

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**  
**Department of Agriculture**  
**Market and Warren Streets**  
**1<sup>st</sup> Floor Auditorium**  
**Trenton, NJ 08625**

**REGULAR MEETING**

**November 4, 2010**

Chairman Fisher called the meeting to order at 9:15 a.m. In compliance with the "Open Public Meetings Notice", the following statement was read:

"Pursuant to N.J.S.A. 10:4-6 et seq., adequate public notice of this meeting has been provided by giving written notice of the time, date, location and, to the extent known, the agenda. At least 48 hours in advance, this notice has been posted on the public announcement board, third floor, Health/Agriculture building, John Fitch Plaza, Trenton, NJ, mailed and/or faxed to the Newark Star Ledger, the Times of Trenton, the Camden Courier Post, and filed with the Office of the Secretary of State."

Roll call indicated the following:

**Members Present**

Douglas H. Fisher, Chairperson  
Richard Boornazian (rep. DEP Commissioner Martin)  
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff)  
Brian Schilling (rep. Executive Dean Goodman)  
James Requa (rep. DCA Commissioner Grifa)  
Denis C. Germano, Esq.  
Alan Danser  
Torrey Reade  
Stephen P. Dey  
Jane Brodhecker  
James Waltman (Left meeting at 3:00 p.m.)

**Members Absent**

None

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Susan E. Craft, Executive Director  
Jason Stypinski, Deputy Attorney General

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**Others present as recorded on the attendance sheet:** Robert Baumley, Heidi Winzinger, Charles Roohr, Edgar Madsen, Ed Ireland, Timothy Brill, Cassandra McCloud, Daniel Knox, Bryan Lofberg, Dave Kimmel, Patricia Riccitello and Sandy Giambrone, SADC staff, Daniel Pace, Mercer County Agriculture Development Board, Thomas Hower, Governor's Authorities Unit, Harriet Honigfeld, Monmouth County Agriculture Development Board, Barbara Ernst, Cape May County Agriculture Development Board, Robert Resker, Warren County Agriculture Development Board, Glorianne Robbi, East Amwell Township, Hunterdon County, Nicole Goger, New Jersey Farm Bureau, Amy Hansen, New Jersey Conservation Foundation, Scott Hunter, New Jersey Board of Public Utilities, Michael Dippolito, Landowner, East Amwell Township, Hunterdon County, Liz Durkin, Warren County, Eric Zwerling, Rutgers.

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### Minutes

- A. SADC Regular Meeting of September 23, 2010 (Open Session and Closed Session)

It was moved by Dr. Dey and seconded by Mr. Waltman to approve the open session minutes and the closed session minutes of the SADC regular meeting of July 22, 2010. The motion was approved (Mr. Danser abstained.)

### REPORT OF THE CHAIRPERSON

Chairman Fisher stated that he expected the meeting to be lengthy and therefore deferred comments and requested Ms. Craft to give her report.

### REPORT OF THE EXECUTIVE DIRECTOR

Ms. Craft discussed the following with the Committee:

- Nonprofit Roundtable Scheduled

Ms. Craft stated that the SADC will be holding a nonprofit roundtable on November 18<sup>th</sup> from 9:00 a.m. to 12:00 p.m. at the D&R Greenway Johnson

Center. The roundtable discussion will encompass the upcoming December deadline for submission of applications. The nonprofit program works to achieve the same flexibility as the county planning incentive grant program in terms of block grants and. Over the last couple of years staff has advised that the SADC would be very willing to develop regulations to that effect but it has just been a matter of staff resources to accomplish that. She stated that staff will coordinate with the nonprofit groups to get some rules drafted and move the nonprofit program in that direction.

- New Jersey Farm Bureau's 92<sup>nd</sup> Annual Meeting – Princeton, NJ

Ms. Craft stated that the New Jersey Farm Bureau has requested that she address the Farm Bureau Convention on Monday, November 15<sup>th</sup> at 3:15 p.m. to brief those present on what is happening in the farmland preservation program from an acquisition standpoint and a right to farm standpoint, along with the guidelines that have been generated recently.

- League of Municipalities' 95<sup>th</sup> Annual Conference

Ms. Craft stated that she and Ms. Winzinger will be managing an information table at the 95<sup>th</sup> Annual League of Municipalities conference on November 16<sup>th</sup> to provide some exposure of the program and to be resource staff for any municipalities that wish to stop by.

- Webinar

Ms. Craft stated that yesterday Brian Smith and David Kimmel attended and made a presentation for a webinar on right to farm to the New Jersey Institute for Continuing Legal Education. There was a good turnout with approximately 48 people attending the two-hour session. This is the SADC's continuing effort to get right to farm out to the public and the fact that conflicts with municipalities and nuisance complaints need to be going to the county agriculture development boards not local courts for decisions. We are trying to send that message out to as many places as possible.

- 2,000<sup>th</sup> Farm Closing Event

Ms. Craft stated that the SADC will be having its 2,000<sup>th</sup> farm closing sometime in the first half of next year. To all the counties and nonprofit organizations, that number is going to come up so we need to begin working on event planning and candidate sites and the like. She stated that if there are any candidates that are likely to close around that timeframe to let staff know.

- Washington Township Municipal Utilities Authority/Smith/Searles Farms Condemnation

Ms. Craft stated that the report that was generated from the SADC hearing went to the Court, to DEP and the judge in that case decided that the Washington Township Municipal Utilities Authority (WTMUA) does have the right to condemn the wells. It was a very brief opinion and basically what it said was it is in the NJ DEP's control from a permit perspective. If the NJ DEP is going to issue permits for the wells, the Court is going to support that. She stated that she has written a letter to Fred Sickles, who is the head of the well drilling section of the NJ DEP and conveyed the report again and asked him to take everything into account that they can and she offered the SADC's assistance.

### **COMMUNICATIONS**

Ms. Craft reminded the Committee to take home the various articles provided in the meeting binders. She referred the Committee to correspondence from the Cumberland County Agriculture Development Board regarding concerns about the questions that the SADC staff was asking during the processing of applications that have a large extent of structures on the properties, including temporary greenhouses. She stated that in light of the denHollander litigation the SADC cannot look at an application that has acres and acres of land under cover and not ask questions about the nature, extent and impact on the soil. She stated that staff has asked Cumberland County for a meeting to have a conversation with its staff to have a better understanding of why the SADC is asking these questions.

Dr. Dey stated that what the county agriculture development boards need to realize is that the ad-hoc Committee of the SADC in looking at soil disturbance and has not yet consolidated how it is going to handle this issue but it is going to be consolidated in a rule and these properties that are now being issued green light approvals and the preservation of them will not occur for a year to a year and a half and are going to be subject to this new rule. Ms. Craft stated that the Deed of Easement Subcommittee is going to make its recommendations to the Committee and cannot guarantee the timing of that. The proposed rule will have to go through a rigorous process of public review and comment. In the meantime the SADC has to look carefully at applications moving through the process and needs to obtain more details to make a decision.

Ms. Craft referred the Committee to the NJN Medial Release which is doing a series on farm markets in the Garden State, which will begin next week on

November 9<sup>th</sup>. This series will be looking at the connection between people and local food and land, where produce is grown and how it is grown. She stated it should be a very interesting series and that the SADC will post it on its website.

### **PUBLIC COMMENT**

None

### **NEW BUSINESS**

**A. Proposed New Rules: Draft  
N.J.A.C. 2:76-2A.12 Agricultural Management Practice for the Construction,  
Installation, Operation and Maintenance of Solar Energy Generation  
Facilities, Structures and Equipment on Farms**

Ms. Craft referred the Committee to the draft agricultural management practice (AMP) for the construction, installation, operation and maintenance of solar energy generation facilities, structures and equipment on commercial farms. She stated that the Committee reviewed the draft document at its September 23<sup>rd</sup> meeting and the Committee recommended various amendments to the draft rule. The revised draft is before the Committee today. She stated that the issue of main interest with the draft new rule is the sound standard. She stated that Eric Zwerling, a sound expert representing Rutgers will make a presentation to the Committee. The State Board of Agriculture and the New Jersey Board of Public Utilities have recommended the use of the state's sound standard (50 decibels or "dB", night-time standard) for this AMP. However, the more staff has learned about sound and ambient sound, the more it is concerned that the state standard level may introduce a level of sound that is substantially higher than ambient sound in rural areas of the state. The draft AMP proposes a 40 dB level, but allows an installer to go to a higher noise level based on ambient sound testing. This methodology was developed as a result of consultations with Rutgers sound expert. Mr. Zwerling can answer any questions the Committee may have.

Mr. Zwerling addressed the Committee and discussed the issue of sound standards. Ms. Craft then reviewed the revised proposed new AMP rule with the Committee. The Committee recommended additional revisions to the draft rule. Ms. Craft stated that staff will incorporate the recommended changes to the document and bring it back to the Committee for its review later in the meeting so that it can take action on this agenda item.

Mr. Germano moved to approve the draft AMP with the recommended additional revisions as discussed. The motion was seconded by Dr. Dey. A roll call vote was taken as follows:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSTAIN
Brian Schilling (rep. Executive Dean Goodman)	ABSENT FOR THIS VOTE
Jane R. Brodhecker	OPPOSE
Alan A. Danser	YES
James Waltman	ABSTAIN
Denis C. Germano	YES
Torrey Reade	OPPOSE
Stephen P. Dey	YES

**YES VOTES-6 OPPOSE VOTES-2 ABSTAIN VOTES-2 ABSENT VOTES-1**

The motion carries. Ms. Craft stated that the proposed new AMP rule would be published in the New Jersey Register be subject to a sixty (60) day public comment period.

- B. Soil and Water Conservation Cost Share Grant Request for Extension**
1. James and Susan Giamarese, East Brunswick Township, Middlesex County

**Chairman Fisher recused himself from any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest. Mr. Giamarese is a member of the New Jersey State Board of Agriculture, to whom Chairman Fisher reports in the discharge of his duties as New Jersey Secretary of Agriculture. Mr. Danser presided over the meeting at this time.**

Mr. Lofberg stated that before he presents the Giamarese application for extension, he wanted to update the Committee regarding the Allen Farm request for a soil and water conservation cost share grant. He stated that at the last meeting of the Committee there was one soil and water cost share grant request for the Allen farm. There was an issue with the water allocation for the soil and water project that Mr. Allen wanted to do. Dr. Dey had requested whether the landowner would be able to secure a water certification. Mr. Allen has been informed by the Salem County Extension Agent that he has to obtain a water allocation permit and shortly thereafter Mr. Allen withdrew his application for the soil and water conservation cost share grant. He stated that going forward the State Soil Conservation Committee (SSCC), which is the entity that reviews and approves the applications before it comes to the SADC, will be looking into issues of water allocation, and whether a certification is needed or not and if it is needed the SSCC will have to obtain verification that the water allocation permit was provided. Ms. Reade stated that

she had a discussion at the district level on this issue as well and they had informed her that the procedure over the last 30 years has been for them to put in the well and then get the allocation from the NJ DEP. If you are going to change this practice it needs to be made very explicit because this is different from what everyone's expectations were.

Mr. Lofberg referred the Committee to a request by James and Susan Giamarese for a request of their soil and water conservation cost share grant that was approved by the Committee in September 2004. He stated that the reason for extension is that the landowner purchased mainline pipe in December 2009 with plans to install it in the winter of 2010. The landowner was not able to complete the project in the winter and the following spring due to frozen ground and heavy rainfall in March and April 2010. The landowner needed to shut down the old irrigation system to tie in the new mainline, however, the old irrigation system was needed to water crops during the dry months of June, July and August. He stated that staff recommendation is to grant approval to the extension request.

It was moved by Mr. Siegel and seconded by Ms. Brodhecker to approve Resolution FY2011R11(1), granting a one year extension of a soil and water conservation cost share grant to the following landowner, as presented and discussed and subject to any conditions of said resolution:

#### **MIDDLESEX COUNTY**

1. James and Susan Giamarese (Resolution FY2011R11(1))  
SADC #12-0042-EP  
East Brunswick Twp., Middlesex County  
Cost Share Grant Extension Amount: \$5,600.00 under Obligation # 3  
Extension expiration date: September 27, 2011

The motion was approved. (Chairman Fisher recused himself from the vote.) (A copy of Resolution FY2011R11(1) is attached to and is a part of these minutes.)

#### **C. Request for Final Approval – FY 2009 Planning Incentive Grant Program (PIG)**

1. **Municipal PIG Program Plan – West Amwell Township, Hunterdon County**

Mr. Bruder and Mr. Brill referred the Committee to Resolution FY2011R11(2) for a request for final approval of the West Amwell Township, Hunterdon County Planning Incentive Grant Program application, including the comprehensive farmland preservation plan and project area summary. Mr. Bruder reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2011R11(2) granting final approval to the West Amwell Township, Hunterdon County Planning Incentive Grant Program Application, including Comprehensive Farmland Preservation Plan and Project Area Summary, as presented and discussed and subject to the conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY2011R11(2) is attached to and is a part of these minutes.)

**D. Request for Final Approval – New Rule Municipal Planning Incentive Grant Program**

Ms. Winzinger referred the Committee to four (4) resolutions for final approval under the new rule Municipal Planning Incentive Grant Program. She reviewed the specifics of each with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Dr. Dey and seconded by Mr. Germano to approve Resolution FY2011R11(3) through Resolution FY2011R11(6), granting final approval to the following landowners as presented and discussed and subject to any conditions of said resolutions:

1. Edith M. Camp (Resolution FY2011R11(3))  
Block 2002, Lot 3  
Pittsgrove Township, Salem County, 20 Acres  
State cost share grant at \$4,975.00 per acre for an estimated total of \$99,500.00 (61.04% of the certified market value and estimated total cost).
2. Patricia and Willard Eastlack (Resolution FY2011R11(4))  
Block 47, Lot 4; Block 55, Lots 4 and 4.01  
Woolwich Township, Gloucester County, 49 Acres  
State cost share grant at \$9,300.00 per acre for an estimated total of \$455,700.00 (50% of the certified market value and estimated total cost).
3. Vito and Melissa Genna (Resolution FY2011R11(5)) \*  
Block 56.02, Lots 41 and 41.02  
Franklin Township, Gloucester County, 49 Acres  
State cost share grant at \$4,400.00 per acre for an estimated total of \$215,600.00 (62.85% of the certified market value and estimated total cost); The SADC will utilize a grant in the amount of approximately \$170,590.00 from the USDA, NRCS FY 2009



Federal Farm and Ranch Lands Protection Program to offset the State cost share and cover the local cost share on the Genna Farm; the SADC cost share grant shall utilize an approximate total of \$172,410.00 from Franklin Township's Planning Incentive Grant Program funds due to the offset provided by approximately \$43,190.00 from the USDA, NRCS FY 2009 FRPP grant funds.

\* Discussion: Ms. Winzinger stated that Franklin Township has three other projects pending against its balance with SADC certified values, for a potential grant need that is more than is currently appropriated and available for closing. Based on the current potential grant need there is a potential \$176,316.00 shortfall in SADC grant funding. In order to assist with the shortfall the SADC submitted the Genna farm application to the FY2009 USDA, NRCS Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant. The landowner has qualified for the FRPP funding and has been approved by the NRCS for a grant of approximately \$3,500.00 per acre (50% of the certified easement value accepted by NRCS) for a total FRPP grant of approximately \$170,590.00, which is the amount available at this time. The landowner has agreed to the additional restrictions involved with the use of FRPP funds, including a 7.33% maximum impervious coverage restriction (approximately 3.59 acres) on the lands being preserved.

4. William B. Leavens, III (Resolution FY2011R11(6)) \*  
Block 47, Lots 1 and 34  
Franklin Township, Warren County, 57 Acres  
State cost share grant at \$4,650.00 per acre for an estimated total of \$265,050.00 (57.41% of the certified market value and 62% of the purchase price and estimated total cost); the SADC will utilize any remaining FRPP grant funds (estimated \$31,350.00) from the USDA, NRCS under the FY 2007 Federal Farm and Ranch Lands Protection Program to offset SADC grant needs on the Leavens Farm; the SADC cost share grant shall utilize an approximate total of \$233,700.00 from Franklin Township's PIG funds and \$31,500.00 from the New Jersey Conservation Foundation's FY 2007 USDA, NRCS, FRPP grant funds.

\* Discussion: The New Jersey Conservation Foundation submitted a parcel application to the FY07 USDA, NRCS, Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on the Leavens Farm. It has been determined that the Property and the Landowner qualify for FRPP grant funds. The appraisals utilized for the initial SADC easement value certification are outdated for FRPP use which requires an appraisal be less than one year old, therefore, the NJCF and

Warren County are updating an easement appraisal at this time to meet FRPP requirements.

For the purposes of this resolution the FRPP grant will be based on the lowest easement value considered by the SADC at the time of the easement value certification, which is \$6,800.00 per acre, equating to an FRPP grant of \$3,400.00 per acre (50% of \$6,800.00) or approximately \$193,800.00 in total FRPP funds. The landowner has agreed to the additional restrictions involved with the FRPP funding, including a 4% maximum impervious coverage restriction (approximately 2.28 acres available for impervious cover) on the lands being preserved outside of the exception area. On October 4, 2010 the Franklin Township Committee approved the application and a funding commitment for up to approximately \$81,100.00, should the anticipated FRPP grant not cover its entire cost share on the easement purchase. The Township has requested to use the \$193,800 in FRPP grants funds to cover the entire local cost share (County and Municipality) with any remaining FRPP grant funds of approximately \$31,350 to be utilized to reduce the needed SADC cost share, therefore, reducing the overall expenditure of Franklin Township's PIG grant funds.

The motion was approved. (Chairman Fisher was absent for this vote.) (A copy of Resolution FY2011R11(3) through FY2011R11(6) is attached to and is a part of these minutes.)

**E. Request for Final Approval – New Rule County Planning Incentive Grant Program**

**Ms. Brodhecker recused herself from any discussion/action pertaining to these two agenda items to avoid the appearance of a conflict of interest. Ms. Brodhecker is the Chairperson of the Sussex County Agriculture Development Board.**

Ms. Winzinger stated that there are two requests for final approval before the Committee under the new rule County Planning Incentive Grant Program. She reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2011R11(7) and Resolution FY2011R11(8) granting final approval to the following landowners, as presented and discussed and subject to any conditions of said resolutions.

**Sussex County**

1. Lynn and Bonita Turr (Resolution FY2011R11(7))  
Block 135, Lots 8.04 and 8.05  
Wantage Township, Sussex County, 52 Net Acres  
State cost share grant at \$3,400.00 per acre (68% of the certified market value) for a total grant need of approximately \$178,149.80, utilizing base grant funds.
2. Gail Warren and Ramiro Bertot (Resolution FY2011R11(8))  
Block 159, Lot 2.02  
Wantage Township, Sussex County, 45 Net Acres  
State cost share grant at \$3,220.00 per acre (68.51% of the certified market value) for a total grant need of approximately \$143,441.34, utilizing base grant funds.

The motion was approved. (Ms. Brodhecker recused herself from the vote.) (A copy of Resolution FY2011R9(3) through Resolution FY2011R9(11) is attached to and is a part of these minutes.)

**F. Request for Final Approval – State Acquisition (Easement)**

1. Cimprich Farm, Upper Pittsgrove Township, Salem County

**Mr. Siegel recused any discussion/action pertaining to this agenda item to avoid the appearance of a conflict of interest.**

Mr. Knox referred the Committee to Resolution FY2011R11(9) for a request for final approval on the Jack and Ronnie Cimprich farm, located in Upper Pittsgrove Township, Salem County. He reviewed the specifics with the Committee. Mr. Knox stated that staff recommendation is to grant final approval as presented and discussed, subject to any conditions of the resolution.

It was moved by Dr. Dey and seconded by Mr. Danser to approve Resolution FY2011R11(9) granting final approval to the Jack and Ronnie Cimprich farm, known as Block 11, Lots 32, 36 and 38.01, Upper Pittsgrove Township, Salem County, 102 Net Acres, at a value of \$5,900.00 per acre for approximately \$590,000.00 based on 100 acres, subject to any conditions in said resolution. The motion was approved. (Mr. Siegel recused himself from the vote.) (A copy of Resolution FY2011R11(9) is attached to and is a part of these minutes.)

**G. Request for Final Approval – Nonprofit Grant Program**

1. New Jersey Conservation Foundation/Gilde Farm, Delaware Township, Hunterdon County

Mr. Knox referred the Committee to Resolution FY2011R11(10) for a request for final approval for the New Jersey Conservation Foundation (NJCF)/Gilde farm in Delaware Township, Hunterdon County. He reviewed the specifics with the Committee. He indicated that this farm would be utilizing NJCF, USDA, NRCS, Federal Farm and Ranch Lands Protection Program funding, which will include a two percent impervious coverage restriction equaling approximately 0.4 acre for the construction of agriculture related structures on the property.

