at least 166 days; and

WHEREAS, at its March 23, 2023, meeting the SADC determined that, aside from compliance with the Deed of Easement's impervious cover limit affected by the amount of time the tents are up during the show season, complaints against and/or an application for a site specific agricultural management practice determination arising from the tents are to be dealt with by the Somerset County Agriculture Development Board through the Right to Farm process; and

WHEREAS, on December 5, 2024, staff received a request from the Owner for approval of the 2025 show schedule consisting of 14 shows and a total of 69 show days; and

WHEREAS, the Owner confirmed that the tents will be up for less than 180 days.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC finds that development and use of the Premises for breeding, raising, and training of the Owner's horses for sale, and the Owner's training of horses owned by others for which he has a commission agreement when those horses are sold, are consistent with the definition of "agricultural use" in paragraph 2 of the Deed of Easement for the Premises.

3. The SADC approves the 2025 calendar of events at Hunter Farms North, including the schedule of show dates, totaling 14 shows and 69 show days, as shown in Schedule “B”.
4. The SADC finds that because the Owner has, at this time, satisfied the Deed of Easement’s impervious cover compliance issue related to the amount of time the tents can be up, and because the production issue is being held in abeyance until an academic study can be completed , complaints against and/or an application for a site specific agricultural management practice determination arising from the tents are to be dealt with by the Somerset County Agriculture Development Board through the Right to Farm process.
5. Because of the existing amount of impervious cover already installed, under no circumstances shall the tents be permitted to be up for more than 180 cumulative days in a calendar year.
6. For the 2025 season the Owner shall submit production records for each show at the conclusion of the 2025 season. Production records shall identify the name of each horse in the following categories: horses owned by PSJ in whole; horses owned in part by PSJ; horses trained by PSJ at its facility located at 1315 Great Road, including whether PSJ is, and is not, entitled to a commission; horses trained by PSJ at off-site locations including whether PSJ is, and is not, entitled to a commission; horses trained only during show days for which PSJ is or is not entitled to a commission; and other horses for which PSJ has no training/commission relationship. The trainer’s name shall be included for any horse for which PSJ is claiming ownership or a commission arrangement.
7. The Executive Director is authorized to approve, approve with conditions, or deny amendments to PSJ’s 2025 show schedule under the following conditions;
 - a. Owner, PSJ and/or Hunter Farms remain in compliance with the SADC’s approval of the 2025 show season, and are otherwise in compliance with the Deed of Easement, at the time a request is made for future show calendar approvals;
 - b. Total show days are no more than what was approved for 2024;
 - c. Show dates shall be limited to the months of April through October;
 - d. Under no circumstances shall tents be up for more than 180 cumulative days per year;
 - e. Owner, PSJ and/or Hunter Farms are in compliance with all other relevant terms and condition of all prior SADC resolutions at the time a request is made for future show calendar approvals;
 - f. Staff shall provide notification of any approval to the Committee;

A denial or conditional approval by the Executive Director may be appealed to the SADC within 30 days of receipt of the decision.

8. No new site disturbances or site work shall be conducted on the Premises without the advance, written approval of the SADC.
9. This action is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
10. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1/23/2025

DATE



Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Rich Norz	RECUSED
Charles Rosen	ABSENT
Tiffany Bohlin	ABSENT
Gina Fischetti (rep. DCA Commissioner Suarez)	YES
Lauren Procida (rep. DEP Commissioner LaTourette)	RECUSED
Julie Krause (rep. State Treasurer Muoio)	YES
Brian Schilling (rep. Executive Dean Lawson)	RECUSED
Edward D. Wengryn, Chairperson	YES

Schedule "A"



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Princeton Show Jumping
Block 26001, Lot 1.02
Montgomery Township, Somerset County
101.46 - Acres



0 270 540 1,080 1,620 Feet

7/28/2021



Schedule "B"



Princeton Show Jumping

1315 The Great Road, Princeton NJ 08540 (609) 924-2932

2025 Competition Dates

As of 11/15/24

SPRING SERIES 1-6

April 16-19 ~ Princeton Spring Classic: National Hunter, Jumper 3

(No show on Sunday due to Easter)

April 23-27 ~ Princeton Spring Classic II: National Hunter, Jumper 3

May 7-11 ~ Princeton Show Jumping May I: National Hunter, Jumper 4

May 14-18 ~ Princeton Show Jumping May II: National Hunter, Jumper 4

June 4-8 ~ Princeton Show Jumping June I: National Hunter, Jumper 3

June 11-15 ~ Princeton Show Jumping June II: National Hunter, Jumper 4

SUMMER SERIES 1-7

June 25-29 ~ Princeton Summer June/July I: National Hunter, Jumper 4

July 2-6 ~ Princeton Summer June/July II: National Hunter, Jumper 4

July 16-20 ~ The Princeton Classic Preview: National Hunter, Jumper 4

July 23-27 ~ Princeton Summer Classic: National Hunter, Jumper 4

July 30 – Aug. 3 ~ Princeton Classic Finale: National Hunter, Jumper 4

(Outreach Festival)

Aug. 13-17 ~ Princeton August Classic: Jumper 4

Aug. 20-24 ~ Princeton Summer Encore: National Hunter, Jumper 4

(USHJA National Hunter Derby Regional Championships)

FALL SERIES 1-3

Sept. 17-21 ~ Princeton Show Jumping Fall I: Jumper 4

(USHJA 2025 1.0/1.05m Junior/Amateur Zone Jumper Championships - Zone 1 & 2)

(PEL Finals)

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2025R1(4)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
MILLSTONE TOWNSHIP**

**for the
PURCHASE OF A DEVELOPMENT EASEMENT
On the Property of Jacob I. Sage Living Trust & Cynthia F. Sage Living Trust ("Owners")
SADC ID#13-0479-PG
Millstone Township, Monmouth County
N.J.A.C. 2:76-17A.1, et seq.**

JANUARY 23, 2025

WHEREAS, on July 18, 2023, the application for the sale of a development easement for the subject farm identified as Block 31.05, Lot 18, Millstone Township, Monmouth County, totaling approximately 9.7 gross acres hereinafter referred to as "the Property" (Schedule A) was deemed complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, the Township has met the Municipal Planning Incentive Grant ("PIG") criteria set forth in N.J.A.C. 2:76-17A.6 and 7; and

WHEREAS, the Owners received the SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, The Property is a targeted farm pursuant to N.J.A.C. 2:76-17A.5(a)1 and is located in the Township's PIG Project Area; and

WHEREAS, the Property includes one (1), approximately 0.8 acre non-severable exception area for an existing single family residential unit and to afford future flexibility for nonagricultural uses resulting in approximately 8.9 net acres to be preserved, hereinafter referred to as "the Premises"; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Executive Director may approve the final size and location of the exception area such that the final size is not increased more than one (1) acre from, and the location remains within the substantially same footprint as, the herein-approved exception, and so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 0.8 acre non-severable exception area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be limited to one single family residential unit
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the Premises includes:

- 1) Zero (0) housing opportunities
- 2) Zero (0) agricultural labor units
- 3) No pre-existing non-agricultural uses; and

WHEREAS, at the time of application, the Property was in sheep, chickens, berries, and bee production; and

WHEREAS, the SADC's green light approval letter noted that the Trust Agreements for the Jacob I. Sage Living Trust & Cynthia F. Sage Living Trust will need to be provided to SADC in order to verify the authority to accept the offer and sell the development rights. The Agreements have been provided and approved to proceed by SADC staff; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11(d), on September 26, 2024, the SADC certified a development easement value of \$42,000 per acre based on zoning and environmental regulations in place as of the current valuation date June 19, 2024; and

WHEREAS, pursuant to P.L. 2023 c.245 and Policy No. P-56, the Interim Policy for applications pending adoption of the Statewide Farmland Preservation Formula, the SADC shall provide for the extension of deadlines and conditional approvals if requested by the Owners and grant partners; and

WHEREAS, on October 23, 2024, the Owner provisionally accepted the municipality's offer of \$42,000 per acre, but requested final approval to be conditioned on the provision of a certified Statewide Formula Value as such time as the Statewide Formula is adopted by the SADC; and

WHEREAS, if the Owner accepts the Statewide Formula Value, an amended final approval will be necessary for the issuance of the SADC cost share grant, subject to the availability of funds; and

WHEREAS, if the Owner decide to proceed with the sale of the development easement at any time prior to the adoption of the Statewide Formula; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on November 6, 2024, the Millstone Township Committee approved the application for the sale of development easement and a funding commitment of \$6,720 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on December 3, 2024, the County Agriculture Development Board passed a resolution granting final approval for the acquisition of a development easement on the Premises; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13 on December 12, 2024, the Board of County Commissioners passed a resolution granting final approval and a commitment of funding for \$10,080 per acre to cover the local cost share; and