Mr. Knox stated that the NJCF is requesting approval to transfer ownership of this farm to NJCF Preserves, LLC after closing. He stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2011R11(10), granting final approval to the following landowner as presented and discussed, subject to any conditions of said resolution:

1. New Jersey Conservation Foundation/Gilde (Resolution Y2011R11(10))  
Block 22, Lot 21  
Delaware Township, Hunterdon County, 20 Acres  
The SADC shall provide a cost share grant not to exceed \$12,400.00 per acre to the New Jersey Conservation Foundation for the fee simple acquisition of this farm, subject to the availability of funds, for a total of approximately \$298,595.00; the SADC approves the use of the New Jersey Conservation Foundation's Federal Farm and Ranch Land Protection Program funds, which will include an impervious coverage limitation of approximately two percent and other restrictions required under the Federal Farm and Ranch Land Protection Program; the SADC approves the transfer of ownership from the New Jersey Conservation Foundation to NJCF Preserves, LLC, subject to a Project Agreement between the SADC, NJCF and NJCF Preserves, LLC that addresses the conditions as contained at N.J.A.C. 2:76-16.1(a). If NJCF Preserves, LLC sells its restricted fee simple interest, it will obtain approval from the SADC and agrees to reimburse the SADC fifty (50) percent of the net proceeds pursuant to the Project Agreement between the SADC, NJCF and NJCF Preserves, LLC.

The motion was unanimously approved. (A copy of Resolution FY2011R11(10) is attached to and is a part of these minutes.)

**H. Farmland Stewardship**

A. House Replacement Request (Renewal of Approval)

1. Michael and Amanda Dippolito, E. Amwell Township, Hunterdon County

Mr. Roohr stated that this request is for a renewal of a previous approval by the Committee to replace the main house on the Dippolito farm in East Amwell Township, Hunterdon County. The Committee approved the replacement of the main house in a one acre area, located outside the approved building compound area (as described in Resolution FY06R7(16) with conditions, one of which was that the main house must be removed prior to the commencement of any construction work associated with the replacement home. That approval was valid for a period of three years from the date of the 2005 resolution. The owners did not begin any replacement activities since that time and therefore the approval has expired. In October, 2010 the owners stated they were prepared to initiate construction of the new home based on the same conditions as previously requested and approved by the SADC and are requesting an extension of the SADC's previous approval. He stated that the main house dates back to the 1700s. When the SADC preserved the farm staff asked the State Historic Commission at DEP if they wanted a façade easement placed on the house. The answer was no so when this property was originally auction there was no façade easement placed on the main house.

At the time the SADC heard the resolution in 2005 the Township of East Amwell expressed concern that the house was of historic value to it and it would prefer that it not be taken down. Mr. Roohr stated that there is nothing in the deed of easement that would preclude the owner from knocking that house down so it was up to the owner to work with the Township for permits and the like. He stated that staff was originally recommending approval of Mr. Dippolito's request for renewal of the SADC's previous approval. However, Mr. Dippolito contacted him this past week and advised that he wanted to amend the resolution to allow him to keep the old house until the new house was completed. He stated that Mr. Dippolito does not live on the farm but lives nearby in a housing development. When he goes to build the new house, he has a mortgage on the house he lives in presently, a mortgage on the farm he owns and then he would have a construction loan for the new house. Mr. Dippolito thought he could move into the old house on the farm until the construction was completed.

Mr. Roohr stated that in the past the Committee has allowed landowners who actually lived in the old residence to stay there until the new home was built. In this case staff was uncomfortable with that. Back in 2005 due to the historic nature of the house staff

thought there could be issues with getting the old house removed so staff recommended removal prior to the construction of the new residence. He stated that the concern is that you will have two main houses on the property.

Glorianne Robbi, Chair of East Amwell Township's Farmland and Open Space Preservation Committee stated that she has been aware of this house and the intended destruction of it. The original approval was good for 3 years and it is 2 years since that approval lapsed. East Amwell Township is only finding out about Mr. Dippolito's request for approval for the demolition of this 1770 house today when she came to this meeting. She is requesting an opportunity for some time, if the Committee would delay its decision until the next meeting of the SADC so that East Amwell Township can review the situation.

Mr. Roohr stated that staff recommendation is to approve the resolution before the Committee today, which is a renewal of the 2005 resolution, which allows the owner to replace the house only upon removal of the original house. Mr. Dippolito's request this past Monday was to allow him to keep the old house until construction of the new house is done. Staff does not recommend allowing him to do that.

Chairman Fisher asked if there was a motion to approve staff's recommendation as presented and updated today. Mr. Danser made the motion. Mr. Germano seconded the motion. Mr. Siegel asked if it would be difficult to wait until the next meeting of the Committee so that the Township could have an opportunity to review the issue.

Mr. Danser and Mr. Germano withdrew their motion and second.

It was moved by Mr. Siegel and seconded by Dr. Dey to table action on this agenda item until the next meeting of the Committee in order to provide an opportunity for East Amwell Township to review its interest in the historic nature of the main residence on the Michael and Amanda Dippolito property. The motion was unanimously approved.

Mr. Roohr asked what would the Committee like staff to research and bring back to it at the next meeting, if anything. Mr. Waltman stated that maybe a potential outcome is that we could say he could take the cottage down. Ms. Robbi stated that there is a very strong feeling regarding the destruction of the Caviliar house. It seems to her that when you are looking at what is of value here Mr. Dippolito was saying previously that the main house was in disrepair and not occupied but he is willing to occupy it for a number of months. Mr. Siegel asked if Ms. Robbi could make sure that the people in the township who are advocating for the preservation of the main house communicate to staff and the landowner on the issue. Mr. Boornazian suggested that Mr. Roohr present the owner's current request because the draft resolution doesn't reference his latest condition. Mr. Roohr stated that staff will revise the resolution for the next meeting.

2. Request for Agricultural Labor Housing
  - a. Port Colden Road, LLC, Washington and Mansfield Townships, Warren County

Mr. Roohr referred the Committee to Resolution FY2011R11(11) for a request to construct onsite agricultural labor housing by Liz Durkin, owner of Port Colden Road LLC, known as Block 43, Lot 3, in Washington Township and Block 601.01, Lot 1.01 in Mansfield Township, Warren County, comprising 136.06 total acres. There are no existing single family residential buildings, no residential units used for agricultural labor purposes, no exception areas and one residual dwelling site opportunity associated with this property. SADC staff received a request from Ms. Durkin to construct an approximate 1,200 square foot agricultural labor unit to house two current agricultural laborers, who are currently residing in two mobile trailers on site so that she can have 24-hour care and security for her equine operation. The owner proposes to construct the agricultural labor unit apartment above a proposed equipment barn and construction will begin upon receipt of SADC approvals and township approvals. The agricultural laborers are current full-time, year round employees of Port Colden Road LLC. Ms. Durkin has indicated during a staff visit to the property that she was not aware that she needed SADC approval for the two temporary mobile trailers. The resolution before the Committee does list a condition that the two mobile trailers be removed once the certificate of occupancy is issued for the apartment. Staff recommendation is to approve the request, subject to any conditions of the resolution.

It was moved by Mr. Danser and seconded by Dr. Dey to approve Resolution FY2011R11(11) approving a request by Liz Durkin, owner of Block 43, Lot 3, in Washington Township and Block 601.01, Lot 1.01 in Mansfield Township, Warren County, comprising 136.06 total acres, to construct agricultural labor housing, as presented and discussed, subject to any conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY2011R11(11) is attached to and is a part of these minutes.)

- b. Request for Two Agricultural Labor Units  
Husky Farm, LLC, colts Neck Township, Monmouth County

Mr. Roohr referred the Committee to Resolution FY2011R11(12) for a request by Husky Farm, LLC to construct two additional agricultural labor units on the property. This farm was before the Committee last year but back then it was known as the Mumford farm. Mr. Mumford was interested in dividing the farm into two 52-acre parcels. The SADC denied that request and shortly after that Mr. Mumford sold the property as a whole. It was sold to Mr. Spinella, who is the managing member of Husky Farm LLC. Mr. Spinella is interested in building two agricultural labor units, similar to an existing

agricultural labor cottage, approximately 980 square feet each, in the location of an existing horse paddock next to the main stable. The reason he wants to build two units instead of one is due to the local ordinances that allow only a maximum of approximately 1,000 square feet for these types of units. The owner's proposal is for two individuals to live in each of the new units. The owners stated intent for the construction of these units is to alleviate overcrowding in the existing agricultural labor unit (4 men in a two-bedroom, 900 square foot unit) and to allow for two additional employees to work and live on the farm for a total of six agricultural laborers. The main activity on the farm continues to be the equine boarding/training operation run by the farm tenant, Helen Goddard.

Mr. Roohr reviewed the specifics of the request with the Committee. He stated that the resolution lists staff's findings related to its determination of whether this application meets the requirements for the construction of agricultural labor housing.

Mr. Roohr stated that in its April 24, 2009, resolution the Committee found that the areas of large overgrown nursery stock have resulted in a decrease in the amount of tillable land available on the Premises and a decrease in the ability of the Premises to support a variety of agricultural production activities. During testimony at the March 16, 2009 SADC meeting, related to a previous division of premises request, the previous owner, Roger Mumford, and the equine operations manager, Ms. Goddard, testified that the areas of existing old growth nursery stock were an asset to the boarding operation by providing a secluded private setting prized by clients of the farm. Based on current and previous analysis of this farm, the equine operation on the property consists mainly of non-production service activities of boarding and training horses for clients, with only a few of the animals belonging to the Owner or the tenant. The labor required for the alpaca, Christmas tree and hay production is minimal in comparison to the labor required to operate the equine facility.

Mr. Roohr stated that the Monmouth CADB considered and approved the request for two additional agricultural labor units at its October 6, 2010, meeting to reduce overcrowding of the existing agricultural labor unit and to house two additional agricultural laborers onsite. He stated that staff finds that the owner has not demonstrated the need for additional agricultural labor residences to support agricultural production activities on the property and therefore staff recommendation is to deny the request for two additional agricultural labor residential units.

Brian Decina, engineer for Mr. Spinella, Dan Lynch, architect for Mr. Spinella, and the farm tenant, Ms. Goddard addressed the Committee in support of the request for additional agricultural labor units.



Mr. Siegel asked why the need for the two “Be It Further Resolved” paragraphs stating that the Committee reserves the right to review the agricultural activities on the property and their relation to the residents of the existing agricultural labor unit as a potential violation of the deed of easement and the Committee reserves the right to evaluate the state of the old growth nursery stock and its impediment to production agricultural activities on the property as a potential violation of the deed of easement. Ms. Craft stated that this particular farm was before the Committee last year after exhaustive discussion and detail and now it is coming back again, with a new owner, and this same farm has been before the Committee several times and staff is trying to let the property owner know the concerns about whether the labor that is currently occupying the unit is in compliance with the deed of easement and that the SADC has concerns about areas of the property being overgrown.

Mr. Siegel motioned to accept Resolution FY2011R11(12) accepting staff’s recommendation to deny the request by Husky Farm, LLC for additional agricultural labor units. Ms. Reade seconded the motion.

Harriet Honigfeld from the Monmouth County Agriculture Development Board addressed the Committee. She stated that there is no single family residence associated with this farm so to run a 105 acre property, regardless whether you want a high production threshold or you are comfortable where it is now, it is not unreasonable to expect you might need more housing than this on this acreage. Secondly, it wasn’t mentioned today but it was presented to her board that the owner and Ms. Goddard currently have someone residing in a hotel and Ms. Goddard has some staff living in her house so there is a demand for labor. She stated that this is a legitimate landowner who is already a farmer and intends to enhance this operation so at what point do we stop having to house people elsewhere and to get this operation going.

Ms. Craft responded that she didn’t think the Committee is questioning whether there is a lot of activity on this farm that the owner would like labor to provide. The question is, is there sufficient agricultural production activity on the farm to warrant agricultural labor housing. Ms. Honigfeld stated that there is 17 acres of hay, 3-10 acres of Christmas trees, there are alpaca and wool production.

Ms. Brodhecker stated that what was interesting to her was that the Monmouth CADB approved this request and they are the local people who would know what type of an operation this is and whether it is agricultural production. She has a tendency to support what the CADB is saying. Dr. Dey stated that almost all of the State doesn’t understand what equine production is. They see horses on the farm and automatically assume that is production. When she is talking about developing horses and selling them, this might be a four or five year deal between the time she purchases the horses at three years old and then she sells them. It depends on her ability to pick out the right horses to begin with.

2. Stuart Ring  
Block 34, Lot 25, Knowlton Township, Warren County, 42 Acres
3. Christopher Montana (former Dorothy D'Angelo)  
Block 46, Lots 20, 21, 23, 29, Franklin Township, Warren County, 82 Acres

**Direct Easement Purchase Program**

1. David and Susan Tullo  
Block 57, Lots 27 and 28, Lebanon Township, Hunterdon County, 131 Acres

**County Planning Incentive Grant Program**

1. Vincent Paladino  
Block 63, Lot 26  
Deerfield Township, Cumberland County, 30 Acres
2. Grace Elizabeth Fox  
Block 703, Lot 1, Upper Deerfield Township, Cumberland County, 24 Acres
3. Overstreet/Chiari Farm  
Block 801, Lots 1, 3, 7, 7.04, Upper Deerfield Township, Cumberland County, 82 Acres
4. Nicholas and Sarilee Rio and Nicholas Rio, Jr.  
Block 301, Lots 18.01 and 18.02, Upper Deerfield Township, Cumberland County, 55 Acres
5. Carolyn Burton and James Ewing  
Block 14, Lot 11, Stow Creek Township, Cumberland County, 64 Acres
6. Homestead Reid Partnership (D&R Reid) (Invalidated)  
Block 49, Lots 10, 11, 18, Freehold Township, Monmouth County, 70 Acres
7. Harold and Deanna Griffin  
Block 839.01, Lots 4.01 and 10, Pemberton Township, Burlington County, 102 Acres

8. Sorbello, et. al. (Sorbello/Musumeci/Wheeler/Catalano)  
Block 2, Lots 14, 15; Woolwich Township, Gloucester County, 83 Acres
9. Newton B. Shimp, III  
Block 7, Lot 6; Block 8, Lots 1 and 2; Block 9, Lot 3, Stow Creek  
Township, Cumberland County, 102 Acres

**Nonprofit Fee Simple Program**

1. New Jersey Conservation Foundation/Lovero Farm  
Block 62, Lot 26.041, Hopewell Township, Mercer County, 73 Acres

The motion was approved. (Chairman Fisher and Mr. Waltman were absent for this vote.)  
(A copy of the Certification of Value Reports is attached to and is a part of the closed session minutes.)

**B. Request for Final Approval – County Planning Incentive Grant Program**

1. Newton B. Shimp III, Stow Creek Township, Cumberland County

It was moved by Ms. Reade and seconded by Dr. Dey to approve Resolution FY2011R11(13) granting final approval to the following landowner, subject to any conditions of said Resolution:

1. Newton B. Shimp, III  
Block 9, Lot 3; Block 8, Lot 1 and 2; Block 7, Lot 6  
Stow Creek Township, Cumberland County, 102 acres  
State cost share grant at \$3,100.00 per acre (68.89 percent of the certified market value and purchase price); a 3% acreage buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share grant of \$325,686.00 to account for any potential increase in the final surveyed acreage; SADC grant funds are conditioned upon the appropriation of funding by the legislature and approval by the Governor and the availability of those funds; the SADC will utilize any remaining FRPP (estimated \$200.00 per acre) from the New Jersey Conservation Foundation's USDA, NRCS FY 2011 Federal Farm and Ranch Lands Protection Program to reduce the SADC's grant taken from the county's base grant for this farm. The Owner has agreed to the additional restrictions associated with the use of federal funding to include a four percent impervious cover restriction equal to approximately four acres of land available for the construction of agricultural infrastructure on the property.

Note: The property includes a seven acre nonseverable exception, which includes a commercial trucking operation and will be restricted to the one existing single-family residence. The application was amended to also include a four-acre nonseverable exception to encompass an area where the excavation of a pond had begun and this exception area will be restricted from any residences.

The motion was approved. (Mr. Siegel and Mr. Waltman were absent for this vote.) (A copy of Resolution FY2011R11(13) is attached to and is a part of these minutes.)

**Note: Chairman Fisher returned to the meeting at this point.**

**C. ATTORNEY/CLIENT MATTERS**

None

**D. Proposed New Rules: Draft  
N.J.A.C. 2:76-2A.12 Agricultural Management Practice for the Construction,  
Installation, Operation and Maintenance of Solar Energy Generation  
Facilities, Structures and Equipment on Farms**

Ms. Craft stated that staff revised the draft proposed new rule that the Committee took action on subject to these revisions earlier in the meeting and have brought the revised document back for review. Mr. Baumley reviewed the revisions to the draft proposed new rule with the Committee, which reflected the recommended changes that were made at the request of the Committee.

It was moved by Mr. Siegel and seconded by Dr. Dey to accept the amendments to the proposed new rule N.J.A.C. 2:76-2A.12 Agricultural Management Practice for the Construction, Installation, Operation and Maintenance of Solar Energy Generation Facilities, Structures and Equipment on Farms, as revised by SADC staff at the request of the Committee. The motion was approved. (Mr. Waltman was absent for this vote.) A copy of the revised Proposed New Rule: Draft N.J.A.C. 2:76-2A.12 Agricultural Management Practice for the Construction, Installation, Operation and Maintenance of Solar Energy Generation Facilities, Structures and Equipment on Farms is attached to and is a part of these minutes.)

**ADJOURNMENT**

There being no further business, it was moved by Mr. Germano and seconded by Mr. Danser and unanimously approved to adjourn the meeting at 4:45 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Susan E. Craft". The signature is fluid and cursive, with a prominent initial "S" and a distinct "E" and "C".

Susan E. Craft, Executive Director  
State Agriculture Development Committee

Attachments

S:\MINUTES\2010\Reg Nov 4 2010.doc

STATE OF NEW JERSEY  
AGRICULTURE RETENTION AND DEVELOPMENT PROGRAM

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION # FY11R11(1)

REQUEST FOR EXTENSION OF PROJECT APPROVAL

MIDDLESEX COUNTY

JAMES AND SUSAN GIAMARESE

NOVEMBER 4, 2010

WHEREAS, the State Agriculture Development Committee (SADC) has received the request for extension of project approval application from the State Soil Conservation Committee (SSCC) for **James and Susan Giamarese, SADC #12-0042-EP**, concerning the parcel of land located in the Township of East Brunswick, County of Middlesex; and

WHEREAS, the SSCC has reviewed specific reasons for extension related to seasonal constraints and the landowner purchased mainline pipe in December 2009 with a plan to install in the winter of 2010. Not able to complete in the winter and spring due to frozen ground and heavy rainfall in March and April 2010. The landowner needed to shut down the old irrigation system to tie in the new mainline; however, the old irrigation system was needed to water crops during the dry months of June, July and August, as stated by the landowners, and on September 13, 2010, the SSCC approved the request for extension of 12 month for installation of previously approved projects pursuant to N.J.A.C. 2:76-5.4(d)2; and

WHEREAS, the SADC has reviewed said request for extension of project approval application from the above landowners pursuant to 2:76-5.4(d)2; and

WHEREAS, on September 27, 2008, the SADC approved a soil and water state cost-share grant in the amount of \$5,600.00, for approved projects submitted by the above landowners (at 50% cost share); and


WHEREAS, the landowners have expended the amount of zero (\$0.00) to date and have requested the balance in the amount of \$5,600.00 to be extended until September 27, 2011 and

NOW THEREFORE BE IT RESOLVED, that the SADC, under the authority of N.J.A.C. 2:76-5.4(d)2, approves the extension of the term of obligation for a cost share grant in the amount of \$5,600.00 until September 27, 2011, with no further extension for **James and Susan Giamarese, SADC #12-0042-EP**, Township of East Brunswick, County of Middlesex, subject to available funds; and

BE IT FURTHER RESOLVED, that the project must be completed by September 27, 2011.

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11-4-10  
DATE

  
\_\_\_\_\_  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

**VOTE WAS RECORDED AS FOLLOWS**

Douglas H. Fisher, Chairperson	RECUSE
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	YES
Torrey Reade	YES
Stephen P. Dey	YES

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Applicant Certification

I hereby request that approval for the above listed projects be extended for 12 months (not to exceed 12 months). I certify that I have been unable to complete these projects within the original three year period for the reasons stated above and anticipate completing them within the period of extension requested.

Signature James L. Carmore Date 7/20/10

Technical Agency Recommendation

I have reviewed this request for extension and concur with the reasons stated. Technical assistance for completion of the requested projects will be provided.

Signature Shawn Brown Date 8/18/10  
District Conservationist

SCD Approval

The Freehold Soil Conservation District has reviewed and approved this request at an official meeting held on August 18, 2010 (date) and recommends extension for 12 months.

Signature [Signature] Date Aug 18, 2010  
District Chairman

SSCC Approval

The SSCC has reviewed and approved this request for extension of 12 months for installation of previously approved projects as described above.

Signature [Signature] Date 9/13/10  
Title FRANK MINCH  
ADM. ANALYST

SADC Approval

The SADC hereby extends funding authorization for the above listed projects. This approval will expire 9-27-2011.

Signature [Signature] Date 4-4-10  
Title EXECUTIVE DIRECTOR, SADC

NOTE: All requests for payment for projects completed by the extended date must be submitted for payment no later than 30 days after that date. Projects completed after that date will not be eligible for payment. All requests for extension must be received by the State Soil Conservation Committee at least 30 days prior to the original expiration date to facilitate timely processing.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2011R11(2)**

**FINAL APPROVAL**

**of the**

**WEST AMWELL TOWNSHIP, HUNTERDON COUNTY  
PLANNING INCENTIVE GRANT APPLICATION INCLUDING THE COMPREHENSIVE  
FARMLAND PRESERVATION PLAN AND PROJECT AREA SUMMARY**

**2009 FUNDING ROUND**

**November 4, 2010**

WHEREAS, the State Agriculture Development Committee ("SADC") is authorized under the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1), to provide a grant to eligible counties and municipalities for farmland preservation purposes based on whether the identified project area provides an opportunity to preserve a significant area of reasonably contiguous farmland that will promote the long term viability of agriculture as an industry in the municipality or county; and

WHEREAS, to be eligible for a grant, a municipality shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agricultural development area ("ADA") authorized pursuant to the Agriculture Retention and Development Act, P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish an agricultural advisory committee composed of at least three, but not more than five, residents with a majority of the members actively engaged in farming and owning a portion of the land they farm;
3. Establish and maintain a dedicated source of funding for farmland preservation pursuant to P.L. 1997, c.24 (C.40:12-15.1 et seq.), or an alternative means of funding for farmland preservation, such as, but not limited to, repeated annual appropriations or repeated issuance of bonded indebtedness, which the SADC deems to be, in effect, a dedicated source of funding; and
4. Prepare a farmland preservation plan element pursuant to paragraph (13) of section 19 of P.L. 1975, c.291 (C.40:55D-28) in consultation with the agricultural advisory committee; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17A (N.J.A.C. 2:76-17A) to implement the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1) by establishing a municipal farmland preservation planning incentive grant program; and

WHEREAS, a municipality applying for a grant to the SADC shall submit a copy of the municipal comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17A.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.4, the SADC specified that a municipal comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. The adopted farmland preservation plan element of the municipal master plan;
2. A map and description of the municipality's agricultural resource base including, at a minimum, the proposed farmland preservation project areas;
3. A description of the land use planning context for the municipality's farmland preservation initiatives including identification and detailed map of the county's adopted Agricultural Development Area (ADA) within the municipality, consistency of the municipality's farmland preservation program with county and other farmland preservation program initiatives and consistency with municipal, regional and State land use planning and conservation efforts;
4. A description of the municipality's past and future farmland preservation program activities, including program goals and objectives, including a summary of available municipal funding and approved funding policies in relation to the municipality's one-, five- and ten-year preservation projections;
5. A discussion of the actions the municipality has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
6. Other farmland preservation techniques being utilized or considered by the municipality;
7. A description of the policies, guidelines or standards used by the municipality in conducting its farmland preservation efforts, including any minimum eligibility criteria or standards used by the municipality for solicitation and approval of farmland preservation program applications in relation to SADC minimum eligibility criteria as described at N.J.A.C. 2:76-6.20, adopted ranking criteria in relation to SADC ranking factors at N.J.A.C. 2:76-6.16, and any other policies, guidelines or standards that affect application evaluation or selection;
8. A description of municipal staff and/or consultants used to facilitate the preservation of farms; and
9. Any other information as deemed appropriate by the municipality; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.5, the SADC required the municipality to prepare a project area summary containing the following information for each project area:

1. An inventory showing the number of farms or properties, and their individual and aggregate acreage, for targeted farms, farmland preservation applications with final approvals,

preserved farms, lands enrolled in an eight-year farmland preservation program and preserved open space compatible with agriculture;

2. Aggregate size of the entire project area;
3. Density of the project area;
4. Soil productivity of the targeted farms;
5. An estimate of the cost of purchasing development easements on the targeted farms in the designated project area;
6. A multi-year plan for the purchase of development easements on the targeted farms in the project area, indicating the municipality's and, if appropriate, any other funding partner's share of the estimated purchase price, including an account of the estimated percentage of leveraged State funds and the time period of installment purchase agreements, where appropriate; and

WHEREAS, on May 24, 2007, the SADC adopted *Guidelines for Developing Municipal Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17A and provide uniform, detailed plan standards, update previous planning standards, and incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey, the Planning Incentive Grant Statute (N.J.S.A. 4:1C-43.1) and the New Jersey Department of Agriculture Guidelines for Plan Endorsement under the State Development and Redevelopment Plan; and

WHEREAS, the *Guidelines* emphasize that these Municipal Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the municipal Agricultural Advisory Committee, municipal Planning Board, CADB, county Planning Board and the county Board of Agriculture, and where appropriate, in conjunction with surrounding municipalities and the County Comprehensive Farmland Preservation Plan, with at least two public meetings including a required public hearing prior to Planning Board adoption as an element of the municipal master plan; and

WHEREAS, SADC staff have worked in partnership with municipal representatives to provide and identify sources for the latest data with respect to agricultural statistics, water resources, agricultural economic development, land use and resource conservation; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.6(a), the SADC received 37 municipal planning incentive grant applications by the December 17, 2007 deadline (since December 15, 2007 fell on a Saturday), consisting of a copy of the municipality's draft comprehensive farmland preservation plan, annual application and all applicable project area summaries, as summarized in the attached Schedule A; and

WHEREAS, these 37 applications identified 89 project areas in 7 counties and targeted 1,715 farms and 85,238 acres at an estimated total cost of \$1,564,224,000, with a ten-year preservation goal of 57,450 acres; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.6(b)1 and N.J.A.C. 2:76-17A.6(b)2, in order to improve municipal and county farmland preservation coordination, the municipality forwarded its application to the county for review and provided evidence of county review and comment and, if appropriate, the level of funding the county is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, SADC staff reviewed and evaluated the municipalities' applications to determine whether all the components of the comprehensive farmland preservation plans are fully addressed and complete and whether the project area summaries are complete and technically accurate, and that the application is designed to preserve a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry; and

WHEREAS, on May 22, 2008, the SADC granted conditional preliminary approval to all 37 municipal planning incentive grant applications received for the 2009A Municipal Planning Incentive Grant funding round; and

WHEREAS, the conditions of preliminary approval for West Amwell Township were as follows:

1. SADC determination that each designated project area is complete and technically accurate.
2. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the municipal planning board after a properly noticed public hearing.
3. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan; and

WHEREAS, SADC staff have since determined that West Amwell Township has satisfied all requirements of the conditional preliminary approval; and

WHEREAS, to date \$750,000 of FY09 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area and an additional \$500,000 of FY11 funding is pending appropriation; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the West Amwell Township Planning Incentive Grant application submitted under the FY09 program funding round as summarized in the attached Schedule B:

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a), and SADC Resolution #FY08R5(44); and

BE IT FURTHER RESOLVED, that the SADC will monitor the municipality's funding plan pursuant to N.J.A.C. 2:76-17A.17 and adjust the eligibility of funds based on the municipality's progress in implementing the proposed funding plan. Each Planning Incentive Grant municipality should expend its grant funds within three years of the date the funds are appropriated. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within three years are subject to reappropriation and may no longer be available to

the municipality; and

BE IT FURTHER RESOLVED, that the SADC will continue to assist municipalities with planning for agricultural retention, the promotion of natural resource conservation efforts, county and municipal coordination, and agricultural economic development and in strengthening of Right to Farm protections; and

BE IT FURTHER RESOLVED, that the SADC's approval is conditioned upon the Governor's review period pursuant to N.J.S.A 4:1C-4f.

11/4/10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Denis C. Germano, Esq.	YES
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	YES
James Waltman	YES

Schedule A

2009 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT  
APPLICATION SUMMARY

As of 6/16/10

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost Per Acre	Project Area Acreage	1 Year Acreage Goal	5 Year Acreage Goal	10 Year Acreage Goal	10 Year Total Cost	10 Year SADC Cost	Dedicated Tax \$0.0 / \$1.00	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Burlington	4	207	22,804	\$100,000,000	\$8,577	111,806	1,000	5,000	10,000	\$85,766,400	\$51,883,200	4.0	\$19,000	No Set Amount
Camden	5	57	3,466	\$30,842,500	\$8,888	15,071	762	2,369	3,470	\$30,842,470	\$18,544,235	2.0	\$7,600	No Set Amount
Cape May	6	159	13,171	\$357,257,911	\$27,124	16,065	299	1,097	1,976	\$33,596,095	\$32,157,657	1.0	\$4,400	No Set Amount
Gloucester	11	26	1,485	\$20,911,849	\$14,085	112,929	1,000	5,000	10,000	\$140,850,000	\$84,510,000	4.0	\$10,400	No Set Amount
Franklin	5	259	5,464	\$33,027,000	\$6,300	10,152	828	2,662	5,613	\$35,361,900	\$22,732,650	1.0	\$0,076	No Set Amount
Woodwich	3	74	4,071	\$45,600,000	\$19,800	5,139	415	2,070	4,134	\$81,853,200	\$49,111,920	5.0	\$0,280	Up to \$0.280
Hunterdon	7	89	7,816	\$72,011,230	\$16,000	177,635	1,500	7,500	15,000	\$240,000,000	\$144,000,000	3.0	\$7,060	\$2,290
Alexandria	4	13	2,448	\$22,000,000	\$9,000	3,640	250	750	1,500	\$13,500,000	\$8,100,000	4.0	\$0,314	No Set Amount
Delaware	2	15	1,272	\$22,800,000	\$18,000	23,707	500	2,500	5,000	\$30,000,000	\$54,000,000	6.0	\$0,537	\$0,537
East Amwell	1	14	1,364	\$15,000,000	\$11,000	13,523	136	682	1,364	\$15,004,000	\$9,002,400	4.0	\$0,315	\$0,350
Franklin	1	18	1,494	\$21,800,000	\$14,000	4,246	30	750	713	\$9,982,000	\$5,989,200	5.0	\$0,275	\$0,200
Holland	4	28	1,928	\$192,800,000	\$10,000	11,335	250	1,250	2,500	\$25,000,000	\$15,000,000	2.0	\$0,079	\$0,079
Kingwood	1	34	2,476	\$24,760,000	\$10,000	12,845	227	1,136	2,476	\$24,760,000	\$14,856,000	3.0	\$0,211	\$0,106
Raritan	4	17	1,284	\$27,400,000	\$22,635	6,111	100	300	600	\$13,580,700	\$8,148,420	2.0	\$0,646	No Set Amount
Readington	1	42	2,330	\$44,270,000	\$19,000	15,759	200	1,000	2,000	\$38,000,000	\$22,800,000	2.0	\$0,570	\$0,600
Tewksbury	3	3	409	\$9,700,000	\$23,687	4,557	409	300	1,000	\$23,687,000	\$14,212,200	5.0	\$0,425	No Set Amount
West Amwell	1	8	757	\$9,088,440	\$12,000	10,440	100	500	757	\$9,084,000	\$5,450,400	6.0	\$0,315	No Set Amount
Mercer	7	34	3,004	\$127,816,617	\$42,560	17,725	100	500	1,000	\$42,560,000	\$25,536,000	3.0	\$13,300	No Set Amount
Hopewell	1	3	603	\$18,100,000	\$30,000	10,862	133	403	67	\$2,010,000	\$1,206,000	2.0	\$0,900	No Set Amount
Middlesex	5	129	5,345	\$199,865,590	\$41,300	20,619	225	1,125	2,250	\$92,925,000	\$55,755,000	3.0	\$30,000	No Set Amount
Monmouth	5	144	14,220	\$453,809,000	\$31,918	59,146	1,200	5,000	8,000	\$255,343,440	\$153,206,064	1.5	\$17,900	No Set Amount
Collis Neck	1	6	293	\$14,000,000	\$43,278	19,023	97	300	600	\$25,966,800	\$15,580,080	2.5	\$0,354	No Set Amount
Holmdel	1	10	337	\$15,600,000	\$46,307	2,568	10	70	338	\$15,651,766	\$9,391,060	2.5	\$1,160	No Set Amount
Howell	3	12	633	\$10,900,000	\$25,127	24,234	127	243	82	\$2,060,376	\$1,236,226	2.0	\$1,396	\$0,700
Manalapan	1	36	1,560	\$31,100,000	\$19,936	9,223	156	780	1,560	\$36,750,000	\$22,050,000	2.0	\$0,625	No Set Amount
Mailboro	3	17	588	\$36,700,000	\$62,500	19,690	45	312	588	\$51,480,000	\$30,888,000	6.0	\$0,830	No Set Amount
Millstone	4	62	4,038	\$121,140,000	\$30,000	12,359	716	1,116	1,716	\$30,000,000	\$18,000,000	4.0	\$0,328	No Set Amount
Upper Freehold	1	66	7,367	\$147,300,000	\$20,000	30,368	431	1,100	1,500	\$30,000,000	\$18,000,000	4.0	\$0,328	No Set Amount
Morris	3	96	6,901	\$203,800,332	\$29,532	169,342	542	2,709	5,418	\$160,004,376	\$96,002,626	3.0	\$44,000	\$11,000
Ocean	6	160	3,359	\$78,000,730	\$24,962	21,136	387	901	3,402	\$94,919,193	\$50,951,516	1.2	\$10,000	No Set Amount
Passaic	1	5	116	\$4,645,600	\$40,000	6,415	100	500	1,000	\$40,000,000	\$24,000,000	1.0	\$5,200	\$0,780
Salem	3	173	6,949	\$50,847,700	\$7,317	80,125	2,600	13,000	26,000	\$190,248,760	\$118,524,380	2.0	\$0,900	\$0,900
Alloway	2	10	600	\$3,800,000	\$6,333	3,000	200	200	200	\$1,266,600	\$913,300	2.0	\$0,040	\$0,040
Pilesgrove	3	44	3,970	\$62,314,000	\$15,697	7,287	179	827	1,506	\$23,639,682	\$14,163,809	3.0	\$0,145	\$0,145
Pittsgrove	2	89	3,180	\$23,650,000	\$7,500	7,093	435	1,997	3,814	\$28,605,000	\$17,735,100	3.0	\$0,178	No Set Amount

Schedule A

2009 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT  
APPLICATION SUMMARY

As of 6/16/10

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost Per Acre	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	10-Year Total Cost	10-Year SADC Cost	Dedicated Tax \$0.0/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Upper Pittsgrove	4	20	1,000	\$7,500,000	\$7,500	1,000	200	500	1,000	\$7,500,000	\$4,650,000	2.0	\$0,070	\$0,070
<b>Somerset</b>														
Bedminster	13	440	18,333	\$209,139,753	\$11,407	87,695	1,000	5,000	10,000	\$114,074,600	\$68,444,760	3.0	\$18,340	No Set Amount
Bernards	1	72	5,427	\$162,810,000	\$30,000	10,111	500	3,000	5,500	\$165,000,000	\$99,000,000	2.0	\$0,522	No Set Amount
Branchburg	1	29	702	\$55,300,000	\$75,000	3,798	165	265	270	\$20,250,000	\$12,150,000	4.0	\$3,030	No Set Amount
Franklin	2	23	737	\$40,500,000	\$55,000	1,873	154	12	571	\$31,405,000	\$18,843,000	5.0	\$1,500	No Set Amount
Hillsborough	3	25	1,100	\$42,600,000	\$31,254	17,422	130	650	1,100	\$34,378,960	\$20,627,376	5.0	\$4,000	No Set Amount
Montgomery	1	36	1,886	\$38,761,000	\$20,000	3,860	100	500	1,000	\$20,000,000	\$12,000,000	4.1	\$1,480	\$0,300
<b>Sussex</b>														
Warren	10	292	14,050	\$83,105,914	\$6,110	176,195	2,648	13,240	26,480	\$161,793,065	\$104,728,532	2.0	\$3,965	\$3,600
Franklin	7	300	31,267	\$167,470,562	\$5,356	148,582	1,825	8,125	16,250	\$87,035,163	\$58,142,581	6.0	\$7,800	\$4,500
Freylinghuysen	4	104	6,142	\$50,207,180	\$8,980	9,455	250	1,204	2,299	\$20,645,020	\$12,391,610	6.5	\$0,270	No Set Amount
Greenwich	7	82	3,511	\$22,821,500	\$6,500	9,354	100	500	1,000	\$6,500,000	\$4,150,000	2.0	\$0,055	\$0,055
Harmony	1	8	1,189	\$23,800,000	\$20,000	3,453	120	480	589	\$11,780,000	\$7,068,000	4.0	\$0,230	No Set Amount
Hope	3	152	5,454	\$43,632,000	\$8,000	12,409	100	500	1,000	\$8,000,000	\$4,900,000	5.0	\$0,247	\$0,247
Knowlton	3	92	1,800	\$29,682,000	\$6,000	5,384	200	900	1,800	\$10,800,000	\$7,020,000	5.0	\$0,045	No Set Amount
Pohatcong	2	61	3,460	\$27,900,000	\$8,053	13,355	100	500	1,000	\$8,053,000	\$4,926,500	2.0	\$0,051	\$0,102
<b>County Totals (15)</b>	<b>93</b>	<b>2,311</b>	<b>152,286</b>	<b>\$2,159,525,288</b>		<b>1,220,686</b>	<b>14,988</b>	<b>71,066</b>	<b>140,246</b>	<b>\$1,779,958,562</b>	<b>\$1,086,386,551</b>		<b>\$200</b>	
<b>Municipal Totals (37)</b>	<b>89</b>	<b>1,715</b>	<b>85,237</b>	<b>\$1,564,213,120</b>		<b>384,117</b>	<b>9,223</b>	<b>31,392</b>	<b>57,449</b>	<b>\$989,575,164</b>	<b>\$597,025,347</b>		<b>\$24,554</b>	

Note: In many cases County and Municipal project areas overlap. Also, identified farms may appear on both County and Municipal target farm lists.



MUNICIPAL PLANNING INCENTIVE GRANT  
 Final Approval Applications  
 (2009 Round)  
 November 2010

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1 Year Acreage Goal	5 Year Acreage Goal	10 Year Acreage Goal	Dedicated Tax \$0.0-\$1.00	Annual Tax Revenue	Annual Tax for Farm Preservation
West Amwell	Hunterdon	West Amwell	8	757	\$9,089,440	\$12,000	100	500	757	6.0	\$315,360	No Set Amount
Total		1	8	757	\$9,089,440	\$12,000	100	500	757			
November 2010 MUN. PIG (2009 Round) FINAL APPROVAL TOTALS												
1	1	1	8	757	\$9,089,440		100	500	757			

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R11(3)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

PITTSGROVE TOWNSHIP  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of  
Edith M. Camp  
Pittsgrove Township, Salem County

N.J.A.C. 2:76-17A. et seq.  
SADC ID# 17-0091-PG

NOVEMBER 4, 2010

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Pittsgrove Township, which included the Camp Farm, identified as Block 2002, Lot 3, Pittsgrove Township, Salem County, totaling approximately 20 acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and

WHEREAS, the Camp Farm includes one existing single-family residence on the area to be preserved; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted final approval of Pittsgrove Township's PIG on April 24, 2009; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on February 3, 2010 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, to date \$750,000 of FY09 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area and an additional \$500,000 of FY11 funding is pending appropriation; and

WHEREAS, to date Pittsgrove Township has not expended any of its SADC grant funds; and

WHEREAS, Pittsgrove Township has 3 other projects pending against this balance with SADC certified values (Sadeghian, Sara & Goren, and Lenchitz), two of which have been granted SADC Final Approval (Sadeghian and Sara & Goren) for a potential grant need of approximately \$662,008.50; and

WHEREAS, Pittsgrove Township and Salem County shall inform the SADC in regard to its prioritization of pending projects and funding requirements in the event of future shortfalls in SADC grant funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, the SADC certified a value of \$8,150 / acre based on the "current value" date of March 2010 for the development easement for the Property on April 23, 2010 (this farm is not eligible for appraisal based on 01/01/04 zoning); and

WHEREAS, the Township has contracted with the landowner at \$8,150 / acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, the Pittsgrove Township Committee approved the application and its funding commitment for 19.48% of the easement purchase (estimated \$31,750) on the Camp Farm on June 23, 2010, and the Salem County Agriculture Development Board approved the application on July 28, 2010 and secured a commitment of funding for 19.48% of the easement purchase (estimated \$31,750) from the Salem County Board of Chosen Freeholders for the required local match on August 18, 2010; and

WHEREAS, the County will utilize its cost share to compensate the landowner by way of an installment purchase agreement ("IPA"), which is subject to review and approval by the Office of the Attorney General; and

WHEREAS, the estimated cost share break down is as follows:

	<u>Cost Share</u>	
SADC	\$ 99,500	
Pittsgrove Twp.	\$ 31,750	
Salem County	<u>\$ 31,750</u>	
	\$166,500	; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Pittsgrove Township for the purchase of a development easement on the Camp Farm by Salem County, comprising approximately 20 acres, at a State cost share of \$4,975 per acre for an estimated total of \$99,500 (61.04% of certified market value and estimated total cost) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Salem County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

11/4/10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	ABSENT FOR VOTE
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Denis C. Germano, Esq.	YES
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	YES
James Waltman	YES