WHEREAS, the Township has requested a funding to encumbrance of an additional 3% buffer to accommodate any increase in for possible the final surveyed acreage increases, therefore,

9.17 acres will be utilized to calculate the grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 9.17 acres):

	Total	Per/acre
SADC	\$231,084.00	(\$25,200/acre)
Millstone Township	\$ 61,622.40	(\$ 6,720/acre)
Monmouth County	\$ 92,433.60	(\$10,080/acre)
Total Easement Purchase	\$385,140.00	(\$42,000/acre)

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14(c), if there are insufficient funds available in a Municipality's base grant, it may request additional funds from the competitive grant fund; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14(c), the Township is requesting \$231,084 in base grant funding which is available at this time (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14(b), the SADC may approve a cost share grant for the purchase of the development easement on an individual farm subject to available funds in the municipality's base grant, and the SADC's cost share grant shall be consistent with the provisions of N.J.A.C. 2:76-6.11; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15(b), the County shall hold the development easement since the County is providing funding for the preservation of the farm; and


WHEREAS, pursuant to N.J.A.C. 2:76-17A.16 and N.J.A.C. 2:76-6.11(d)3, 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, provided the Township's request for reimbursement is submitted within 120 days of the purchase of the development easement;

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 the Township for the purchase of a development easement on the Premises, comprising approximately 9.17 net easement acres, at a State cost share of \$25,200 per acre, (60% of certified easement value and purchase price), for a total grant of approximately \$231,084 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C.
3. The SADC's green light approval letter noted that the Trust Agreements for the Jacob I. Sage Living Trust & Cynthia F. Sage Living Trust will need to be provided to SADC in order to verify the authority to accept the offer and sell the development rights. The Agreements have been provided and approved to proceed by SADC staff.
4. Any unused funds encumbered from either the base or competitive grants at the time of closing shall be returned to their respective sources (competitive or base grant funds).

5. Should additional funds be needed due to an increase in acreage and if base grant funding becomes available the grant may be adjusted to utilize unencumbered base grant funds.
6. The SADC will be providing its grant directly to the County, and the SADC shall enter into a Grant Agreement with the Township and County pursuant to relevant provisions in N.J.A.C. 2:76-6.18 and 6.18A.
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 Premises adjusted for proposed road rights-of-way, other rights-of-way, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
8. The final acreage of the exception area shall be subject to onsite confirmation, and the Executive Director may approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.
9. All survey, title and all additional documents required for closing shall be subject to review and approval by the SADC.
10. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
11. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1/23/2025
Date


Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	RECUSED
Scott Ellis	YES
Pete Johnson	OPPOSE
Rich Norz	YES
Charles Rosen	ABSENT
Tiffany Bohlin	ABSENT
Gina Fischetti (rep. DCA Commissioner Suarez)	YES
Lauren Procida (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Edward D. Wengryn, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles

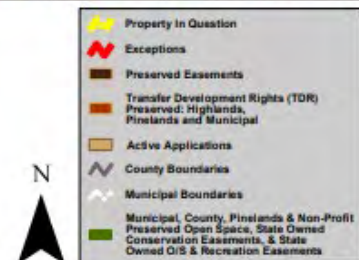


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jacob I. Sage Living Trust & Cynthia F. Sage Living Trust
Block 31.05 Lots P/O 18 (8.9 ac);
& P/O 18-EN (non-severable exception - 0.8 ac)
Gross Total = 9.7 ac
Millstone Twp., Monmouth County

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

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



Sources:
NJ Farmland Preservation Program
NJDOT Parcel data
NJDEP Conservation/Open Space Easement Data
NJDOT Near Map 2022 Digital Aerial Image

July 11, 2023

Wetlands



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jacob I. Sage Living Trust & Cynthia F. Sage Living Trust
Block 31.05 Lots P/O 18 (8.9 ac);
& P/O 18-EN (non-severable exception - 0.8 ac)
Gross Total = 9.7 ac
Millstone Twp., Monmouth County

100 50 0 100 200 Feet

Sources:
NJ Farmland Preservation Program
NJOT Parcel data
NJDEP 2015 Landuse/Landcover Data
NJDOT Road Data
NJOT/Near Map 2022 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 geospatial 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 true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Total Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

July 12, 2023

SADC Municipal Pig Financial Status

Millstone Township, Monmouth County

SADC ID#	Farm	Acres	Pay Acres	SADC Certified or <u>Negotiated</u> Per Acre	SADC Grant Per Acre	SADC		Federal Grant		Grant			
						Cost Basis	Cost Share	Total Federal Grant	SADC Federal Grant	Fiscal Year 09 Fiscal Year 11 Fiscal Year 13 Fiscal Year 17 Fiscal Year 19 Fiscal Year 21			
										Encumbered	PV	Expended	Balance
2,750,000.00													
13-0409-PG	Perlman	40.0000	25.0730	35,000.00	21,000.00	877,555.00	526,533.00			526,533.00	526,533.00	526,533.00	2,223,467.00
13-0447-PG	Kaut	55.8170	55.8170	13,350.00	8,010.00	745,156.95	447,094.17			447,094.17	447,094.17	447,094.17	1,776,372.83
	Kaut ancillary											7,978.50	1,768,394.33
	Reprogram FY17*											268,394.33	1,500,000.00
13-0466-PG	Peplowski, Raymond & Jean	7.0860	7.0170	35,000.00	21,000.00	245,595.00	147,357.00			180,600.00	147,357.00	147,357.00	1,352,643.00
	Peplowski ancillary											2,650.00	1,349,993.00
13-0479-PG	Jacob I. Sage Living Trust	8.9000	9.1700	42,000.00	25,200.00	385,140.00	231,084.00			231,084.00			1,118,909.00
Closed	3	102.9030	87.9070			1,868,306.95	1,120,984.17						
Encumbered	1	8.9000	9.1700			385,140.00	231,084.00						
								Encumber/Expended FY09	-	-	750,000.00	-	
								Encumber/Expended FY11	-	-	231,605.67	-	
								Encumber/Expended FY13	231,084.00	-	150,007.00	118,909.00	
								Encumber/Expended FY17	-	-	-	-	
								Encumber/Expended FY19	-	-	-	1,000,000.00	
								Encumber/Expended FY20					
								Encumber/Expended FY21	-	-	-	-	
								Total				1,118,909.00	

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Jacob I. Sage Living Trust & Cynthia F. Sage Living Trust
13-0479-PG
PIG EP - Municipal 2007 Rule
8.87 Acres

Block 31.05	Lot 18	Millstone Twp.	Monmouth County
SOILS:		Prime	81% * .15 = 12.15
		Statewide	19% * .1 = 1.90
			SOIL SCORE: 14.05
TILLABLE SOILS:		Cropland Harvested	62% * .15 = 9.30
		Woodlands	38% * 0 = .00
			TILLABLE SOILS SCORE: 9.30
FARM USE:	Crop Planting, Cultivating & Protecting	1 acres	Millet/vegetables
	Poultry & Eggs	acres	30 chicken
	Sheep & Goats	acres	19 sheep
	Bee Farms	acres	2 hives for honey

NO MOTION FOR CERTIFIED VALUE

The Township is contracted to purchase the easement for per acre.
The SADC approves a purchase price of the development easement of per acre for an estimated
The SADC % cost share pursuant to N.J.A.C. 2:76-6.11 is per acre for an estimate of
County % cost share is per acre for an estimate of
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: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (.8) acres for Existing SFR
 - Exception is not to be severed from Premises
 - Exception is to be limited to one single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions:
 1. The Trust Agreements for the Jacob I. Sage Living Trust and the Cynthia F. Sage Living Trust will need to be provided prior to requesting SADC final approval in order to verify the authority to accept the offer and sell the development rights.
 - 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. 4:10-11 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.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION # FY2025R1(5)
FINAL REVIEW AND APPROVAL OF AN SADC EASEMENT PURCHASE**

On the Property of Eventing LLC

JANUARY 23, 2025

Subject Property: **Eventing LLC**
 Block 38, Lot 1 – Tewksbury Township, Hunterdon County
 SADC ID#: 10-0299-DE

WHEREAS, on March 14, 2024, the State Agriculture Development Committee (“SADC”) received a development easement sale application from Eventing LLC, hereinafter “Owner,” identified as Block 38, Lot 1, Tewksbury Township, Hunterdon County, hereinafter “the Property,” totaling approximately 30.45 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 Owner has received the SADC Guidance Documents regarding Exceptions, Division of the Premises, and Non-Agricultural Uses; and

WHEREAS, the Property includes one (1) approximately 1-acre non-severable exception area for future flexibility but with zero (0) single family residential opportunities, resulting in approximately 29.45 net acres to be preserved, hereinafter referred to as “the Premises”; and