# Wetlands



xc:\counties\s\_aloc\projects\CampE00\figwv.mxd

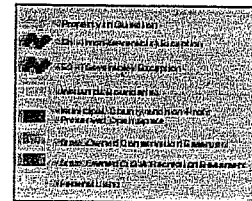
Application within the (PA42) Rural Environmentally Sensitive Area

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Camp, Edith  
Block 2002 Lot 3 (19.63 ac)  
Gross Total = 19.63 ac  
Pittsgrove Twp., Salem County

250 125 0 250 500 Feet

**DISCLAIMER:** Any use of this product with respect to accuracy or depiction shall be the sole responsibility of the user. The contours and georeferenced boundary or parcel polygon in this data layer are approximate and were developed primarily for planning purposes. The georeferenced boundary and polygon of the GIS data contained in this file and map shall not be relied upon for any legal matter requiring delineation and location of the ground horizontal and vertical control as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



**Wetlands Legend:**  
 F - Freshwater Wetland  
 L - Linear Wetland  
 M - Wetland Modified for Agriculture  
 T - Tidal Wetland  
 W - Wetland  
 S - 300' Buffer  
 W - Water

Source: NJ DEP Freshwater Wetlands Data  
 Green Acres: Central and Eastern Data  
 NJ OIT/GIS-2007/2008 Digital Data Base

Date: 1/13/2010

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Camp, Edith M.  
17- 0091-PG  
FY 2009 PIG EP - Municipal 2007 Rule  
20 Acres

Block 2002	Lot 3	Pittsgrove Twp.	Salem County
<b>SOILS:</b>		Prime	94% * .15 = 14.10
		Unique .125	6% * .125 = .75
			<b>SOIL SCORE: 14.85</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	65% * .15 = 9.75
		Woodlands	35% * 0 = .00
			<b>TILLABLE SOILS SCORE: 9.75</b>
<b>FARM USE:</b>		Soybeans-Cash Grain	12 acres
		Cash Grains	acres

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

1. Available funding.
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: No Exceptions Recorded
  - c. Additional Restrictions:
    1. the landowner has signed an acknowledgment and understands the conditions and restrictions related to having a residence on the Premises. An exception area for the residence was not requested.
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: Standard Single Family
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 FY2011R11(4)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**WOOLWICH TOWNSHIP**

**for the**

**PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Patricia & Willard Eastlack  
Woolwich Township, Gloucester County**

**N.J.A.C. 2:76-17A. et seq.  
SADC ID# 08-0096-PG**

**NOVEMBER 4, 2010**

- WHEREAS, on December 15, 2007, the State Agriculture Development Committee (“SADC”) received a Planning Incentive Grant (“PIG”) plan application from Woolwich Township, which included the Eastlack Farm, identified as Block 47, Lot 4, and Block 55, Lots 4 & 4.01, Woolwich Township, Gloucester County, totaling approximately 49 acres hereinafter referred to as “Property” and as identified on the attached map Schedule A; and
- WHEREAS, the Eastlack Farm includes one single-family residence on the area to be preserved; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted final approval of Woolwich Township’s PIG on May 28, 2009; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on May 20, 2009 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and
- WHEREAS, to date \$750,000 of FY09 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township’s approved PIG Project Area and an additional \$500,000 of FY11 funding is pending appropriation; and
- WHEREAS, to date Woolwich Township has not expended any of its SADC grant funds; and
- WHEREAS, SADC records show Woolwich Township also has no other projects in application or appraisal phase; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, the SADC certified a value of \$15,500/ acre based on zoning and environmental regulations in place as of 1/1/04, and waived a “current value” date as permitted by the landowners’ request, for the development easement for the Property on May 27, 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, the Woolwich Township Committee approved the application and its funding commitment for 20% of the easement purchase (estimated \$151,900) on the Eastlack Farm on October 4, 2010, and the Gloucester County Agriculture Development Board approved the application on October 14, 2010 and secured a commitment of funding for 20% of the easement purchase (estimated \$151,900) from the Gloucester County Board of Chosen Freeholders for the required local match on October 6, 2010; and

WHEREAS, the estimated cost share break down is as follows:

	<u>Cost Share</u>	
SADC	\$455,700	
Woolwich Twp.	\$151,900	
Gloucester County	<u>\$151,900</u>	
	\$759,500	; and

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Woolwich Township for the purchase of a development easement on the Eastlack Farm by Gloucester County, comprising approximately 49 acres, at a State cost share of \$9,300 per acre for an estimated total of \$455,700 (60% of certified market value and estimated total cost) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

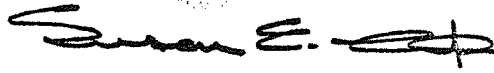
BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Gloucester County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and



BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

11/4/10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	ABSENT FOR VOTE
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Denis C. Germano, Esq.	YES
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	YES
James Waltman	YES

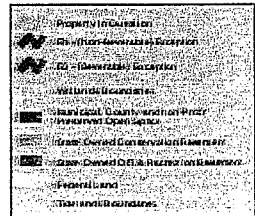
# Wetlands



c:\counties\g\o\o\projects\Eastlack\FWW\ mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Eastlack, Patricia & Willard  
Block 47 Lot 4 (26.91 ac)  
Block 55 Lots 4 (5.66 ac.) & 4.01 (14.50 ac.)  
Total Preservation = 47.07 ac  
Woodwich Twp., Gloucester County



**Wetland Legend:**  
F - Freshwater Wetland  
L - Lotic Wetland  
M - Wetland Modified for Agriculture  
T - Tidal Wetland  
R - River Wetland  
S - Salt Water  
W - Water

Source: NJDEP Wetland Wetlands 906  
Green Acres Conservation Easement Data  
R0111010001 2008 Digital Aerial Imagery

Date: 4/14/2009

**DISCLAIMER:** Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The contributors and geographers located at various locations in the data have all appropriate and we developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be relied upon in making any legal determination of the location and location of the ground horizontal and vertical control as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Eastlack, Patricia & Willard  
08- 0096-PG  
FY 2009 PIG EP - Municipal 2007 Rule  
49 Acres

Block 47	Lot 4	Woolwich Twp.	Gloucester County
Block 55	Lot 4	Woolwich Twp.	Gloucester County
Block 55	Lot 4.01	Woolwich Twp.	Gloucester County

<b>SOILS:</b>	Local	21% *	.05	=	1.05
	Other	13.5% *	0	=	.00
	Prime	53.7% *	.15	=	8.06
	Statewide	11.8% *	.1	=	1.18

**SOIL SCORE: 10.29**

<b>TILLABLE SOILS:</b>	Cropland Harvested	78% *	.15	=	11.70
	Other	2% *	0	=	.00
	Woodlands	20% *	0	=	.00

**TILLABLE SOILS SCORE: 11.70**

<b>FARM USE:</b>	Soybeans-Cash Grain	21 acres
	Vegetable & Melons	28 acres

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

1. Available funding.
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: No Exceptions Recorded
  - c. Additional Restrictions:
    1. the landowner has signed an acknowledgment and understands the conditions and restrictions related to having a residence on the Premises. An exception area for the residence was not requested.
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: Standard Single Family - B55, L4
  - 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 FY2011R11(5)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**FRANKLIN TOWNSHIP**

**for the**

**PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of**

**Vito & Melissa Genna**

**Franklin Township, Gloucester County**

**N.J.A.C. 2:76-17A. et seq.**

**SADC ID# 08-0121-PG**

**NOVEMBER 4, 2010**

WHEREAS, on December 15, 2007, the State Agriculture Development Committee (“SADC”) received a Planning Incentive Grant (“PIG”) plan application from Franklin Township, which included the Genna Farm, identified as Block 5602, Lot 41 & 41.02, Franklin Township, Gloucester County, totaling approximately 49 acres hereinafter referred to as “Property” and as identified on the attached map Schedule A; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7 and 17A.8, the SADC granted final plan approval of Franklin Township’s PIG on May 28, 2009; and

WHEREAS, the Property includes a one existing single-family residence to remain on the preserved farmland; and

WHEREAS, the Property also includes a one-acre nonseverable exception for a future single-family residence; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on March 30, 2010 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, the SADC certified a value of \$7,000 / acre based on zoning and environmental regulations in place as of February 2010 for the development easement for the Property on May 27, 2010; and

WHEREAS, to date \$750,000 in FY2009 SADC funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township’s approved PIG Project Area and an additional \$500,000 is pending appropriation; and

WHEREAS, to date Franklin Township has not expended any of its SADC grant funds; and

WHEREAS, Franklin Township has 3 other projects pending against this balance with SADC certified values (Gallagher, Tweed North & Tweed South) for a potential grant need of approximately \$926,316, which is more than is currently appropriated and available for closing; and

WHEREAS, Based on the current potential grant need for the 4 Farms there is a potential \$176,316 shortfall in SADC grant funding; and

WHEREAS, in order to assist with the shortfall the SADC submitted the Genna Farm application to the FY09 United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant; and

WHEREAS, it has been determined that the Property and the Landowner qualify for FRPP grant funds; and

WHEREAS, the Genna Farm has been approved by the NRCS for a FRPP grant of approximately \$3,500 per acre (50% of the certified easement value accepted by NRCS) for a total FRPP grant amount of approximately **\$170,590 which is the amount available at this time**; and

WHEREAS, the landowner has agreed to the additional restrictions involved with the FRPP Grant, including a 7.33% maximum impervious coverage restriction (approximately 3.59 acres) on the lands being preserved; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, the Gloucester County Agriculture Development Board approved the application on October 14, 2010 and on October 6, 2010 the Gloucester County Board of Chosen Freeholders approved the application; and

WHEREAS, Franklin Township and Gloucester County have indicated that due to a lack of funding the preservation of the current Township and County PIG Farm applications will not occur unless the SADC is able to “pass through” the FRPP grant funds to cover the entire local cost share of approximately \$127,400 (49 acres x \$2,600 per acre); and

WHEREAS, the FRPP grant funds of approximately \$170,590 is enough to cover the entire County and Municipal contribution and the remaining FRPP funds of approximately \$43,190 will be utilized to reduce the needed SADC cost share, hence, reducing the overall expenditure of Franklin Township’s PIG grant funds; and

WHEREAS, the cost share breakdown is approximately as follows:

**Cost share breakdown prior to FRPP Grant:**

	<b><u>Total</u></b>	
SADC	\$215,600	(\$4,400/acre)
Franklin Twp & Gloucester County	<u>\$127,400</u>	(\$2,600/acre)
Total Easement Purchase	<b>\$343,000</b>	

**Cost share breakdown after \$170,590 FRPP Grant is applied:**

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>	
SADC	\$215,600 (\$4,400/acre)	\$43,190	\$172,410	(\$3,518.57/acre)
Franklin Twp & Gloucester County FRPP Grant	\$127,400 (\$2,600/acre)	\$127,400	\$0	(\$0/acre)
	<b>\$343,000</b>	<b>\$170,590</b>	<u>\$170,590</u>	<u>(\$3481.43/acre)</u>
			<b>\$343,000</b>	<b>\$7,000/acre</b>

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Franklin Township for the purchase of a development easement on the Genna Farm by Gloucester County, comprising approximately 49 acres, at a State cost share of \$4,400 per acre for an estimated total of \$215,600 (62.86% of certified market value and estimated total cost) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED, that the SADC will utilize a grant in the amount of approximately \$170,590 from the United States Department of Agriculture, Natural Resources Conservation Service under the FY09 Federal Farm and Ranch Lands Protection Program to offset the State cost share and cover the local cost share on the Genna Farm; and

NOW THEREFORE BE IT RESOLVED, that the SADC cost share grant shall utilize an approximate total of \$172,410 from Franklin Township's PIG funds due to the offset provided by approximately \$43,190 from the USDA, NRCS FY2009 FRPP grant funds; and

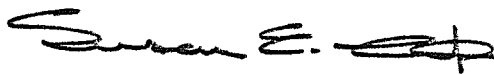
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Gloucester County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

11/4/10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	ABSENT FOR VOTE
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Denis C. Germano, Esq.	YES
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	YES
James Waltman	YES

# Wetlands



x:\counties\glou\projects\genna\409\fw\mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Genna, Vito & Melissa  
Block 5602 Lot 41 (48.1 ac) & Lot 41.02-EN (non-severable exception - 1.0 ac)  
Gross Total = 49.1 ac  
Franklin Twp., Gloucester County

500 250 0 500 1000 Feet

**DISCLAIMER:** Any use of this product with respect to accuracy and depiction 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 relied upon in matters requiring de facto and location of the ground horizontal and vertical control as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



**Wetland Legend:**  
F - Freshwater Wetland  
L - Linear Wetland  
T - Tidal Wetland Modified to Agricultural  
M - Marsh Wetland  
B - Bog Wetland  
W - Water

Source: NJDEP Freshwater Wetland Data  
Green Acres: Conservation Base/Forest Data  
NJOTRGIS: 2007/2008 Digital-Vector Data  
Date: 2/16/2010



State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Genna, Vito & Melissa  
08- 0121-PG  
FY 2009 PIG EP - Municipal 2007 Rule  
49 Acres

Block 5602	Lot 41	Franklin Twp.	Gloucester County	
Block 5602	Lot 41.02	Franklin Twp.	Gloucester County	
<b>SOILS:</b>		Other	9% * 0	= .00
		Prime	84% * .15	= 12.60
		Statewide	7% * .1	= .70
			<b>SOIL SCORE:</b>	<b>13.30</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	77% * .15	= 11.55
		Other	2% * 0	= .00
		Woodlands	21% * 0	= .00
			<b>TILLABLE SOILS SCORE:</b>	<b>11.55</b>
<b>FARM USE:</b>	Sugar-Field Crop	3 acres		beets
	Field Crop Except Cash Grain	27 acres		Hay
	Berry	1 acres		strawberries
	Vegetable & Melons	3 acres		potatoes

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 one (1) acres for prelim subdiv approval consideration
    - Exception is not to be severed from Premises
    - Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions:
    1. 7.33% impervious cover max (approx 3.59 acres) pursuant to Federal Farm and Ranch Land Protection Program
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises: Standard Single Family
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 FY2011R11(6)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

FRANKLIN TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of  
William B. Leavens III  
Franklin Township, Warren County

N.J.A.C. 2:76-17A. et seq.  
SADC ID# 21-0472-PG

NOVEMBER 4, 2010

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Franklin Township, which included the Leavens Farm, identified as Block 57, Lots 1 and 34 Franklin Township, Warren County, totaling approximately 57 acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7 and 17A.8, the SADC granted final plan approval of Franklin Township's PIG on April 24, 2009; and

WHEREAS, the Leavens Farm is in the Highlands Planning Area; and

WHEREAS, the Property includes a 2-acre nonseverable exception for the existing single-family residence and improvements and a 1-acre nonseverable exception for one future single-family residence; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on November 24, 2008 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, the SADC certified a value of \$8,100 / acre based on zoning and environmental regulations in place as of 1/1/04 and the "current value" date of - November 2008 for the development easement for the Property on May 28, 2009; and

WHEREAS, the Township has contracted with the landowner at \$7,500 per acre for the development easement for a total easement purchase price of \$427,500; and

WHEREAS, to date \$750,000 of FY09 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area and an additional \$500,000 of FY11 funding is pending appropriation; and

WHEREAS, to date Franklin Township has expended \$154,215.70 of its SADC grant funds leaving a cumulative balance of \$441,568.60 available in its FY09 appropriation; and

WHEREAS, Franklin Township has one other project pending against this balance with SADC final approval (Sigler) for a potential grant need of approximately \$336,198.30; and

WHEREAS, the New Jersey Conservation Foundation submitted a parcel application to the FY07 United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP) for consideration of a grant for the easement purchase on the Leavens Farm; and

WHEREAS, it has been determined that the Property and the Landowner qualify for FRPP grant funds; and

WHEREAS, the appraisals utilized for the initial SADC easement value certification are outdated for FRPP use which requires an appraisal be less than one year old, hence, NJCF and Warren County are updating an easement appraisal at this time to meet FRPP requirements; and

WHEREAS, for the purposes of this resolution the FRPP grant will be based on the lowest easement value considered by the SADC at the time of the easement value certification which is \$6,800 per acre equating to an FRPP grant of \$3,400 per acre (50% of \$6,800) or approximately \$193,800 in total FRPP funds; and

WHEREAS, the landowner has agreed to the additional restrictions involved with the FRPP Grant, including a 4% maximum impervious coverage restriction (approximately 2.28 acres available for impervious cover) on the lands being preserved outside of the exception area; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on October 4, 2010 the Franklin Township Committee approved the application and a funding commitment for up to approximately \$81,100 should the anticipated FRPP grant not cover its entire cost share on the easement purchase; and

WHEREAS, the Warren County Agriculture Development Board approved the application on July 16, 2009 and secured a commitment of funding for an estimated \$81,100 from the Warren County Board of Chosen Freeholders for the required local match on July 22, 2009 should the anticipated FRPP grant not cover its entire cost share on the easement purchase; and

WHEREAS, the Township has requested to use the \$193,800 in FRPP grants funds to cover the entire local cost share (County and Municipality) with any remaining FRPP grant funds of approximately \$31,350 to be utilized to reduce the needed SADC cost share, hence, reducing the overall expenditure of Franklin Township's PIG grant funds; and

WHEREAS, the cost share breakdown is approximately as follows:

**Cost share breakdown prior to FRPP Grant:**

	<u>Total</u>	
SADC	\$265,050	(\$4,650/acre)
Franklin Twp & Warren County	<u>\$162,450</u>	(\$2,850/acre)
Total Easement Purchase	<b>\$427,500</b>	

**Cost share breakdown after \$193,800 FRPP Grant is applied:**

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$265,050(\$4,650/acre)	\$31,350	\$233,700 (\$4,100/acre)
Franklin Twp & Warren County	<u>\$162,450</u> (\$2,850/acre)	\$162,450	\$0 (\$0/acre)
FRPP Grant			<u>\$193,800</u> (\$3400/acre)
	<b>\$427,500</b>	<b>\$193,800</b>	<b>\$427,500 \$7,500/acre</b>

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

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

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

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Franklin Township for the purchase of a development easement on the Leavens Farm by Warren County, comprising approximately 57 acres, at a State cost share of \$4,650 per acre for an estimated total of \$265,050 (57.41% of certified market value and 62% of purchase price and estimated total cost) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$31,350) from the United States Department of Agriculture, Natural Resources Conservation Service under the FY07 Federal Farm and Ranch Lands Protection Program to offset SADC grant needs on the Leavens Farm; and

NOW THEREFORE BE IT RESOLVED, that the SADC cost share grant shall utilize an approximate total of \$233,700 from Franklin Township's PIG funds and \$31,350 from NJCFs FY07 USDA, NRCS FRPP grant funds; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Warren County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

11/4/10  
Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	ABSENT FOR VOTE
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Denis C. Germano, Esq.	YES
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	YES
James Waltman	YES



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State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Leavens, William B., III (Apple Valley Farms)  
21- 0472-PG  
FY 2009 PIG EP - Municipal 2007 Rule  
56 Acres

Block 57	Lot 34	Franklin Twp.	Warren County		
Block 57	Lot 1	Franklin Twp.	Warren County		
<b>SOILS:</b>		Other	65% * 0	=	.00
		Prime	35% * .15	=	5.25
					<b>SOIL SCORE: 5.25</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	76% * .15	=	11.40
		Wetlands	5% * 0	=	.00
		Woodlands	19% * 0	=	.00
					<b>TILLABLE SOILS SCORE: 11.40</b>
<b>FARM USE:</b>		Crop Planting, Cultivating & Protecting	20 acres		
		Timber Tracts	15 acres		

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

1. Available funding.
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 two (2) acres for existing single family & improvements  
Exception is not to be severed from Premises  
Exception is to be restricted to one single family residential unit(s)
    - 2nd one (1) acres for future residence  
Exception is not to be severed from Premises  
Exception is to be restricted to one single family residential unit(s)
  - c. Additional Restrictions:
    1. 4% impervious cover max (approx 1.85 acres) pursuant to Federal Farm and Ranch Land Protection Program
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:  
No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R11(7)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**SUSSEX COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Lynn and Bonita Turr  
Turr Farm  
Wantage Township, Sussex County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 19-0011-PG**

**November 4, 2010**

WHEREAS, on December 17, 2007, the State Agriculture Development Committee (“SADC”) received a Planning Incentive Grant (“PIG”) application from Sussex County, hereinafter “County” pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of the FY2010 plan on November 5, 2009; and

WHEREAS, on 1/12/10 the SADC received an application for the sale of a development easement from Sussex County for the Turr Farm hereinafter referred to as “Owner” identified as Block 135, Lots 8.04 and 8.05, Wantage Township, Sussex County, totaling approximately 52 net acres hereinafter referred to as “Property” and as identified on the attached map (Schedule A); and

WHEREAS, the Property is located in Sussex County’s Central Kittatiny Valley East Project area; and

WHEREAS, the Property has one (1) existing single family residence, zero (0) residences used for agricultural labor, no exceptions and no pre-existing non-agricultural use; and

WHEREAS, the Property has a rank score of 52 which exceeds 70% of the County’s average quality score of 33, as determined by the SADC on July 23, 2009; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 20, 2009 the Sussex CADB passed a resolution granting final approval to the Turr farm at a per acre price of \$5,100 with the intent of pursuing an SADC cost share reimbursement; and

WHEREAS, on February 11, 2009 the Sussex County Board of Chosen Freeholders granted final approval for the purchase of the development easement on the Turr farm; and



WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 11, 2009 the Wantage Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, Sussex County purchased the development easement on 52.397 acres on April 23, 2009 for \$267,224.70 (\$5,100 per acre which is lower than the highest appraised value of \$6,000 per acre, but higher than the SADC's certified development easement value of \$5,000); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on January 29, 2010 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 23, 2010 the SADC certified a development easement value of \$5,000 per acre based on zoning and environmental regulations in place as of 8/1/08; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13(d), the County prioritized its farms and the ranking and submitted the ranking to the SADC on September 28, 2010 to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, to date Sussex County has requested and the SADC has encumbered \$610,387.76 in base grant funding for the Peck, Chirip, Hautau #2 and Washer farms, leaving a cumulative balance of \$1,389,612.24; and

WHEREAS, the Sussex County Agriculture Development Board is requesting \$178,149.80 from its \$2,000,000 base grant, leaving a balance of \$1,211,462.44 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and 17.14 Sussex County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for other projects; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire amount will be encumbered from Sussex County's base grant; and

WHEREAS, since the County has already performed a survey on this Property, in anticipation of an imminent closing, it is not requesting an additional 3% buffer for possible final surveyed acreage increases and will use 52.397 for calculation purposes;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Property, comprising approximately 52.397 acres, at a State cost share of \$3,400 per acre (68% of certified market value) for a total grant of approximately \$178,149.80, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C"; and

BE IT FURTHER RESOLVED, that the SADC grant will consist of \$178,149.80 from the base grant fund only: and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

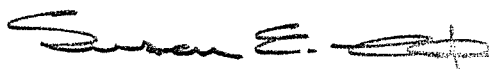
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

11/4/10

Date



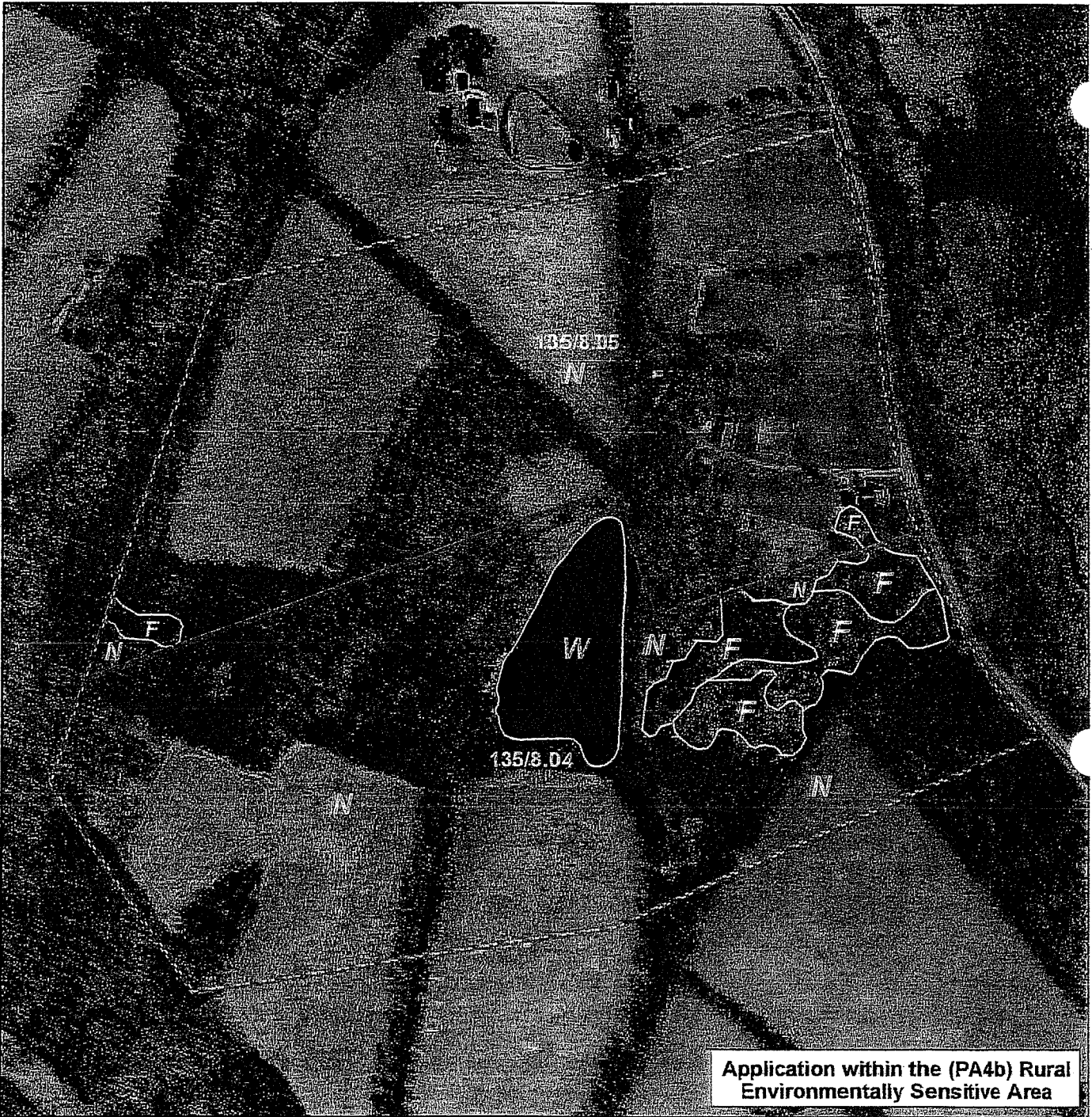
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Denis C. Germano, Esq.	YES
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	RECUSED
James Waltman	YES

# WETLANDS

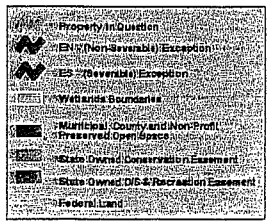
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Application within the (PA4b) Rural Environmentally Sensitive Area

**FARMLAND PRESERVATION PROGRAM  
NJ State Agriculture Development Committee**

Lynn and Bonita Turr  
Block 135 Lots 8.04 (28.4 ac) & 8.05 (25.2 ac)  
Gross Total = 53.6 ac  
Wantage Twp., Sussex County



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

Sources:  
 NJDEP Freshwater Wetlands Data  
 Green Acres Conservation Easement Data  
 NJOT/OGIS 2007/2008 Digital Aerial Image

January 15, 2010

**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



SADC Final Review: Development Easement Purchase

Schedule C

Turr Farm  
 19- 0011-PG  
 FY 2009 County PIG Program  
 52 Acres

Block 135	Lot 8.04	Wantage Twp.	Sussex County		
Block 135	Lot 8.05	Wantage Twp.	Sussex County		
<b>SOILS:</b>		Other	100% * 0	=	.00
				<b>SOIL SCORE:</b>	<b>.00</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	47% * .15	=	7.05
		Wetlands	10% * 0	=	.00
		Woodlands	43% * 0	=	.00
				<b>TILLABLE SOILS SCORE:</b>	<b>7.05</b>
<b>FARM USE:</b>		Field Crop Except Cash Grain	49 acres		

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

1. Available funding.
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: No Exceptions Recorded
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:  
Standard Single Family
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 FY2011R11(8)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO**

**SUSSEX COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Gail Warren and Ramiro Bertot  
Warren/Bertot Farm  
Wantage Township, Sussex County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 19-0011-PG**

**November 4, 2010**

WHEREAS, on December 17, 2007, the State Agriculture Development Committee (“SADC”) received a Planning Incentive Grant (“PIG”) application from Sussex County, hereinafter “County” pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of the FY2010 plan on November 5, 2009; and

WHEREAS, on 4/16/10 the SADC received an application for the sale of a development easement from Sussex County for the Warren/Bertot Farm hereinafter referred to as “Owner” identified as Block 159, Lot 2.02, Wantage Township, Sussex County, totaling approximately 45 net acres hereinafter referred to as “Property” and as identified on the attached map (Schedule A); and

WHEREAS, the Property is located in Sussex County’s Central Kittatiny Valley Project area; and

WHEREAS, the Property has one (1) existing single family residence, zero (0) residences used for agricultural labor, no exceptions and no pre-existing non-agricultural use; and

WHEREAS, the Property has a rank score of 48 which exceeds 70% of the County’s average quality score of 33, as determined by the SADC on July 23, 2009; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 20, 2009 the Sussex CADB passed a resolution granting final approval to the Warren/Bertot farm at a per acre price of \$4,800 with the intent of pursuing an SADC cost share reimbursement; and

WHEREAS, on February 11, 2009 the Sussex County Board of Chosen Freeholders granted final approval for the purchase of the development easement on the Warren/Bertot farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on February 13, 2009 the Wantage Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, Sussex County entered into a contract of sale for the easement on the Premises on May 31, 2009 for \$4,800 which is lower than the highest appraised value of \$5,900 per acre, but higher than the SADC's certified development easement value of \$4,700); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on June 7, 2010 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on July 22, 2010 the SADC certified a development easement value of \$4,700 per acre based on zoning and environmental regulations in place as of 8/1/08; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13(d), the County prioritized its farms and the ranking and submitted the ranking to the SADC on September 28, 2010 to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, to date Sussex County has requested and the SADC has encumbered \$788,537.56 in base grant funding for the Peck, Chirip, Hautau #2 and the Turr farm leaving a cumulative balance of \$1,211,462.44; and

WHEREAS, the Sussex County Agriculture Development Board is requesting \$143,441.34 from its \$2,000,000 base grant, leaving a balance of \$1,068,021.10 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and 17.14 Sussex County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for other projects; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire amount will be encumbered from Sussex County's base grant; and

WHEREAS, since the County has already performed a survey on this Property, in anticipation of an imminent closing, it is not requesting an additional 3% buffer for possible final surveyed acreage increases and will use 44.547 for calculation purposes;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to the County for the purchase of a development easement on the Property, comprising approximately 44.547 acres, at a State cost share of \$3,220 per acre (68.51% of certified market value) for a total grant of approximately \$143,441.34, pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule "C"; and

BE IT FURTHER RESOLVED, that the SADC grant will consist of \$143,441.34 from the base grant fund only: and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

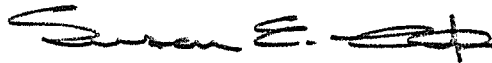
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

11/4/10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Denis C. Germano, Esq.	YES
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	RECUSED
James Waltman	YES



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Application within the (PA4) Rural Area

**FARMLAND PRESERVATION PROGRAM  
NJ State Agriculture Development Committee**

Gail Warren and Ramiro Bertot  
Block 159 Lot 2.02 (45.8 ac)  
Gross Total = 45.8 ac  
Wantage Twp., Sussex County



	Easement in Question
	EN (Non-Severable) Exception
	Wetlands Modified for Agriculture
	Wetlands Boundaries
	Municipal/Courts and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned DIB & Recreation Easement
	Federal Land



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

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**Sources:**  
 NJDEP Freshwater Wetlands Data  
 Green Acres Conservation Easement Data  
 NJOT/OGIS 2007/2008 Digital/Aerial Image

New Jersey Forestry Reservation Program  
 Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Schedule

Farm	Municipality	App Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant % Per Acre	Easement Consideration	SADC Cost Share	2,000,000		3,000,000		Total Encumbered & app
									Encumbered at Final	Base Grant PV Encumbered	Encumbered at Final	Balance	
Peck, Harold & Galile	Lafayette	36.279	15,000.00	15,500.00	9,000.00	60.00%	557,039.00	326,511.00	326,511.00	323,451.00	1,676,549.00		
Sussex Co/Clirp	Green	18.008	9,900.00	7,850.00	3,850.00	65.25%	141,382.80	69,330.80	69,330.80	69,330.80	1,607,218.20		
H.J.J. Hautau & Sons Inc 2	Frankford	36.834	9,900.00	10,200.00	5,940.00	60.00%	373,666.80	217,605.96	217,605.96		1,389,612.24		
Turr, Lynn & Bonita	Wantage	52.397	5,000.00	5,100.00	3,400.00	68.00%	267,224.70	178,149.80	178,149.80		1,211,462.44		
G. Warren & R. Bertol	Wantage	44.547	4,700.00	4,800.00	3,220.00	68.51%	213,825.60	143,441.34	143,441.34		1,068,021.10		
Sussex Co/Washington	Wantage	153.038	4,100.00	4,100.00	2,860.00	69.76%	626,742.40	437,688.68	437,688.68				
Sussex Co/Washington	Wantage	104.390	3,000.00	3,050.00	2,200.00	73.33%	318,389.50	229,658.00	229,658.00				
Sussex Co/Washington	Wantage	43.686	7,000.00	7,500.00	4,400.00	62.66%	327,645.00	192,218.40	192,218.40				
Washington Richard & Frances	Green	98.040	9,500.00	11,500.00	5,700.00	60.00%	1,127,460.00	558,828.00	558,828.00				
Hautau, Harold	referred												
Hautau, Harold	referred												
Decker, William	referred												
<b>Total Pending</b>	<b>8</b>						<b>3,953,355.80</b>	<b>1,186,076.08</b>	<b>2,359,431.98</b>	<b>931,978.90</b>			<b>931,978.90</b>
<b>Total Encumbered</b>													
<b>Closed/Expended</b>													
<b>Total</b>													
<b>Reprogram Out</b>													

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State Agriculture Development Committee  
 SADC Final Review: Development Easement Purchase

Warren-Bertot  
 19- 0013-PG  
 FY 2009 County PIG Program  
 45 Acres

Block 159	Lot 2.02	Wantage Twp.	Sussex County		
<b>SOILS:</b>		Other	76% *	0	= .00
		Prime	24% *	.15	= 3.60
					<b>SOIL SCORE: 3.60</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	56% *	.15	= 8.40
		Wetlands	9% *	0	= .00
		Woodlands	35% *	0	= .00
					<b>TILLABLE SOILS SCORE: 8.40</b>
<b>FARM USE:</b>	Field Crop Except Cash Grain			25 acres	

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

1. Available funding.
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: No Exceptions Recorded
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:  
Standard Single Family
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 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 #FY11R11(9)**

**Final Approval and Authorization to Execute Closing Documents  
Authorization to Contract for Professional Services  
SADC Easement Purchase**

**On the Property of  
Jack & Ronnie Cimprich**

**November 4, 2010**

Subject Property: Cimprich Farm  
SADC Easement Purchase Application  
Block 11, Lots 32, 36, 38.01  
Upper Pittsgrove Twp., Salem County  
Approximately 100 Net Acres  
SADC ID#: 17-0206-DE

WHEREAS, on June 10, 2009 the State Agriculture Development Committee (SADC) received a development easement sale application from Jack & Ronnie Cimprich (“Owner”), identified as Block 11, Lots 32, 36 & 38.01, Upper Pittsgrove Twp., Salem County (“Property”), totaling approximately 100 net 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 rights directly from landowners; and

WHEREAS, staff evaluated this application for the sale of development easements directly to the SADC pursuant to Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and N.J.A.C. 2:76-11.5, and State Acquisition Selection Criteria approved by the SADC on July 24, 2008 which prioritizes applications into “Priority”, “Alternate” and “Other” farms; and

WHEREAS, the Property has a quality score of 75.83 which exceeds the Priority Quality score for Salem County of 64, and the Property’s 102 acres exceeds the Priority acreage for Salem County of 95 acres, and therefore the Property is categorized as a Priority farm; and

WHEREAS, the Property is devoted to field crops, has approximately 77 percent prime soils and 20 percent statewide important soils and is 83 percent cropland harvested as identified on Schedule B; and

WHEREAS, the Property has a 2-acre non-severable exception area for, and restricted to, a future single family residence; and

WHEREAS, on September 23, 2010 the SADC certified the development easement value of the Property at \$5,900.00 per acre based on current zoning and environmental conditions as of July 2010 and as of January 1, 2004, and made an offer based on this certified value; and

WHEREAS, on October 12, 2010 the Owner accepted the SADC's offer to purchase the development easement for \$5,900.00 per acre; and

WHEREAS, to proceed with the SADC's purchase of the development easement it is recognized that various professional services will be 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 that the SADC grants final approval to the Cimprich farm application for the acquisition of the development easement at a value of \$5,900 per acre for approximately \$590,000 based on 100 acres subject to the conditions contained in Schedule B; and


BE IT FURTHER RESOLVED, the SADC's cost share shall be based on the final surveyed acreage of the Property adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC authorizes Douglas Fisher Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Craft, 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 on this property; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11/4/10  
Date

  
Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

- |   |         |
|---|---------|
| Douglas H. Fisher, Chairperson                                | YES     |
| Richard Boornazian (rep. DEP Commissioner Martin)             | YES     |
| Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff) | RECUSED |
| Brian Schilling (rep. Executive Dean Goodman)                 | YES     |
| James Requa (rep. DCA Commissioner Grifa)                     | YES     |
| Denis C. Germano, Esq.  | YES     |
| Alan Danser   | YES     |
| Torrey Reade  | YES     |
| Stephen P. Dey  | YES     |
| Jane Brodhecker   | YES     |
| James Waltman   | YES     |

# Cimprich Farm - Schedule A

Application within the (PA4b) Rural Env Sensitive Area

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## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jack and Ronnie Cimprich  
 Block 11 Lots P/O 32 (56.3 ac) & P/O 32-EN (non-severable exception - 2.1 ac)  
 36 (30.8 ac) & 38.01 (13.0. ac)  
 Gross Total = 102.2 ac  
 Upper Pittsgrove Twp., Salem County



	Property in Question
	Non-Severable Exception
	Wetlands Boundary
	Agricultural Conservation Easement
	State Owned or Controlled Land
	Federal Land

	Freshwater Wetlands
	Linear Wetlands
	Wetlands Modified for Agriculture
	Tidal Wetlands
	Non-Wetlands
	300' Buffer
	Water

Sources:  
 NJ DEP Freshwater Wetlands Data  
 Green Acres Conservation Easement Data  
 NJDOT GIS 2007/2008 Superaligned Image

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July 5, 2006

SADC Final Review: Development Easement Purchase

Cimprich Farms  
 State Acquisition  
 Easement Purchase - SADC  
 100 Acres

Block 11 Lot 32 Upper Pittsgrove Twp. Salem County  
 Block 11 Lot 36 Upper Pittsgrove Twp. Salem County  
 Block 11 Lot 38.01 Upper Pittsgrove Twp. Salem County

<b>SOILS:</b>	Prime	77% * .15	=	11.55
	Statewide	20% * .1	=	2.00
	Unique zero	3% * 0	=	.00
				<b>SOIL SCORE: 13.55</b>
<b>TILLABLE SOILS:</b>	Cropland Harvested	83% * .15	=	12.45
	Woodlands	17% * .0	=	.00
				<b>TILLABLE SOILS SCORE: 12.45</b>
<b>FARM USE:</b>	Field Crop Except Cash Grain	83 acres		

**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 two (2) acres for future house  
 Exception is not to be severable from Premises  
 Right to Farm language is to be included in Deed of Easement  
 Exception is to be restricted to one single family residential unit
  - c. Additional Restrictions: No Additonal Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:  
 No Structures On Premise
  - 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 #FY11R11(10)**

**Final Approval and Authorization to  
Execute Deed of Easement, Project Agreement, and Closing Documents  
New Jersey Conservation Foundation – Gilde Farm  
2007 Non Profit Round**

**November 4, 2010**

Nonprofit Fee Simple Grant Program:

Subject Property:     New Jersey Conservation Foundation/Gilde Farm  
                              Block 22, Lot 21 Delaware Township  
                              Hunterdon County  
                              20 Acres

WHEREAS, on February 6, 2006 the State Agriculture Development Committee (“SADC”), received a non-profit cost share grant application from the New Jersey Conservation Foundation (NJCF) for the Wickecheoke Creek Project Area, Hunterdon County; and

WHEREAS, on May 25, 2006 the SADC granted preliminary approval to the Wickecheoke Creek Project Area application and appropriated \$1,000,000 for the acquisition of development easements or fee simple interest to any of the lands identified in the Wickecheoke Creek Project Area; and

WHEREAS, NJCF has closed on the Jungblut and Danese farms within the Wickecheoke Creek Project Area which utilized \$701,405 of the available funds, leaving a balance of \$298,595; and

WHEREAS, on June 4, 2010 NJCF submitted the Gilde farm (see Schedule A) as a nonprofit fee simple acquisition within the Wickecheoke Creek Project Area; and

WHEREAS, the farm consists of 70 percent prime soils and 11 percent statewide soils and is 97 percent tillable; and

WHEREAS, NJCF is not requesting any exceptions; and

WHEREAS, based on criteria for evaluating development easement applications, N.J.A.C. 2:76-6.16, the farm’s quality score is 63.82; and

WHEREAS, the Gilde farm meets the minimum eligibility criteria set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, on June 24, 2010 the SADC granted preliminary approval by Resolution #FY10R6(17) to the NJCF-Gilde fee simple application and appropriated up to \$298,595 for the fee simple acquisition of the Gilde farm; and