WHEREAS, the final acreage of the exception area shall be subject to onsite confirmation, and the Executive Director may approve the final size and location of the exception area such that the final size is not increased more than one (1) acre from, and the location remains within the substantially same footprint as, the herein-approved exception, and so long as there is no impact on the SADC certified value; and

WHEREAS, the action set forth in the preceding paragraph may be taken without the further approval of the SADC unless deemed necessary or appropriate by the Executive Director; and

WHEREAS, the 1-acre non-severable exception area:

- 1) Shall not be moved to another portion of the Premises and shall not be swapped with other land
- 2) Shall not be severed or subdivided from the Premises
- 3) Shall be limited to zero (0) single family residential units
- 4) Right-to-Farm language will be included in the Deed of Easement; and

WHEREAS, the Premises includes:

- 1) Two (2) existing single family residential units
- 2) Zero (0) Residual Dwelling Site Opportunity (RDSO)
- 3) Zero (0) agricultural labor units
- 4) No pre-existing non-agricultural uses; and

WHEREAS, the Property is currently an equine operation with approximately 17.27 acres in equine production as hay and pasture; and

WHEREAS, a specialized "Equine Schedule B" (Schedule B) and an equine map (Schedule C) will be recorded with the Deed of Easement; and

WHEREAS, the pending SADC soil protection rules set forth disturbance limits under the terms of the deed of easement of 12% or 4 acres, whichever is greater, and the preliminary soil disturbance map for the Property, based on aerial interpretation, delineated 2.63 acres (8.93%) of existing soil disturbance on the Premises (Schedule D); and

WHEREAS, staff evaluated this application for the sale of development easement in accordance with SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on October 2, 2023, which categorized applications into "Priority", "Alternate" and "Other"; and

WHEREAS, the Property does meet the SADC's Hunterdon County minimum score criteria for the "Priority" category which requires a quality score of at least 59, but the property does not meet the minimum size criteria for "Priority" or "Alternate" farm designation, which requires a minimum size of 47 and 34 respectively; therefore, this farm is categorized as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5(c)3, requiring SADC preliminary approval in accordance with N.J.A.C. 2:76-11.6(c)1.i.-iii.; and

WHEREAS, on May 23, 2024, the SADC granted Preliminary Approval to this Application; and

WHEREAS, the Property is in the Highlands Planning Area and, pursuant to N.J.S.A. 13:8C-38j., as amended by P.L. 2016, Chapter 136, applications are eligible to be appraised based on zoning and environmental conditions in place as of 01/01/2004 if the landowners, or an immediate family member, owned the property on 01/01/2004 and continuously thereafter; and

WHEREAS, the Owner acquired the Property in 2018 and, therefore, is not eligible for appraisal under zoning and environmental conditions in place as of 01/01/2004; and

WHEREAS, pursuant to N.J.A.C. 2:76-11.8, on September 26, 2024, the SADC certified a development easement value of \$14,000 per acre based on zoning and environmental regulations in place as of the current valuation date; and

WHEREAS, pursuant to P.L. 2023 c.245 and Policy No. P-56, the Interim Policy for applications pending adoption of the Statewide Farmland Preservation Formula, the SADC shall provide for the extension of deadlines and conditional approvals if requested by the Owner; and

WHEREAS, on December 16, 2024 the Owner accepted the SADC's offer of \$412,300, conditioned on Owner being provided the certified Statewide Formula Value for consideration at such time as the Statewide Formula is adopted by the SADC; and

WHEREAS, if the Owner accepts the Statewide Formula Value, an amended final approval will be necessary for the issuance of the SADC cost share grant, subject to the availability of funds; and

WHEREAS, if the Owners decide to proceed with the sale of the development easement at any time prior to the adoption of the Statewide Formula, an internal amendment to this final approval will be necessary; 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 \$14,000 per acre for a total of approximately \$412,300 subject to the conditions contained in (Schedule E).
3. The SADC's purchase price 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, easements, encroachments, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement or other superior interests (recorded or otherwise granted) in the property that conflict with the terms of the Deed of Easement or otherwise restrict the affected area's availability for a variety of agricultural uses.
4. The final acreage of the exception area shall be subject to onsite confirmation, and the Executive Director may approve final size and location of the exception area such that the size does not increase more than one (1) acre and the location remains within the substantially same footprint as the herein-approved exception, so long as there is no impact on the SADC certified value.

5. Contracts and closing documents shall be prepared subject to review by the Office of the Attorney General.
6. The SADC authorizes Chairman Edward D. Wengryn or Deputy Executive Director Charles Roohr, 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.
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.

____1/23/2025_____
Date

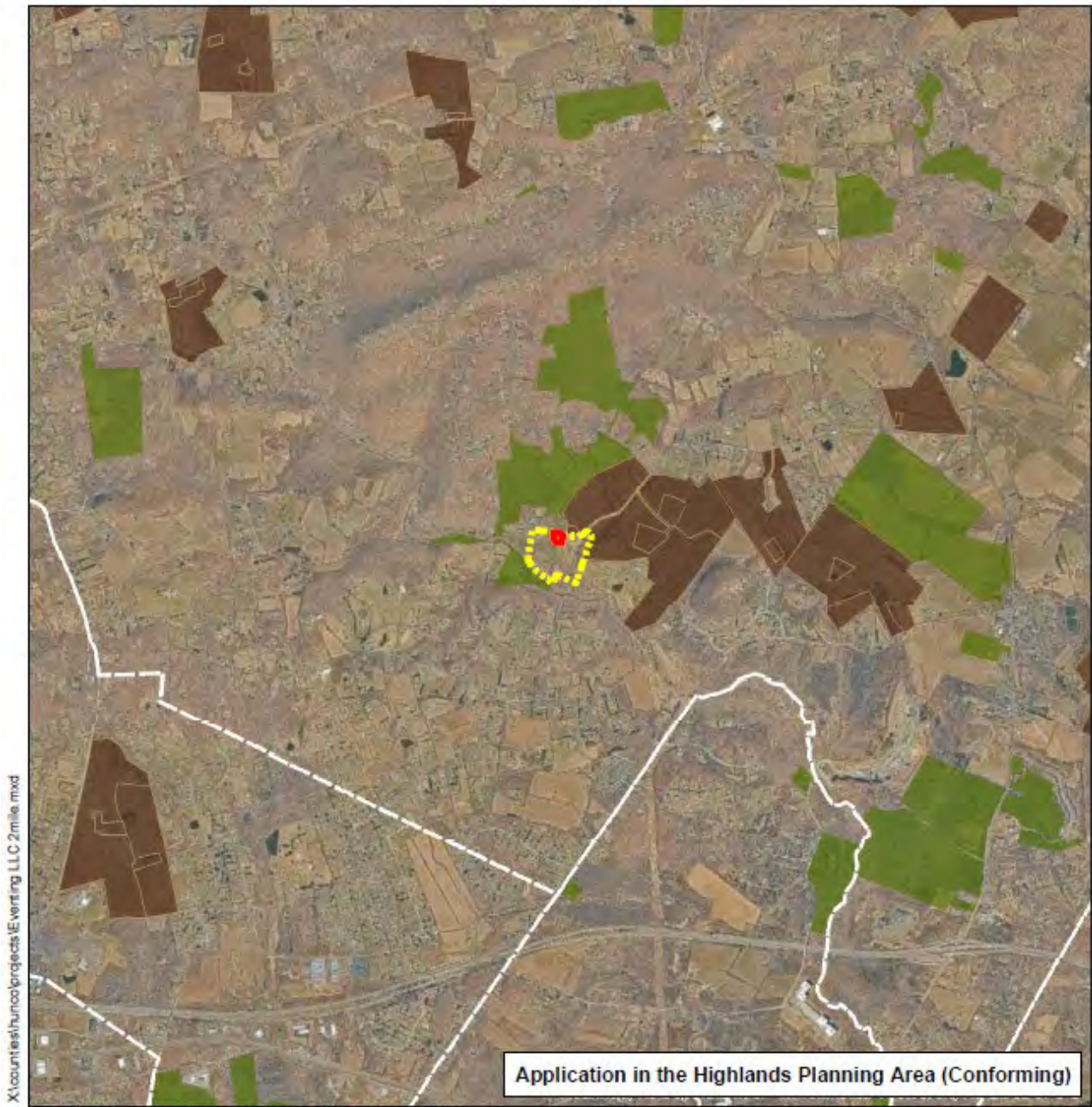


Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

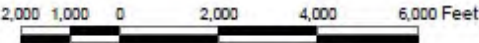
Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Rich Norz	YES
Charles Rosen	ABSENT
Tiffany Bohlin	ABSENT
Gina Fischetti (rep. DCA Commissioner Suarez)	YES
Lauren Procida (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Edward D. Wengryn, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Evening LLC
Block 38 Lots P/O 1 (29.45 ac) &
P/O 1-EN (non-severable exception - 1.0 ac)
Gross Total = 30.45 ac
Tewksbury Twp., Hunterdon County