WHEREAS, on September 23, 2010 the SADC certified the fee simple value of the Property to be \$24,800 per acre based on current zoning and environmental conditions (as of July 1, 2010); and

WHEREAS, on September 27, 2010 the SADC informed NJCF of the certified value and its willingness to provide a 50 percent cost share grant in the amount of \$12,400 per acre (approximately \$248,000) pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of NJCF's eligible costs and subject to available funds from the Wickecheoke Creek Project Area (\$298,595); and

WHEREAS, on October 7, 2010 NJCF informed the SADC that NJCF accepted the certified value of \$24,800 per acre and NJCF was prepared to move forward with the project; and

WHEREAS, the farm is included on NJCF's United States of America Natural Resources Conservation Service Federal Farm and Ranchlands Protection Program (FRPP) grant application as a targeted farm and NJCF intend's to utilize FRPP funds as part of the matching grant; and

WHEREAS, the NJCF has agreed to the additional restrictions associated with the use of FRPP funding which includes a 2 percent impervious coverage restriction, which equals approximately 0.4 acre for the construction of agriculture related structures on the Property; and

WHEREAS, on August 17, 2010 Hunterdon County approved a 20 percent grant to the New Jersey Conservation Foundation not to exceed \$120,000 for the acquisition of the Gilde farm; and

WHEREAS, based on 20 acres NJCF's funding is anticipated to be approximately:

SADC Grant	\$ 248,000	\$12,400 per acre
FRPP Grant	\$ 148,800	\$ 7,440 per acre
Hunterdon County	\$ 99,200	\$ 4,960 per acre
Total	\$ 496,000	\$24,800 per acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to NJCF for up to 50% of the eligible ancillary costs which will be deducted from its appropriation and subject to the availability of funds; and

WHEREAS, as per N.J.A.C. 2:76-16.1(3), NJCF is requesting approval to transfer ownership of the Gilde farm to NJCF Preserves, LLC after closing;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the New Jersey Conservation Foundation/Gilde fee simple acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$12,400 per acre to New Jersey Conservation Foundation for the fee simple acquisition

on the Gilde farm subject to the availability of funds in the New Jersey Conservation Foundation Wickecheoke Creek Project Area (total of approximately \$298,595); and

BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to NJCF for up to 50% of the eligible ancillary costs which will be deducted from its appropriation and subject to the availability of funds; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF Federal Farm and Ranch Land Protection Program funds for the preservation of the Gilde farm, which will include a 2 percent impervious coverage limitation and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC approves the transfer of ownership from the New Jersey Conservation Foundation to NJCF Preserves, LLC subject to a Project Agreement between the SADC, NJCF and NJCF Preserves, LLC that addresses the conditions as contained at N.J.A.C. 2:76-16.1(a); and

BE IT FURTHER RESOLVED, If NJCF Preserves, LLC sells its restricted fee simple interest, it will obtain approval from the SADC and agrees to reimburse the SADC 50 percent of the net proceeds pursuant to the Project Agreement between the SADC, NJCF, and NJCF Preserves, LLC; and

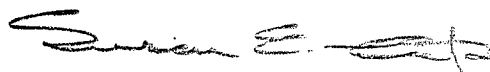
BE IT FURTHER RESOLVED, the SADC's cost share grant to New Jersey Conservation Foundation for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Craft to execute by signature all documents necessary to provide a grant to the New Jersey Conservation Foundation for the fee simple acquisition of the Gilde farm; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11-4-10

Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Denis C. Germano, Esq.	YES
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	YES
James Waltman	YES

x:/counties/hunco/projects/gilde/ww.mxd



Application within the (PA4b) Rural Env Sensitive Area

**FARMLAND PRESERVATION PROGRAM  
NJ State Agriculture Development Committee**

D. Gilde/NJCF  
Block 22 Lot 21 (19.3 ac)  
Gross Total = 19.3 ac  
Delaware Twp., Hunterdon County

	Property In Question
	WEL - (Non-Reversible) Exception
	WR - (Reversible) Exception
	Wetlands Boundaries
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O&S & Recreation Easement
	Federal Land



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

**Sources:**  
NJDEP Freshwater Wetlands Data  
Green Acres Conservation Easement Data  
NJOT/OGIS 2007/2008 Digital Aerial Image

June 7, 2010

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Gilde Farm  
10- 0055-NP  
2007A PA Fee Simple - Nonprofit  
19 Acres

Block 22	Lot 21	Delaware Twp.	Hunterdon County		
<b>SOILS:</b>		Other	19.12% *	0	= .00
		Prime	70.07% *	.15	= 10.51
		Statewide	10.81% *	.1	= 1.08
					<b>SOIL SCORE: 11.59</b>
<b>TILLABLE SOILS:</b>		Cropland Harvested	97% *	.15	= 14.55
		Woodlands	3% *	0	= .00
					<b>TILLABLE SOILS SCORE: 14.55</b>
<b>FARM USE:</b>	Field Crop Except Cash Grain		19 acres		

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. 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: No Exceptions Recorded
  - c. Additional Restrictions: No Additional Restrictions
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:  
No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to 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, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION #FY2011R11(11)**

**Construction of Onsite Agricultural Labor Housing**

**Port Colden Road L.L.C.**

**November 4, 2010**

WHEREAS, Port Colden Road L.L.C., hereinafter (“Owner”) is the current record owner of Block 601.01, Lot 1.01, as identified in the Township of Mansfield and Block 43, Lot 3, as identified in the Township of Washington, County of Warren, and recorded in the Warren County Clerk’s office by deed dated January 4, 2006, in Deed Book 2057, Page 254, totaling 136.06 acres, hereinafter referred to as “Premises”, see attached Schedule “A”; and

WHEREAS, the Premises was acquired by the SADC, through the fee simple purchase program, on January 21, 2000, from the former owner, Edward Ciparis, Executor of the Estate of Kenneth Blazier, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et. Seq., PL 1983, as a Deed recorded on February 7, 2000, in Deed Book 1670, Page 168, in the Warren County Clerk’s office; and

WHEREAS, the SADC conveyed the Premises to Robert LeCompte on August 22, 2000, with agricultural restrictions pursuant to N.J.S.A. 4:1C-31.1; and

WHEREAS, the Owner acquired the Premises from Robert LeCompte in January of 2006; and

WHEREAS, the farmland preservation Deed of Easement identifies no existing single family residential buildings, no residential units used for agricultural labor purposes, one Residual Dwelling Site Opportunity and no exception areas; and

WHEREAS, on September 13, 2010, the SADC received a request from the Owner to construct an approximately 1,200 sq./ft. agricultural labor unit on the Premises in the location as shown on Schedule “A”; and

WHEREAS, Port Colden Road, L.L.C., is primarily engaged in the raising and training of hunter/jumper horses for lease and sale; and

WHEREAS, prior to purchasing the Premises, the Owner rented space at another farm to operate the equine business; and

WHEREAS, since acquiring the Premises the Owner has improved the Premises with electric and water, a 23-stall stable, three smaller barns, paddocks, and renovated the pastures and hay fields; and

WHEREAS, there are currently 12 horses onsite, (11 owned by the Owner and one boarded); and

WHEREAS, the Owner plans to increase production to fill all 23 stalls over time; and

WHEREAS, there is approximately 35 acres in hay production and 25 acres managed as pasture/paddocks in support of the equine operations on the Premises; and

WHEREAS, during the site visit to the Premises to review the request for a permanent agricultural labor unit it was determined that two mobile trailers onsite were currently being used to house two current agricultural laborers; and

WHEREAS, because there was no existing housing of any kind on the Premises the Owner is utilizing the two mobile units on to the farm to serve as alternative housing for two agricultural laborers that are currently employed on the Premises to allow for 24-hour care and security for the animals onsite; and

WHEREAS, the SADC considers the raising of horses, pasture and hay production to be agricultural production and finds that the equine activities on the subject farm consist primarily of agricultural production and the non production activities (boarding) to be ancillary to the production activities; and

WHEREAS, paragraph 13i of the Deed of Easement states: "Grantee may construct any new buildings for agricultural purposes. The construction of any new buildings for residential use, regardless of its purpose, shall be prohibited except as follows:

To provide structures for housing of agricultural labor employed on the Premises but only with the approval of the Grantor. If Grantor grants approval for the construction of agricultural labor housing, such housing shall not be used as a residence for Grantee, Grantee's spouse, Grantee's parents, Grantee's lineal descendants, adopted or natural"; and

WHEREAS, the Owner proposes to construct an approximately 1,200 sq./ft. apartment above a proposed equipment barn, as shown in Schedule "B"; and

WHEREAS, according to the Owner construction will commence upon receipt of approvals from the SADC and the township; and

WHEREAS, the agricultural laborers are current full-time, year round employees of Port Colden Road L.L.C.; and

WHEREAS, the primary duties of the agricultural laborers residing on the Premises are directly related to the production, and include feeding, watering, stall cleaning, turnout and general daily care of the horses being raised for sale, as well as production and harvest of the hay, and maintenance of the pastures on the Premises; and

WHEREAS, the Owner believes that having on-farm housing for agricultural labor is essential for the raising of horses for sale and is necessary for the continuation of the existing and planned expansion of the operation; and

WHEREAS, the Owner has stated that the two existing mobile units currently used as agricultural labor housing will be removed upon completion of the permanent agricultural labor apartment; and

WHEREAS, the SADC has reviewed the Owner's request to construct an apartment above an equipment barn on the Premises for the purpose of housing agricultural labor and has determined that the size and location of the unit minimizes any adverse impact on the agricultural operation; and

WHEREAS, the SADC finds that the proposed apartment to be used as an agricultural labor unit is consistent with the requirements of the Deed of Easement; and

WHEREAS, the amount of labor needed to sustain the equine production related activities on the Premises warrants the need for the requested agricultural labor unit on the Premises;

NOW THEREFORE BE IT RESOLVED, that the SADC approves the request to construct an apartment above a proposed equipment barn, approximately 1,200 sq/ft, as identified in Schedule "A", on the Premises to house two full-time agricultural laborers;

BE IT FURTHER RESOLVED, that only agricultural labor employed on the Premises, and their immediate family, may live in the agricultural labor units; and

BE IT FURTHER RESOLVED, that the occupants of the agricultural labor units shall not be related to the Owner in conformance with paragraph 13 of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the agricultural laborers shall be engaged in the day-to-day production activities on the Premises, which at this time include feeding, watering, stall cleaning, turnout and general daily care of the horses being raised for sale, as well as hay and pasture production; and

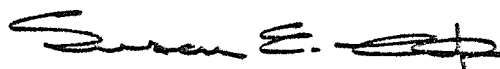
BE IT FURTHER RESOLVED, that the Owner's use of any structures for housing agricultural laborers shall be in compliance with all applicable Federal, State, County and local regulations; and

BE IT FURTHER RESOLVED, that the two existing mobile units used for housing agricultural labor are permitted to remain on the premises pending completion of the agricultural labor apartment; and

BE IT FURTHER RESOLVED, that the two existing mobile units currently used for housing agricultural laborer shall be removed within 60 days of acquiring the certificate of occupancy for the agricultural labor apartment; and

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11-4-10  
DATE



Susan E. Craft, Executive Director  
State Agriculture Development Committee



VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep DCA Commissioner Grifa)	YES
Denis C. Germano, Esq.	YES
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	YES
James Waltman	YES

# Schedule "A"

Port Colden Road LLC

Location of Proposed Agricultural Labor Unit

u:/county\_state/project\_name.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Port Colden Road LLC  
Block 601.01, Lot 1.01, Mansfield Township  
Block 43, Lot 3, Washington Township  
Warren County  
136 - Acres



0 285 570 1,140 1,710 2,280 Feet

### Farmland Preservation Program

- PRESERVED EASEMENT
- EXCEPTION AREA
- PRESERVED EASEMENT / NR
- EXCEPTION AREA / NR
- FINAL APPROVAL
- PRELIMINARY APPROVAL
- ACTIVE APPLICATION
- 8 YEAR PRESERVED
- TARGETED FARM
- INACTIVE APPLICATION
- NO CORRESPONDING DATA

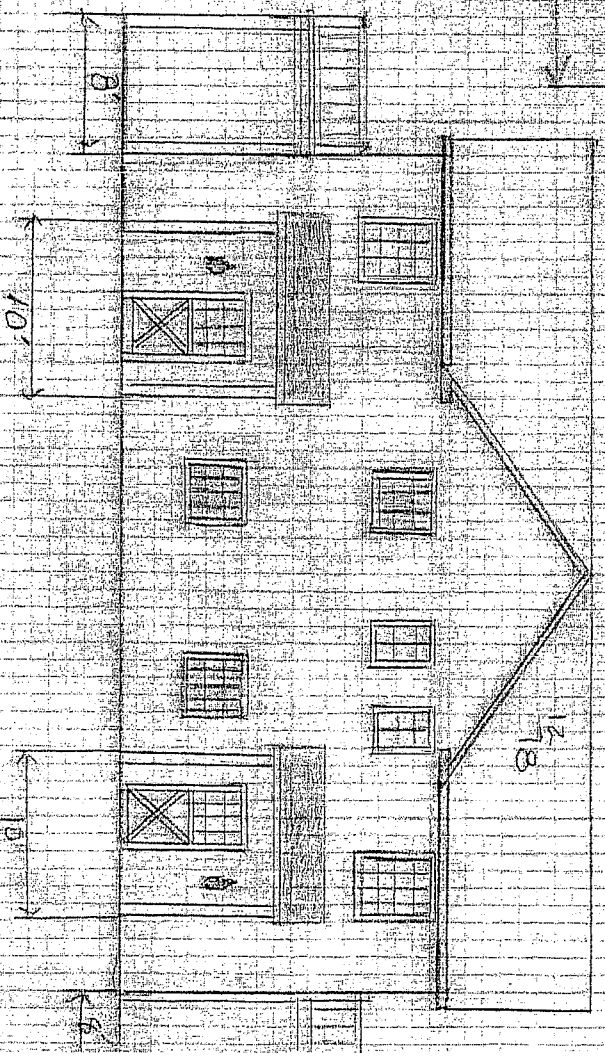
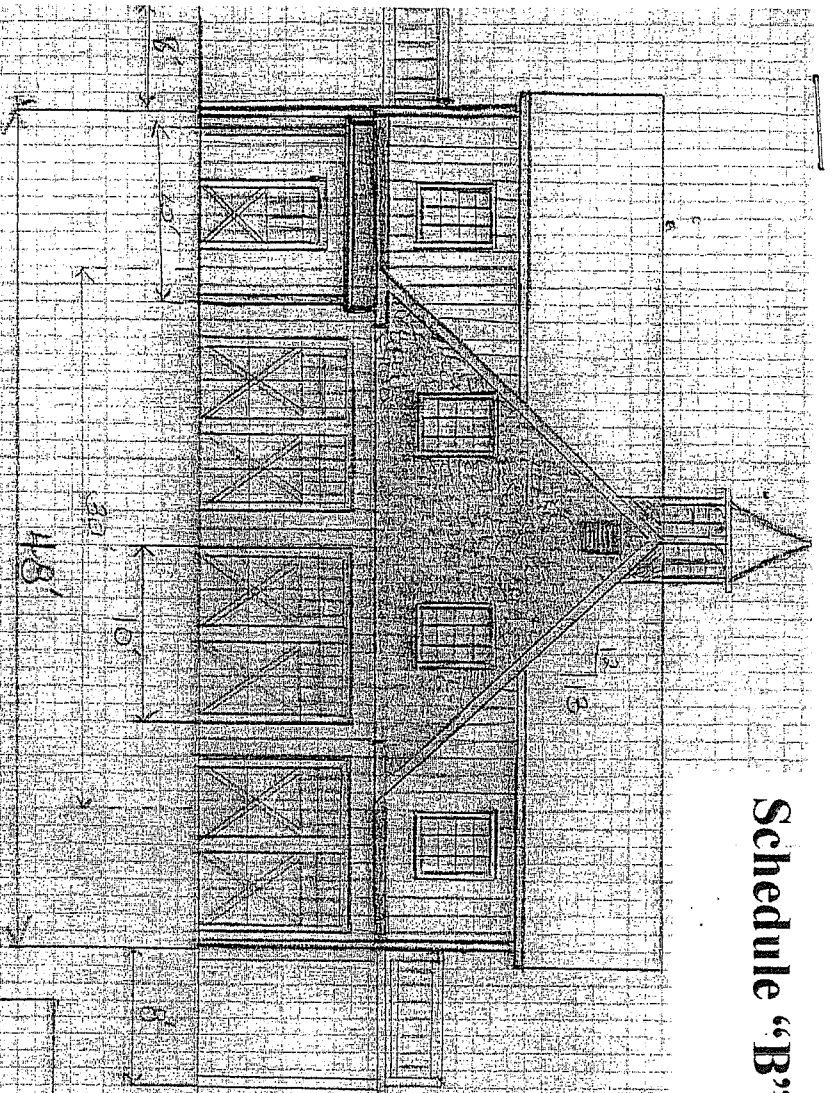
- State Planning Areas**
- (PA1) METRO
- (PA2) SUBURBAN
- (PA3) FRINGE
- (PA4) RURAL
- (PA4B) RURAL ENV SENS
- (PA5) ENV SENS
- (PA5B) ENV SENSITIVE BARRIER IS
- (P10) PINELANDS
- PARK
- MILITARY
- NEW JERSEY MEADOWLANDS
- WATER
- ELLIS ISLAND-NJ
- ELLIS ISLAND-NY
- Base Map**
- County Boundaries
- Municipal Boundaries
- Highlands Planning Area
- Highlands Preservation Area
- Pinelands Area
- Green Acres Preserved Easements

month/day/year

# Schedule "B"

DURKIN, LIZ  
EQUIPMENT / # APPT  
50' x 48' x 19'

1003



STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2011R11(12)

Request for Construction of Two Agricultural Labor Units

Husky Farm, L.L.C.

November 4, 2010

WHEREAS, Husky Farm, L.L.C., hereinafter, "Owner" is the record owner of Block 22, Lot 17, in Colts Neck Township, Monmouth County, by deed dated December 23, 2009, and recorded in the Monmouth County Clerk's Office in Book 8814, Page 8690, totaling 104.1 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the Monmouth County Agriculture Development Board, hereinafter "CADB" acquired a development easement on Block 23, Lots 18 and 19.01, and Block 22, Lot 17, Colts Neck Township, Monmouth County, consisting of 193.4 acres (as shown on **Schedule "B"**), from the former owners, The George Dittmar, Jr., 1996 Irrevocable Real Estate Trust, George Dittmar, Jr. and Florence Dittmar, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., by Deed of Easement dated March 19, 1999 and recorded in the Monmouth County Clerk's Office in Deed Book 5805, Page 818, hereinafter "Property" (as identified in **Schedule "B"**); and

WHEREAS, in 2000, the former owners requested approval of the CADB and SADC to divide the Property into two tracts; and

WHEREAS, following the CADB's May 3, 2000, approval of the division of the Property, on May 25, 2000, the SADC approved a division of the Property creating Tract I, consisting of 89.3 acres and comprising Block 23, Lots 18 and 19.01, and Tract II, consisting of 104.1 acres, and comprising Block 22, Lot 17, as shown in **Schedule "B"** to continue nursery production; and

WHEREAS, Roger and Virginia Mumford purchased Tract II (the Premises) from the former owners in April 2003, and also purchased Block 22, Lot 8, an unpreserved out-parcel contiguous to Tract II from the former owners as shown in **Schedule "A"**; and

WHEREAS, Roger and Virginia Mumford constructed equine infrastructure (e.g., barns, stables, indoor arena) on the Premises; and

WHEREAS, on July 24, 2003, the SADC approved Roger and Virginia Mumford's request to construct a 900 sq./ft. agricultural labor unit; and

WHEREAS, currently, the Premises includes one existing agricultural labor unit, one one-acre nonseverable exception area, no existing single family residential units and no residual dwelling site opportunities (RDSO's); and

WHEREAS, on October 14, 2008, the SADC received a request from Roger Mumford to divide the Premises; and

WHEREAS, the main activity occurring on the farm at that time was an equine training and boarding operation run by the farm tenant, Helen Goddard; and

WHEREAS, the stated purpose for the division request was to sell approximately 51 acres containing the existing equine infrastructure to a new buyer and to allow Mr. Mumford to keep and recreate a similar equine boarding/training operation on the remaining 54 acres; and

WHEREAS, on April 24, 2009, the SADC denied Roger Mumford's request to divide the Premises into two parcels; and

WHEREAS, the Committee found that recreating an agricultural business that was primarily engaged in service activities did not meet the agricultural viability or purpose tests required by the Deed of Easement; and

WHEREAS, on November 19, 2009, Roger Mumford offered the Premises for sale through public auction; and

WHEREAS, on December 23, 2009, the Owner acquired the Premises; and

WHEREAS, on June 21, 2010, the SADC received an initial request to construct two additional agricultural labor units on the Premises from the Owner; and

WHEREAS, the Owner proposes to build two individual units, similar to the existing agricultural labor cottage, approximately 980 sq./ft. each, in the location of an existing horse paddock next to the main stable as shown on Schedule "A"; and

WHEREAS, the Owner's proposal is for two individuals to live in each of the new units; and

WHEREAS, the Owner's stated intent for constructing additional agricultural labor housing is to alleviate overcrowding in the existing agricultural labor unit (4 men in a two-bedroom, 900 sq./ft. unit) and to allow for two additional employees to work and live on the farm; and

WHEREAS, the Owner provided a list of all the current employees on the Premises and a description of their farm related duties as shown in **Schedule "C"**; and

WHEREAS, the main activity on the farm continues to be the equine boarding/training operation run by the farm tenant, Helen Goddard; and

WHEREAS, there are several smaller scale agricultural activities occurring on the Premises which the Owner has documented along with his plans for proposed expansion of the agricultural operation, as shown in **Schedule "D"**; and

WHEREAS, the Owner identifies 2-3 acres of existing Christmas trees, 26 horses in the equestrian training/boarding operation, 5 alpaca, one male Clydesdale for breeding, horse manure composting and a 22-acre hayfield (calculated at 12 acres by SADC staff) as evidence supporting the need for agricultural laborers; and

WHEREAS, the Owner has indicated his desire to increase the Christmas tree planting by 2-acres per year over the next four years, 17 acres currently in large hollies which are kept in reserve for possible re-establishment of a holly tree or other nursery stock operation and to utilize his Clydesdale and artificial insemination materials to develop a breeding operation, as evidence of the need for additional onsite labor; and

WHEREAS, Paragraph 14 of the Deed of easement allows for the construction of agricultural labor housing "to provide structures for housing of agricultural labor employed on the Premises but only with the approval of the Grantee and Committee. If Grantee and Committee grant approval for the consideration of agricultural labor housing, such housing shall not be used as a residence for Grantor."; and

**WHEREAS, the SADC makes the following findings related to its determination of whether this application meets the requirements for the construction of agricultural labor housing:**

- 1) Requests for agricultural labor housing to house agricultural labor employed on the Premises must be based on the agricultural production needs on the Premises; and
- 2) Boarding and training services are not considered agricultural production activities; and
- 3) Based on information provided by the Owner, agricultural production activities consist of:
  - a. The 3-5 horses are owned in whole or in part by the Owner or the farm operator;
  - b. 2-3 acres of existing Christmas trees;
  - c. Raising and harvesting of fiber from 5 alpaca;

- d. Raising and harvesting of the existing 12-acre hay field; and
- 4) Based on the information provided by the Owner a majority of the current agricultural activities and labor required on the Premises are associated with the equine boarding/training activities; and
- 5) One agricultural labor unit currently exists on the Premises; and
- 6) Based on the submission from the Owner detailing the work of each individual on the farm, four of the proposed residents for the agricultural labor units will work primarily in the equine operation; and
- 7) The description of daily duties for the two proposed residents of the new agricultural labor units who are not primarily engaged in equine related duties on the farm includes:
  - a. General farm grounds maintenance;
  - b. Christmas tree maintenance and planting;
  - c. Alpaca care;
  - d. Maintenance and bailing of hayfield; and

WHEREAS, SADC staff conducted a site visit on June 29, 2010, and the following observations are made:

- 1) Staff met with the equine operations manager, Helen Goddard, the Owner's architect, Daniel Lynch, the Owner's Engineer, Brian Decina, and Monmouth CADB administrator, Harriet Honigfeld, to determine the state of the operation and conditions existing at the time of the site visit and to hear the proposal for the request for new agricultural labor units;
- 2) Ms. Goddard explained that due to the high level of training and value associated with the horses boarded at this facility a greater number of man hours of care per day per horse is required when compared to other equine facilities;
- 3) The main activities occurring on the Premises are related to the operation and maintenance of the equine boarding/training operation;
- 4) Significant areas of the Premises are not available for a variety of agricultural uses and production due to disbursed large hardwoods and evergreen trees consisting of oaks, maples, sycamores and white pines that are up to 50 feet tall resulting from overgrown nursery stock; other areas of the Premises are fenced for paddocks;
- 5) Reference to the 17 acres of holly trees being held in reserve for future production is not practicable. The SADC previously determined that the majority

of trees in this area are no longer marketable because they are overgrown and have not been maintained as saleable quality stock; use of this area for new plantings would require removal of the existing unmaintained nursery stock from the understory as well as removal of significant numbers of fully grown hardwoods to open up the canopy currently shading this area;

- 6) Significant areas of the Premises were being mowed but not under active cultivation;
- 7) Significant areas of the Premises are reverting to saplings and/or unmaintained old growth nursery trees which is resulting in even more area being taken out of agricultural production; and

WHEREAS, in its April 24, 2009, resolution the Committee found that the areas of large overgrown nursery stock have resulted in a decrease in the amount of tillable land available on the Premises and a decrease in the ability of the Premises to support a variety of production activities; and

WHEREAS, during testimony at the March 16, 2009, SADC meeting, related to the previous division of premises request, the previous owner, Roger Mumford, and the equine operations manager testified that the areas of existing old growth nursery stock were an asset to the boarding operation by providing a secluded private setting prized by clients of the farm; and

WHEREAS, based on current and previous analysis of this farm, the equine operation on the Premises consists mainly of non-production service activities of boarding and training horses for clients, with only a few of the animals belonging to the Owner or the tenant; and

WHEREAS, the labor required for the alpaca, Christmas tree and hay production is minimal in comparison to the labor required to operate the equine facility; and

WHEREAS, the Monmouth CADB considered and approved the request for two additional agricultural labor units at its October 6, 2010, meeting to reduce overcrowding of the existing agricultural labor unit and to house two additional agricultural laborers onsite (see attached **Schedule "E"**).

NOW, THEREFORE BE IT RESOLVED, that the SADC finds the Owner has not demonstrated the need for additional agricultural labor residences to support agricultural production activities on the Premises; and

BE IT FURTHER RESOLVED, that based on the above factual findings and conclusions, the SADC denies the Owner's application for two additional agricultural labor residential units; and

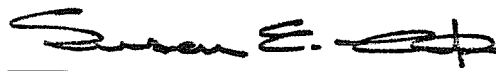


BE IT FURTHER RESOLVED, that the Committee reserves the right to review the agricultural activities on the Premises and their relation to the residents of the existing agricultural labor unit as a potential violation of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the Committee reserves the right to evaluate the state of the old growth nursery stock on the Premises and its impediment to production agricultural activities on the Premises as a potential violation of the Deed of Easement; and

BE IT FURTHER RESOLVED, that this denial is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

11/4/10  
DATE



Susan E. Craft, Executive Director  
State Agriculture Development Committee

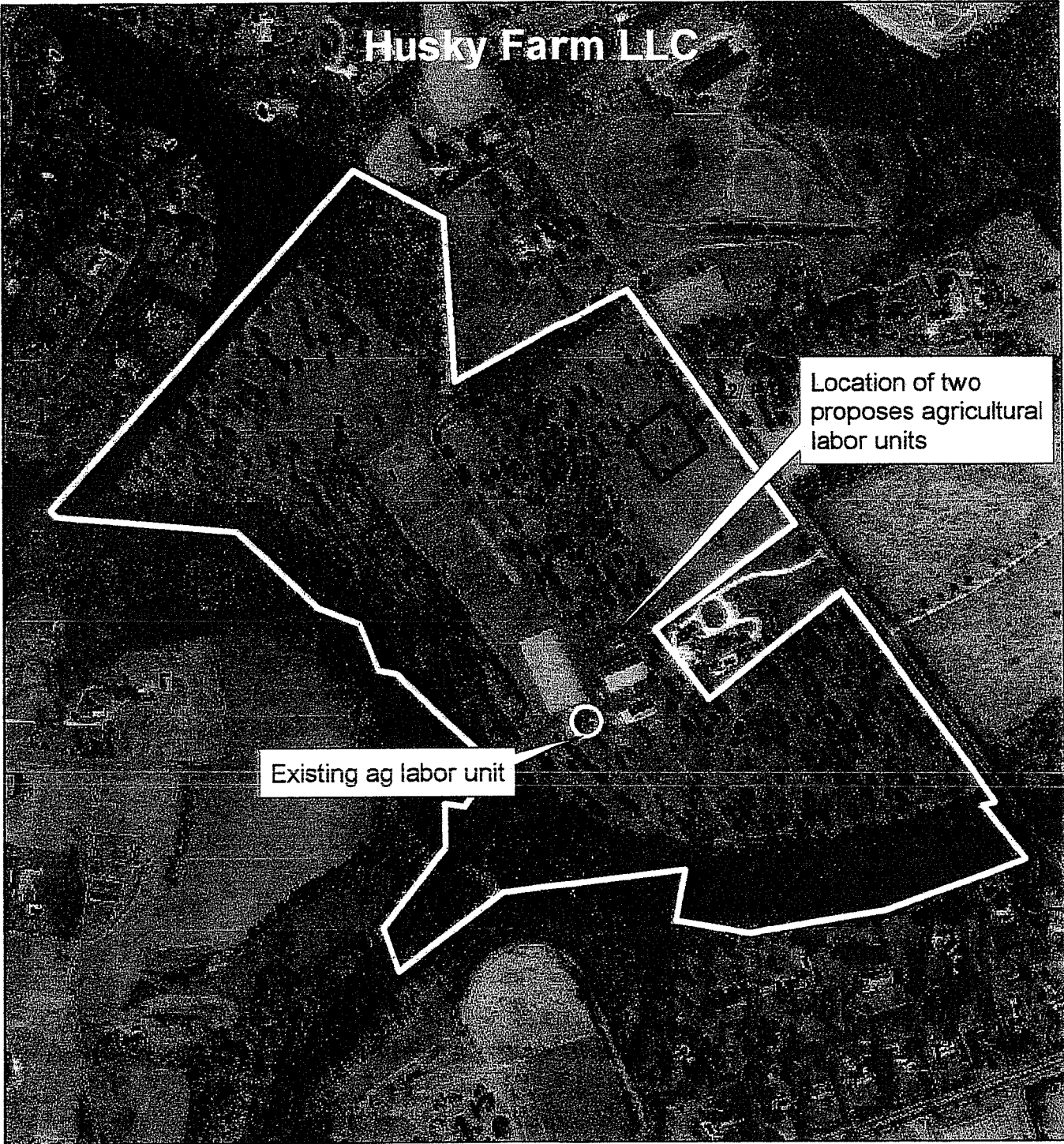
**VOTE WAS RECORDED AS FOLLOWS:**

Douglas H. Fisher, Chairperson	ABSTAIN
Richard Boornazian (rep. DEP Commissioner Martin)	OPPOSE
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Grifa)	OPPOSE
Denis C. Germano, Esq.	OPPOSE
Alan Danser	YES
Torrey Reade	YES
Stephen P. Dey	YES
Jane Brodhecker	OPPOSE
James Waltman	YES

# Schedule "A"

## Husky Farm LLC

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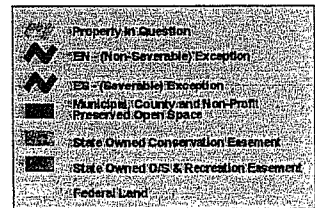


### FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Husky Farm LLC  
Block 22, Lots 17  
Colts Neck Twp., Monmouth 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 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



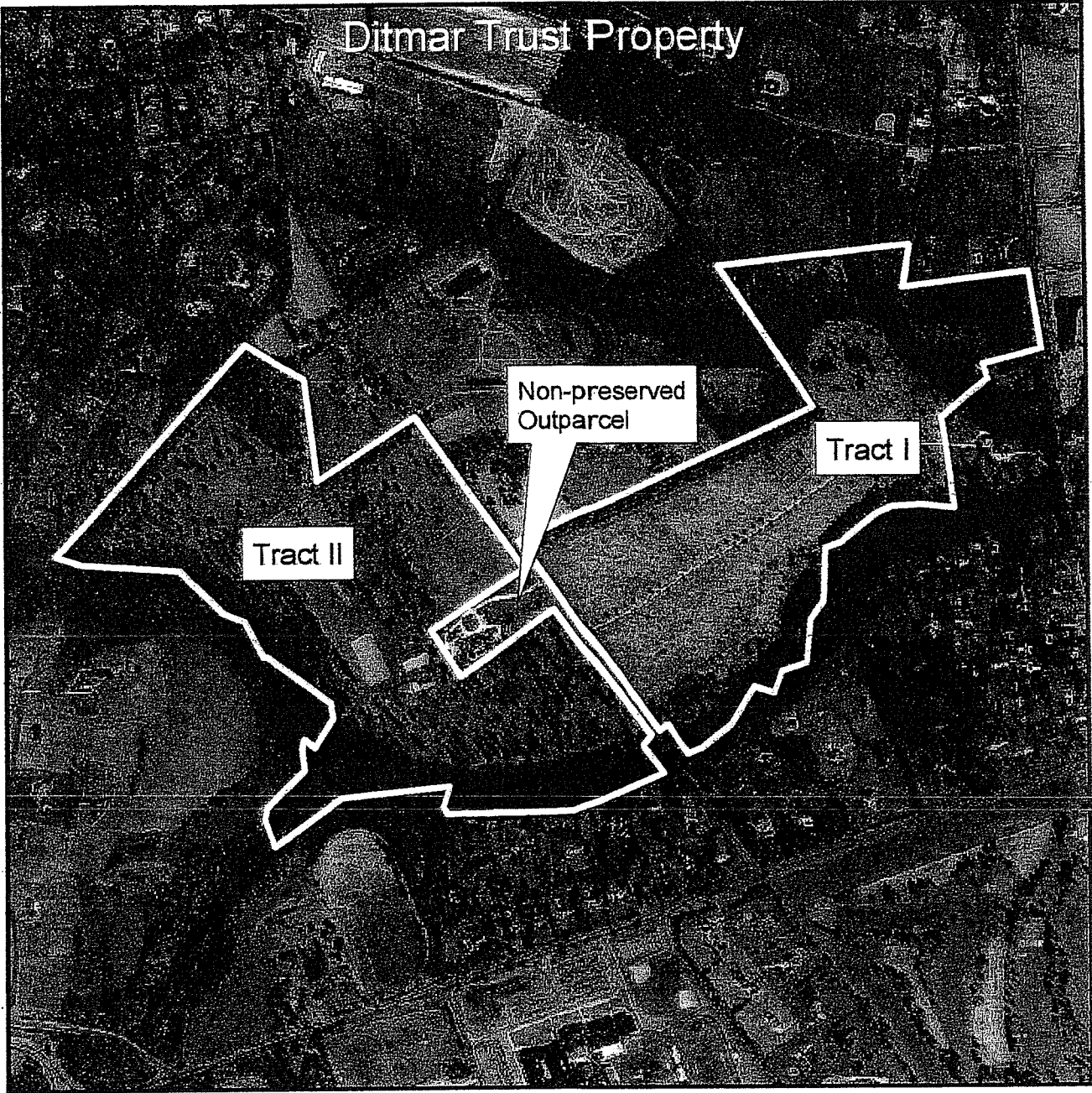
**Sources:**  
2002 Infra-Red Color Aerial Image

October 21, 2008

# Schedule "B"

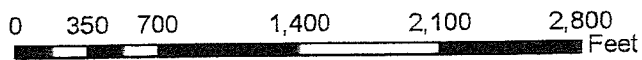
Ditmar Trust Property

u:/county\_state/project\_name.mxd



## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ditmar Trust Farm  
Block 22, lot 17  
Block 23, Lots 18 & 19.01  
Colts Neck Twp.  
Monmouth County



### Farmland Preservation Program

	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	8 YEAR PRESERVED
	TARGETED FARM
	INACTIVE APPLICATION
	NO CORRESPONDING DATA

<b>State Planning Areas</b>	
	PA(1) METRO
	PA(2) SUBURBAN
	PA(3) FRINGE
	PA(4) RURAL
	PA(4B) RURAL ENV SENS
	PA(5) ENV SENS
	PA(5B) ENV. SENSITIVE BARRIER IS
	PA(10) PINELANDS
	PARK
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER
	ELLIS ISLAND- NJ
	ELLIS ISLAND- NY
<b>Base Map</b>	
	County Boundaries
	Municipal Boundaries
	Highlands Planning Area
	Highlands Preservation Area
	Pinelands Area
	Green Acres Preserved Easements

month/day/year

# Schedule "C"

## Current Operations & Labor Summary

STAFF	POSITION	STATUS	DESCRIPTION OF DAILY ACTIVITIES
J. Spinella Family * Husky Farm, LLC	Owner / Operator	Owner	Owner Administration of farm operations, labor management, acquisitions, agricultural sales, billing, and paperwork related to trees, hay, and alpacas.
Helen Goddard* Helen Goddard, LLC	Equestrian Operation Owner	Full Time	Executive Administration of Equestrian Operations, ride and train kept and boarded horses, scout and purchase new horses for improvement and sale, sales of horses, labor management, billing and paperwork related to equestrian activities. Attends and Competes in competitions with horses to foster the horses training and development and general improvement.
Kristin	Assistant Trainer	Full Time	Administration of Equestrian Operations, ride and train kept and boarded horses, scout new horses for improvement and sale, sales of horses, schedule of horses for transport, competitions, and medical / breeding activities, paperwork & billing, labor management.
Brandon	Assistant Trainer	Full Time	Assistant Administration of Equestrian Operations, ride and train kept and boarded horses, scout new horses for improvement and sale, sales of horses, schedule of horses for transport, competitions.
German	Eq. Labor	Full Time	Groom horses, prepare horses for riding, clean and maintain horse equipment, clean and maintain horses in show / sale condition, assist veterinarian and equine chiropractor. Assists blacksmith with horse shoeing.
Adrian	Eq. Labor	Full Time	Groom horses, prepare horses for riding, clean and maintain horse equipment, clean and maintain horses in show / sale condition, assist veterinarian and equine chiropractor. Assists blacksmith with horse shoeing.
Alex **	Eq. / Farm Labor	Full Time	Clean barns, cleans stables, maintains paddocks and rakes riding areas to maintain safe level ground, feeds horses. Moves and Compost Manure for use and sale (sells to market). Vermin control. Maintains and cleans equestrian equipment (tractors, vehicles, fences, jumps, etc)
Raphael ***	Eq. / Farm Labor	Full Time	Clean barns, cleans stables, maintains paddocks and rakes riding areas to maintain safe level ground, feeds horses. Moves and Compost Manure for use and sale (sells to market). Vermin control. Maintains and cleans equestrian equipment (tractors, vehicles, fences, jumps, etc)
Phillipe	Farm Labor	Full Time	General farm grounds maintenance, Christmas tree maintenance & planting, trimming root balls, cuts and sells. Tills soils, maintains hayfields, cuts and bails (sells). Cares for alpacas, assists vet, shears wool, preps wool, (sells wool)
Jose **	Farm Labor	Full Time	General farm grounds maintenance, Christmas tree maintenance & planting, trimming root balls, cuts and sells. Tills soils, maintains hayfields, cuts and bails (sells).

Notes: \* Individual not counted in employee tally on SADC Application. \*\* Employee was part time, is now full time.

\*\*\* Employee has been added to staff since original application

The list above represents the current labor force on the farm. We believe our proposed expansions will minimally require an additional three full time employees.

Date: August 9, 2010

# Schedule "D"

Yellow Brook Farm / Husky Farm, LLC

## Farming / Production Land Use Summary

ACTIVITY	AREA <small>(ACREAGE)</small>	DESCRIPTION
Existing Christmas Tree Farming	+/-3	Currently approximately 1500 trees exist and are being actively farmed. About 50% are ready for sale and the remaining 50% will be ready in 1 or 2 growing seasons
Proposed Christmas Tree Farming 2010	+/-7	We will begin field preparation, tilling, and fertilizing for the hand planting of 2 acres of Douglas fir Christmas trees (approximately 1350 trees) for this coming fall /spring. We anticipate additional plantings of the same number of trees in the 2011, 2012, & 2013 seasons to provide successive crops of mature trees on an approximate 6-7 year growing / harvest cycle.
Reserved Tree Farming	+/-17	Additional acreage exists for future expansion of tree farming. Currently this acreage contains large mixed holly trees. We are currently investigating the opportunities for farming hollies as this farm historically was a large holly tree producer. We do not have a specific timeline for this portion on the farm as of the date of this summary.
Existing Equestrian Boarding	+/-23	Currently an average of 26 show jumper and hunter horses are cared for, managed, trained, & boarded on the farm. The animals are trained and improved as investment horses purchased by Helen G. and for paying clients. They are maintained in show / sale condition. All of the paddock areas are grass hay and are utilized for pasture / foraging of the horses on site.
Existing Equestrian Improving	Included in above	Currently The owner and equestrian operator are partnering in 3 to 5 young horses to be trained, improved, and sold for profit over time. Our current goal is 5 but may expand based on opportunities and availability of quality animals. Notes on the improving aspect: the approximate average purchase price for a young horse is \$50,000.00. After one or two years of training and competition, (sometimes longer) we see a typical approximate average sale price of an improved horse of \$150,000.00. (The numbers of animals listed above reflect the owners intent, please note that more animals are improved at this facility, but for paying clients).
Equestrian Breeding	Included in above	The owner has purchased and is keeping one male breeding Clydesdale on the farm. He has also secured additional reproductive materials to begin a Clydesdale / horse breeding operation. Horse breeding will be done on and off site based on the breeding contracts. Horses foaled on or off site will be kept on site, improved and sold for profit.
Existing Alpacas	+/-1	Currently there are 5 alpacas kept on the farm. The alpacas are cared for by farm staff in their paddock and in the barns. The animals are seasonally sheered and wool is prepared for sale by on site farm labor.
Existing Alfalfa Hay Production	+/-22	Currently 22 acres of the existing farm is alfalfa grass hay. It has been mowed down and disposed of by the previous owner. We intend to grow the hay, harvest, bale, and sell it to market (with some on farm use). This operation will be done by on site farm labor. All of the existing paddock areas are grass hay and are utilized for pasture / foraging of the horses on site.
Manure Composting	+/- 1/2	Approximately 100 cubic yards per month of manure is generated on the farm. It is currently removed from the site (at cost to the farm owner) and used on another farm in common ownership. As part of our application we are looking to provide a manure composting bin so it can be turned and properly composted. The intent is to sell the composted manure for profit to mushroom farmers for their use in their farming operations.
Woodlands & Wetlands	+/-26	The property contains woodland and wetland areas that we have no intention to cut, or encroach into, for equestrian or farming activities.
Residential	1	The property contains an approved 1 acre development exception for a primary residence. There is no intent to build the primary residence at the time of this summary. We do reserve the right to build a single family farm residence in the future.