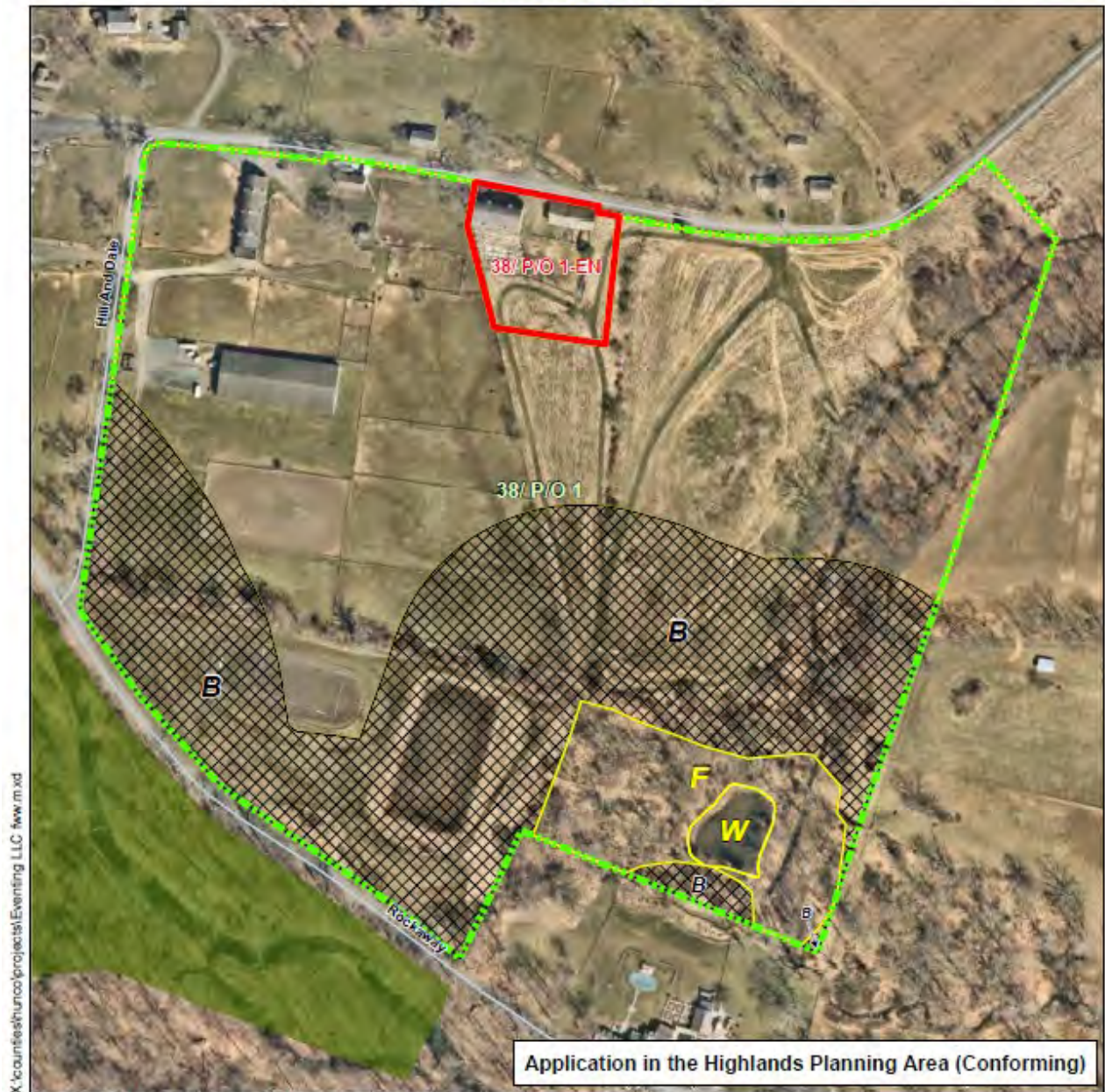
NOTE:
The parcel location and boundaries shown on this map are approximate and should not be construed to be a land survey as defined by the New Jersey Board of Professional Engineers and Land Surveyors



- Property In Question
- Exceptions
- Preserved Easements
- Transfer Development Rights (TDR) Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County, Pinelands & Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements

Sources:
NJ Farmland Preservation Program
NJDOT Parcel data
NJDEP Conservation/Open Space Easement Data
NJ Highlands Council Data
NJDOT/Neat Map 2023 Digital Aerial Image

Wetlands



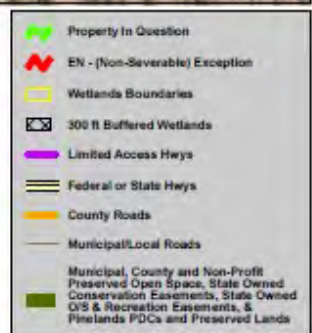
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Eventing LLC
Block 38 Lots P/O 1 (29.45 ac) &
P/O 1-EN (non-severable exception - 1.0 ac)
Gross Total = 30.45 ac
Tewksbury Twp., Hunterdon County

200 100 0 200 400 Feet

Sources:
NJ Farmland Preservation Program
NJDOT Parcel added to adjacent survey data
Green Acres Conservation Easement Data
NJDEP 2020 Landcover/Landcover Data
NJDEP Open Space
NJDOT Road Data
NJ Highlands Council Data
NJDOT Near Map 2023 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 geospatial 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 true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend:
F - Freshwater Wetlands
M - Wetlands Modified for Agriculture
N - Non-Wetlands
B - 300' Buffer
W - Water

April 5, 2024

SCHEDULE B

Grantor certifies that at the time of the application to sell the development easement to the Grantee and at the time of the execution of this Deed of Easement the following uses occur on the Premises:

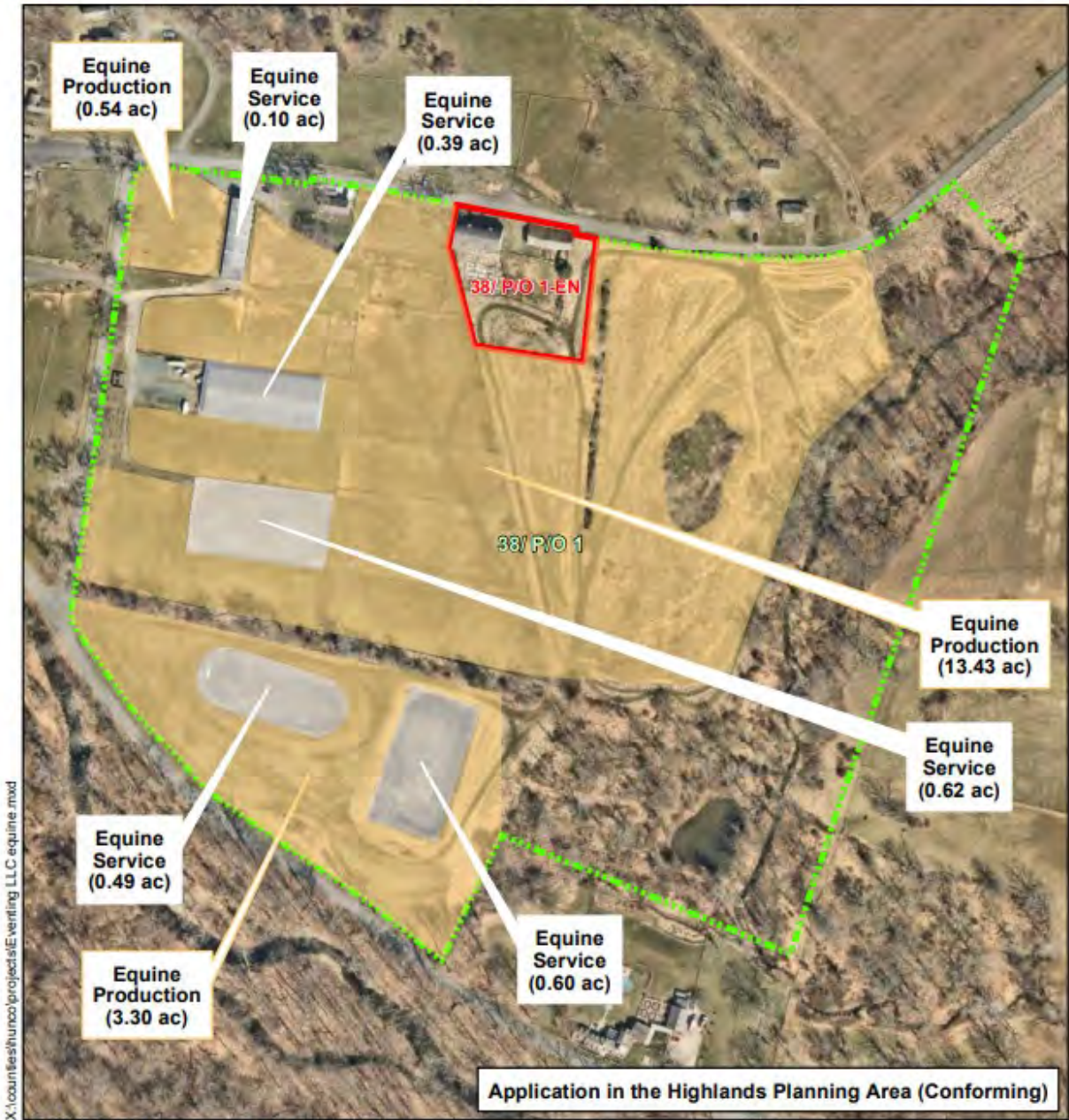
Horseback riding lessons, boarding, training and schooling horses, in arenas and stalls as depicted on Schedule B1.