Date: August 9, 2010

# Schedule "E"

Resolution 2010-10-1

## RESOLUTION OF THE MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD APPROVING PROPOSED CONSTRUCTION OF AGRICULTURE LABOR HOUSING

Mr. Geran offered the following motion and moved its adoption:

WHEREAS, Husky Farm LLC ["the Farm"] has applied to the Monmouth County Agriculture Development Board ["the Board"] for approval of two housing structures for agricultural labor to be employed on the premises of the Farm; and

WHEREAS, the Farm is located in the Township of Colts Neck at Block 22, Lot 17;  
and

WHEREAS, the Farm is subject to a development easement granted to the Board pursuant to the Farmland Preservation Program; and

WHEREAS, the housing units are permitted under the Board's Deed of Easement with the approval of the Board and the State Agriculture Development Committee; and

WHEREAS, a site inspection was conducted by the Board's staff in June 2010.

NOW, THEREFORE, BE IT RESOLVED that the Board makes the following findings of fact:

1. The current operation at the Farm includes Christmas tree production, alfalfa hay production, horse improving and sales, horse boarding and training, and alpaca wool harvesting and sale;
2. The operation at the Farm is evolving to include a horse breeding component, expand Christmas tree production, and possibly re-establish holly tree farming;

3. Existing structures on the MCADB easement include 1 stable and riding arena, a second stable, a barn, and a 1-story agriculture labor unit that is approximately 900 SF in size;
3. There is no principal residence currently on site;
3. The Farm currently cares for 22 - 26 horses;
4. The existing agricultural labor unit houses 4 employees in 2 bedrooms;
5. Six other farm workers currently live offsite, including the principle farm owner (Vincent Spinella) and the equestrian business operator (Helen Goddard);
6. The new agricultural labor housing units would enable offsite workers to move on the farm, allow for the hiring of additional employees, and relieve overcrowding in the existing housing unit;
7. The applicant seeks approval of two 1-story, 2-bedroom cottages about 983 SF in size for agriculture labor housing; and

BE IT FURTHER RESOLVED that, based on the aforesaid findings of fact, the Monmouth County Agriculture Development Board approves Husky Farm LLC's application subject to the following condition:

1. Approval by the State Agriculture Development Committee.

BE IT FURTHER RESOLVED that the Board shall forward a copy of this resolution to the State Agriculture Development Committee, the Township of Colts Neck, and the property owners.

Seconded by Mr. Halka and adopted on a roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Bullock	X			
Mr. Buscaglia	X			
Ms. Butch	X			
Mr. Clayton				X
Mr. DeFelice	X			
Mr. Geran	X			
Mr. Giambrone				X
Mr. Halka	X			
Mr. McCarthy	X			
Mr. Potter	X			
Mr. Stuart	X			

I do hereby certify that the foregoing is a true copy of a resolution adopted by the Monmouth County Agriculture Development Board at a meeting on the 6<sup>th</sup> day of October, 2010.



---

Richard Obal  
Secretary



**STATE AGRICULTURE DEVELOPMENT COMMITTEE**

**RESOLUTION FY2011R11(13)**

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO  
CUMBERLAND COUNTY  
for the  
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of  
Newton B. Shimp III  
Stow Creek Township, Cumberland County**

**N.J.A.C. 2:76-17 et seq.  
SADC ID# 06-0088-PG**

**NOVEMBER 4, 2010**

WHEREAS, on December 15, 2008, the State Agriculture Development Committee (“SADC”) received a Planning Incentive Grant (“PIG”) plan application from Cumberland County, hereinafter “County” pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted preliminary approval of Cumberland County’s PIG plan on May 28, 2009 and final approval of the plan on December 10, 2009; and

WHEREAS, on July 22, 2009 the SADC received an application for the sale of a development easement from Cumberland County for the Shimp Farm hereinafter referred to as “Owner” identified as Block 9, Lot 3, Block 8, Lot 1 & 2, and Block 7, Lot 6 Stow Creek Township, Cumberland County, totaling approximately 102 acres hereinafter referred to as “Property” and as identified on the attached map Schedule A; and

WHEREAS, the Property is currently in foreclosure and any statements herein referencing the Owner shall be approved by the Trustee of Bankruptcy; and

WHEREAS, the Property is located in Cumberland County’s Stow Creek Project Area; and

WHEREAS, the Property includes a 1-acre severable exception restricted to the one (1) existing single-family residence; and

WHEREAS, the Property includes, a 7-acre nonseverable exception which includes a commercial trucking operation and will be restricted to the one (1) existing single-family residence; and

WHEREAS, the Property has a rank score of 66 which exceeds 70% of the County’s average quality score of 60.83, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on December 15, 2009 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on May 28, 2009 the SADC certified a development easement value of \$4,600 per acre based on zoning and environmental regulations in place as of October 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, Cumberland County accepted the Owner's offer of \$4,600 per acre for the development easement for the Property; and

WHEREAS, subsequently, the County and Owner requested the application be amended to include a 4-acre nonseverable exception to encompass an area where the excavation of a pond had begun; and

WHEREAS, the Owner requested a non-severable exception area large enough to complete the pond, which was approved by the County; and

WHEREAS, the 4-acre exception area for the pond will be restricted from any residences; and

WHEREAS, the two independent appraiser considered the non-severable exception and amended their valuations accordingly; and

WHEREAS, due to the application amendment and pursuant to N.J.A.C. 2:76-17.11, on November 4, 2010 the SADC re-certified a value of \$4,500 / acre based on zoning and environmental regulations in place as of October 2008 for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, Cumberland County and the Owner have accepted the value of \$4,500 per acre for the development easement for the Property; and

WHEREAS, on September 28, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 105.06 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, on July 22, 2010 the SADC established FY11 funding allocations to provide eligible counties with a base grant of \$1,500,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, SADC FY11 funding (2009 Bond Referendum Funds) for use by Cumberland County was approved by the SADC on July 22, 2010 and is pending approval from the Legislature and Governor prior to appropriation; and

WHEREAS, the Cumberland County Agriculture Development Board is requesting \$325,686 from its base grant, leaving a cumulative balance of \$1,174,314 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2011 grant of \$4,500,000, subject to the availability of funds for additional applications; and

WHEREAS, Cumberland County, in participation with the New Jersey Conservation Foundation (NJCF), has applied to utilize USDA, NRCS, FY11 Farm and Ranch Lands Protection Program (FRPP) grant funding in the amount of \$1,600 per acre to further leverage available County funding for farmland preservation; and

WHEREAS, the Property has approximately 97% Prime and 3% Statewide Important soils; and

WHEREAS, the Owner agreed to the additional restrictions associated with the use of FRPP grant funding, including a 4% impervious cover restriction equal to approximately 4 acres of land available for the construction of agricultural infrastructure on the Property; and

WHEREAS, it has been determined that the Property and the Owner qualify for FRPP grant funds; and

WHEREAS, the County intends to use the FRPP grant to cover the local cost share (\$1,400 per acre), allocating any remaining FRPP funding towards the SADC PIG grant (an estimated \$200 per acre); and

**Cost share breakdown prior to FRPP Grant:**

	<u>Total</u>	
SADC	\$325,686	(\$3,100/acre)
Cumberland County	<u>\$147,084</u>	(\$1,400/acre)
Total Easement Purchase	<b>\$472,770</b>	

**Cost share breakdown after \$168,096 FRPP Grant is approved and applied:**

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>	
SADC	\$325,686 (\$3,100/acre)	\$ 21,012	\$304,674	(\$2,900/acre)
Cumberland County	\$147,084 (\$1,400/acre)	\$147,084	\$0	(\$0/acre)
FRPP Grant			<u>\$168,096</u>	(\$1,600/acre)
	<b>\$472,700</b>	<b>\$168,096</b>	<b>\$472,770</b>	<b>\$4,500/acre</b>

WHEREAS, subject to NRCS approval of FRPP funding, the County and NJCF are required to coordinate closely with SADC staff regarding needed appraisal updates and FRPP required appraisal reviews and submissions to meet FRPP closing deadlines; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on May 11, 2010 the Stow Creek Township Committee approved the application without any cost share funding; and

WHEREAS, the Cumberland County Agriculture Development Board approved the application on February 24, 2010 and secured a commitment of funding for \$1,400 per acre (31.11% of the easement purchase) from the Cumberland County Board of Chosen Freeholders for the required local match on October 28, 2010 should the anticipated FRPP grant not cover its entire cost share on the easement purchase; and

WHEREAS, the Cumberland County Freeholder approval is contingent upon SADC FY11 funding being available after appropriation in order to close with SADC funding; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Shimp Farm, comprising approximately 105.06 acres, at a State cost share of \$3,100 per acre (68.89% of certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% acreage buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$325,686; and

BE IT FURTHER RESOLVED, that the SADC grand funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and the availability of those funds; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$200 per acre) from the United States Department of Agriculture, Natural Resources Conservation Service under the FY11 Federal Farm and Ranch Lands Protection Program to reduce the SADC's grant taken from the County's base grant for the Shimp Farm; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

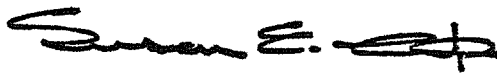
BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

11/4/10  
Date



Susan E. Craft, Executive Director  
State Agriculture Development Committee

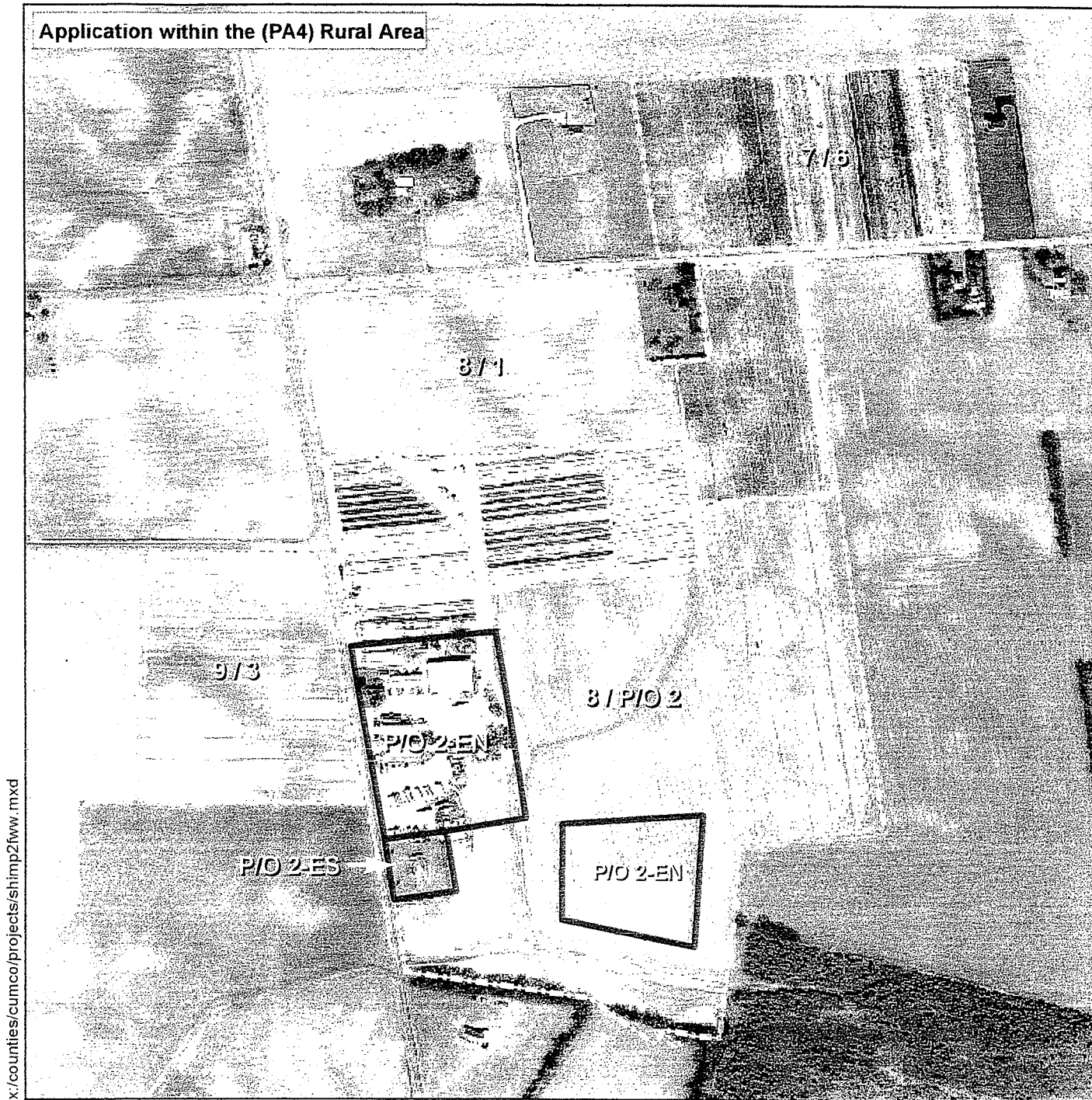
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	ABSENT FOR THIS VOTE
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	ABSENT FOR THIS VOTE
Denis C. Germano	YES
Torrey Reade	YES
Stephen P. Dey	YES

# Wetlands

Schedule A

Application within the (PA4) Rural Area



x:/counties/cumco/projects/shimp2fww.mxd

## FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Newton B. Shimp, III  
 Block 7 Lot 6 (14.88 ac); Block 8 Lots 1 (35.19 ac),  
 P/O 2 (25.15 ac), P/O 2-ES (severable exception - .95 ac)  
 & P/O 2-EN (non-severable exceptions - 11.0 ac); Block 9 Lot 3 (12.61 ac)  
 Gross Total = 99.79 ac  
 Stow Creek Twp., Cumberland County

500 250 0 500 1,000 Feet



	Property In Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned GIS & Recreation Easement
	Federal Land

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

**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:  
 NJDEP Freshwater Wetlands Data  
 Green Acres Conservation Easement Data  
 NJOTI/OGIS 2007/2008 Digital Aerial Image

Date: 10/27/2010

Cumberland County New Jersey Farmland Preservation Program  
 County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant% Per Acre	Easement Consideration Basis	SADC		1,500,000 Base Grant	
									Cost	Share	Encumbered at Final	PV Encumbered
<i>Farms with Final Approval:</i> Shimp, Newton B. III	Stow Creek	102	105,060	4,500.00		3,100.00	68.89%	472,770.00	\$325,686.00		325,686.00	1,174,314.00
<i>Farms with certified values:</i> Newton, Thomas	Greenwich	45.3	46,659	4,500.00		3,100.00	68.89%		\$144,642.90			
Fox, Frank A.	Upper Deerfield	58.9	60,667	5,100.00		3,450.00	67.65%		\$209,301.15			
Cruzan, Daniel & Diane	Hopewell	92.8	95,584	6,300.00		4,050.00	64.29%		\$387,115.20			
Minch, Michael et al	Hopewell	11	11,330	12,100.00		7,260.00	60.00%		\$82,255.80			
DelVecchio, Brian & Susan	Lawrence	45.14	46,494	5,100.00		3,450.00	67.65%		\$160,404.99			
SF Systems Company/Sheppard	Lawrence	43.2	44,496	4,400.00		3,040.00	69.09%		\$135,267.84			
Dickinson, Everett et al	Shiloh Boro	40	41,200	6,300.00		4,050.00	64.29%		\$166,860.00			
Coll #1, Kevin A.	Stow Creek	44	45,320	4,900.00		3,340.00	68.16%		\$151,368.80			
Coll #2, Kevin A.	Stow Creek	44	45,320	5,100.00		3,450.00	67.65%		\$156,354.00			
Kacewicz, Norman & Lynette	Stow Creek	17.37	17,891	8,000.00		4,900.00	61.25%		\$87,666.39			
Garton #2, Jeffrey & Deborah	Upper Deerfield	38.48	39,634	7,500.00		4,650.00	62.00%		\$184,299.96			
Jones, Clifford & Dorothy	Greenwich	70	72,100	4,000.00		2,700.00	67.50%		\$194,670.00			
Adamucci #1, Carmen Sr.	Hopewell	125	128,750	5,900.00		3,850.00	65.25%		\$495,687.50			
									\$2,881,580.53			
Cumberland Co/Riggins	Stow Creek	76	78.28				#DIV/0!		\$0.00			
Adamucci #2, Carmen	Hopewell	48	49,440				#DIV/0!		\$0.00			
Cumberland Co/Sheppard Anne	Greenwich	71	73,130				#DIV/0!		\$0.00			
Co. County/Kates, Thomas	Lawrence	25	25,750				#DIV/0!		\$0.00			
Cum.Co/Mooneyham	Upper Deerfield	23	23,690				#DIV/0!		\$0.00			
Cum. Co./Sheppard Mark K.	Stow Creek	71	73,130				#DIV/0!		\$0.00			
Keung Lam Realty	Lawrence	146	150,380				#DIV/0!		\$0.00			
Paladino, Vincent	Deerfield Twp.	30	30,900				#DIV/0!		\$0.00			
Burton, Carolyn & Ewing,W.	Stow Creek	70	72,100				#DIV/0!		\$0.00			
Mazza, Frank & Lois	Stow Creek	120	123,600				#DIV/0!		\$0.00			
Fox,Grace Elizabeth	Upper Deerfield	24	24,720				#DIV/0!		\$0.00			
Overstreet, Chiari	Upper Deerfield	82	84,460				#DIV/0!		\$0.00			
Ruske, Roger, Margaret & Chris	Fairfield Twp.	205	211,150				#DIV/0!		\$0.00			
Rio, Nicholas, Satilee, Jr.	Upper Deerfield	55	56,650				#DIV/0!		\$0.00			
Battlinger, Frank	Hopewell	70	72,100				#DIV/0!		\$0.00			
<b>withdrawn</b>												
Riley, Joseph & Judith	Greenwich	70	72,100						0.00			
Cum. Co./Strosnider	Hopewell	44	45,320									
<b>Total Pending</b>	<b>30</b>		<b>1949.986</b>						<b>0.00</b>			
<b>Total Encumbered</b>												
<b>Closed/Expended</b>												

State Agriculture Development Committee  
SADC Final Review: Development Easement Purchase

Shimp, Newton B. III  
06- 0088-PG  
FY 2010 County PIG Program  
102 Acres

Block 9	Lot 3	Stow Creek Twp.	Cumberland County
Block 8	Lot 2	Stow Creek Twp.	Cumberland County
Block 8	Lot 1	Stow Creek Twp.	Cumberland County
Block 7	Lot 6	Stow Creek Twp.	Cumberland County

<b>SOILS:</b>	Prime	97% *	.15	=	14.55
	Statewide	3% *	.1	=	.30

**SOIL SCORE: 14.85**

<b>TILLABLE SOILS:</b>	Cropland Harvested	100% *	.15	=	15.00
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**TILLABLE SOILS SCORE: 15.00**

<b>FARM USE:</b>	Soybeans-Cash Grain	9 acres
	Ornament Nursery Products	91 acres
	Sod	10 acres

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

1. Available funding.
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 four (4) acres for pond  
Exception is not to be severed from Premises  
Right to Farm language is to be included in Deed of Easement  
(no residential opportunity)
    - 2nd one (1) acres for existing residence  
Exception is severable  
Right to Farm language is to be included in Deed of Future Lot  
Exception is to be restricted to one single family residential unit(s)
    - 3rd seven (7) acres for agricultural trucking operation  
Exception is not to be severed from Premises
  - c. Additional Restrictions:
    1. 4% impervious cover max (approx 4 acres) pursuant to Federal Farm and Ranch Land Protection Program
  - d. Additional Conditions: No Additional Conditions
  - e. Dwelling Units on Premises:  
No Structures On Premise
  - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.