Grantor further certifies that the above uses (hereinafter "equine service activities") are currently ancillary to equine-related production, including pasturing and hay production. "Ancillary" means that the area of land on which equine service activities are conducted is subordinate, secondary and auxiliary in comparison to the area of the farm devoted to equine production activities.

Grantor understands and agrees that because the equine service activities are ancillary to equine-related production, the said equine service activities are deemed agricultural uses and are not currently subject to the restrictions placed on non-agricultural uses in Paragraphs 3 and 4 of the Deed of Easement. The areas occupied by equine service activities and equine production activities are depicted in Schedule B1.

Grantor also understands and agrees that if, in the future, equine service activities are no longer "ancillary" as defined above, then the equine service activities will be deemed non-agricultural and will be subject to the restrictions contained in Paragraphs 3 and 4 of the Deed of Easement.

Equine Areas



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Eventing LLC
Block 38 Lots P/O 1 (29.45 ac) &
P/O 1-EN (non-severable exception - 1.0 ac)
Gross Total = 30.45 ac
Tewksbury Twp., Hunterdon County



	Property In Question
	EN - (Non-Severable) Exception
	Equine Production - 17.27 ac
	Equine Service - 2.20 ac

200 100 0 200 400 Feet

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 geodetic 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 true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
NJ Farmland Preservation Program
NJOTI Parcel Data
NJDOT Road Data
NJOTI/Near Map 2023 Digital Aerial Image

April 5, 2024

Preliminary Soil Disturbance Map



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Eventing LLC
Block 38 Lots P/O 1 (29.45 ac) & P/O 1-EN (non-severable exception - 1.0 ac)
Gross Total = 30.45 ac
Tewksbury Twp., Hunterdon County

Estimated Easement Acres: 29.45
Total Disturbance Acres (Does not include exception areas): 3.07
Percent of Disturbance: 10.42%

	Extent of Disturbance
	Easement Area
	Exception Area



DISCLAIMER: This product was created using the most current available mapping. The accuracy of the mapping data contained in this product shall not, nor is intended to, be relied upon in matters requiring representation of the location of true dimensions and physical features, as would be obtained from a survey performed by a licensed New Jersey land surveyor.

Sources:
Farmland Preservation Program Data
NJDOT Road Data
Nearmap 2023 Digital Aerial

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Eventing LLC
Easement Purchase - SADC
29.45 Acres

Block 38	Lot 1	Tewksbury Twp.	Hunterdon County	
SOILS:		Other	32% * 0	- .00
		Prime	48% * .15	- 7.20
		Statewide	20% * .1	- 2.00
				SOIL SCORE: 9.20
TILLABLE SOILS:		Cropland Harvested	58% * .15	- 8.70
		Other	16% * 0	- .00
		Wetlands/Water	26% * 0	- .00
				TILLABLE SOILS SCORE: 8.70
FARM USE:				

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 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 flexibility & other buildings

Exception is not to be severable from Premises

Exception is to be limited to zero 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.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2025R1(7)

**Preliminary Approval of SADC Easement Purchase on an "OTHER" FARM on the Property of
Schmitt, Sara E. - SADC ID#: 10-0302-DE**

JANUARY 23, 2025

WHEREAS, pursuant to N.J.A.C. 2:76-11.3(a), an owner of farmland may offer to sell to the State Agriculture Development Committee ("SADC") a development easement on the farmland; and

WHEREAS, on September 26, 2024, the SADC received a development easement sale application from Sara E. Schmitt, hereinafter "Owner," for the property identified as Block 95, Lot 4.01, Clinton Township, Hunterdon County, hereinafter "the Property," totaling approximately 29.94 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes one (1), approximately 4.5 acre non-severable exception area for and limited to one (1) existing single family residential unit, one (1) future barn apartment and to afford future flexibility of uses resulting in approximately 25.44 net acres to be preserved; 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, the Property is currently an equine operation with approximately 25.44 acres in equine production as pasture; and

WHEREAS, the only equine service (boarding services, lessons and riding ring) take place within the 4.5 acre non-severable; and

WHEREAS, the Property is in the Highlands Planning Area and, pursuant to N.J.S.A. 13:8C-38j., as amended by P.L. 2016, Chapter 136, applications are eligible to be appraised based on zoning and environmental conditions in place as of 01/01/2004 if the landowners, or an immediate family member, owned the property on 01/01/2004 and continuously thereafter; and

WHEREAS, the property was acquired by the Owner in 2021 and, therefore, as the Owner is not eligible for an appraisal of the subject property pursuant to N.J.S.A. 13:8C-38j. and must be appraised only under current zoning and environmental conditions.

WHEREAS, the Owners' application has been evaluated in accordance with N.J.A.C. 2:76-6.16, SADC Policy P-14-E, Prioritization criteria, and the State Acquisition Selection Criteria approved by the SADC on October 2, 2023, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property, has a quality score of 61.39 and contains approximately 25.44 net acres (Schedule B); and

WHEREAS, the Property does meet the SADC's Hunterdon County minimum score criteria for the "Priority" category which requires a quality score of at least 59, but the property does not meet the minimum size criteria for "Priority" or "Alternate" farm designation, which requires a minimum size of 47 and 34 respectively; therefore, this farm is categorized as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5(c)3, requiring SADC preliminary approval in accordance with N.J.A.C. 2:76-11.6(c)1i. through iii; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and, pursuant to N.J.A.C. 2:76-11.5(b), (c)1 and (c)2, there are no "priority" or "alternate" ranked applications that have not already been selected for processing at this time; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC approves selecting the Property for processing as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5 (b) and (c)2 because the farm:
 - a. has a quality score of 61.36, which is above minimum ranking criteria for a "Priority" farm in Hunterdon County; and
 - b. has approximately 83% Prime soils; and
 - c. is in the Highlands Planning Area and Clinton Township has confirmed its ordinances to be in conformance with the Highland Master Plan; and
 - d. is a compatible use with the extensive open space preservation efforts along the Raritan River; and
3. The SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:
 - a. Enter into a 120-day option agreement with the Landowner;
 - b. Secure two independent appraisals to estimate the fair market value of the Property;
 - c. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC
4. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
5. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

__1/23/2025__
Date


Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Rich Norz	YES
Charles Rosen	ABSENT
Tiffany Bohlin	ABSENT
Gina Fischetti (rep. DCA Commissioner Suarez)	YES
Lauren Procida (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Edward D. Wengryn, Chairperson	YES



Schmitt, Sara E.
Block 95 Lots P/O 4.01 (25.44 ac);
P/O 4.01-EN (non-severable exception - 4.50 ac)
Gross Total = 29.94 ac
Clinton Twp., Hunterdon 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 geometric accuracy and precision of the GIS data contained in this web browser is not guaranteed. Any use of this data for legal or financial purposes requiring definitive and accurate horizontal and/or vertical coordinates would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Sources:
NJ Farmland Preservation Program
NJDOT "Pavement and MOD-Ar Composites of New Jersey"
Pavement from 2007 description
Great Jersey Conservation Easement Data
NJDEP Open Space (Various Layers)
NJ Highlands Council "Preservation and Planning Area"
New Map "Vertical Aerial Images 2014"

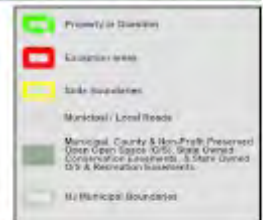
Soils



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Schmitt, Sara E.
Block 95 Lots P/O 4.01 (25.44 ac);
P/O 4.01-EN (non-severable exception - 4.50 ac)
Gross Total = 29.94 ac
Clinton Twp., Hunterdon County

0 100 200 400 600 Feet



Sources:
NJ Farmland Preservation Program
NJDOT Parcels and MCDOT Composites of Non-Residential
Parcels from deed data
NRCS "SSURGO 2013 Soil Data"
NJDOT "Road Centerlines of NJ" (October, 2020)
NJ State Map "Vertical Aerial Imagery 2024"

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and georeferenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial 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 determination and location of true ground. Horizontal and/or vertical control as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

11/15/2024

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Hunterdon Clinton Twp. 1006

APPLICANT Schmitt, Sara E.

PRIORITIZATION SCORE

SOILS:		Other	17%	*	0	=	.00	
		Prime	83%	*	.15	=	12.45	
								SOIL SCORE: 12.45
TILLABLE SOILS:		Cropland Pastured	37%	*	.15	=	5.55	
		Wetlands/Water	32%	*	0	=	.00	
		Woodlands	31%	*	0	=	.00	
								TILLABLE SOILS SCORE: 5.55
BOUNDARIES		Farmland (Unrestricted)	22%	*	.06	=	1.32	
AND BUFFERS:		Preserved state, local open space/wildlife	32%	*	.18	=	5.76	
		Residential Development	3%	*	0	=	.00	
		Streams and Wetlands	14%	*	.18	=	2.52	
		Woodlands	29%	*	.06	=	1.74	
								BOUNDARIES AND BUFFERS SCORE: 11.34
CONTIGUOUS		Schmitt	Restricted Farm or Current Application				2	
PROPERTIES		Becker	Restricted Farm or Current Application				2	
/ DENSITY:		Vartikar-McCullough	Restricted Farm or Current Application				2	
		Volk	Restricted Farm or Current Application				2	
		Cherryville Farm	Restricted Farm or Current Application				2	
								DENSITY SCORE: 10.00
LOCAL COMMITMENT:			100%	*	20	=	20.00	
								LOCAL COMMITMENT SCORE: 20.00
SIZE:							SIZE SCORE: 2.02	
IMMIMENCE OF CHANGE: SADC Impact factor = 0								
								IMMINENCE OF CHANGE SCORE: .00
COUNTY RANKING:								
EXCEPTIONS:							EXCEPTION SCORE: .00	
TOTAL SCORE:							61.36	

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2025R1(6)

Preliminary Approval of SADC Easement Purchase on an "OTHER" FARM on the Property of
Clerico Farm, LLC - SADC ID#: 18-0037-DE

January 23, 2025

WHEREAS, pursuant to N.J.A.C. 2:76-11.3(a), an owner of farmland may offer to sell to the State Agriculture Development Committee ("SADC") a development easement on the farmland; and

WHEREAS, on October 23, 2024, the SADC received a development easement sale application from Clerico Farm, LLC, hereinafter "Owner," for the property identified as Block 200.10, Lot 20, Hillsborough Township, Somerset County, hereinafter "the Property," totaling approximately 38.77 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes one (1), approximately 2.8-acre non-severable exception area for and limited to one (1) existing and one (1) future single family residential units and to afford future flexibility of uses resulting in approximately 35.97 net acres to be preserved; and

WHEREAS, at the time of application, the Property was in soybean and hazelnut production; and

WHEREAS, the Owners' application has been evaluated in accordance with N.J.A.C. 2:76-6.16, SADC Policy P-14-E, Prioritization criteria, and the State Acquisition Selection Criteria approved by the SADC on October 2, 2023, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property, has a quality score of 65.79 and contains approximately 35.97 net acres (Schedule B); and

WHEREAS, the Property does meet the SADC's Somerset County minimum score criteria for the "Priority" category which requires a quality score of at least 55, but the property does not meet the minimum size criteria for "Priority" or "Alternate" farm designation, which requires a minimum size of 55 and 42 respectively; therefore, this farm is categorized as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5(c)3, requiring SADC preliminary approval in accordance with N.J.A.C. 2:76-11.6(c)1i. through iii; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and, pursuant to N.J.A.C. 2:76-11.5(b), (c)1 and (c)2, there are no "priority" or "alternate" ranked applications that have not already been selected for processing at this time; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC approves selecting the Property for processing as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5 (b) and (c)2 because the farm:
 - a. has a quality score of 65.79, which is above minimum ranking criteria for a "Priority" farm in Somerset County;
 - b. has approximately 33% Prime soils and 66% farmland of local importance;
 - c. is within the County Agriculture Development Area is in a community with a significant investment in farmland preservation; and

3. The SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:
 - a. enter into a 120-day option agreement with the Landowner;
 - b. secure two independent appraisals to estimate the fair market value of the Property;
 - c. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.
4. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
5. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1/23/2025
Date


Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Rich Norz	RECUSED
Charles Rosen	ABSENT
Tiffany Bohlin	ABSENT
Gina Fischetti (rep. DCA Commissioner Suarez)	YES
Lauren Procida (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Edward D. Wengryn, Chairperson	YES



12/07/2004

Wetlands



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Clerico Farm, LLC
Block 200.10 Lots P/O 20 (35.97 ac); &
P/O 20-EN (non-severable exception - 2.8 ac)
Gross Total = 38.77 ac
Hillsborough Twp., Somerset County

0 100 200 400 600
Feet



Wetlands Legend:
F - Freshwater Wetlands
M - Marine Wetlands
U - Upland Wetlands
W - Water
N - Non-Wetlands

Titleblock Disclaimer:
The wetlands depicted on this map were derived from NJDEP's Wetlands data downloaded from the NJDEP's Wetlands Data Portal. These features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Wetlands Management, can perform an official determination of Wetlands/Exception claims.

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

Sources:
NJ Farmland Preservation Program
NJDEP "Wetlands and 1800-A-Corporation of New Jersey"
NJDEP "Wetlands/Landmarks of New Jersey 2020"
NJDOT "Road Centerlines of NJ, Project 3424"
Esri/ArcMap "Vertical-Axis Imagery 2024"

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Somerset Hillsborough Twp. 1810

APPLICANT Clerico Farm, LLC

PRIORITIZATION SCORE

SOILS:	Local	71% + .05 = 3.55
	Prime	28% + .15 = 4.20
	Statewide	1% + .1 = .10
		SOIL SCORE: 7.85
TILLABLE SOILS:	Cropland Harvested	91% + .15 = 13.65
	Other	% + 0 =
	Wetlands/Water	4% + 0 = .00
	Woodlands	5% + 0 = .00
		TILLABLE SOILS SCORE: 13.65
BOUNDARIES AND BUFFERS:	Farmland (Unrestricted)	6% + .06 = .36
	Highways and Railroads	14% + .1 = 1.40
	Residential Development	13% + 0 = .00
	Woodlands	47% + .06 = 2.82
	Streams and Wetlands	20% + .18 = 3.60
		BOUNDARIES AND BUFFERS SCORE: 8.18
CONTIGUOUS PROPERTIES / DENSITY:	Clerico Farm LLC	Restricted Farm or Current Application 2
	Heflich/DiBianca	Restricted Farm or Current Application 2
	Van Nuys 1	Restricted Farm or Current Application 2
	Warke Estate	Restricted Farm or Current Application 2
	Van Nuys 2	Restricted Farm or Current Application 2
		DENSITY SCORE: 10.00
LOCAL COMMITMENT:	100% + 20 = 20.00	
		LOCAL COMMITMENT SCORE: 20.00
SIZE:		SIZE SCORE: 2.28
IMMIMENCE OF CHANGE: SADC Impact factor = 3.83		
		IMMINENCE OF CHANGE SCORE: 3.83
COUNTY RANKING:		
EXCEPTIONS:		EXCEPTION SCORE: .00
TOTAL SCORE:		65.79

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2025R1(8)

**Preliminary Approval of SADC Easement Purchase on an "OTHER" FARM on the Property of
Yarrington, John Peter - SADC ID#17-0393-DE**

JANUARY 23, 2025

WHEREAS, pursuant to N.J.A.C. 2:76-11.3(a), an owner of farmland may offer to sell to the State Agriculture Development Committee ("SADC") a development easement on the farmland; and

WHEREAS, on June 17, 2024, the SADC received a development easement sale application from John Peter Yarrington, hereinafter "Owner," for the property identified as Block 69, Lot 19, Upper Pittsgrove Township, Salem County, hereinafter "the Property," totaling approximately 57.84 gross acres, identified in (Schedule A); and

WHEREAS, the Property includes one (1), approximately 4 acre severable exception area for and limited to one existing single family residential unit and to afford future flexibility of uses and one (1), approximately 4.33 acre non-severable exception area for and limited to zero single family residential units and to afford future flexibility of uses resulting in approximately 49.51 net acres to be preserved; 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 and Christmas tree production; and

WHEREAS, the Owners' application has been evaluated in accordance with N.J.A.C. 2:76-6.16, SADC Policy P-14-E, Prioritization criteria, and the State Acquisition Selection Criteria approved by the SADC on October 2, 2023, which categorizes applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property, has a quality score of 66.43 and contains approximately 57.84 net acres (Schedule B); and

WHEREAS, the Property does meet the SADC's Salem County minimum score criteria for the "Priority" category which requires a quality score of at least 61, but the property does not meet the minimum size criteria for "Priority" or "Alternate" farm designation, which requires a minimum size of 94 and 69 respectively; therefore, this farm is categorized as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5(c)3, requiring SADC preliminary approval in accordance with N.J.A.C. 2:76-11.6(c)1i. through iii; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and, pursuant to N.J.A.C. 2:76-11.5(b), (c)1 and (c)2, there are no "priority" or "alternate" ranked applications that have not already been selected for processing at this time; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC approves selecting the Property for processing as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5 (b) and (c)2 because the farm:
 - a. has a quality score of 66.84, which is above minimum ranking criteria for a "Priority" farm in Salem County;
 - b. has approximately 73% Prime soils and 18% Statewide Important soils; and
 - c. is within the County Agriculture Development Area.
 - d. is located immediately adjacent to another preserved farm and is in a community with a significant investment in farmland preservation.
 - e. the SADC believes that the conversion of the farm to non-agricultural use would likely cause a substantial negative impact on the public investment made in farmland preservation within the project area.
3. The SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:
 - a. Enter into a 120-day option agreement with the Landowner;
 - b. Secure two independent appraisals to estimate the fair market value of the Property;
 - c. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.
4. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
5. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

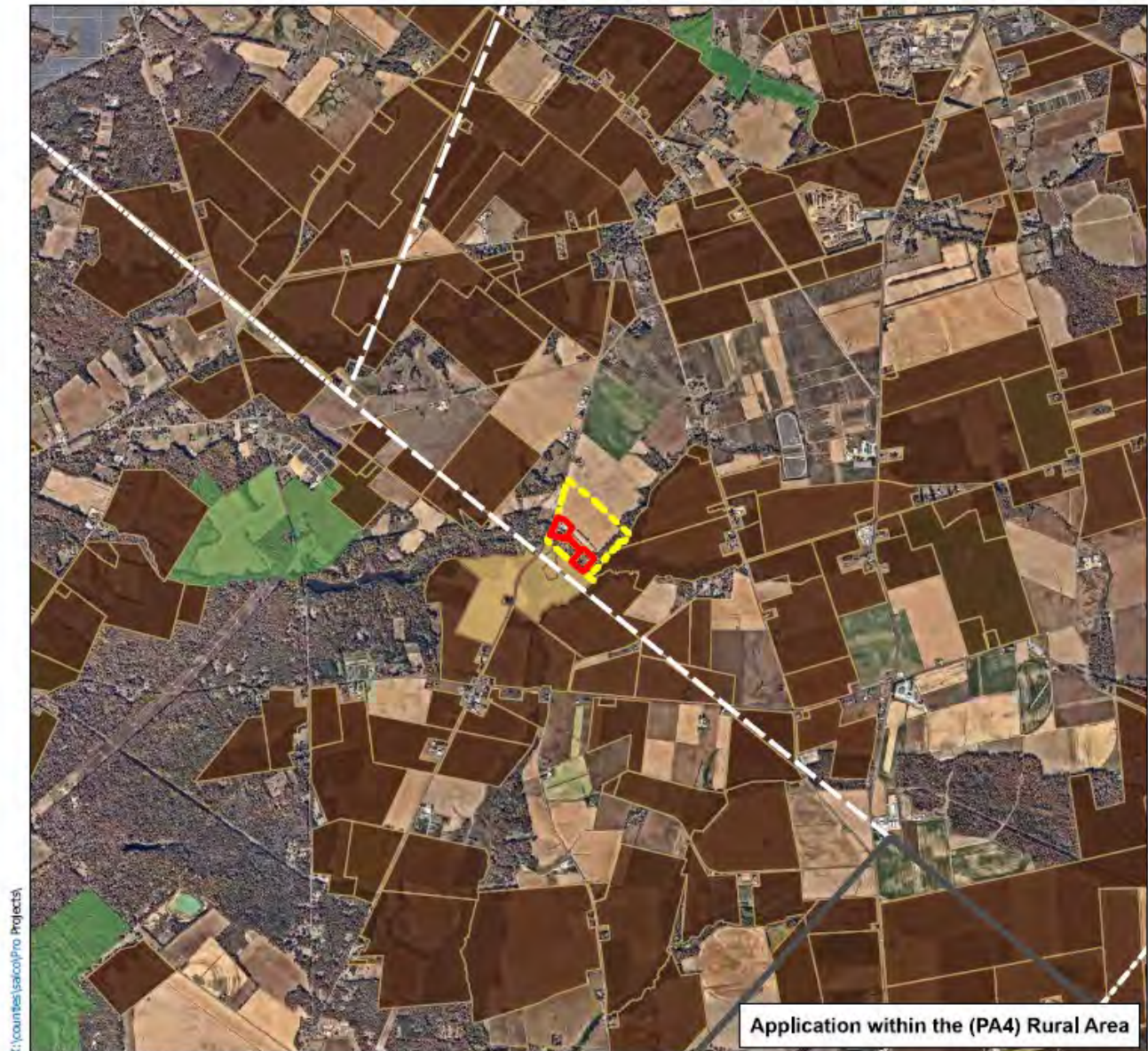
___1/23/2025___
Date


Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Rich Norz	YES
Charles Rosen	ABSENT
Tiffany Bohlin	ABSENT
Gina Fischetti (rep. DCA Commissioner Suarez)	YES
Lauren Procida (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Edward D. Wengryn, Chairperson	YES

Preserved Farms and Active Applications Within Two Miles



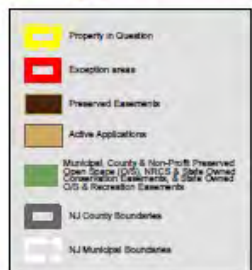
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Yarrington, John Peter
Block 69 Lot(s) P/O 19 (49.51 ac); &
P/O 19-EN (non-severable exception - 4.33ac); &
P/O 19-ES (severable exception - 4.00 ac)
Gross Total = 57.84 ac
Upper Pittsgrove Twp., Salem County

0 1250 2500 5000 7500
Feet

Sources:
NJ Farmland Preservation Program
NJOT "Parcels and MOD-IV Composite of New Jersey" - edited to adjacent survey data
NJNG "Pipelines August 2019"
National Pipeline Mapping System Pipeline Data
Green Acres Conservation Easement Data
NRCS Preserved Easements
NJDEP Open Space (Various Layers)
Near Map "Vertical Aerial Imagery 2024"

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 geodetic 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 true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands



X:\counties\salem\Pro Projects\Yarrington, John Peter.aprx

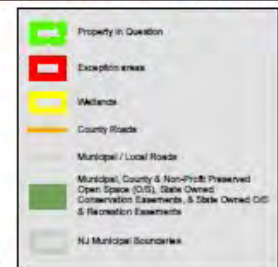
FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Yarrington, John Peter
Block 69 Lot(s) P/O 19 (49.51 ac); &
P/O 19-EN (non-severable exception - 4.33ac); &
P/O 19-ES (severable exception - 4.00 ac)
Gross Total = 57.84 ac
Upper Pittsgrove Twp., Salem County

0 100 200 400 600
Feet

Sources:
NJ Farmland Preservation Program
NJOT "Parcels and MOD-V Composite of New Jersey"
- edited to adjacent parcel data
NJDEP "Wetlands Claim Line of NJ"
NJDEP "Landcover of New Jersey 2007"
NJDOT "Road Centerlines of NJ, Project, 3424"
Aerial Map: Vertical Aerial Imagery 2004"

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 geospatial 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 true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend
F - Freshwater Wetlands
M - Wetlands Modified for Agriculture
U - Upland Non-Wetlands
W - Wetlands Non-Wetlands
B - 300' Buffer
V - Vactor

12/20/2024

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Salem Upper Pittsgrove Twp. 1714

APPLICANT Yarrington, John Peter

PRIORITIZATION SCORE

SOILS:	Other	1% *	0	=	.00
	Prime	74% *	.15	=	11.10
	Statewide	17% *	.1	=	1.70
	Unique zero	8% *	0	=	.00

SOIL SCORE: 12.80

TILLABLE SOILS:	Cropland Harvested	71% *	.15	=	10.65
	Wetlands/Water	6% *	0	=	.00
	Woodlands	23% *	0	=	.00

TILLABLE SOILS SCORE: 10.65

BOUNDARIES	Deed Restricted Farmland (Permanent)	22% *	.2	=	4.40
AND BUFFERS:	EP Applications	20% *	.13	=	2.60
	Farmland (Unrestricted)	45% *	.06	=	2.70
	Residential Development	5% *	0	=	.00
	Woodlands	8% *	.06	=	.48

BOUNDARIES AND BUFFERS SCORE: 10.18

CONTIGUOUS	Yarrington, John Peter	Restricted Farm or Current Application	2
PROPERTIES	HowellWentzelle	Restricted Farm or Current Application	2
/ DENSITY:	Melchert	Restricted Farm or Current Application	2
	Simkins	Restricted Farm or Current Application	2
	Elwell	Restricted Farm or Current Application	2

DENSITY SCORE: 10.00

LOCAL COMMITMENT:	100% *	20	=	20.00
--------------------------	--------	----	---	-------

LOCAL COMMITMENT SCORE: 20.00

SIZE:				SIZE SCORE: 1.96
--------------	--	--	--	-------------------------

IMMIMENCE OF CHANGE: SADC Impact factor = 1.84**IMMINENCE OF CHANGE SCORE: 1.84****COUNTY RANKING:**

EXCEPTIONS:	EXCEPTION SCORE: -1.00
--------------------	-------------------------------

TOTAL SCORE: 66.43

**STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION #FY2025R1(9)**

**Preliminary Approval of SADC Easement Purchase on an “OTHER” FARM on the Property of
Reed’s Organic Farm - SADC ID#: 01-0044-DE**

JANUARY 23, 2025

WHEREAS, pursuant to N.J.A.C. 2:76-11.3(a), an owner of farmland may offer to sell to the State Agriculture Development Committee (“SADC”) a development easement on the farmland; and

WHEREAS, on January 14, 2021, the SADC received a development easement sale application from Reed’s Organic Farm, hereinafter “Owner,” for the property identified as Block 3801, Lots 28, 54, 55, 56, 57, 58; Block 3803 Lots 4, 5; Block 3701 Lot 26, Egg Harbor Township, Atlantic County, hereinafter “the Property,” totaling approximately 72.9 gross acres, identified in (Schedule A); and

WHEREAS, the Property is owned by Caring Inc., but is operated by A Meaningful Purpose, Inc, a nonprofit corporation “founded in 2020 to address the needs of food insecurity, soil regeneration, and community inclusiveness in Atlantic County, NJ. This mission is carried out at the historic Reed's Farm, continuing a legacy of local food production in the region”; and

WHEREAS, Caring Inc. has authorized A Meaningful Purpose, Inc. to submit the application for farmland preservation and if the offer is accepted may facilitate the transition of ownership of the Reed’s Farm to A Meaningful Purpose, Inc.; and

WHEREAS, the Property includes one (1), approximately 6 acre non-severable exception area to afford future flexibility of uses and limited to zero (0) future single family residential units and resulting in approximately 66.9 net acres to be preserved; and

WHEREAS, the nonprofit provides educational initiatives and vocational programs on the farm that are part of the agricultural operation and also hosts classes, workshops and events in the proposed nonseverable exception area; and

WHEREAS, the portion of the Property outside the exception area includes one (1) single family residential unit and zero (0) agricultural labor units; and

WHEREAS, the nonprofit operating the farm has an office within the single family residential unit that will be recited in Schedule B and restricted by the farmland Deed of Easement as a nonagricultural use should the property proceed to preservation; and

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

WHEREAS, the Owners’ application has been evaluated in accordance with N.J.A.C. 2:76-6.16, SADC Policy P-14-E, Prioritization criteria, and the State Acquisition Selection Criteria approved by the SADC on October 2, 2023, which categorizes applications into “Priority”, “Alternate” and “Other” groups; and

WHEREAS, the Property, has a quality score of 44.87 and contains approximately 66.9 net acres (Schedule B); and

WHEREAS, the Property does meet the SADC’s Atlantic County minimum size criteria for the “Priority” category which requires at least 48 acres, but because Atlantic County did not submit individual farm applications within the previous three funding cycles, there is no average quality

score for Atlantic County, resulting in the need for SADC preliminary approval; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20 and, pursuant to N.J.A.C. 2:76-11.5(b), (c)1 and (c)2, there are no "priority" or "alternate" ranked applications that have not already been selected for processing at this time; and

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs set forth above are incorporated herein by reference.
2. The SADC approves selecting the Property for processing as an "Other" farm, pursuant to N.J.A.C. 2:76-11.5 (b) and (c)2 because the farm:
 - a. Is the last large farm in the township and is significantly larger than the average farm size and acreage criteria for a "Priority" farm in Atlantic County;
 - b. has approximately 77% Statewide Important soils and 20% soils of unique importance; and
 - c. is providing access to agricultural education and organic produce to those in the local community who otherwise may not have access to it.
3. The SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:
 - a. Enter into a 120-day option agreement with the Landowner;
 - b. Secure two independent appraisals to estimate the fair market value of the Property;
 - c. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC
4. This approval is considered a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.
5. This action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1/23/2025
Date


Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Martin Bullock	YES
Scott Ellis	YES
Pete Johnson	YES
Rich Norz	YES
Charles Rosen	ABSENT
Tiffany Bohlin	ABSENT
Gina Fischetti (rep. DCA Commissioner Suarez)	YES
Lauren Procida (rep. DEP Commissioner LaTourette)	YES
Julie Krause (rep. State Treasurer Muoio)	ABSENT
Brian Schilling (rep. Executive Dean Lawson)	YES
Edward D. Wengryn, Chairperson	YES

Project Map



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Reed's Organic Farm
Block 3701 Lot 26 (2.9 ac);
Block 3801 Lots 28 (6.5 ac); 54 (6.3 ac); 55 (1.9 ac); P/O 56 (11.2 ac);
57 (3.0 ac); & 58 (6.9 ac)
Block 3803 Lots 4 (24.5 ac) & 5 (2.9 ac)
P/O 56-EN 6 acre non-severable exception
Gross Total = 72.9 ac
Egg Harbor Twp., Atlantic County

500 250 0 500 1,000 Feet

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 geodetic 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 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
- Soils 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

Sources:
NRCS - SSURGO 2018 Soil Data
NJ Pinelands Commission POC Data
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJDOT Road Data
NJDOTIGIS 2015 Digital Aerial Image

December 30, 2020

Preserved Farms and Active Applications Within Two Miles



X:\counties\atlco\projects\Reed's Organic Farm 2mile 2.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Reed's Organic Farm
Block 3701 Lot 26 (2.9 ac);
Block 3801 Lots 28 (6.5 ac); 54 (6.3 ac); 55 (1.9 ac); P/O 56 (17.2 ac);
P/O 56-EN (non-severable exception - 0.8 ac); 57 (3.0 ac); & 58 (6.9 ac)
Block 3803 Lots 4 (24.5 ac) & 5 (2.9 ac)
Gross Total = 72.9 ac
Egg Harbor Twp., Atlantic County

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

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

- Property In Question
- Exceptions
- Preserved Easements
- Transfer Development Rights (TDR)
- Preserved: Highlands, Pinelands and Municipal
- Active Applications
- County Boundaries
- Municipal Boundaries
- Municipal, County and Non-Profit Preserved Open Space, State Owned Conservation Easements, & State Owned O/S & Recreation Easements



Sources:
NJ Farmland Preservation Program
Green Acres Conservation Easement Data
Protected Areas Database of the United States (PAD-US)
NJOT/OGIS 2015 Digital Aerial Image

January 21, 2021

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Atlantic Egg Harbor Twp. 0108
APPLICANT Reed's Organic Farm

PRIORITIZATION SCORE

SOILS:	Other	.5% *	0	=	.00	
	Prime	1.5% *	.15	=	.23	
	Statewide	77% *	.1	=	7.70	
	Unique zero	21% *	0	=	.00	
						SOIL SCORE: 7.93
TILLABLE SOILS:	Cropland Harvested	81% *	.15	=	12.15	
	Wetlands/Water	11% *	0	=	.00	
	Woodlands	8% *	0	=	.00	
						TILLABLE SOILS SCORE: 12.15
BOUNDARIES AND BUFFERS:	Preserved state, local open space/wildlife	19% *	.18	=	3.42	
	Residential Development	52% *	0	=	.00	
	Streams and Wetlands	25% *	.18	=	4.50	
	Woodlands	4% *	.06	=	.24	
						BOUNDARIES AND BUFFERS SCORE: 8.16
CONTIGUOUS PROPERTIES / DENSITY:	No Points				0	
						DENSITY SCORE: .00
LOCAL COMMITMENT:		100% *	11	=	11.00	
						LOCAL COMMITMENT SCORE: 11.00
SIZE:						SIZE SCORE: 5.63
IMMIMENCE OF CHANGE:						IMMINENCE OF CHANGE SCORE: .00
COUNTY RANKING:						
EXCEPTIONS:						EXCEPTION SCORE: .00
						TOTAL SCORE: 44.87